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OF THE
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ONE HUNDRED FIFTEENTH CONGRESS
SECOND SESSION

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IN THE TWO HUNDRED AND FORTY-SECOND
YEAR OF THE INDEPENDENCE OF THE UNITED
STATES

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JOURNAL OF THE HOUSE OF REPRESENTATIVES

CONGRESS OF THE UNITED STATES

Begun and held at the Capitol, in the City of Washington, in the District of Columbia, on Wednesday, the third day of January, in the year of our Lord two thousand and eighteen, being the *second session* of the ONE HUNDRED FIFTEENTH CONGRESS, held under the Constitution of the United States, and in the two hundred and forty-second year of the independence of the United States.

FRIDAY, JULY 27, 2018 (112)

¶112.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MEADOWS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
July 27, 2018.

I hereby appoint the Honorable MARK MEADOWS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶112.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MEADOWS, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Thursday, July 26, 2018, was approved.

¶112.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5802. A letter from the Director, Regulatory Review Group, Farm Service Agency, Department of Agriculture, transmitting the Department's Major final rule — 2017 Wildfires and Hurricanes Indemnity Program (RIN: 0560-AI39) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5803. A letter from the Deputy Assistant Administrator for Regulatory Affairs, NMFS, Office of Protected Resources, Department of Commerce, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants: Final Rule To List the Taiwanese Humpback Dolphin as Endangered Under the Endangered Species Act [Docket No.: 160413329-8412-03] (RIN: 0648-XE571) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5804. A letter from the Assistant Under Secretary of the Army, Civil Works, Depart-

ment of Defense, transmitting the Corps' report on Galveston Harbor Channel Extension — Feasibility Study, Houston-Galveston Navigation Channels, Texas, for February 2017, pursuant to 33 U.S.C. 549a; Public Law 91-611, Sec. 216; (84 Stat. 1830) (H. Doc. No. 115-144); to the Committee on Transportation and Infrastructure and ordered to be printed.

5805. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps' report on St. Johns County, FL Coastal Storm Risk Management Project: Final Integrated Feasibility Study and Environmental Assessment for August 2017 (H. Doc. No. 115-143); to the Committee on Transportation and Infrastructure and ordered to be printed.

5806. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: City of Vallejo Fourth of July Fireworks Display, Mare Island Strait, Vallejo, CA [Docket No.: USCG-2018-0544] (RIN: 1625-AA00) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5807. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: City of Benicia Fourth of July Fireworks Display, Carquinez Strait, Benicia, CA [Docket No.: USCG-2018-0641] (RIN: 1625-AA00) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5808. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Willamette River, Wilsonville, OR [Docket No.: USCG-2018-0647] (RIN: 1625-AA00) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5809. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Annual Events Requiring Safety Zones in the Captain of the Port, Lake Michigan Zone [Docket No.: USCG-2018-0082] (RIN: 1625-AA00) received

July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5810. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; 2018 Detroit Hydrofest, Detroit River, Detroit, MI [Docket No.: USCG-2018-0673] (RIN: 1625-AA08) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5811. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Grand Haven Coast Guard Festival Waterski Show, Grand Haven, MI [Docket No.: USCG-2018-0267] (RIN: 1625-AA08) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

And then,

¶112.4 ADJOURNMENT

The SPEAKER pro tempore, Mr. MEADOWS, pursuant to section 2(b) of House Resolution 1012, at 10 o'clock and 2 minutes a.m., declared the House adjourned until 10 a.m. on Tuesday, July 31, 2018.

¶112.5 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HIMES (for himself, Mr. THOMAS J. ROONEY of Florida, Mr. MEEKS, and Mr. HECK):

H.R. 6638. A bill to promote transparency in the oversight of cybersecurity risks at publicly traded companies; to the Committee on Financial Services.

By Mr. REED (for himself and Ms. SEWELL of Alabama):

H.R. 6639. A bill to amend title XVIII of the Social Security Act to provide for coverage

under the Medicare program of digital retinal imaging with remote interpretation; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHNEIDER:

H.R. 6640. A bill to provide that a former Member of Congress receiving compensation as a lobbyist shall be ineligible to receive certain Federal retirement benefits or to use certain congressional benefits and services, to require each Member of Congress to post on the Member's official public website a hyperlink to the most recent annual financial disclosure report filed by the Member under the Ethics in Government Act of 1978, to prohibit the use of appropriated funds to pay for the costs of travel by the spouse of a Member of Congress who accompanies the Member on official travel, to restrict the use of travel promotional awards by Members of Congress who receive such awards in connection with official air travel, and for other purposes; to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, Rules, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GALLEGO:

H. Con. Res. 133. Concurrent resolution celebrating freedom of the press; to the Committee on the Judiciary.

¶112.6 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 99: Mr. MCNERNEY.
H.R. 113: Mr. RUTHERFORD.
H.R. 530: Mr. O'ROURKE.
H.R. 809: Mr. O'ROURKE.
H.R. 1002: Mr. CLAY.
H.R. 1146: Mr. CLYBURN.
H.R. 1300: Mr. LARSON of Connecticut.
H.R. 1511: Mr. BERA.
H.R. 1869: Mr. LAMB.
H.R. 2358: Mr. LOEBBACH.
H.R. 2417: Mr. LARSEN of Washington.
H.R. 2556: Mr. CLEAVER.
H.R. 2840: Mr. CARBAJAL.
H.R. 2953: Mr. GUTHRIE.
H.R. 3349: Mr. KILDEE.
H.R. 3608: Mr. HUNTER.
H.R. 3730: Ms. ROSEN.
H.R. 3919: Mr. COFFMAN.
H.R. 4143: Mr. NEWHOUSE.
H.R. 4276: Ms. SHEA-PORTER, Mr. TAKANO, and Ms. JACKSON LEE.
H.R. 4977: Mr. ROTHFUS.
H.R. 5108: Mr. LAMB.
H.R. 5129: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 5145: Mr. GUTIÉRREZ.
H.R. 5188: Mr. SEAN PATRICK MALONEY of New York.
H.R. 5476: Mr. PASCRELL.
H.R. 5609: Ms. LEE.
H.R. 5621: Mr. AL GREEN of Texas.
H.R. 5858: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 5951: Mr. VELA.
H.R. 6071: Mr. WELCH.
H.R. 6193: Mr. NADLER.
H.R. 6364: Mr. GUTHRIE, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Mr. HUNTER.
H.R. 6445: Mr. BOST.
H.R. 6505: Mrs. DINGELL.
H.R. 6515: Mr. SMITH of Texas.
H.R. 6530: Mr. MOULTON, Mrs. MURPHY of Florida, Mr. LANCE, Mr. UPTON, Ms. ROSELEHTINEN, and Mr. CURBELO of Florida.

H.R. 6543: Mr. BROWN of Maryland, Mr. MCEACHIN, Ms. KUSTER of New Hampshire, Mr. CONNOLLY, Ms. CLARKE of New York, Mr. LOWENTHAL, Mrs. NAPOLITANO, Mr. COHEN, Mr. NADLER, Mr. CLAY, Ms. NORTON, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. RYAN of Ohio, Mr. CROWLEY, Ms. MOORE, Mr. LANGEVIN, Ms. KAPTUR, Mr. SERRANO, Mr. RUSH, Ms. MAXINE WATERS of California, Mr. MCGOVERN, Mr. GENE GREEN of Texas, Ms. HANABUSA, Ms. FRANKEL of Florida, Mr. SOTO, Mr. PAYNE, Mr. DANNY K. DAVIS of Illinois, Ms. WASSERMAN SCHULTZ, Ms. BARRAGÁN, Mr. SARBANES, Ms. SÁNCHEZ, Ms. SCHAKOWSKY, and Mr. BUTTERFIELD.

H.R. 6578: Mr. GOMEZ, Ms. ROYBAL-ALLARD, and Mr. ESPAILLAT.

H.R. 6595: Mr. CRAMER, Mrs. COMSTOCK, and Mr. NEWHOUSE.

H.R. 6630: Mr. RASKIN.

H. Res. 1008: Ms. HANABUSA and Mr. PAYNE.
H. Res. 1031: Mr. COHEN, Mr. RUPPERSBERGER, Mr. CARBAJAL, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SIREN, Mr. RUIZ, Mrs. DAVIS of California, Mr. ENGEL, Mr. HIMES, and Ms. VELÁZQUEZ.

H. Res. 1034: Mr. SHERMAN and Mr. ROHR-ABACHER.

TUESDAY, JULY 31, 2018 (113)

¶113.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MOONEY of West Virginia, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
July 31, 2018.

I hereby appoint the Honorable ALEXANDER X. MOONEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶113.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Friday, July 27, 2018, was approved.

¶113.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5812. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Indemnification or Defense, or Providing Notice to the Department of Defense, Relating to a Third-Party Environmental Claim [Docket ID: DOD-2016-OS-0108] (RIN: 0790-AJ54) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5813. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Massachusetts: City of Haverhill [Docket ID: FEMA-2018-0002; Internal Agency Docket No.: FEMA-8537] received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5814. A communication from the President of the United States, transmitting notification that the national emergency declared with respect to Lebanon that was declared in Executive Order 13441 of August 1, 2007 is to

continue in effect beyond August 1, 2018, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—145); to the Committee on Foreign Affairs and ordered to be printed.

5815. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Taylor Bayou Turning Basin, Port Arthur, TX [Docket No.: USCG-2017-0914] (RIN: 1625-AA00) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5816. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Regulated Navigation Area and Safety Zone, Harlem River and Hudson River, Manhattan, NY [Docket No.: USCG-2018-0523] (RIN: 1625-AA00, 1625-AA11) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5817. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area, Chicago Sanitary and Ship Canal, Romeoville, IL [Docket No.: USCG-2017-1095] (RIN: 1625-AA11) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5818. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Fleet Week Maritime Festival, Pier 66, Elliot Bay, Seattle, Washington [Docket No.: USCG-2018-0656] (RIN: 1625-AA00) received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5819. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Returns by exempt organizations and returns by certain non-exempt organizations (Rev. Proc. 2018-38) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5820. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Definitions of Qualified Matching Contributions and Qualified Nonelective Contributions [TD 9835] (RIN: 1545-BN05) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5821. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Beginning of Construction for the Investment Tax Credit under Section 48 [Notice 2018-59] received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5822. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2018 Marginal Production Rates [Notice 2018-51] received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶113.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, laid before

the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, July 30, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 30, 2018, at 10:42 a.m.:

That the Senate passed with an amendment H.R. 4318.

That the Senate passed without an amendment H.R. 4528.

That the Senate passed without an amendment H.R. 5729.

Appointment:

Commission on Social Impact Partnerships.

Board of Trustees of the John F. Kennedy Center for the Performing Arts.

With best wishes, I am

Sincerely,

ROBERT F. REEVES,
Deputy Clerk of the House.

¶113.5 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. MOONEY of West Virginia:

H.R. 4528. An Act to make technical amendments to certain marine fish conservation statutes, and for other purposes.

H.R. 4645. An Act to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System.

H.R. 5729. An Act to restrict the department in which the Coast Guard is operating from implementing any rule requiring the use of biometric readers for biometric transportation security cards until after submission to Congress of the results of an assessment of the effectiveness of the transportation security card program.

¶113.6 SENATE ENROLLED BILL SIGNED

The Speaker pro tempore, Mr. MOONEY of West Virginia, announced his signature to an enrolled bill of the Senate of the following title:

S. 2779. An Act to amend the Zimbabwe Democracy and Economic Recovery Act of 2001.

¶113.7 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on July 26, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 2353. An Act to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006.

And then,

¶113.8 ADJOURNMENT

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, pursuant to section 2(b) of House Resolution 1012, at 10 o'clock and 3 minutes a.m., declared the House adjourned until 10 a.m. on Friday, August 3, 2018.

¶113.9 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 6319. A bill to require the Securities and Exchange Commission to carry out a study of the 10 per centum threshold limitation applicable to the definition of a diversified company under the Investment Company Act of 1940, and for other purposes (Rept. 115-878). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6322. A bill to amend the Securities Exchange Act of 1934 to require issuers with a multi-class stock structure to make certain disclosures in any proxy or consent solicitation material, and for other purposes; with an amendment (Rept. 115-879). Referred to the Committee of the Whole House on the state of the Union.

¶113.10 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PAULSEN (for himself and Ms. ESHOO):

H.R. 6641. A bill to amend title XXVII of the Public Health Service Act and title XVIII of the Social Security Act to prohibit health insurance issuers, group health plans, Medicare Advantage organizations, and prescription drug plan sponsors from limiting drug price information a pharmacy may give to a consumer; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURGESS:

H.R. 6642. A bill to amend title XIX of the Social Security Act to sunset the limit on the maximum rebate amount for single source drugs and innovator multiple source drugs; to the Committee on Energy and Commerce.

By Mr. CICILLINE (for himself, Mr. MOULTON, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Ms. JAYAPAL, Mr. RASKIN, Mr. JOHNSON of Georgia, Mr. NADLER, Ms. JACKSON LEE, Mr. DOGGETT, Mr. COHEN, Mr. PERLMUTTER, Mr. DEUTCH, and Ms. HANABUSA):

H.R. 6643. A bill to amend chapter 44 of title 18, United States Code, to ensure that all firearms are traceable, and for other purposes; to the Committee on the Judiciary.

By Mr. CONNOLLY:

H.R. 6644. A bill to suspend proposed rule-making signed by former Administrator of the Environmental Protection Agency Scott Pruitt, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Agriculture, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAST (for himself, Mr. POSEY, Ms. BONAMICI, and Ms. KAPTUR):

H.R. 6645. A bill to amend the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 to reauthorize the national harmful algal blooms and hypoxia program and require an assessment and action plan

for reducing harmful algal blooms and hypoxia in the Greater Everglades region, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss RICE of New York:

H.R. 6646. A bill to amend the Older Americans Act of 1965 to authorize services to be provided to individuals with Alzheimer's disease or a related disorder with neurological and organic brain dysfunction who have not attained 60 years of age; to the Committee on Education and the Workforce.

By Mr. ROKITA (for himself, Mr. COLE, Ms. MCCOLLUM, Ms. MOORE, and Mr. YOUNG of Alaska):

H.R. 6647. A bill to amend the Native American Graves Protection and Repatriation Act to move the enforcement office to the Bureau of Indian Affairs, to increase the civil monetary penalties for failure to follow the processes established by that Act, and for other purposes; to the Committee on Natural Resources.

By Mr. RUIZ (for himself, Mr. BEYER, Mrs. WATSON COLEMAN, and Mr. CROWLEY):

H.R. 6648. A bill to amend the Internal Revenue Code of 1986 to provide an employer credit for increasing wages; to the Committee on Ways and Means.

By Mr. POE of Texas:

H. Res. 1039. A resolution encouraging edge providers, broadband providers, and data brokers to include certain data protections in their policies; to the Committee on Energy and Commerce.

By Mrs. TORRES (for herself and Mr. RUTHERFORD):

H. Res. 1040. A resolution recognizing August 7, National Night Out, the national coming together of Americans all over the Nation to unite and promote public safety; to the Committee on the Judiciary.

¶113.11 MEMORIALS

Under clause 3 of rule XII,

240. The SPEAKER presented a memorial of the Senate of the State of Missouri, relative to Senate Concurrent Resolution No. 40 requesting the Congress of the United States call a convention of the states to propose amendments to the Constitution of the United States; which was referred to the Committee on the Judiciary.

¶113.12 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 99: Mr. KILMER.

H.R. 559: Mr. ROSS.

H.R. 936: Mr. SMITH of Missouri.

H.R. 1102: Mr. PASCRELL.

H.R. 1156: Mr. ABRAHAM.

H.R. 1205: Mr. RUTHERFORD.

H.R. 1223: Mr. REICHERT.

H.R. 1445: Mr. FLORES.

H.R. 1485: Ms. ROSEN.

H.R. 1515: Ms. SHEA-PORTER.

H.R. 1593: Mr. BIGGS.

H.R. 1614: Ms. ROSEN.

H.R. 2327: Mr. BANKS of Indiana.

H.R. 2421: Ms. SHEA-PORTER.

H.R. 2476: Ms. WASSERMAN SCHULTZ.

H.R. 2876: Mr. DESAULNIER.

H.R. 2953: Mr. GALLEGO, Ms. CLARKE of New York, and Mr. POCAN.

H.R. 3415: Mr. NOLAN, Ms. SPEIER, Ms. LOFGREN, Ms. WILSON of Florida, and Ms. JUDY CHU of California.

H.R. 3602: Mr. O'ROURKE and Mr. PERLMUTTER.

H.R. 3976: Mr. CONNOLLY, Mr. KILMER, and Mr. ROKITA.
 H.R. 4012: Mr. PALLONE.
 H.R. 4099: Mrs. COMSTOCK.
 H.R. 4253: Mr. PERLMUTTER, Mr. KILDEE, and Mr. SARBANES.
 H.R. 4479: Mr. CURBELO of Florida.
 H.R. 4556: Mr. DEFazio and Mr. KRISHNAMOORTHY.
 H.R. 4732: Mr. NEWHOUSE, Mr. COURTNEY, and Mr. RUPPERSBERGER.
 H.R. 4843: Mr. CRAMER, Ms. LOFGREN, and Mr. FITZPATRICK.
 H.R. 5034: Ms. ADAMS.
 H.R. 5060: Mr. GARAMENDI and Mr. VELA.
 H.R. 5062: Ms. BROWNLEY of California, Ms. SPEIER, and Mr. GRIFFITH.
 H.R. 5129: Mr. GONZALEZ of Texas.
 H.R. 5358: Mr. TURNER and Mr. CUELLAR.
 H.R. 5573: Ms. LOFGREN.
 H.R. 5609: Ms. PINGREE.
 H.R. 5621: Mr. CONNOLLY.
 H.R. 5732: Mr. HULTGREN.
 H.R. 5759: Mr. ROSS.
 H.R. 5768: Ms. LOFGREN.
 H.R. 5985: Mr. ROSS.
 H.R. 5986: Mr. KILDEE.
 H.R. 6016: Mr. PALLONE.
 H.R. 6031: Mr. FASO and Mr. RUIZ.
 H.R. 6048: Mr. COHEN and Ms. SHEA-PORTER.
 H.R. 6086: Mr. PERLMUTTER, Mr. VELA, Mr. CARTWRIGHT, and Mr. RASKIN.
 H.R. 6122: Mr. CUMMINGS, Mr. SARBANES, Mr. MCGOVERN, Mrs. BEATTY, Ms. NORTON, Mr. O'ROURKE, Ms. TITUS, Ms. SHEA-PORTER, and Mr. JOHNSON of Georgia.
 H.R. 6239: Mr. COURTNEY, Mrs. BEATTY, and Mr. DAVID SCOTT of Georgia.
 H.R. 6269: Mr. ABRAHAM.
 H.R. 6326: Mr. GOMEZ.
 H.R. 6409: Mr. JOHNSON of Louisiana, Mr. NEWHOUSE, and Mr. ABRAHAM.
 H.R. 6451: Mr. BARLETTA and Mr. ROSS.
 H.R. 6455: Ms. NORTON and Mr. GRIJALVA.
 H.R. 6485: Ms. ADAMS.
 H.R. 6501: Mr. MCNERNEY.
 H.R. 6510: Mr. VELA, Mr. MOULTON, Mr. BEN RAY LUJAN of New Mexico, Mr. HASTINGS, Ms. MCCOLLUM, Mr. TAKANO, and Ms. ROSEN.
 H.R. 6527: Ms. JUDY CHU of California and Ms. ESHOO.
 H.R. 6530: Mr. SUOZZI.
 H.R. 6534: Ms. CLARKE of New York.
 H.R. 6537: Mrs. DEMINGS.
 H.R. 6542: Mrs. WATSON COLEMAN, Ms. KELLY of Illinois, Mrs. DEMINGS, Ms. ADAMS, Ms. WILSON of Florida, Mr. HASTINGS, Mr. CLEAVER, Mr. BUTTERFIELD, Mr. MEEKS, Ms. JACKSON LEE, Mr. VEASEY, Mr. DANNY K. DAVIS of Illinois, Mr. LAWSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Ms. BLUNT ROCHESTER, Ms. SEWELL of Alabama, Ms. BASS, Mr. PAYNE, Ms. FUDGE, Mr. THOMPSON of Mississippi, and Ms. CLARKE of New York.
 H.R. 6545: Mr. NEAL, Ms. CLARKE of New York, and Mr. CAPUANO.
 H.R. 6553: Mr. BURGESS.
 H.R. 6578: Mr. GRIJALVA, Mr. VARGAS, and Ms. JUDY CHU of California.
 H.R. 6594: Ms. BARRAGÁN, Ms. SÁNCHEZ, and Mr. POLIS.
 H.R. 6595: Mr. SCALISE.
 H.R. 6607: Ms. NORTON, Ms. MOORE, Ms. BARRAGÁN, Mr. COHEN, and Mr. GUTIÉRREZ.
 H.R. 6609: Ms. JAYAPAL and Mr. LYNCH.
 H.R. 6628: Mr. NEWHOUSE and Ms. FUDGE.
 H.R. 6631: Mr. MCNERNEY and Ms. NORTON.
 H.R. 6635: Mr. COFFMAN.
 H.J. Res. 6: Mr. CLOUD.
 H. Con. Res. 72: Mrs. HANDEL and Mr. CONNOLLY.
 H. Con. Res. 129: Mr. CLEAVER.
 H. Con. Res. 130: Mr. CUMMINGS, Mr. GRIJALVA, Ms. LEE, and Ms. CLARK of Massachusetts.
 H. Con. Res. 131: Ms. NORTON.
 H. Res. 136: Ms. HANABUSA.
 H. Res. 318: Mr. BOST.

H. Res. 393: Mr. SESSIONS.

H. Res. 413: Mr. PETERSON, Mr. DAVID SCOTT of Georgia, Mr. DEFazio, Mr. CÁRDENAS, and Ms. BLUNT ROCHESTER.

H. Res. 624: Mrs. DEMINGS, Mr. BISHOP of Michigan, and Mr. NEWHOUSE.

H. Res. 987: Mr. ELLISON.

H. Res. 1031: Ms. SÁNCHEZ, Ms. BARRAGÁN, Ms. CASTOR of Florida, Ms. MATSUI, and Ms. ESTY of Connecticut.

FRIDAY, AUGUST 3, 2018 (114)

¶114.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MESSER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 August 3, 2018.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶114.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Tuesday, July 31, 2018, was approved.

¶114.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5823. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Almonds Grown in California; Revision to the Adjusted Kernel Weight Computation [Doc. No.: AMS-SC-17-0084; SC18-981-1 FR] received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5824. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Tart Cherries Grown in the States of Michigan, et al.; Revision of Exemption Requirements [Doc. No.: AMS-SC-17-0047; SC17-930-1 FR] received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5825. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's affirmation of interim rule as final rule — Inspection Application Requirements [Doc. No.: AMS-SC-16-0063 FIR] received July 31, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5826. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Captain Keith B. Davids, United States Navy, to wear the insignia of the grade of rear admiral (lower half), pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

5827. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter authorizing Lieutenant General Austin S. Miller, United

States Army, to wear the insignia of the grade of general and Major General John C. Thomson III, United States Army, to wear the insignia of the grade of lieutenant general, pursuant to 10 U.S.C. 777a(b)(4); Public Law 111-383, Sec. 505(a)(1); (124 Stat. 4208); to the Committee on Armed Services.

5828. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Rex C. McMillian, United States Marine Corps Reserve, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5829. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John L. Dolan, United States Air Force, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5830. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Mark C. Nowland, United States Air Force, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5831. A letter from the Chairman, Commission to Assess the Threat to the United States from Electromagnetic Pulse (EMP) Attack, transmitting the Commission's report to Assess the Threat to the United States from Electromagnetic Pulse Attack, pursuant to National Defense Authorization Act for FY 2016, Sec. 1089; to the Committee on Armed Services.

5832. A letter from the Secretary, Department of Energy, transmitting a letter to submit proposed legislation to extend indefinitely the authority of the Department of Energy's National Nuclear Security Administration; to the Committee on Armed Services.

5833. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (South Carolina: Columbia, City Of, Lexington and Richland Counties, et al.) [Docket ID: FEMA-2018-0002; Internal Agency Docket No.: FEMA-8535] received July 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5834. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Rule 701 — Exempt Offerings Pursuant to Compensatory Arrangements [Release No.: 33-10520; File No.: S7-17-18] (RIN: 3235-AM39) received July 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5835. A letter from the Assistant General Counsel, Office of the General Counsel, Department of Education, transmitting the Department's interpretation — Federal Preemption and State Regulation of the Department of Education's Federal Student Loan Programs and Federal Student Loan Servicers received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5836. A letter from the Deputy Assistant Secretary for Employment and Training, Department of Labor, transmitting the Department's final rule — Senior Community Serv-

ice Employment Program; Performance Accountability [Docket No.: ETA-2017-0005] (RIN: 1205-AB79) received July 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5837. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's annual report entitled "United States Tobacco Product Exports That Do Not Conform to Tobacco Product Standards", pursuant to Sec. 801(p)(1) of the Federal Food, Drug, and Cosmetic Act; to the Committee on Energy and Commerce.

5838. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Vacatur Response-CERCLA/EPCRA Administrative Reporting Exemption for Air Releases of Hazardous Substances From Animal Waste at Farms; FARM Act Amendments to CERCLA Release Notification Requirements [EPA-HQ-OLEM-2018-0518; FRL-9981-52-OLEM] (RIN: 2050-AG66) received July 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5839. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — State of Idaho Voluntary Transfer of Primacy of the Class II Underground Injection Control Program to the Environmental Protection Agency [EPA-HQ-OW-2017-0584; FRL-9981-56-OW] received July 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5840. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Renewable Fuel Standard Program: Grain Sorghum Oil Pathway [EPA-HQ-OAR-2017-0655; FRL-9981-57-OAR] (RIN: 2060-AT82) received July 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5841. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous and Solid Waste Management System: Disposal of Coal Combustion Residuals From Electric Utilities; Amendments to the National Minimum Criteria (Phase One, Part One) [EPA-HQ-OLEM-2017-0286; FRL-9981-18-OLEM] (RIN: 2050-AG88) received July 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5842. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Washington; Regional Haze Progress Report [EPA-R10-OAR-2018-0001; FRL-9981-50-Reigon 10] received July 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5843. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Minnesota; PSD Infrastructure SIP Requirements [EPA-R05-OAR-2016-0603; FRL-9981-45-Region 5] received July 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5844. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Indiana; Air Quality Standards Update for the 2015 Ozone Standard [EPA-R05-OAR-2017-0535;

FRL-9981-46-Region 5] received July 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5845. A letter from the Deputy Chief, Mobility Division, Wireline Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 1 and 22 of the Commission's Rules with Regard to the Cellular Service, Including Changes in Licensing of Unreserved Area [WT Docket No.: 12-40 (terminated)] (RM No.: 11510 (terminated)); and other regulations received July 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5846. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund [WC Docket No.: 10-90] received July 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5847. A letter from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting the Commission's final rule — Assessment and Collection of Regulatory Fees for Fiscal Year 2018 [MD Docket No.: 18-175] received July 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5848. A letter from the Deputy Chief, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Expanding Flexible Use of the 3.7 to 4.2 GHz Band [GN Docket No.: 18-122]; Expanding Flexible Use in the Mid-Band Spectrum between 3.7 and 24 GHz [GN Docket No.: 17-183 (Inquiry Terminated as to 3.7-4.2 GHz)]; and other regulations received July 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5849. A letter from the Assistant Legal Advisor, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

5850. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-0B, pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act, as amended, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

5851. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-144, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5852. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "District Overtime Tops \$108 Million; Better Management and Additional Staff Could Reduce Costs", pursuant to Public Law 93-198, Sec. 455(d); (87 Stat. 803); to the Committee on Oversight and Government Reform.

5853. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Shopping for Public Schools in the District of Columbia", pursuant to Public Law 93-198, Sec. 455(d); (87 Stat. 803); to the Committee on Oversight and Government Reform.

5854. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a report entitled, "Public Schools in the District: Data, Reform, and the Future", pursuant to Public Law 93-198, Sec. 455(d); (87 Stat. 803); to the Committee on Oversight and Government Reform.

5855. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: San Francisco Fourth of July Fireworks Display, San Francisco Bay, San Francisco, CA [Docket No.: USCG-2018-0508] (RIN: 1625-AA00) received July 25, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5856. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Restricted Areas R-5602A and R-5602B; Fort Sill, OK [Docket No.: FAA-2017-0144; Airspace Docket No.: 17-ASW-2] (RIN: 2120-AA66) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5857. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Ellijay, GA [Docket No.: FAA-2018-0217; Airspace Docket No.: 17-ASO-4] (RIN: 2120-AA66) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5858. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace and Class E Airspace; Wrightstown, PA [Docket No.: FAA-2017-1188; Airspace Docket No.: 17-AEA-23] (RIN: 2120-AA66) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5859. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace and Class E Airspace; Aberdeen, MD [Docket No.: FAA-2018-0128; Airspace Docket No.: 18-AEA-3] (RIN: 2120-AA66) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5860. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Canadian Area Navigation (RNAV) Route T-705; Northeastern United States [Docket No.: FAA-2018-0050; Airspace Docket No.: 17-AEA-3] (RIN: 2120-AA66) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5861. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Safran Helicopter Engines, S.A., Turboshift Engines [Docket No.: FAA-2013-0024; Product Identifier 2000-NE-12-AD; Amendment 39-19307; AD 2018-12-03] (RIN: 2120-AA64) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5862. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Direc-

tives; Airbus Airplanes [Docket No.: FAA-2018-0270; Product Identifier 2017-NM-133-AD; Amendment 39-19324; AD 2018-14-04] (RIN: 2120-AA64) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5863. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0274; Product Identifier 2017-NM-128-AD; Amendment 39-19325; AD 2018-14-05] (RIN: 2120-AA64) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5864. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; American Champion Aircraft Corp. [Docket No.: FAA-2018-0003; Product Identifier 2017-CE-033-AD; Amendment 39-19326; AD 2018-14-06] (RIN: 2120-AA64) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5865. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31200; Amdt. No.: 3806] received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5866. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31199; Amdt. No.: 3805] received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5867. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Mineral Point, WI [Docket No.: FAA-2018-0087; Airspace Docket No.: 18-AGL-3] (RIN: 2120-AA66) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5868. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation and Amendment of Class E Airspace; Philipsburg, PA [Docket No.: FAA-2017-0755; Airspace Docket No.: 17-AEA-11] (RIN: 2120-AA66) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5869. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0275; Product Identifier 2018-NM-011-AD; Amendment 39-19323; AD 2018-14-03] (RIN: 2120-AA64) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5870. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0115; Product Identifier 2017-NM-110-AD; Amendment 39-19322; AD 2018-14-02] (RIN: 2120-AA64) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5871. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters [Docket No.: FAA-2017-0757; Product Identifier 2017-SW-022-AD; Amendment 39-19327; AD 2018-14-07] (RIN: 2120-AA64) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5872. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation Turboprop Engines [Docket No.: FAA-2017-1118; Product Identifier 2017-NE-40-AD; Amendment 39-19313; AD 2018-13-01] (RIN: 2120-AA64) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5873. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0588; Product Identifier 2017-NM-105-AD; Amendment 39-19328; AD 2018-14-08] (RIN: 2120-AA64) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5874. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Piper Aircraft, Inc. [Docket No.: FAA-2018-0606; Product Identifier 2018-CE-018-AD; Amendment 39-19321; AD 2018-14-01] (RIN: 2120-AA64) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5875. A letter from the Reg. Dev. Coordinator, Office of Regulation Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — Third Party Billing for Medical Care Provided under Special Treatment Authorities (RIN: 2900-AP20) received July 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

5876. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Corinthian College/American Career Institutes Discharge of Indebtedness Private Student Loans (Rev. Proc. 2018-39) received July 31, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5877. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Services IRB only rule — Guidance on Reconstructions, Roll-overs and Qualified Higher Education Expenses under Section 529 [Notice 2018-58] received July 31, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5878. A letter from the Regulation Coordinator, Centers for Medicare and Medicaid

Services, Department of Health and Human Services, transmitting the Department's Major final rule — Adoption of the Methodology for the HHS-Operated Permanent Risk Adjustment Program under the Patient Protection and Affordable Care Act for the 2017 Benefit Year [CMS-9920-F] (RIN: 0938-AT65) received July 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

5879. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Attorney General's Third Quarterly Report of FY 2018 on the Uniformed Services Employment and Reemployment Rights Act of 1994, pursuant to 38 U.S.C. 4332(b)(2); Public Law 103-353, Sec. 2(a) (as added by Public Law 110-389, Sec. 312(c)); (122 Stat. 4165); jointly to the Committees on the Judiciary and Veterans' Affairs.

114.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, July 31, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 31, 2018, at 1:08 p.m.:

That the Senate agrees to the House of Representatives amendments to the bill S. 1182.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

114.5 SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to clause 4 of rule I, the Speaker pro tempore, Mr. MOONEY of West Virginia, had signed the following enrolled bill of the Senate on Tuesday, July 31, 2018:

S. 1182. An Act to extend the National Flood Insurance Program, and for other purposes.

114.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 1, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 1, 2018, at 12:00 p.m.:

That the Senate passed without amendment H.R. 5554.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶114.7 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 1, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 1, 2018, at 3:01 p.m.:

That the Senate agrees to the report of the committee of the conference H.R. 5515.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶114.8 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 2, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 2, 2018, at 2:03 p.m.:

That the Senate agrees to the House of Representatives amendments to the bill S. 770.

That the Senate passed S. 1668.

That the Senate passed S. 2101.

That the Senate passed S. 2497.

That the Senate agrees to Conference with the House of Representatives H.R. 2.

That the Senate passed without an amendment H.R. 2345.

That the Senate passed with an amendment H.R. 6147.

That the Senate passed without an amendment H.R. 6414.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶114.9 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1668. An Act to rename a waterway in the State of New York as the "Joseph Sanford Jr. Channel"; to the Committee on Transportation and Infrastructure.

S. 2101. An Act to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States; to the Committee on Financial Services.

S. 2497. An Act to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purpose; to the Committee on Foreign Affairs; in addition, to the Committee on Armed Services; and to the Committee on Science, Space, and Technology for a period to be subsequently deter-

mined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶114.10 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. MESSER:

H.R. 2345. An Act to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system.

H.R. 5515. An Act to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 5554. An Act to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

H.R. 6414. An Act to amend title 23, United States Code, to extend the deadline for promulgation of regulations under the tribal transportation self-governance program.

¶114.11 SENATE ENROLLED BILL SIGNED

The Speaker pro tempore, Mr. MESSER, announced his signature to an enrolled bill of the Senate of the following title:

S. 770. An Act to require the Director of the National Institute of Standards and Technology to disseminate guidance to help reduce small business cybersecurity risks, and for other purposes.

¶114.12 BILLS PRESENTED TO THE
PRESIDENT

Karen L. Haas, Clerk of the House, reported that on August 1, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 4528. An Act to make technical amendments to certain marine fish conservation statutes, and for other purposes.

H.R. 5729. An Act to restrict the department in which the Coast Guard is operating from implementing any rule requiring the use of biometric readers for biometric transportation security cards until after submission to Congress of the results of an assessment of the effectiveness of the transportation security card program.

H.R. 4645. An Act to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System.

And then,

¶114.13 ADJOURNMENT

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 2(b) of House Resolution 1012, at 10 o'clock and 6 minutes a.m., declared the House adjourned until 10 a.m. on Tuesday, August 7, 2018.

¶114.14 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3186. A bill to establish an Every Kid Outdoors program, and for other purposes; with an amendment (Rept. 115-880, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 4824. A bill to allow certain State permitting authority to encourage expansion of broadband service to rural communities, and for other purposes; with amendments (Rept. 115-881, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4659. A bill to require the appropriate Federal banking agencies to recognize the exposure-reducing nature of client margin for cleared derivatives (Rept. 115-882). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3555. A bill to amend the Securities Exchange Act of 1934 to provide that the definition of a facility of an exchange does not apply to a line of business the purpose of which is not to effect or report a transaction on an exchange; with amendments (Rept. 115-883). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6321. A bill to require the Securities and Exchange Commission to revise the definition of a "small business" and "small organization" for purposes of assessing the impact of the Commission's rulemakings under the Investment Advisers Act of 1940 (Rept. 115-884). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1264. A bill to provide an exemption from rules and regulations of the Bureau of Consumer Financial protection for community financial institutions, and for other purposes; with amendments (Rept. 115-885). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6323. A bill to create an interdivisional taskforce at the Securities and Exchange Commission for senior investors; with an amendment (Rept. 115-886). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6324. A bill to require the Securities and Exchange Commission to carry out a study of the direct and indirect underwriting fees, including gross spreads, for mid-sized initial public offerings; with an amendment (Rept. 115-887). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 5051. A bill to amend the Securities and Exchange Act of 1934 to revise the shareholder threshold for registration under such Act, and for other purposes (Rept. 115-888). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6177. A bill to require the Securities and Exchange Commission to revise the definitions of a qualifying portfolio company and a qualifying investment to include an emerging growth company and the equity securities of an emerging growth company respectively, for purposes of the exemption from registration for venture capital fund adviser under the Investment Advisers Act of 1940; with an amendment (Rept. 115-889). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4861. A bill to nullify cer-

tain guidance on deposit advance products, to require the Federal banking agencies to establish standards for short-term, small-dollar loans made by insured depository institutions, to exempt insured depository institutions and insured credit unions from the payday lending rule of the Bureau of Consumer Financial Protection, and for other purposes (Rept. 115-890). Referred to the Committee of the Whole House of the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6320. A bill to require the Securities and Exchange Commission to carry out a study of Rule 10b5-1 trading plans, and for other purposes (Rept. 115-891). Referred to the Committee of the Whole House of the state of the Union.

¶114.15 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Agriculture and Transportation and Infrastructure discharged from further consideration. H.R. 3186 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 4824 referred to the Committee of the Whole House on the state of the Union.

¶114.16 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DEUTCH (for himself, Ms. WASSERMAN SCHULTZ, Mr. SCHNEIDER, and Mrs. CAROLYN B. MALONEY of New York):

H.R. 6649. A bill to amend chapter 44 of title 18, United States Code, to prohibit the publication of 3D printer plans for the printing of firearms, and for other purposes; to the Committee on the Judiciary.

By Mr. ROHRBACHER (for himself, Mr. KNIGHT, Mr. SMITH of Texas, and Ms. JAYAPAL):

H.R. 6650. A bill to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Natural Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Ms. LEE, Mr. ROYCE of California, Mr. ENGEL, Ms. ROS-LEHTINEN, and Ms. BASS):

H.R. 6651. A bill to extend certain authorities relating to United States efforts to combat HIV/AIDS, tuberculosis, and malaria globally, and for other purposes; to the Committee on Foreign Affairs.

By Mr. NEWHOUSE:

H.R. 6652. A bill to direct the Secretary of the Interior to convey certain facilities, easements, and rights-of-way to the Kennewick Irrigation District, and for other purposes; to the Committee on Natural Resources.

By Ms. ESTY of Connecticut (for herself, Mrs. COMSTOCK, and Mr. CICILLINE):

H.R. 6653. A bill to encourage the research and use of innovative materials and associated techniques in the construction and preservation of the domestic transportation and water infrastructure system, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Science, Space, and

Technology, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AL GREEN of Texas:

H.R. 6654. A bill to prohibit the transfer of a firearm at a gun show by a person who is not a licensed dealer; to the Committee on the Judiciary.

By Mr. LAMALFA:

H.R. 6655. A bill to designate the facility of the United States Postal Service located at 44160 State Highway 299 East Suite 1 in McArthur, California, as the "Janet Lucille Oilar Post Office"; to the Committee on Oversight and Government Reform.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 6656. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to adjust the formula allocation under the Edward Byrne Memorial Justice Assistance Grant Program, and for other purposes; to the Committee on the Judiciary.

By Ms. MENG:

H.J. Res. 138. A joint resolution proposing an amendment to the Constitution of the United States extending the right to vote to citizens sixteen years of age or older; to the Committee on the Judiciary.

¶114.17 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 25: Mr. DAVIDSON.
H.R. 84: Mrs. LESKO.
H.R. 598: Ms. BASS.
H.R. 644: Mr. POSEY.
H.R. 785: Mr. CURTIS and Mrs. LESKO.
H.R. 792: Mr. LAMB.
H.R. 1022: Ms. LOFGREN.
H.R. 1044: Mr. GRIJALVA.
H.R. 1278: Mr. CAPUANO, Mr. RYAN of Ohio, Mr. HASTINGS, and Ms. CLARKE of New York.
H.R. 1291: Mr. CÁRDENAS.
H.R. 1300: Ms. DELAURO, Mrs. BUSTOS, Ms. ADAMS, Ms. PINGREE, and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 1439: Mr. PASCRELL.
H.R. 1683: Mr. GOTTHEIMER.
H.R. 1876: Mr. YOUNG of Alaska.
H.R. 2055: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2101: Mr. CALVERT.
H.R. 2267: Mr. KILDEE and Mr. CAPUANO.
H.R. 2315: Mr. WALBERG, Mr. DEUTCH, and Mr. BILIRAKIS.

H.R. 2366: Ms. MCCOLLUM.
H.R. 2392: Ms. MENG.
H.R. 2439: Ms. MCCOLLUM.
H.R. 2550: Mr. PERLMUTTER.
H.R. 2556: Miss RICE of New York.
H.R. 2735: Mr. GIANFORTE.
H.R. 2953: Mr. MCKINLEY and Mr. BOST.
H.R. 3034: Mr. SABLAN.
H.R. 3106: Mrs. DINGELL and Mr. UPTON.
H.R. 3473: Ms. ROSEN.
H.R. 3671: Mr. CRIST.

H.R. 3923: Ms. WASSERMAN SCHULTZ.
H.R. 4256: Ms. DELBENE, Mr. RUTHERFORD, Mr. FERGUSON, and Mr. AL GREEN of Texas.

H.R. 4339: Mr. STIVERS.
H.R. 4340: Mr. HOLDING.
H.R. 4370: Miss GONZÁLEZ-COLÓN of Puerto Rico.

H.R. 4563: Mr. BABIN.
H.R. 4647: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 4714: Ms. LOFGREN.
H.R. 4765: Mr. DEUTCH.
H.R. 4940: Ms. SINEMA.
H.R. 4941: Mr. CRIST.
H.R. 5052: Mr. PERLMUTTER.
H.R. 5188: Mr. NOLAN.
H.R. 5282: Mr. CARBAJAL, Ms. WILSON of Florida, Mr. DENHAM, Mr. BRENDAN F. BOYLE

of Pennsylvania, and Mr. SMITH of New Jersey.

H.R. 5383: Ms. CLARKE of New York and Ms. JACKSON LEE.

H.R. 5474: Mr. CAPUANO and Mr. BEYER.

H.R. 5731: Mr. FLORES.

H.R. 5997: Ms. KUSTER of New Hampshire and Mr. BERA.

H.R. 5998: Ms. LOFGREN.

H.R. 6016: Mr. DOGGETT.

H.R. 6060: Mr. CICILLINE.

H.R. 6071: Mr. RUSH.

H.R. 6079: Mr. LUCAS.

H.R. 6105: Mr. DUNCAN of Tennessee.

H.R. 6114: Ms. MATSUI and Ms. SHEA-POR-TER.

H.R. 6179: Mr. JOHNSON of Louisiana and Mr. NORMAN.

H.R. 6238: Mr. LOWENTHAL.

H.R. 6246: Mr. COHEN, Mr. BISHOP of Georgia, Mr. POLIS, Mr. HASTINGS, Mr. CICILLINE, Mr. GALLEG0, and Mr. MOULTON.

H.R. 6278: Mr. LARSON of Connecticut.

H.R. 6417: Mrs. BROOKS of Indiana, Mr. ALLEN, Mr. MITCHELL, and Mrs. HANDEL.

H.R. 6437: Ms. BROWNLEY of California.

H.R. 6502: Mr. SCHWEIKERT.

H.R. 6505: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 6517: Ms. VELÁZQUEZ, Ms. MENG, and Ms. CLARKE of New York.

H.R. 6525: Mr. NORTON, Mr. BLUMENAUER, and Mr. DESAULNIER.

H.R. 6530: Mr. COSTELLO of Pennsylvania and Ms. SPEIER.

H.R. 6545: Mr. GRIJALVA, Mr. SERRANO, Mr. LYNCH, Mr. TONKO, Mr. CARBAJAL, Mrs. BUSTOS, Mrs. DEMINGS, and Mr. KIHUEN.

H.R. 6594: Ms. WILSON of Florida.

H.R. 6643: Mrs. DEMINGS, Mr. GRIJALVA, Mr. COURTNEY, Ms. NORTON, Mrs. MURPHY of Florida, Ms. TITUS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. POCAN.

H.R. 6644: Mr. BEYER, Mr. GRIJALVA, Mr. MCNERNEY, Mr. CAPUANO, Mr. GALLEG0, and Ms. MAXINE WATERS of California.

H. Con. Res. 72: Mr. CICILLINE.

H. Con. Res. 130: Mr. SMITH of Washington, Mr. RUSH, Ms. BLUNT ROCHESTER, Ms. MENG, Ms. SCHAKOWSKY, Mr. BEYER, and Mrs. DEMINGS.

H. Res. 413: Mr. FASO.

H. Res. 874: Mr. LOEBSACK.

H. Res. 993: Ms. HANABUSA, Ms. WILSON of Florida, Mr. CICILLINE, Ms. ROSEN, Ms. SHEA-PORTER, Mr. BOST, Mr. THOMPSON of Pennsylvania, Mr. CONNOLLY, Mr. LIPINSKI, Mr. SARBANES, Ms. SEWELL of Alabama, Mr. HECK, Mr. FOSTER, Ms. DELBENE, Mr. RYAN of Ohio, Mr. ESPAILLAT, and Mr. KHANNA.

H. Res. 1008: Mr. SCHNEIDER, Ms. JUDY CHU of California, Mr. NADLER, and Mrs. LAWRENCE.

H. Res. 1022: Mr. BILIRAKIS.

H. Res. 1031: Mr. CARSON of Indiana, Mrs. TORRES, Mr. CROWLEY, Mr. RUSH, and Mr. LARSON of Connecticut.

H. Res. 1034: Mr. WEBER of Texas and Mr. LAMALFA.

TUESDAY, AUGUST 7, 2018 (115)

¶115.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. COMSTOCK, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
August 7, 2018.

I hereby appoint the Honorable BARBARA COMSTOCK to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶115.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. COMSTOCK, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Friday, August 3, 2018, was approved.

¶115.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5880. A letter from the Administrator, Agricultural Marketing Service, Livestock and Poultry Program, Department of Agriculture, transmitting the Department's direct final rule — Referendum Procedures Under the Sorghum Promotion, Research, and Information Order and the Lamb Promotion, Research, and Information Order; Removal of Obsolete References [Doc. No.: AMS-LPS-17-0052] received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5881. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Salable Quantities and Allotment Percentages for the 2018-2019 Marketing Year [Doc. No.: AMS-SC-17-0073; SC18-985-1 FR] received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5882. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Robert S. Walsh, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5883. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Lawrence D. Nicholson, United States Marine Corps, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5884. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Ellen M. Pawlikowski, United States Air Force, and her advancement to the grade of general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

5885. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Provision of Early Intervention Services to Eligible Infants and Toddlers With Disabilities and Their Families, and Special Education Children With Disabilities Within the Section 6 School Arrangements [Docket ID: DOD-2017-OS-0047] (RIN: 0790-AJ92) received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

5886. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule—National Flood Insurance Program: Removal of Monroe County Pilot Inspection Program Regulations [Docket ID: FEMA-2018-0027] (RIN: 1660-AA93) received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-

121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5887. A letter from the General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Bylaws; Voluntary Mergers of Federally Insured Credit Unions (RIN: 3133-AE73) received August 1, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5888. A letter from the Regulations Coordinator, Departments of Health and Human Services, Labor, and the Treasury, transmitting the Department's Major final rule — Short-Term, Limited-Duration Insurance [CMS-9924-F] (RIN: 0938-AT48) received August 1, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5889. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Wisconsin; Modification of Greenhouse Gas Language [EPA-R05-OAR-2017-0701; FRL-9981-44-Region 5] received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5890. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Vermont; Infrastructure Requirement for the 2010 Sulfur Dioxide National Ambient Air Quality Standard [EPA-R01-OAR-2014-0604; FRL-9981-23-Region 1] received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5891. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Connecticut; Infrastructure State Implementation Plan Requirements; Prevention of Significant Deterioration Permit Program Revisions [EPA-R01-OAR-2017-0065; FRL-9979-40-Region 1] received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5892. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's correcting amendments — Addition of a Subsurface Intrusion Component to the Hazard Ranking System [EPA-HQ-SFUND-2010-1086; FRL-9979-68-OLEM] (RIN: 2050-AG67) received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5893. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Removal of Department of Environmental Protection Gasoline Volatility Requirements for the Pittsburgh-Beaver Valley Area [EPA-R03-OAR-2018-0277; FRL-9981-70-Region 3] received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5894. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Revision to References for Refrigeration and Air Conditioning Sector To Incorporate Latest Edition of Certain Industry, Consensus-based Standards [EPA-HQ-OAR-2017-0472; FRL-9981-89-OAR] (RIN:2060-AT53) received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110

Stat. 868); to the Committee on Energy and Commerce.

5895. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Titanium dioxide; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2018-0150; FRL-9980-39] received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5896. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

5897. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-27, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

5898. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-010, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5899. A letter from the Chief, Administrative Law Division, Central Intelligence Agency, transmitting a notifications of federal vacancy, change in previously submitted reported information, and action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5900. A letter from the Deputy White House Liaison, Department of Education, transmitting a notification of action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5901. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a notification of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

5902. A letter from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources — [PIR], National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Pacific Island Pelagic Fisheries; False Killer Whale Take Reduction Plan; Closure of Southern Exclusion Zone (RIN: 0648-XG334) received July 31, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5903. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Trawl Catcher Vessels in the Western Regulatory Area of the Gulf of Alaska [Docket No. 160920866-7167-02] (RIN: 0648-XF904) received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5904. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's tem-

porary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 161020985-7181-02] (RIN: 0648-XF949) received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5905. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No. 160920866-7167-02] (RIN: 0648-XF901) received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5906. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No. 160920866-7167-02] (RIN: 0648-XF905) received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5907. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Substantiation and Reporting Requirements for Cash and Noncash Charitable Contribution Deductions [TD 9836] (RIN: 1545-BH62) received August 1, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5908. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled "Recovery Auditing in Medicare Fee-For-Service for Fiscal Year 2016", pursuant to 42 U.S.C. 1395ddd(h)(8); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1893(h)(8) (as amended by Public Law 109-432, Sec. 302(a)); (120 Stat. 2992); jointly to the Committees on Energy and Commerce and Ways and Means.

5909. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and the Long-Term Care Hospital Prospective Payment System and Policy Changes and Fiscal Year 2019 Rates; Quality Reporting Requirements for Specific Providers; Medicare and Medicaid Electronic Health Record (EHR) Incentive Programs (Promoting Interoperability Programs) Requirements for Eligible Hospitals, Critical Access Hospitals, and Eligible Professionals; Medicare Cost Reporting Requirements; and Physician Certification and Recertification of Claims [CMS-1694-F] (RIN: 0938-AT27) received August 5, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

5910. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; FY 2019 Hospice Wage Index and Payment Rate Update and Hospice Quality Reporting Requirements [CMS-1692-F] (RIN: 0938-AT26) received August 1, 2018, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

5911. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; FY 2019 Inpatient Psychiatric Facilities Prospective Payment System and Quality Reporting Updates for Fiscal Year Beginning October 1, 2018 (FY 2019) [CMS-1690-F] (RIN: 0938-AT32) received August 1, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

5912. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Prospective Payment System and Consolidated Billing for Skilled Nursing Facilities (SNF) Final Rule for FY 2019, SNF Value-Based Purchasing Program, and SNF Quality Reporting Program [CMS-1696-F] (RIN: 0938-AT24) received August 1, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

5913. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Inpatient Rehabilitation Facility Prospective Payment System for Federal Fiscal Year 2019 [CMS-1688-F] (RIN: 0938-AT25) received August 1, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

5914. A communication from the President of the United States, transmitting notification of an Executive Order that takes additional steps with respect to the national emergency declared with respect to Iran in Executive Order 12957 of March 15, 1995, and implementing certain statutory requirements, pursuant to 50 U.S.C. 1703(b); Public Law 95-223 Sec. 204(b); (91 Stat. 1627) (H. Doc. No. 115—146); jointly to the Committees on Foreign Affairs, Financial Services, Ways and Means, Oversight and Government Reform, and the Judiciary and ordered to be printed.

¶115.4 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on August 3, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 6414. An Act to amend title 23, United States Code, to extend the deadline for promulgation of regulations under the tribal transportation self-governance program.

H.R. 5554. An Act to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

H.R. 2345. An Act to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system.

H.R. 5515. An Act to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

And then,

¶115.5 ADJOURNMENT

The SPEAKER pro tempore, Mrs. COMSTOCK, pursuant to section 2(b) of House Resolution 1012, at 10 o'clock and 3 minutes a.m., declared the House adjourned until 10 a.m. on Friday, August 10, 2018.

¶115.6 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 5082. A bill to amend the Fair Debt Collection Practices Act to exclude law firms and licensed attorneys who are engaged in activities related to legal proceedings from the definition of a debt collector, to amend the Consumer Financial Protection Act of 2010 to prevent the Bureau of Consumer Financial Protection from exercising supervisory or enforcement authority with respect to attorneys or enforcement authority with respect to attorneys when undertaking certain actions related to legal proceedings, and for other purposes (Rept. 115-892). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 5323. A bill to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to establish an exemption from the credit valuation adjustment calculation for uncleared derivatives transactions with end-users so that United States companies are not disadvantaged, and for other purposes; with an amendment (Rept. 115-893). Referred to the Committee of the Whole House on the state of the Union.

¶115.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BIGGS (for himself, Mr. GOSAR, Mr. BROOKS of Alabama, Mr. GAETZ, Mr. DESJARLAIS, and Mr. NORMAN):

H.R. 6657. A bill to establish a separate account in the Treasury to hold deposits to be used to secure the southern border of the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, the Judiciary, Foreign Affairs, Financial Services, Education and the Workforce, and Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself and Mr. WELCH):

H.R. 6658. A bill to amend the Internal Revenue Code of 1986 to deny certain tax benefits to persons responsible for the discharge of oil or other hazardous substances into navigable waters of the United States; to the Committee on Ways and Means.

By Miss RICE of New York (for herself, Mrs. WATSON COLEMAN, Mr. GRIJALVA, Ms. JACKSON LEE, Ms. NORTON, Mr. SEAN PATRICK MALONEY of New York, Mr. PALLONE, Mr. CRIST, Mr. CICILLINE, Mr. LOWENTHAL, Ms. HANABUSA, Mr. NADLER, Ms. JAYAPAL, Mr. KILMER, Mr. PETERS, and Ms. LEE):

H.R. 6659. A bill to improve the screening of transgender persons at airport security

checkpoints, and for other purposes; to the Committee on Homeland Security.

By Mr. WITTMAN:

H.R. 6660. A bill to encourage partnerships among public agencies and other interested persons to promote fish conservation; to the Committee on Natural Resources.

By Mr. LANGEVIN (for himself and Mr. HARPER):

H. Res. 1041. A resolution recognizing and honoring the 50th anniversary of the date of enactment of the Architectural Barriers Act of 1968; to the Committee on Transportation and Infrastructure.

¶115.8 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

241. The SPEAKER presented a memorial of the House of Representatives of the State of Louisiana, relative to House Concurrent Resolution No. 96, memorializing Congress to take such actions as are necessary to ensure that Tricare adequately covers behavioral therapies for military dependents; to the Committee on Armed Services.

242. Also, a memorial of the Legislature of the State of Utah, relative to House Concurrent Resolution 7, encouraging responsible stewardship of natural resources and reduction of emissions through incentives and support of the growth in technologies and services that will enlarge the economy; to the Committee on Energy and Commerce.

243. Also, a memorial of the Legislature of the State of Utah, relative to Senate Concurrent Resolution 9, encouraging the exploring of Utah and Salt Lake City hosting a future Olympic and Paralympic Winter Games; to the Committee on Foreign Affairs.

244. Also, a memorial of the Legislature of the State of Utah, relative to House Concurrent Resolution 12, urging Congress to assure a complete and accurate 2020 Census; to the Committee on Oversight and Government Reform.

245. Also, a memorial of the Legislature of the State of Utah, relative to House Concurrent Resolution 14, recognizing Utah's robust economic growth and urbanization; to the Committee on Oversight and Government Reform.

246. Also, a memorial of the Legislature of the State of Utah, relative to House Concurrent Resolution 22, honoring the victims of the Marjory Stoneman Douglas High School tragedy by designating the month of April 2018 as #MSDKindness month; to the Committee on Oversight and Government Reform.

247. Also, a memorial of the Legislature of the State of Utah, relative to Senate Concurrent Resolution 13, honoring Senator Orrin G. Hatch for his service to the state of Utah; to the Committee on Oversight and Government Reform.

248. Also, a memorial of the Legislature of the State of Utah, relative to House Joint Resolution 1, encouraging Congress to pursue legislation exempting Utah from the Antiquities Act; to the Committee on Natural Resources.

249. Also, a memorial of the Legislature of the State of Utah, relative to Senate Concurrent Resolution 8, supporting the United States House of Representatives bill H.R. 4558, introduced to create a new national park and three national monuments; to the Committee on Natural Resources.

250. Also, a memorial of the House of Representatives of the State of Louisiana, relative to House Resolution No. 219, urging Congress to adopt and enact the legislation to be proposed in the 115th Congress, Second Session, that would establish the Caddo Lake National Heritage Area; to the Committee on Natural Resources.

251. Also, a memorial of the Legislature of the State of Utah, relative to House Concur-

rent Resolution 2, urging the Congress of the United States to propose an amendment to the United States Constitution, for submission to the states for ratification, to provide that the legislature of any state may empower the executive of the state to make temporary appointments to fill a vacancy in the United States House of Representatives for that state until the people fill the vacancy by election as the legislature may direct; to the Committee on the Judiciary.

252. Also, a memorial of the Legislature of the State of Utah, relative to House Concurrent Resolution 8, recognizing the unique and important relationship between the state of Utah and Canada and between the United States and Canada; jointly to the Committees on Foreign Affairs and Ways and Means.

253. Also, a memorial of the Legislature of the State of Utah, relative to House Concurrent Resolution 19, urging the President of the United States, the United States Congress, and Utah's congressional delegation to propose and secure the passage of legislation that requires PILT payments to be a fair and steady source of revenue that would otherwise be generated but for the federal control of Utah lands; jointly to the Committees on Natural Resources and Agriculture.

254. Also, a memorial of the Legislature of the State of Utah, relative to House Joint Resolution 2, encouraging the Federal Government to consider moving the headquarters for the Department of the Interior and the U.S. Forest Service to Utah; jointly to the Committees on Natural Resources and Agriculture.

¶115.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 266: Ms. NORTON.

H.R. 270: Ms. WASSERMAN SCHULTZ.

H.R. 762: Mr. DESANTIS, Mr. COSTELLO of Pennsylvania, and Mr. WEBER of Texas.

H.R. 1278: Ms. CASTOR of Florida.

H.R. 1300: Ms. LOFGREN and Mr. LAMB.

H.R. 1337: Mr. SESSIONS.

H.R. 1447: Ms. ROSEN and Mr. REED.

H.R. 1841: Ms. ROSEN.

H.R. 2043: Ms. TITUS.

H.R. 2044: Ms. JUDY CHU of California and Mr. DANNY K. DAVIS of Illinois.

H.R. 2640: Ms. JUDY CHU of California.

H.R. 2911: Mr. BRENDAN F. BOYLE of Pennsylvania and Ms. ROSEN.

H.R. 3026: Mr. JOHNSON of Georgia.

H.R. 3272: Miss RICE of New York.

H.R. 3287: Mr. CARBAJAL.

H.R. 3473: Mr. KIHUEN.

H.R. 3998: Mr. YOUNG of Iowa.

H.R. 4022: Mr. NEWHOUSE and Mr. FOSTER.

H.R. 4126: Mr. COFFMAN.

H.R. 4143: Mr. CHABOT, Ms. VELÁZQUEZ, and Mr. SHERMAN.

H.R. 4306: Mr. DONOVAN.

H.R. 4521: Mr. WELCH.

H.R. 4603: Mr. SESSIONS and Ms. STEFANIK.

H.R. 4838: Ms. WILSON of Florida.

H.R. 4914: Mr. WELCH.

H.R. 5004: Mr. RASKIN.

H.R. 5062: Mr. BROOKS of Alabama.

H.R. 5141: Mr. LOEBSSACK and Mr. LARSEN of Washington.

H.R. 5383: Ms. KELLY of Illinois.

H.R. 5595: Mr. LOEBSSACK, Mr. JOHNSON of Louisiana, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Mr. SEAN PATRICK MALONEY of New York.

H.R. 5885: Mr. SCHIFF.

H.R. 5908: Ms. JAYAPAL.

H.R. 6080: Mrs. CAROLYN B. MALONEY of New York.

H.R. 6089: Mr. BABIN and Mr. GIBBS.

H.R. 6137: Ms. ROSEN and Mr. JOHNSON of Georgia.

H.R. 6145: Ms. SCHAKOWSKY.

H.R. 6207: Mr. MCGOVERN and Mr. ELLISON.

H.R. 6269: Mr. SMITH of Nebraska.

H.R. 6296: Mr. JONES.

H.R. 6363: Ms. JAYAPAL.

H.R. 6417: Mr. GRIFFITH.

H.R. 6421: Mr. BANKS of Indiana.

H.R. 6460: Mr. DUNCAN of South Carolina.

H.R. 6505: Mr. RUSH.

H.R. 6525: Mr. GENE GREEN of Texas, Ms. JAYAPAL, Mr. ESPAILLAT, Mr. CAPUANO, and Mr. SERRANO.

H.R. 6527: Mr. SWALWELL of California.

H.R. 6545: Mr. PETERS, Mr. ENGEL, and Mr. RICHMOND.

H.R. 6607: Ms. CASTOR of Florida, Ms. JAYAPAL, Mr. VEASEY, Mr. KRISHNAMOORTHY, and Mrs. DEMINGS.

H.R. 6633: Mrs. WAGNER, Mr. MCCAUL, Mr. GOHMERT, Mr. BURGESS, and Mr. POSEY.

H.R. 6643: Mr. QUIGLEY, Mr. SCHNEIDER, Ms. ESTY of Connecticut, and Mr. SMITH of Washington.

H.R. 6655: Mr. AGUILAR, Ms. BARRAGÁN, Ms. BASS, Mr. CALVERT, Mr. CARBAJAL, Mr. CÁRDENAS, Mr. COOK, Mr. CORREA, Mr. COSTA, Mrs. DAVIS of California, Mr. DENHAM, Mr. DESAULNIER, Mr. GARAMENDI, Mr. ISSA, Mr. KNIGHT, Ms. LEE, Mr. LOWENTHAL, Ms. MATSUI, Mr. MCCARTHY, Mr. MCCLINTOCK, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. NUNES, Mr. PANETTA, Mr. PETERS, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE of California, Ms. SANCHEZ, Mr. SCHIFF, Mr. TAKANO, Mr. THOMPSON of California, Mr. VALADAO, Mr. VARGAS, Mrs. MIMI WALTERS of California, and Ms. MAXINE WATERS of California.

H. Con. Res. 130: Ms. CASTOR of Florida, Ms. GABBARD, and Mr. LARSEN of Washington.

H. Res. 199: Mr. MEADOWS.

H. Res. 274: Mr. CLEAVER.

H. Res. 1031: Mr. HECK and Mr. WELCH.

H. Res. 1036: Mr. CICILLINE.

¶115.10 PETITIONS

Under clause 3 of rule XII,

119. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to appropriate sufficient funding for the complete construction of breach-resistant physical barriers between the United States, and foreign nations with which the United States shares land borders, so as to obstruct persons seeking to enter the United States in violation of the laws of the United States; which was referred to the Committee on Appropriations.

FRIDAY, AUGUST 10, 2018 (116)

¶116.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
August 10, 2018.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶116.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HARRIS, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Tuesday, August 7, 2018, was approved.

¶116.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5915. A letter from the Chairman, Farm Credit System Insurance Corporation, transmitting the Corporation's annual report for calendar year 2017; to the Committee on Agriculture.

5916. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's proposed rule — Organization; Definitions; Eligibility Criteria for Outside Directors (RIN: 3052-AC97) received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5917. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the 104th Annual Report of the Federal Reserve Board for calendar year 2017, pursuant to Sec. 10 of the Federal Reserve Act; to the Committee on Financial Services.

5918. A letter from the Secretary, Department of Health and Human Services, transmitting a renewed determination that a public health emergency exists nationwide as a result of the consequences of the opioid crisis, pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630); to the Committee on Energy and Commerce.

5919. A letter from the Attorney, Regulatory Affairs Division, Consumer Product Safety Commission, transmitting the Commission's direct final rule — Safety Standard for Non-Full-Size Baby Cribs [Docket No.: CPSC-2010-0075] received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5920. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Interstate and Intrastate Natural Gas Pipelines; Rate Changes Relating to Federal Income Tax Rate; American Forest and Paper Association [Docket Nos.: RM18-11-000, RP18-415-000; Order No. 849] received August 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5921. A communication from the President of the United States, transmitting notification that the national emergency with respect to export control regulations, that was declared in Executive Order 13222 of August 17, 2001, as amended, is to continue in effect for 1 year beyond August 17, 2017, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—147); to the Committee on Foreign Affairs and ordered to be printed.

5922. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-003, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5923. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-020, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5924. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-011, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

5925. A letter from the Executive Vice President and Chief Financial Officer, Federal Home Loan Bank of Dallas, transmit-

ting the Federal Home Loan Bank of Dallas 2017 management report and financial statements, pursuant to 31 U.S.C. 9106(a)(1); Public Law 97-258 (as amended by Public Law 101-576, Sec. 306(a)); (104 Stat. 2854); to the Committee on Oversight and Government Reform.

5926. A letter from the Chairman, Frederick Douglass Bicentennial Commission, transmitting recommendations of the Frederick Douglass Bicentennial Commission to the United States Congress, pursuant to Sec. 4(2), Public Law 115-77; to the Committee on Oversight and Government Reform.

5927. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition filed on behalf of workers at the Grand Junction Facilities in Grand Junction, Colorado, to be added to the Special Exposure Cohort (SEC), pursuant to 42 U.S.C. 7384q(c)(2); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3166(b)(1)); (118 Stat. 2188); to the Committee on the Judiciary.

5928. A letter from the Acting Commissioner, Social Security Administration, transmitting the 2018 Annual Report of the Supplemental Security Income Program, pursuant to 42 U.S.C. 1383f(a); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1875 (as amended by Public Law 104-193, Sec. 231); (110 Stat. 2197); to the Committee on Ways and Means.

5929. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations and removal of temporary regulations — Extension of Time to File Certain Information Returns [TD 9838] (RIN: 1545-BM49) received August 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5930. A letter from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting the Department's Privacy Office's Fiscal Year 2018 Semiannual Report to Congress, pursuant to Sec. 803 of the Implementing Recommendations of the 9/11 Commission Act of 2007; to the Committee on Homeland Security.

5931. A letter from the Labor Member and Management Member, Railroad Retirement Board, transmitting the 2018 report of the United States Railroad Retirement Board, pursuant to 45 U.S.C. 231f(b)(6); August 29, 1935, ch. 812, Sec. 7(b)(6) (as amended by Public Law 97-35, Sec. 1122); (95 Stat. 638); jointly to the Committees on Transportation and Infrastructure and Ways and Means.

¶116.4 COMMITTEE RESIGNATION—
MAJORITY

The SPEAKER pro tempore, Mr. HARRIS, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 8, 2018.

Hon. PAUL D. RYAN,
Speaker of the House,
Washington, DC.

DEAR SPEAKER RYAN: In light of recent events, I am respectfully requesting to be temporarily removed from my position on the House Energy and Commerce Committee.

I fully intend to resume said position as an active member of the committee, upon a successful resolution of pending legal matters.

Respectfully submitted,

CHRIS COLLINS,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶116.5 COMMUNICATION REGARDING
SUBPOENA

The SPEAKER pro tempore, Mr. HARRIS, laid before the House the following communication from Michael Francis, Veterans Liaison, office of the Honorable Frank LoBiondo:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 1, 2018.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents issued by the United States District Court for the District of New Jersey.

After consulting with the Office of General Counsel, I will make the determinations required by Rule VIII.

Sincerely,

MICHAEL FRANCIS,
Veterans Liaison—Office of
Rep. Frank A. LoBiondo.

And then,

¶116.6 ADJOURNMENT

The SPEAKER pro tempore, Mr. HARRIS, pursuant to section 2(b) of House Resolution 1012, at 10 o'clock and 4 minutes a.m., declared the House adjourned until 2 p.m. on Tuesday, August 14, 2018.

¶116.7 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 3857. A bill to amend the Securities Exchange Act of 1934 to establish standards of conduct for brokers and dealers that are in the best interest of their retail customers (Rept. 115—894, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6146. A bill to authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, and for other purposes; with an amendment (Rept. 115—895). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5597. A bill to provide for the expansion of the Desert Tortoise Habitat Conservation Plan, Washington County, Utah; with an amendment (Rept. 115—896). Referred to the Committee of the Whole House on the state of the Union.

Mr. FRELINGHUYSEN: Committee on Appropriations. Revised Suballocation of Budget Allocations for Fiscal Year 2019 (Rept. 115—897). Referred to the Committee of the Whole House on the state of the Union.

Mrs. BROOKS of Indiana: Committee on Ethics. In the Matter of Allegations Relating to Representative Markwayne Mullin (Rept. 115—898). Referred to the House Calendar.

¶116.8 TIME LIMITATION OF REFERRED
BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 3857. Referral to the Committees on Ways and Means and Education and the Workforce extended for a period ending not later than November 16, 2018.

¶116.9 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WENSTRUP (for himself and Mr. KIND):

H.R. 6661. A bill to amend the Internal Revenue Code of 1986 to provide for the deductibility of charitable contributions to certain organizations for members of the Armed Forces; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself and Mr. KIND):

H.R. 6662. A bill to amend title XVIII of the Social Security Act to extend the special election period under part C of the Medicare program for certain deemed individuals enrolled in a reasonable cost reimbursement contract to certain nondeemed individuals enrolled in such contract; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMAS J. ROONEY of Florida (for himself, Mr. HIMES, Ms. SEWELL of Alabama, and Mr. GOWDY):

H.R. 6663. A bill to protect the administration of Federal elections against cybersecurity threats; to the Committee on House Administration, and in addition to the Committees on Oversight and Government Reform, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BABIN:

H.R. 6664. A bill to develop a national strategy to prevent targeted violence through threat assessment and management, and for other purposes; to the Committee on the Judiciary.

By Ms. BORDALLO (for herself, Mr. SOTO, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Mrs. RADEWAGEN):

H.R. 6665. A bill to amend the Outer Continental Shelf Lands Act to apply to territories of the United States, to establish offshore wind lease sale requirements, to provide dedicated funding for coral reef conservation, and for other purposes; to the Committee on Natural Resources.

By Mr. DONOVAN:

H.R. 6666. A bill to authorize the Secretary of the Interior to grant to States and local governments easements and rights-of-way over Federal land within Gateway National Recreation Area for construction, operation, and maintenance of projects for control and prevention of flooding and shoreline erosion; to the Committee on Natural Resources.

By Ms. MATSUI (for herself, Mr. BLUMENAUER, Mr. NADLER, and Ms. LOFGREN):

H.R. 6667. A bill to require certain actions related to resettlement of certain Afghan and Iraqi special immigrants, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Armed Services, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROKITA:

H.R. 6668. A bill to amend the Endangered Species Act of 1973 to remove freshwater mussels from the list of endangered and threatened species; to the Committee on Natural Resources.

By Mr. ESPAILLAT:

H. Res. 1042. A resolution recognizing the Dominican community's presence and con-

tributions to Hamilton Heights, Washington Heights, and Inwood; to the Committee on Oversight and Government Reform.

¶116.10 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

255. The SPEAKER presented a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 96, to memorialize the United States Congress to take such actions as are necessary to ensure that Tricare adequately covers behavioral therapies for military dependents; to the Committee on Armed Services.

256. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 110, memorializing the United States Congress to take such actions as are necessary to adopt and enact the legislation to be proposed in the 115th Congress, Second Session, that would establish the Caddo Lake National Heritage Area; to the Committee on Natural Resources.

257. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 48, to memorialize the United States Congress and the Louisiana Congressional Delegation to take such actions as are necessary to rectify the revenue sharing inequities between coastal and interior energy producing states and to ensure the dependability of such revenue sharing; to the Committee on Natural Resources.

258. Also, a memorial of the Legislature of the State of Louisiana, relative to House Resolution No. 110, memorializing the United States Congress to pass legislation that supports efforts to build, modernize, and maintain the United States' infrastructure with consideration of certain principles; jointly to the Committees on Energy and Commerce, Education and the Workforce, and Transportation and Infrastructure.

¶116.11 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 159: Mrs. DEMINGS.
H.R. 358: Mr. CLOUD.
H.R. 592: Mr. MCGOVERN.
H.R. 750: Mr. YARMUTH.
H.R. 754: Mr. BURGESS, Mr. FRELINGHUYSEN, and Mr. CUMMINGS.

H.R. 792: Mr. TROTT.
H.R. 1044: Mrs. BEATTY.
H.R. 1144: Mr. SOTO and Ms. PINGREE.
H.R. 1278: Mr. HUFFMAN.
H.R. 1300: Mrs. WATSON COLEMAN.
H.R. 1322: Mr. BROWN of Maryland and Mr. ESPAILLAT.

H.R. 1825: Mr. NEWHOUSE.
H.R. 1876: Mr. YARMUTH.
H.R. 1881: Mr. WILLIAMS.
H.R. 1898: Ms. SHEA-PORTER.
H.R. 2077: Mr. RENACCI, Mr. FITZPATRICK, and Mr. ENGEL.

H.R. 2101: Mrs. LESKO.
H.R. 2212: Mr. KING of New York and Mr. RASKIN.

H.R. 2267: Mrs. NAPOLITANO, Mr. WELCH, and Ms. DELAURO.

H.R. 2315: Mr. SCHWEIKERT, Mr. JOHNSON of Georgia, Ms. SINEMA, Mr. SMITH of Nebraska, Mr. MOONEY of West Virginia, and Mr. FITZPATRICK.

H.R. 2452: Mr. CONNOLLY.

H.R. 2472: Mr. BUCK, Mr. LOWENTHAL, Mr. BANKS of Indiana, Mr. SMITH of New Jersey, Ms. WASSERMAN SCHULTZ, Mr. NEAL, Mr. CAPUANO, and Ms. TITUS.

H.R. 3034: Ms. BORDALLO, Mr. COOPER, and Mr. LANGEVIN.

H.R. 3239: Mr. DESAULNIER, Mr. TAKANO, and Mr. PASCRELL.

H.R. 3287: Mr. MCNERNEY.

H.R. 3602: Mr. RASKIN.

H.R. 3635: Mr. BRAT.

H.R. 3781: Ms. DELBENE.

H.R. 4099: Mr. LARSEN of Washington, Mr. NADLER, Mr. TONKO, Mr. WILSON of South Carolina, Mr. MCCAUL, and Mr. BARLETTA.

H.R. 4215: Mr. ROSKAM.

H.R. 4256: Mr. CALVERT, Mr. MCEACHIN, and Ms. FRANKEL of Florida.

H.R. 4556: Mrs. BEATTY.

H.R. 4565: Mr. KINZINGER.

H.R. 4582: Mr. ROSKAM.

H.R. 4724: Mr. CARSON of Indiana.

H.R. 4805: Mr. HOLLINGSWORTH.

H.R. 4837: Ms. DELBENE.

H.R. 4922: Mr. GROTHMAN and Ms. CLARKE of New York.

H.R. 4941: Mr. TED LIEU of California.

H.R. 4957: Mr. DEFazio.

H.R. 5127: Ms. ROSEN.

H.R. 5155: Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. LARSEN of Washington, Mr. MOULTON, and Mr. PERLMUTTER.

H.R. 5216: Ms. ROYBAL-ALLARD.

H.R. 5223: Mr. YARMUTH.

H.R. 5226: Mr. BLUMENAUER and Mr. DELANEY.

H.R. 5282: Mr. BLUMENAUER.

H.R. 5306: Mr. COSTELLO of Pennsylvania.

H.R. 5383: Mr. LANGEVIN and Mr. KRISHNAMOORTHY.

H.R. 5396: Ms. WASSERMAN SCHULTZ.

H.R. 5422: Mr. JENKINS of West Virginia.

H.R. 5593: Mr. LARSEN of Washington.

H.R. 5818: Mr. CARSON of Indiana.

H.R. 5899: Mr. DENHAM.

H.R. 6016: Ms. ROYBAL-ALLARD.

H.R. 6022: Mr. GONZALEZ of Texas.

H.R. 6043: Mr. LABRADOR and Mr. RYAN of Ohio.

H.R. 6044: Mr. COFFMAN.

H.R. 6060: Mr. TED LIEU of California.

H.R. 6092: Mr. DEUTCH.

H.R. 6224: Mr. CONAWAY, Ms. KAPTUR, Mr. BISHOP of Utah, and Mr. BILIRAKIS.

H.R. 6273: Mr. ISSA.

H.R. 6424: Mr. FASO.

H.R. 6462: Ms. JAYAPAL.

H.R. 6467: Mr. PALLONE.

H.R. 6504: Ms. NORTON and Mr. CAPUANO.

H.R. 6505: Mr. YARMUTH.

H.R. 6510: Mr. ROE of Tennessee, Mr. DOGETT, Mr. SABLAN, and Ms. BORDALLO.

H.R. 6517: Mr. KATKO, Mr. DONOVAN, and Mrs. LOWEY.

H.R. 6525: Ms. WASSERMAN SCHULTZ and Mr. CARSON of Indiana.

H.R. 6545: Mr. COOPER, Mr. BEN RAY LUJÁN of New Mexico, and Mr. DEUTCH.

H.R. 6552: Mr. CUELLAR.

H.R. 6635: Mr. JONES and Mr. MEADOWS.

H.R. 6643: Ms. WILSON of Florida, Mr. ENGEL, Mrs. WATSON COLEMAN, Mr. HASTINGS, Mrs. DINGELL, Ms. SCHAKOWSKY, Mr. KHANNA, Ms. WASSERMAN SCHULTZ, and Mr. KRISHNAMOORTHY.

H.R. 6649: Mr. CICILLINE and Mr. HUFFMAN.

H.R. 6659: Ms. SCHAKOWSKY.

H.J. Res. 134: Mr. HOLLINGSWORTH.

H. Con. Res. 130: Ms. SPEIER and Mr. HASTINGS.

H. Res. 393: Mr. THOMAS J. ROONEY of Florida.

H. Res. 430: Mr. PETERS.

H. Res. 763: Ms. LOFGREN.

H. Res. 910: Ms. BASS, Mr. PAYNE, Mr. RUSH, Mr. MCEACHIN, and Mrs. CAROLYN B. MALONEY of New York.

H. Res. 959: Mr. TED LIEU of California.

H. Res. 993: Mr. HASTINGS, Mr. LARSEN of Washington, Mr. BEYER, Mr. NADLER, Mr. BLUMENAUER, Ms. VELÁZQUEZ, Mr. MEEKS, Mr. ENGEL, Mr. REED, Mr. MARINO, Mr. SEAN PATRICK MALONEY of New York, Mr. SMITH of New Jersey, Ms. LOFGREN, Mr. FASO, Mr. VIS-

CLOSKY, Mr. SHERMAN, Mr. WELCH, Ms. MAT-

SUI, Ms. ROYBAL-ALLARD, Mr. BARLETTA, and Ms. BASS.

H. Res. 1022: Mr. TURNER.

H. Res. 1026: Ms. TENNEY, Mr. CRAMER, and Mrs. MIMI WALTERS of California.

H. Res. 1031: Mr. BLUMENAUER, Mr. YARMUTH, and Ms. WILSON of Florida.

H. Res. 1032: Mrs. LOWEY, Ms. SHEA-POR-TER, and Mr. PAYNE.

H. Res. 1034: Ms. JACKSON LEE.

TUESDAY, AUGUST 14, 2018 (117)

¶117.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. POE of Texas, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
August 14, 2018.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶117.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. POE of Texas, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Friday, August 10, 2018, was approved.

¶117.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5932. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a report of a series of violations of the Antideficiency Act, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

5933. A letter from the Assistant General Counsel for the Division of Regulatory Services, Department of Education, transmitting the Department's notice of withdrawal — Withdrawal of guidance documents [Docket ID: ED-2016-OESE-0056] (RIN: 1810-AB33) received July 31, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5934. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's Major final rule — Short-Term, Limited-Duration Insurance (RIN: 1210-AB86) received August 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5935. A letter from the Director, Office of Labor-Management Standards, Department of Labor, transmitting the Department's final rule — Rescission of Rule Interpreting "Advice" Exemption in Section 203(c) of the Labor-Management Reporting and Disclosure Act (RIN: 1245-AA07) received August 8, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

5936. A letter from the Secretary, Federal Maritime Commission, transmitting the Commission's final rule — Amendments to Regulations Governing NVOCC Negotiated Rate Arrangements [Docket No.: 17-10] (RIN: 3072-AC68) received August 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5937. A letter from the Chief, Publications and Regulations Branch, Internal Revenue

Service, transmitting the Service's IRB only rule — Clarification Concerning the Effect of Section 67(g) on Trusts and Estates [Notice 2018-61] received August 8, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5938. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Method change guidance for small business taxpayers under sections 448, 263A, 460, and 471 [Rev. Proc. 2018-40] received August 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5939. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Amplification and Modification of Safe Harbor Method for Participants in the HFA Hardest Hit Fund [Notice 2018-63] received August 8, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5940. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance on the Contribution Limits Applicable to ABLE Accounts under Section 529A [Notice 2018-62] received August 8, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

5941. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulation and removal of temporary regulations — Partnership Representative under the Centralized Partnership Audit Regime and Election to Apply the Centralized Partnership Audit Regime [TD 9839] (RIN: 1545-BN41) received August 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶117.4 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. POE of Texas, laid before the House the following communication from Mr. CONNOLLY:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 14, 2018.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for documents issued by the Fairfax County Circuit Court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is not consistent with the privileges and rights of the House.

Sincerely,

GERALD E. CONNOLLY,
Member of Congress.

And then,

¶117.5 ADJOURNMENT

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to section 2(b) of House Resolution 1012, at 2 o'clock and 3 minutes p.m., declared the House adjourned until 9 a.m. on Friday, August 17, 2018.

¶117.6 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2591. A bill to amend the Pittman-Robertson Wildlife Restoration Act to modernize the funding of wildlife conservation, and for other purposes; with an amendment (Rept. 115-899). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6038. A bill to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota; with an amendment (Rept. 115-900). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6039. A bill to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes; with an amendment (Rept. 115-901). Referred to the Committee of the Whole House on the state of the Union.

¶117.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. BLUNT ROCHESTER (for herself, Mr. EVANS, Ms. MOORE, Mr. RUSH, Ms. JACKSON LEE, Ms. LEE, Ms. KELLY of Illinois, Mr. DANNY K. DAVIS of Illinois, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Mr. AL GREEN of Texas, Ms. WILSON of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JEFFRIES, Ms. CLARKE of New York, Mr. BROWN of Maryland, Mrs. LAWRENCE, Mr. CARSON of Indiana, Ms. FUDGE, Ms. NORTON, and Mr. PAYNE):

H.R. 6669. A bill to require automatic sealing of certain criminal records, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 6670. A bill to amend the District of Columbia Home Rule Act to permit the District of Columbia to establish the rate of pay of the Chief Financial Officer of the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. PETERS (for himself, Ms. CLARKE of New York, Ms. ROYBAL-ALLARD, Ms. ESHOO, and Mr. CARBAJAL):

H.R. 6671. A bill to amend the Internal Revenue Code of 1986 to allow for a credit against tax for rent paid on the personal residence of the taxpayer; to the Committee on Ways and Means.

¶117.8 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 120: Mr. WEBER of Texas.

H.R. 367: Mr. CLOUD.

H.R. 592: Mr. LEWIS of Georgia and Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1038: Mr. STEWART.

H.R. 1171: Mr. BRADY of Pennsylvania.

H.R. 1218: Mr. TAYLOR.

H.R. 1279: Mr. HULTGREN.

H.R. 1318: Mr. STEWART and Ms. BORDALLO.

H.R. 1552: Mr. DAVIDSON.

H.R. 1661: Mr. ROE of Tennessee and Mr. DUNCAN of Tennessee.

H.R. 1802: Mr. GRIJALVA.
 H.R. 1904: Mr. CARBAJAL.
 H.R. 1924: Ms. SHEA-PORTER.
 H.R. 1953: Ms. WASSERMAN SCHULTZ.
 H.R. 2327: Mr. GRIJALVA.
 H.R. 2687: Mr. SHERMAN.
 H.R. 2953: Mr. CARSON of Indiana, Mr. FITZPATRICK, Mr. CRAMER, Mr. COOK, Mr. BARLETTA, Mr. SERRANO, Ms. SINEMA, Ms. SEWELL of Alabama, Ms. ROYBAL-ALLARD, and Mrs. WATSON COLEMAN.
 H.R. 3128: Ms. CHENEY.
 H.R. 3334: Mr. FOSTER.
 H.R. 3730: Mr. YARMUTH.
 H.R. 4107: Mr. O'ROURKE, Mr. FOSTER, Ms. SEWELL of Alabama, Ms. LOFGREN, and Mr. TROTT.
 H.R. 4256: Mr. DUNCAN of South Carolina, Ms. KELLY of Illinois, Mr. COOK, and Ms. PIN-GREE.
 H.R. 4693: Mrs. DEMINGS.
 H.R. 4837: Mr. PANETTA.
 H.R. 4843: Mr. DEUTCH.
 H.R. 5160: Mr. CARSON of Indiana.
 H.R. 5161: Ms. MATSUI, Ms. LEE, and Ms. JAYAPAL.
 H.R. 5162: Ms. JAYAPAL and Mr. PERLMUTTER.
 H.R. 5163: Ms. JAYAPAL.
 H.R. 5621: Mr. DOGGETT, Mr. MCGOVERN, Mr. SESSIONS, and Mr. WOODALL.
 H.R. 5671: Mr. LARSON of Connecticut, Ms. ROSEN, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mrs. BEATTY, Mr. DEFazio, Mr. NEWHOUSE, Mrs. NAPOLITANO, and Mr. FASO.
 H.R. 5986: Mrs. LESKO and Ms. MCSALLY.
 H.R. 5996: Mr. POSEY and Mrs. DEMINGS.
 H.R. 6010: Mr. RATCLIFFE.
 H.R. 6016: Mr. MOULTON.
 H.R. 6085: Mr. COSTELLO of Pennsylvania.
 H.R. 6086: Ms. WASSERMAN SCHULTZ, Ms. JAYAPAL, Mr. MCGOVERN, Mr. YARMUTH, and Mr. KHANNA.
 H.R. 6097: Mr. DEFazio.
 H.R. 6108: Mr. HUNTER.
 H.R. 6180: Mr. SERRANO.
 H.R. 6224: Mr. HIMES and Ms. TENNEY.
 H.R. 6263: Mr. COFFMAN.
 H.R. 6269: Mr. FLORES and Mr. MARCHANT.
 H.R. 6270: Ms. LOFGREN.
 H.R. 6288: Miss GONZÁLEZ-COLÓN of Puerto Rico.
 H.R. 6390: Miss GONZÁLEZ-COLÓN of Puerto Rico.
 H.R. 6410: Mr. SUOZZI and Mr. PERLMUTTER.
 H.R. 6416: Mr. GOTTHEIMER.
 H.R. 6417: Mr. MARCHANT and Mr. PALAZZO.
 H.R. 6451: Mr. MCCLINTOCK.
 H.R. 6469: Mr. YARMUTH and Mr. ARRINGTON.
 H.R. 6482: Mr. BIGGS.
 H.R. 6495: Ms. LOFGREN and Mr. TAYLOR.
 H.R. 6506: Mr. SESSIONS.
 H.R. 6517: Mr. HIGGINS of New York and Mrs. MIMI WALTERS of California.
 H.R. 6545: Mr. BLUMENAUER, Mr. MOULTON, and Mr. KENNEDY.
 H.R. 6578: Ms. JACKSON LEE, Mr. YOUNG of Alaska, Mr. BISHOP of Georgia, and Ms. NORTON.
 H.R. 6611: Mr. SEAN PATRICK MALONEY of New York, Mr. FITZPATRICK, and Mr. CARSON of Indiana.
 H.R. 6665: Mr. SABLAN.
 H. Res. 370: Mr. LYNCH.
 H. Res. 523: Mr. WELCH.
 H. Res. 975: Mr. SUOZZI.
 H. Res. 1034: Mr. BILIRAKIS, Mr. MESSER, Mr. SESSIONS, and Mr. JOHNSON of Georgia.

FRIDAY, AUGUST 17, 2018 (118)

¶118.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. POE of Texas, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 August 17, 2018.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶118.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. POE of Texas, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Tuesday, August 14, 2018, was approved.

¶118.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5942. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final evaluation of vendor submittal — Final Safety Evaluation by the U.S. Nuclear Regulatory Commission Staff for Topical Report BWRVIP-41, Revision 4, "BWRVIP Jet Pump Assembly Inspection and Flaw Evaluation Guidelines" [CAC No.: MF4887; EPID L-2014-TOP-0008] received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5943. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final evaluation of vendor submittal — Final Supplemental Safety Evaluation Related to BWRVIP-62-A, "Boiling Water Reactor Vessel and Internals Project, Technical Basis for Inspection Relief for BWR Internal Components with Hydrogen Injection", Use of On-line Noble Metal Chemistry in Boiling Water Reactors received July 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5944. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's NUREG — Final Safety Evaluations of Technical Specifications Task Force Traveler TSTF-567, Revision 1, "Add Containment Sump TS To Address GSI-191 Issues" (EPID: L-2017-PMP-0005) received July 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5945. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's NUREG Revision — Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Self-Shielded Irradiator Licenses [NUREG-1556, Volume 5, Revision 1] received July 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5946. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's NUREG revision — Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Licenses Authorizing Distribution to General Licensees [NUREG-1556, Volume 16, Revision 1] received July 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5947. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 160920866-

7167-02] (RIN: 0648-XF648) received August 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

5948. A letter from the Chief, Trade and Commercial Regulations Branch, U.S. Customs and Border Protection, Department of the Treasury, transmitting the Department's interim regulations — Refund of Alcohol Excise Tax [Docket No.: USCBP-2018-0033] (RIN: 1515-AE39) received August 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶118.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. POE of Texas, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
 U.S. HOUSE OF REPRESENTATIVES,
 Washington, DC, August 16, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 16, 2018, at 12:08 p.m.:

That the Senate agree to the amendment of the House of Representatives to the bill S. 717.

With best wishes, I am
 Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶118.5 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. POE of Texas, laid before the House the following communication from Mark Roman, Chief of Staff, office of the Honorable Jason Smith:

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony, issued by the U.S. District Court for the Central District of Illinois, in the above referenced matter.

After consultation with counsel, I will make the determinations required by Rule VIII.

Sincerely,

Mark Roman.

¶118.6 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. POE of Texas, laid before the House the following communication from Sarah Rogers, Director of Member Services, House Republican Conference:

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a grand jury subpoena for testimony, issued by the U.S. District Court for the Central District of Illinois, in the above referenced matter.

After consultation with counsel, I will make the determinations required by Rule VIII.

Sincerely,

Sarah Rogers.

And then,

¶118.7 ADJOURNMENT

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to section 2(b) of House Resolution 1012, at 9 o'clock and 3 minutes a.m., declared the House adjourned until 12:30 p.m. on Tuesday, August 21, 2018.

¶118.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CULBERSON (for himself and Mr. POE of Texas):

H.R. 6672. A bill to authorize the Daughters of the Republic of Texas to establish the Republic of Texas Legation Memorial as a commemorative work in the District of Columbia, and for other purposes; to the Committee on Natural Resources.

By Ms. HERRERA BEUTLER:

H.R. 6673. A bill to ensure that certain requirements are included before tolls can be collected on certain routes, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of Missouri:

H.R. 6674. A bill to amend the Internal Revenue Code of 1986 to permit kindergarten through grade 12 educational expenses to be paid from a 529 account; to the Committee on Ways and Means.

¶118.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 334: Mr. SEAN PATRICK MALONEY of New York.

H.R. 754: Mr. WALBERG, Mr. SMITH of Texas, and Mr. JOHNSON of Ohio.

H.R. 762: Mr. THOMAS J. ROONEY of Florida, Mr. CHABOT, and Mr. BACON.

H.R. 795: Mr. FOSTER.

H.R. 1205: Mr. HASTINGS.

H.R. 1542: Mr. JOYCE of Ohio and Mr. KELLY of Pennsylvania.

H.R. 1626: Mr. VEASEY and Mrs. DEMINGS.

H.R. 1818: Mrs. LOWEY and Mr. BILIRAKIS.

H.R. 1881: Mr. POSEY.

H.R. 2092: Mrs. WAGNER and Mr. REED.

H.R. 2315: Mr. MCEACHIN.

H.R. 2392: Mr. DANNY K. DAVIS of Illinois.

H.R. 2472: Ms. CLARK of Massachusetts and Mr. CASTRO of Texas.

H.R. 2532: Mr. AGUILAR.

H.R. 2953: Ms. BORDALLO.

H.R. 3730: Ms. SEWELL of Alabama.

H.R. 3738: Ms. WASSERMAN SCHULTZ and Mrs. DEMINGS.

H.R. 4022: Ms. BASS and Mrs. CAROLYN B. MALONEY of New York.

H.R. 4417: Mr. HASTINGS and Mr. BUCHANAN.

H.R. 4549: Mr. HULTGREEN.

H.R. 4691: Mr. SCHWEIKERT.

H.R. 4693: Mr. SCHWEIKERT.

H.R. 5141: Mr. HOLLINGSWORTH and Mr. BRADY of Texas.

H.R. 5282: Mr. WILSON of South Carolina.

H.R. 5430: Mr. KING of New York.

H.R. 5588: Mr. BERA.

H.R. 5768: Mr. SERRANO.

H.R. 6048: Ms. CASTOR of Florida, Mr. SEAN PATRICK MALONEY of New York, and Mr. EVANS.

H.R. 6080: Ms. LEE, Mr. CARSON of Indiana, Mr. SUOZZI, Ms. WASSERMAN SCHULTZ, Mr. SIRES, and Mr. YARMUTH.

H.R. 6194: Mr. DONOVAN.

H.R. 6224: Mr. ESPAILLAT and Mr. STEWART.

H.R. 6239: Mr. JOHNSON of Georgia and Mr. GALLEGO.

H.R. 6252: Ms. MOORE, Ms. NORTON, and Mr. GRIJALVA.

H.R. 6273: Mr. MESSER.

H.R. 6370: Mr. STIVERS.

H.R. 6417: Mr. HOLDING and Mr. EVANS.

H.R. 6509: Mr. VEASEY.

H.R. 6545: Miss RICE of New York, Mr. HECK, Mrs. VELÁZQUEZ, Mr. CROWLEY, Mr. LARSON of Connecticut, and Mr. THOMPSON of Mississippi.

H.R. 6609: Ms. ROYBAL-ALLARD and Ms. NORTON.

H.R. 6611: Mr. SERRANO.

H.R. 6633: Mr. POE of Texas and Mr. BROOKS of Alabama.

H.R. 6643: Mr. CUMMINGS, Mr. PANETTA, Mrs. CAROLYN B. MALONEY of New York, Ms. ROYBAL-ALLARD, Ms. DEGETTE, and Mr. HUFFMAN.

H.J. Res. 31: Mr. HIGGINS of New York.

H. Con. Res. 130: Mr. TAKANO.

H. Res. 993: Ms. DEGETTE, Ms. DELAURO, Mrs. CAROLYN B. MALONEY of New York, Ms. KUSTER of New Hampshire, Mr. CLEAVER, Mr. JEFFRIES, Mrs. LOWEY, Mr. VALADAO, Ms. ADAMS, Mr. DESAULNIER, Mrs. DAVIS of California, Mr. MCEACHIN, and Mr. DOGGETT.

H. Res. 1022: Ms. KAPTUR.

TUESDAY, AUGUST 21, 2018 (119)

¶119.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mrs. COMSTOCK, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
August 21, 2018.

I hereby appoint the Honorable BARBARA COMSTOCK to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶119.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mrs. COMSTOCK, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Friday, August 17, 2018, was approved.

¶119.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5949. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0640; Product Identifier 2018-NM-075-AD; Amendment 39-19343; AD 2018-16-03] (RIN: 2120-AA64) received August 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5950. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2018-0077; Product Identifier 2017-NM-126-AD; Amendment 39-19352; AD 2018-16-12] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5951. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Depart-

ment's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0165; Product Identifier 2017-NM-122-AD; Amendment 39-19342; AD 2018-16-02] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5952. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honda Aircraft Company LLC Airplanes [Docket No.: FAA-2018-0688; Product Identifier 2018-CE-026-AD; Amendment 39-19338; AD 2018-15-06] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5953. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Leonardo S.p.A. Helicopters (Type Certificate Previously Held By Finmeccanica S.p.A., AgustaWestland S.p.A.) [Docket No.: FAA-2018-0720; Product Identifier 2017-SW-012-AD; Amendment 39-19348; AD 2018-16-08] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5954. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Costruzioni Aeronautiche Tecnam srl Airplanes [Docket No.: FAA-2018-0204; Product Identifier 2018-CE-003-AD; Amendment 39-19339; AD 2018-15-07] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5955. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2018-0630; Product Identifier 2018-NE-25-AD; Amendment 39-19347; AD 2018-16-07] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5956. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Erie, PA; [Docket No.: FAA-2018-0679; Airspace Docket No.: 18-AEA-14] (RIN: 2120-AA66) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5957. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Airplanes [Docket No.: FAA-2018-0286; Product Identifier 2018-CE-008-AD; Amendment 39-19340; AD 2018-15-08] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5958. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0110; Product Identifier 2017-NM-125-AD; Amendment 39-19345; AD 2018-16-05] (RIN: 2120-AA64) received August 18, 2018,

pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5959. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Lyons, KS [Docket No.: FAA-2018-0139; Airspace Docket No.: 18-ACE-1] (RIN: 2120-AA66) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5960. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace for the Following Pennsylvania Towns; Lancaster, PA; Reading, PA; and Williamsport, PA [Docket No.: FAA-2016-9377; Airspace Docket No.: 16-AEA-8] (RIN: 2120-AA66) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5961. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0392; Product Identifier 2018-NM-044-AD; Amendment 39-19349; AD 2018-16-09] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5962. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; the Boeing Company Airplanes [Docket No.: FAA-2017-0805; Product Identifier 2017-NM-051-AD; Amendment 39-19235; AD 2018-07-04] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5963. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Kansas City, MO; and Revocation of Class E Airspace; Kansas City, MO [Docket No.: FAA-2017-1083; Airspace Docket No.: 17-ACE-13] (RIN: 2120-AA66) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5964. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment and Establishment of Class E Airspace; Columbus, NE [Docket No.: FAA-2018-0137; Airspace Docket No.: 18-ACE-2] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5965. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Clarendon, TX [Docket No.: FAA-2018-0310; Airspace Docket No.: 18-ASW-7] (RIN: 2120-AA66) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5966. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Ionia, MI [Docket No.: FAA-2018-

0291; Airspace Docket No.: 18-AGL-10] (RIN: 2120-AA66) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5967. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Removal of Class E Airspace, and Establishment of Class E Airspace; Olive Branch, MS [Docket No.: FAA-2017-0866; Airspace Docket No.: 17-ASO-20] (RIN: 2120-AA66) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5968. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Memphis, TN [Docket No.: FAA-2017-0754; Airspace Docket No.: 17-ASO-16] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

¶119.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mrs. COMSTOCK, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 20, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 20, 2018, at 10:30 a.m.:

That the Senate agreed to relative to the death of the Honorable Paul Dominique Laxalt, former United States Senator for the State of Nevada S. Res. 609.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶119.5 SENATE ENROLLED BILL SIGNED

The Speaker pro tempore, Mrs. COMSTOCK, announced her signature to an enrolled bill of the Senate of the following title:

S. 717. An Act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

And then,

¶119.6 ADJOURNMENT

The SPEAKER pro tempore, Mrs. COMSTOCK, pursuant to section 2(b) of House Resolution 1012, at 12 o'clock and 34 minutes p.m., declared the House adjourned until 11 a.m. on Friday, August 24, 2018.

¶119.7 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2606. A bill to amend

the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes; with an amendment (Rept. 115-902). Referred to the Committee of the Whole House on the state of the Union.

¶119.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PALLONE:

H.R. 6675. A bill to deauthorize a portion of the Raritan River Navigation Channel, New Jersey; to the Committee on Transportation and Infrastructure.

By Miss RICE of New York (for herself and Mr. REED):

H. Res. 1043. A resolution amending the Rules of the House of Representatives to prohibit with limited exceptions the participation of any Member, Delegate, Resident Commissioner, officer, or employee of the House on the board of any publicly held or publicly regulated corporation, financial institution, or business entity; to the Committee on Rules.

¶119.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 398: Ms. BONAMICI, Mr. KILDEE, and Mr. KRISHNAMOORTHY.

H.R. 741: Mr. POLIQUIN.

H.R. 1089: Mr. MEADOWS.

H.R. 1300: Mr. KILDEE and Mr. PRICE of North Carolina.

H.R. 1784: Mrs. DEMINGS.

H.R. 1889: Mrs. DEMINGS.

H.R. 2106: Mr. KILDEE.

H.R. 2171: Mr. CICILLINE.

H.R. 2270: Mr. MOULTON.

H.R. 2315: Mr. KILDEE, Ms. SPEIER, Mr. LEWIS of Minnesota, Mr. DUNCAN of South Carolina, and Mrs. BLACKBURN.

H.R. 2341: Mr. BARR, Mrs. COMSTOCK, and Mrs. WAGNER.

H.R. 2418: Mrs. WATSON COLEMAN.

H.R. 2495: Mr. YARMUTH.

H.R. 2598: Mr. MCNERNEY.

H.R. 2902: Ms. MOORE and Mr. LARSON of Connecticut.

H.R. 3026: Ms. NORTON.

H.R. 3272: Mr. KILDEE.

H.R. 3287: Mr. GRIJALVA.

H.R. 3533: Mr. MCNERNEY.

H.R. 3635: Mr. CLEAVER and Mr. POLIQUIN.

H.R. 3919: Mr. KELLY of Pennsylvania.

H.R. 3988: Mr. MEADOWS.

H.R. 4256: Mr. MOONEY of West Virginia, Mr. STIVERS, and Ms. HANABUSA.

H.R. 4691: Mr. THOMPSON of Pennsylvania.

H.R. 4732: Mr. BOST, Mr. PETERS, Mr. VELA, Mr. GIANFORTE, Ms. ROSEN, and Mr. YOUNG of Alaska.

H.R. 4897: Mr. BROWN of Maryland, Mr. GALLEG0, Mr. LAWSON of Florida, and Ms. MCCOLLUM.

H.R. 4898: Mr. GRIJALVA.

H.R. 4941: Mrs. DEMINGS.

H.R. 5141: Mr. DESAULNIER.

H.R. 5161: Ms. ROYBAL-ALLARD.

H.R. 5276: Mr. VISCLOSKEY.

H.R. 5359: Mr. WELCH.

H.R. 5383: Miss RICE of New York.

H.R. 5463: Mr. THOMPSON of Mississippi.

H.R. 5678: Mr. POLIQUIN.

H.R. 5822: Mr. VELA.

H.R. 6014: Ms. SHEA-PORTER.

H.R. 6016: Mr. GOTTHEIMER.

H.R. 6026: Mr. CONNOLLY.

H.R. 6048: Mr. PALLONE.

H.R. 6060: Mr. NEAL.

H.R. 6105: Mr. HUNTER.
 H.R. 6225: Mr. FITZPATRICK.
 H.R. 6274: Ms. ESHOO, Mr. KHANNA, and Ms. MATSUI.
 H.R. 6282: Mr. MCGOVERN.
 H.R. 6422: Mrs. BROOKS of Indiana.
 H.R. 6450: Mr. JONES.
 H.R. 6462: Ms. KUSTER of New Hampshire.
 H.R. 6510: Mr. KNIGHT, Mr. THOMAS J. ROONEY of Florida, Mr. FLEISCHMANN, Mr. SESSIONS, Ms. PINGREE, Ms. LEE, Mr. CARTER of Georgia, Mr. LOWENTHAL, and Mr. CURBELO of Florida.
 H.R. 6525: Mrs. WATSON COLEMAN and Ms. CLARKE of New York.
 H.R. 6543: Ms. BASS, Ms. CASTOR of Florida, Ms. LEE, Ms. MATSUI, Mr. QUIGLEY, Mrs. DEMINGS, Mrs. CAROLYN B. MALONEY of New York, and Ms. VELÁZQUEZ.
 H.R. 6545: Mr. CUMMINGS, Mr. RUSH, Mrs. BEATTY, and Mr. SIRES.
 H.R. 6578: Ms. SPEIER, Ms. LEE, and Ms. CLARKE of New York.
 H.R. 6633: Mr. PERRY.
 H.R. 6634: Mr. CRAMER.
 H.R. 6637: Mr. STEWART.
 H.R. 6644: Ms. CASTOR of Florida.
 H. Con. Res. 130: Mr. BRENDAN F. BOYLE of Pennsylvania.
 H. Res. 993: Mr. COSTA, Mr. KELLY of Pennsylvania, Mr. BROWN of Maryland, Mr. SCOTT of Virginia, Mr. BRADY of Pennsylvania, Mr. SCHIFF, Mr. PAYNE, Mr. KNIGHT, Ms. JAYAPAL, Mrs. LAWRENCE, Mr. BUTTERFIELD, Mr. CAPUANO, Ms. MCCOLLUM, Mr. TED LIEU of California, Mr. CÁRDENAS, and Mr. ZELDIN.
 H. Res. 1026: Mr. BARLETTA.
 H. Res. 1031: Mr. MCEACHIN.

FRIDAY, AUGUST 24, 2018 (120)

¶120.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MOONEY of West Virginia, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,

August 24, 2018.

I hereby appoint the Honorable ALEXANDER X. MOONEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶120.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Tuesday, August 21, 2018, was approved.

¶120.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

5969. A letter from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Conditions for Payment of Highly Pathogenic Avian Influenza Indemnity Claims [Docket No. APHIS-2015-0061] (RIN: 0579-AE14) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

5970. A letter from the Director, Office of Management and Budget, Executive office of The President, transmitting the August 2018 Monthly Cumulative Report on Rescissions, pursuant to 2 U.S.C. 685(e); Public Law 93-344,

Sec. 1014(e); (88 Stat. 335) (H. Doc. No. 115—148); to the Committee on Appropriations and ordered to be printed.

5971. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Brigadier General Antonio M. Fletcher to wear the insignia of the grade of major general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

5972. A letter from the Director, Naval Reactors, transmitting the Executive Summary of the Naval Nuclear Propulsion Program's latest reports on environmental monitoring and radioactive waste disposal, radiation exposure, and occupational safety and health; to the Committee on Armed Services.

5973. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility (Town of Ardmore, AL et al.) [Docket ID: FEMA-2018-0002; Internal Agency Docket No.: FEMA-8541] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5974. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Pennsylvania: Adams, Township of, Butler County [Docket ID: FEMA-2018-0002; Internal Agency Docket No.: FEMA-8539] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

5975. A letter from the Program Analyst, NHTSA, Department of Transportation, transmitting the Department's final rule — 911 Grant Program [Docket No.: 170420407-8048-02] (RIN: 0660-AA33; 2127-AL86) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5976. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rules and Policies to Promote New Entry and Ownership Diversity in the Broadcasting Services [MB Docket No.: 17-289] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5977. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Guides for the Jewelry, Precious Metals, and Pewter Industries received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5978. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's NUREG Revision — Consolidated Guidance About Materials Licenses: Program-Specific Guidance About Special Nuclear Material of Less Than Critical Mass Licenses, Final Report, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

5979. A letter from the Assistant Legal Advisor, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

5980. A letter from the Assistant Secretary, Legislative Affairs, Department of State,

transmitting notification that the Secretary of State has convened an Accountability Review Board to examine the circumstances surrounding a January 2017 attack on a U.S. government employee in Guadalajara, Mexico, pursuant to 22 U.S.C. 4831(c); Public Law 99-399, Sec. 301(c) (as amended by Public Law 109-140, Sec. 3); (119 Stat. 2650); to the Committee on Foreign Affairs.

5981. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-29, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

5982. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's annual list of government activities that are not inherently governmental functions, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

5983. A letter from the Acting Solicitor General, Department of Justice, transmitting a decision of the United States District Court for the District of Columbia, March for Life v. Burwell, 128 F. Supp. 3d 116 (D.D.C. 2015), pursuant to 28 U.S.C. 530D(a)(1); Public Law 107-273, Sec. 202(a); (116 Stat. 1771); to the Committee on the Judiciary.

5984. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Office for Victims of Crime Report to the Nation for Fiscal Years 2015-2016, pursuant to 34 U.S.C. 20110(g); Public Law 98-473, title II, Sec. 1407(g) (as amended by Public Law 104-294, Sec. 604(b)(9)); (110 Stat. 3507); to the Committee on the Judiciary.

5985. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the report on the Administration of the Foreign Agents Registration Act of 1938, as amended, for the six months ending December 31, 2017, pursuant to 22 U.S.C. 621; June 8, 1938, ch. 327, Sec. 11 (as amended by Public Law 104-65, Sec. 19); (109 Stat. 704); to the Committee on the Judiciary.

5986. A letter from the Director, Administrative Office of the United States Courts, transmitting the 2017 annual report on bankruptcy statistics, pursuant to 28 U.S.C. 159(b)(3); Public Law 109-8, Sec. 601(a); (119 Stat. 119); to the Committee on the Judiciary.

5987. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Premerger Notification; Reporting and Waiting Period Requirements received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

5988. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31203; Amdt. No.: 3808] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5989. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31202; Amdt. No.: 3807] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5990. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Restricted Areas R-5602A and R-5602B; Fort Sill, OK [Docket No.: FAA-2017-0144; Airspace Docket No.: 17-ASW-2] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5991. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2017-1102; Product Identifier 2017-NM-078-AD; Amendment 39-19320; AD 2018-13-08] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5992. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2018-0111; Product Identifier 2017-NM-059-AD; Amendment 39-19312; AD 2018-12-08] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5993. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2017-1093; Product Identifier 2017-NM-018-AD; Amendment 39-19329; AD 2018-14-09] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5994. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Régional Airplanes [Docket No.: FAA-2018-0166; Product Identifier 2017-NM-169-AD; Amendment 39-19331; AD 2018-14-11] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5995. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2018-0091; Product Identifier 2017-SW-054-AD; Amendment 39-19334; AD 2018-15-02] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5996. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0073; Product Identifier 2017-NM-100-AD; Amendment 39-19318; AD 2018-13-06] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5997. A letter from the Director, Office of Drug and Alcohol Policy and Compliance, Office of the Secretary, Department of Transportation, transmitting the Department's final rule — Procedures for Transportation Workplace Drug and Alcohol Testing Programs; Addition of Certain Schedule II Drugs to the Department of Transportation's Drug-Testing Panel and Certain Minor Amendments [Docket DOT-OST-2016-0189] (RIN:

2105-AE58) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5998. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31204; Amdt. No.: 3809] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

5999. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31205; Amdt. No.: 3810] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6000. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0276; Product Identifier 2017-NM-079-AD; Amendment 39-19346; AD 2018-16-06] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6001. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Safran Helicopter Engines, S.A., Turboshift Engines [Docket No.: FAA-2009-0889; Product Identifier 2009-NE-35-AD; Amendment 39-19305; AD 2018-12-01] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6002. A letter from the Paralegal, FTA, Department of Transportation, transmitting the Department's final rule — Public Transportation Agency Safety Plan [Docket No.: FTA-2015-0021] (RIN: 2132-AB23) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6003. A letter from the Paralegal Specialist, FTA, Department of Transportation, transmitting the Department's final rule — Public Transportation Safety Certification Training Program [Docket No.: FTA-2015-0014] (RIN: 2132-AB25) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6004. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0114; Product Identifier 2017-NM-167-AD; Amendment 39-19335; AD 2018-15-03] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6005. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2018-0590; Product Identifier

2018-NE-24-AD; Amendment 39-19319; AD 2018-13-07] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6006. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Methods for Calculating W-2 Wages for Purposes of Section 199A [Notice 2018-64] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6007. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's 2018 Interim Report to Congress on the Demonstration Project On Community Health Integration Models In Certain Rural Counties, pursuant to 42 U.S.C. 1395i-4 note; Public Law 110-275, Sec. 123(h)(1) (as amended by Public Law 111-148, title III, Sec. 3126); (124 Stat. 425); jointly to the Committees on Energy and Commerce and Ways and Means.

6008. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Low Income Home Energy Assistance Program Report to Congress for Fiscal Year 2015, pursuant to Sec. 2610(b) of the Low-Income Home Energy Assistance Act of 1981; jointly to the Committees on Energy and Commerce and Education and the Workforce.

¶120.4 COMMITTEE RESIGNATIONS— MAJORITY

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, August 23, 2018.

Hon. PAUL D. RYAN,
Speaker of the House,
House of Representatives, Washington, DC.

DEAR SPEAKER RYAN: In light of recent events, I am requesting to be temporarily removed from my positions on the House Committees on Armed Services, Education and the Workforce, and Transportation and Infrastructure. I fully intend to resume my position as an active member of these committees upon a successful resolution of pending legal matters.

The charges against me are politically motivated and without merit. I intend to fight them fully. In the meantime, I look forward to quickly clearing my good name, and I will continue to represent the people of California's 50th District.

Sincerely,
DUNCAN HUNTER,
Member of Congress.

By unanimous consent, the resignations were accepted.

¶120.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 23, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 23, 2018, at 1:31 p.m.:

That the Senate agrees to the House amendments to the bill S. 899.

That the Senate passed S. 266.

That the Senate passed S. 1142.

That the Senate passed S. 1322.

That the Senate passed S. 2946.

That the Senate passed without an amendment H.R. 2147.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶120.6 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, laid before the House the following communication from Sera Alptekin, Caseworker and Field Representative, office of the Honorable Jackie Speier:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 12, 2018.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony, issued by the Superior Court of the State of California for the County of San Mateo, in a criminal proceeding involving an alleged threat of violence against our office personnel.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

SERA ALPTEKIN,
Caseworker & Field Representative.

¶120.7 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, laid before the House the following communication from Mark Nagales, Constituent Services Director, office of the Honorable Jackie Speier:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 13, 2018.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony, issued by the Superior Court of the State of California for the County of San Mateo, in a criminal proceeding involving an alleged threat of violence against our office personnel.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

MARK NAGALES,
Constituent Services Director.

¶120.8 COMMUNICATION REGARDING SUBPOENA

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, laid before the House the following communication from Brian Perkins, District Director, office of the Honorable Jackie Speier:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, August 13, 2018.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a subpoena for testimony issued by the Superior Court of the State of California for the County of San Mateo, in a criminal proceeding involving an alleged threat of violence against our office personnel.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

BRIAN PERKINS,
District Director.

¶120.9 LIBRARY OF CONGRESS TRUST FUND BOARD

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, pursuant to section 1 of the Library of Congress Trust Fund Board Act (2 United States Code 154), and the order of the House of January 3, 2017, announced that the Speaker appointed the following individual on the part of the House to the Library of Congress Trust Fund Board for a five-year term: Ms. Elizabeth Beretta-Perik, Jamestown, Rhode Island.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶120.10 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 266. An Act to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East; to the Committee on Financial Services.

S. 1322. An Act to establish the American Fisheries Advisory Committee to assist in the awarding of fisheries research and development grants, and for other purposes; to the Committee on Natural Resources.

And then,

¶120.11 ADJOURNMENT

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, pursuant to section 2(b) of House Resolution 1012, at 11 o'clock and 7 minutes a.m., declared the House adjourned until noon on Tuesday, August 28, 2018.

¶120.12 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE: Committee on the Judiciary. Supplemental report on House Resolution 928. Resolution of inquiry requesting the President and directing the Attorney General to transmit, respectively, certain documents to the House of Representatives relating to the President's use of the pardon power under article II, section 2 of the Constitution (Rept. 115-797, Pt. 2). Referred to the House Calendar.

Mr. HENSARLING: Committee on Financial Services. H.R. 2319. A bill to protect the

investment choices of investors in the United States, and for other purposes; with an amendment (Rept. 115-903). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 5756. A bill to require the Securities and Exchange Commission to adjust certain resubmission thresholds for shareholder proposals (Rept. 115-904). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6332. A bill to require the Director of the Financial Crimes Enforcement Network to submit a report to Congress on the way in which data collected pursuant to title 31 is being used, and for other purposes (Rept. 115-905). Referred to the Committee of the Whole House on the state of the Union.

¶120.13 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. AMODEI:

H.R. 6676. A bill to promote conservation, improve public land, and provide for sensible development in Douglas County, Nevada, and for other purposes; to the Committee on Natural Resources.

By Ms. BLUNT ROCHESTER (for herself, Mr. BLUM, Mr. EVANS, Ms. WASSERMAN SCHULTZ, Ms. KELLY of Illinois, Mr. O'ROURKE, Mr. BROWN of Maryland, Mr. PAYNE, Mr. JEFFRIES, Ms. MOORE, Ms. LEE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Ms. CLARKE of New York, Mr. CARSON of Indiana, Mr. DANNY K. DAVIS of Illinois, Ms. JACKSON LEE, Mr. RUSH, Ms. FUDGE, Mr. AL GREEN of Texas, Mr. CLAY, Ms. WILSON of Florida, and Mr. DAVID SCOTT of Georgia):

H.R. 6677. A bill to require automatic sealing of certain criminal records, and for other purposes; to the Committee on the Judiciary.

By Mrs. COMSTOCK:

H.R. 6678. A bill to direct the Secretary of the Interior to convey certain National Park Service land in Fairfax County, Virginia, to the Friends of the Claude Moore Farm; to the Committee on Natural Resources.

By Mr. LAMB (for himself and Mr. MAST):

H.R. 6679. A bill to amend title 38, United States Code, to provide payment of Medal of Honor special pension under such title to the surviving spouse of a deceased Medal of Honor recipient, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LANGEVIN (for himself, Mr. TED LIEU of California, and Mr. SCHIFF):

H.R. 6680. A bill to provide for the processes and procedures for the granting, denying, or revoking of access, or eligibility for access, to classified information; to the Committee on Oversight and Government Reform.

By Mrs. LAWRENCE (for herself, Mr. COLLINS of Georgia, Mr. COHEN, Ms. PLASKETT, Ms. WILSON of Florida, Ms. NORTON, Mr. HASTINGS, Mr. PAYNE, Mr. BROWN of Maryland, Mr. MEEKS, Ms. LEE, Ms. BASS, Mr. CLEAVER, Mr. EVANS, Ms. MOORE, Ms. CLARKE of New York, Mr. DAVID SCOTT of Georgia, Mr. BISHOP of Georgia, Mr. LAWSON of Florida, Ms. FUDGE, Mr. CLAY, Mr. GRIJALVA, Ms. WASSERMAN SCHULTZ, Mr. CAPUANO, Ms. KAPTUR, Mr. RYAN of Ohio, Mr. MCGOVERN, Mr. ESPAILLAT, Mr. DANNY K. DAVIS of Illinois, Mr. RUSH, Mr. LEWIS of Georgia, Mr. AL GREEN of Texas, Mrs. BEATTY, Mr. JEFFRIES, Mr. SCHIFF,

Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JAYAPAL, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. GARAMENDI, Ms. ADAMS, Mr. KHANNA, Mrs. COMSTOCK, Mr. LEVIN, Mr. ELLISON, Mrs. DINGELL, Mr. CUMMINGS, Mr. KILDEE, Mr. VEASEY, and Mr. CARSON of Indiana):

H.R. 6681. A bill to posthumously award a Congressional Gold Medal to Aretha Franklin in recognition of her contributions of outstanding artistic and historical significance to culture in the United States; to the Committee on Financial Services.

¶120.14 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 99: Mrs. BUSTOS.
H.R. 444: Mr. CICILLINE.
H.R. 592: Mrs. LESKO.
H.R. 1121: Mr. HULTGREN.
H.R. 1272: Ms. CLARKE of New York.
H.R. 1311: Mr. KHANNA.
H.R. 1757: Mr. TONKO and Ms. SHEA-PORTER.
H.R. 1876: Mr. MOULTON.
H.R. 1957: Ms. PELOSI.
H.R. 1960: Mr. CARBAJAL.
H.R. 2234: Mr. DEFAZIO.
H.R. 2392: Ms. BASS.
H.R. 2498: Mr. ENGEL, Mr. KHANNA, Mrs. CAROLYN B. MALONEY of New York, and Ms. BASS.
H.R. 3113: Ms. NORTON.
H.R. 3580: Mr. MEEKS and Mr. BISHOP of Georgia.
H.R. 3711: Mr. WEBER of Texas.
H.R. 3742: Mr. GENE GREEN of Texas and Mr. SEAN PATRICK MALONEY of New York.
H.R. 3751: Mr. KING of New York.
H.R. 3800: Mr. TED LIEU of California.
H.R. 4106: Mr. THOMPSON of California.
H.R. 4107: Mr. SIMPSON, Mr. BABIN, Mr. SABLON, Mr. MOONEY of West Virginia, Mr. DENHAM, Mr. NEAL, and Mr. CORREA.
H.R. 4846: Mrs. COMSTOCK.
H.R. 4944: Ms. PELOSI.
H.R. 4983: Mr. CARTER of Texas.
H.R. 5034: Mr. COOPER.
H.R. 5311: Mr. CLEAVER.
H.R. 5533: Mr. GRIJALVA, Mr. SIREs, Ms. BASS, Mr. PALLONE, Mr. JEFFRIES, Mr. HIMES, Mr. CARSON of Indiana, Mrs. BUSTOS, and Ms. CLARKE of New York.
H.R. 5547: Mr. JOYCE of Ohio.
H.R. 5551: Mr. WELCH and Ms. WILSON of Florida.
H.R. 5932: Mr. HASTINGS.
H.R. 5951: Mr. SEAN PATRICK MALONEY of New York.
H.R. 6004: Mr. STIVERS.
H.R. 6016: Ms. TSONGAS.
H.R. 6048: Mr. MCEACHIN, Mr. CARSON of Indiana, and Ms. BASS.
H.R. 6056: Mr. PAYNE.
H.R. 6080: Ms. MAXINE WATERS of California.
H.R. 6085: Mr. WELCH and Ms. CLARKE of New York.
H.R. 6086: Mr. SIREs.
H.R. 6246: Mrs. DEMINGS.
H.R. 6277: Mr. MITCHELL.
H.R. 6390: Ms. ADAMS.
H.R. 6417: Mr. WESTERMAN, Mr. RICE of South Carolina, Mr. SANFORD, Mr. GOWDY, Mr. CULBERSON, and Mr. WILSON of South Carolina.
H.R. 6421: Mr. O'HALLERAN and Mr. OLSON.
H.R. 6433: Mr. JONES.
H.R. 6510: Mr. MESSER, Mrs. MIMI WALTERS of California, Mr. COSTELLO of Pennsylvania, Mr. JOYCE of Ohio, Ms. WILSON of Florida, and Mr. JEFFRIES.
H.R. 6534: Mr. ELLISON.
H.R. 6537: Ms. BASS.
H.R. 6545: Mr. SOTO and Mr. VISCLOSKY.
H.R. 6607: Ms. SHEA-PORTER, Mr. LYNCH, and Mr. WELCH.

H.R. 6649: Ms. SCHAKOWSKY, Mr. QUIGLEY, and Ms. GABBARD.
H.J. Res. 48: Mr. LOWENTHAL.
H.J. Res. 113: Ms. LOFGREN.
H. Con. Res. 132: Mr. CAPUANO, Mr. GOMEZ, Mr. DEFAZIO, and Ms. JAYAPAL.
H. Res. 28: Mr. LAMB.
H. Res. 776: Mr. GAETZ and Mr. CICILLINE.
H. Res. 906: Mr. WENSTRUP.
H. Res. 993: Mr. LAMB, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. SMITH of Washington, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CARSON of Indiana, and Mr. RUIZ.
H. Res. 1003: Mr. JONES.
H. Res. 1026: Mr. BARR.
H. Res. 1036: Ms. SCHAKOWSKY and Mr. RUSH.
H. Res. 1043: Ms. STEFANIK, Mr. JONES, Mr. LANCE, Mrs. MIMI WALTERS of California, Mrs. BUSTOS, Mr. GROTHMAN, Mr. COHEN, Mr. KILMER, Ms. SPEIER, Mr. SUOZZI, and Ms. ROSEN.

TUESDAY, AUGUST 28, 2018 (121)

¶121.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BANKS of Indiana, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
August 28, 2018.

I hereby appoint the Honorable JIM BANKS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶121.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Friday, August 24, 2018, was approved.

¶121.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6009. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting notification of the President's intent to exempt all military personnel accounts from any discretionary cap sequestration in FY 2019, if a sequestration is necessary, pursuant to 2 U.S.C. 905(f); Public Law 99-177, Sec. 255(f) (as amended by Public Law 105-33, Sec. 10207(b)); (111 Stat. 704); to the Committee on Appropriations.

6010. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Joseph E. Tofalo, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6011. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting the FY 2019 Operational Energy Budget Certification Report, pursuant to 10 U.S.C. 2926(c)(4); Public Law 113-291, div. A, title IX, Sec. 901(g)(1); (128 Stat. 365); to the Committee on Armed Services.

6012. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Glenn M. Walters, United States Marine Corps, and his advancement to the grade of general on the

retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6013. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting the Department's Fiscal Year 2017 Operational Energy Annual Report, pursuant to Sec. 2925(b) of title 10, U.S.C.; to the Committee on Armed Services.

6014. A letter from the Assistant Secretary, Legislative Affairs, Department of Defense, transmitting an additional legislative proposal that the Department of Defense requests be enacted during the second session of the 115th Congress; to the Committee on Armed Services.

6015. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Amendments to Investment Advisers Act Rules To Reflect Changes Made by the FAST Act [Release No.: IA-4839; File No.: S7-05-17] (RIN: 3235-AM02) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6016. A letter from the Chief Counsel, National Telecommunications and Information Administration, Department of Commerce, transmitting the Department's final rule — 911 Grant Program [Docket No.: 170420407-8048-02] (RIN: 0660-AA33; 2127-AL86) August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6017. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; ID, Incorporations by Reference Updates and Rule Revisions [EPA-R10-OAR-2018-0214; FRL-9982-59-Region 10] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6018. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Virginia; Regional Haze Plan and Visibility for the 2010 Sulfur Dioxide and 2012 Fine Particulate Matter Standards [EPA-R03-OAR-2017-0601; FRL-9982-32-Region 3] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6019. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; California; San Joaquin Valley Unified Air Pollution Control District; Reasonably Available Control Technology Demonstration [EPA-R09-OAR-2018-0272; FRL-9981-09-Region 9] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6020. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0414; FRL-9971-37] (RIN: 2070-AB27) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6021. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Interstate Transport Requirements for the 2012 Fine Particulate Matter Standard; Correction [EPA-R03-OAR-2017-0152; FRL-9981-05-Region 3] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law

104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6022. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; 2011 Base Year Inventory for the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Baltimore, Maryland Non-attainment Area [EPA-R03-OAR-2017-0396; FRL-9981-96-Region 3] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6023. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Frontier Hard Chrome, Inc. Superfund Site [EPA-HQ-SFUND-1983-0002; FRL-9980-82-Region 10] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6024. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Removal of Department of Environmental Protection Gasoline Volatility Requirements for the Pittsburgh-Beaver Valley Area [EPA-R03-OAR-2018-0277; FRL-9981-70-Region 3] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6025. A letter from the Division Chief, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Nationwide Number Portability [WC Docket No.: 17-244]; Numbering Policies for Modern Communications [WC Docket No.: 13-97] received August 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6026. A letter from the Program Analyst, Office of the Managing Director, Federal Communications Commission, transmitting the Commission's final rule — Amendment of the Schedule of Application Fees Set Forth In Sections 1.1102 through 1.1109 of the Commission's Rules [GEN Docket No.: 86-285] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6027. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — U.S.-India Major Defense Partners: Implementation Under the Export Administration Regulations of India's Membership in the Wassenaar Arrangement and Addition of India to Country Group A:5 [Docket No.: 180228229-8229-01] (RIN: 0694-AH49) August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6028. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Addition of Certain Entities; and Modification of Entry on the Entity List [Docket No.: 170714666-7666-01] (RIN: 0694-AH42) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6029. A letter from the Director, Defense Security Cooperation Agency, Department of

Defense, transmitting the Army's proposed Letter of Offer and Acceptance to the Government of Latvia, Transmittal No. 18-33, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6030. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting the Navy's proposed Letter of Offer and Acceptance to the Kingdom of Denmark, Transmittal No. 18-30, pursuant to Sec. 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6031. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-0E, pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6032. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-146, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6033. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-016, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6034. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification pursuant to the reporting requirements of Sec. 36(c) and (d) of the Arms Export Control Act (Transmittal No.: DDTC 17-110); to the Committee on Foreign Affairs.

6035. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-111, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6036. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-436, "Initiative No. 77--Minimum Wage Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6037. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-424, "Community Violence Intervention Fund Temporary Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6038. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-413, "Golden Triangle Business Improvement District Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6039. A letter from the Associate General Counsel, Department of Agriculture, transmitting four notifications of a nomination, or action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6040. A letter from the Deputy White House Liaison, Department of Education, transmitting notification of a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6041. A letter from the Deputy General Counsel for Operations, Department of Housing and Urban Development, transmitting notifications of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6042. A letter from the Chief, Legal, External Affairs and Performance Branch, Office of Government Ethics, transmitting notifications of an action on nomination, and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6043. A letter from the Executive Secretary, U.S. Agency for International Development, transmitting a notification of a designation of acting officer, and nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6044. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2017-1237; Product Identifier 2017-NE-43-AD; Amendment 39-19333; AD 2018-15-01] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6045. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0636; Product Identifier 2018-NM-097-AD; Amendment 39-19337; AD 2018-15-05] (RIN: 2120-AA64) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6046. A letter from the Impact Analyst, Office of Regulation Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — Automatic Burial Benefits for Previously Unestablished Surviving Spouses (RIN: 2900-AQ10) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6047. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Modification of Revenue Procedure 2017-41 to Extend Deadline to Submit Opinion Letter Applications for Pre-approved Defined Contribution Plans for the Third Six-year Remedial Amendment Cycle (Revenue Procedure 2018-42) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6048. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Calculation of Unrelated Business Taxable Income under Sec. 512(a)(6) [Notice 2018-67] received August 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6049. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled, "Medicare National Coverage Determinations for Fiscal Year 2017", pursuant to 42 U.S.C. 1395ff(f)(7); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1869(f)(7) (as amended by Public Law 106-554, Sec. 1(a)(6)); (114 Stat. 2763A-546); jointly to the Committees on Energy and Commerce and Ways and Means.

6050. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled, "Report to Congress on the Administration, Cost, and Impact of the Quality Improvement Organization Program for Medicare Beneficiaries for Fiscal Year 2017", pursuant to 42 U.S.C. 1320c-10; Aug. 14, 1935, ch.

531, title XI, Sec. 1161 (as amended by Public Law 97-248, Sec. 143); (96 Stat. 392); jointly to the Committees on Energy and Commerce and Ways and Means.

¶121.4 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BANKS of Indiana, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 27, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 27, 2018, at 11:39 a.m.:

That the Senate passed S. 2511.

That the Senate passed S. 2896.

That the Senate passed with an amendment H.R. 6157.

With best wishes, I am

Sincerely,

ROBERT F. REEVES,
Deputy Clerk of the House.

¶121.5 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BANKS of Indiana, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 28, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 28, 2018, at 10:06 a.m.:

That the Senate agreed to S. Con. Res. 43.

That the Senate agreed to S. Con. Res. 44.

That the Senate agreed to Relative to the Death of the Honorable John Sidney McCain, III, United States Senator from the State of Arizona, S. Res. 619.

With best wishes, I am

Sincerely,

ROBERT F. REEVES,
Deputy Clerk of the House.

¶121.6 CATAFALQUE TRANSFER TO
ROTUNDA

On motion of the SPEAKER pro tempore, Mr. BANKS of Indiana, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 43):

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer the catafalque which is situated in the Exhibition Hall of the Capitol Visitor Center to the rotunda of the Capitol so that such catafalque may be used in connection with services to be conducted there for the Honorable John Sidney McCain, III, late a Senator from the State of Arizona and formerly a Representative from that State.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution

was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶121.7 THE LATE HONORABLE JOHN S.
MCCAIN III

On motion of the SPEAKER pro tempore, Mr. BANKS of Indiana, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 44):

Resolved by the Senate (the House of Representatives concurring), That in recognition of the long and distinguished service rendered to the Nation by John Sidney McCain, III, a Senator from the State of Arizona and formerly a Representative from that State, his remains be permitted to lie in state in the rotunda of the Capitol on August 31 and September 1, 2018, and the Architect of the Capitol, under the direction of the President pro tempore of the Senate and the Speaker of the House of Representatives, shall take all necessary steps for the accomplishment of that purpose.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶121.8 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2511. An Act to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, and for other purposes; to the Committee on Natural Resources; in addition, to the Committee on Science, Space, and Technology; and to the Committee on Armed Services for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 2896. An Act to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering; to the Committee on the Judiciary.

And then,

¶121.9 ADJOURNMENT

The SPEAKER pro tempore, Mr. BANKS of Indiana, pursuant to section 2(b) of House Resolution 1012, at 12 o'clock and 4 minutes p.m., declared the House adjourned until 9:30 a.m. on Friday, August 31, 2018.

¶121.10 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 4616. A bill to amend the Pa-

tient Protection and Affordable Care Act to provide for a temporary moratorium on the employer mandate and to provide for a delay in the implementation of the excise tax on high cost employer-sponsored health coverage; with an amendment (Rept. 115-906). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 6430. A bill to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to implement certain requirements for information relating to supply chain risk, and for other purposes (Rept. 115-907). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 6438. A bill to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security an Unmanned Aircraft Systems Coordinator, and for other purposes (Rept. 115-908). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 6439. A bill to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security the Biometric Identification Transnational Migration Alert Program, and for other purposes (Rept. 115-909). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 6443. A bill to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to establish a continuous diagnostics and mitigation program at the Department of Homeland Security, and for other purposes; with an amendment (Rept. 115-910). Referred to the Committee of the Whole House on the state of the Union.

¶121.11 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. TIPTON:

H.R. 6682. A bill to amend the Federal Land Policy and Management Act of 1976 to improve the transparency and oversight of land conveyances involving disposal or acquisition of National Forest System lands or Bureau of Land Management public lands, to provide protections and certainty for private landowners related to resurveying such public lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself and Mr. SRES):

H.R. 6683. A bill to impose sanctions with respect to persons responsible for violence and human rights abuses in Nicaragua, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BROWN of Maryland (for himself, Ms. CLARKE of New York, and Mr. JOHNSON of Georgia):

H.R. 6684. A bill to amend title 10, United States Code, to require the Secretary of Defense to consider the existence of qualified training programs of contractors in the award of certain contracts; to the Committee on Armed Services.

By Mr. BROWN of Maryland (for himself, Ms. CLARKE of New York, and Mr. GENE GREEN of Texas):

H.R. 6685. A bill to provide grants to eligible entities to establish, expand, or support dual or concurrent enrollment programs offering career and technical education, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BROWN of Maryland (for himself, Ms. BONAMICI, and Ms. CLARKE of New York):

H.R. 6686. A bill to amend title 41, United States Code, to require the head of each executive agency to consider the existence of qualified training programs of contractors in the award of certain contracts; to the Committee on Oversight and Government Reform.

By Mr. HUFFMAN (for himself and Mr. BISHOP of Utah):

H.R. 6687. A bill to direct the Secretary of the Interior to manage the Point Reyes National Seashore in the State of California consistent with Congress' longstanding intent to maintain working dairies and ranches on agricultural property as part of the seashore's unique historic, cultural, scenic and natural values, and for other purposes; to the Committee on Natural Resources.

By Mr. MACARTHUR (for himself, Ms. KUSTER of New Hampshire, and Mrs. COMSTOCK):

H.R. 6688. A bill to provide for the establishment of the Prescription Safety Alert System with respect to covered drug products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETERSON (for himself, Mr. YOUNG of Iowa, Mr. YODER, Mr. MCGOVERN, and Mr. FASO):

H.R. 6689. A bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a congenital anomaly or birth defect; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROSKAM (for himself and Mr. BLUMENAUER):

H.R. 6690. A bill to establish a smart card pilot program to combat fraud, waste, and abuse and to protect beneficiary identity under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HANABUSA (for herself and Ms. GABBARD):

H. Res. 1044. A resolution congratulating the Honolulu Little League Baseball team of Hawaii on winning the 2018 Little League Baseball World Series Championship; to the Committee on Oversight and Government Reform.

By Ms. NORTON (for herself and Mrs. DINGELL):

H. Res. 1045. A resolution expressing support for the designation of September 2018 as National Campus Sexual Assault Awareness Month; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H. Res. 1046. A resolution expressing support for the designation of August 22, 2018, as national "Chuck Brown Day" and honoring his contributions to music and to the District of Columbia; to the Committee on Oversight and Government Reform.

¶121.12 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 754: Mrs. WALORSKI.
H.R. 762: Ms. CLARKE of New York, Mrs. LOVE, and Mr. BILIRAKIS.
H.R. 1223: Mr. POSEY and Mr. MESSER.
H.R. 1322: Ms. BASS.
H.R. 1437: Mrs. BEATTY.
H.R. 1498: Mr. KILDEE.
H.R. 1635: Mr. SESSIONS.
H.R. 2077: Mr. YARMUTH and Mr. GRIJALVA.
H.R. 3148: Mr. PALLONE.
H.R. 3325: Mr. WENSTRUP, Mr. TURNER, Mr. JOYCE of Ohio, Mr. COSTELLO of Pennsylvania, Mr. YOUNG of Iowa, Mr. RUSH, Mr. WILLIAMS, Mr. RICE of South Carolina, and Ms. WILSON of Florida.
H.R. 3418: Mr. STIVERS.
H.R. 4107: Mr. KILDEE, Mr. HULTGREN, and Mr. MCEACHIN.
H.R. 4115: Mr. FITZPATRICK and Mr. AGUILAR.
H.R. 4146: Mrs. BUSTOS.
H.R. 4256: Mr. WALBERG and Mr. RUPPERS-BERGER.
H.R. 4837: Ms. DEGETTE.
H.R. 4912: Mr. GRIJALVA.
H.R. 5115: Mr. BROOKS of Alabama, Mr. FITZPATRICK, and Mr. KHANNA.
H.R. 5141: Mr. MCCLINTOCK.
H.R. 5351: Ms. FRANKEL of Florida, Ms. PLASKETT, Mr. JOHNSON of Georgia, Ms. NORTON, and Mr. CICILLINE.
H.R. 5573: Mr. SCHIFF.
H.R. 5671: Mr. DEUTCH and Mr. CICILLINE.
H.R. 5879: Ms. BARRAGÁN, Mr. BYRNE, Mr. QUIGLEY, Mr. KENNEDY, Mr. MCGOVERN, Mr. PAULSEN, Mr. KING of Iowa, Mr. CONNOLLY, Ms. KUSTER of New Hampshire, Mr. HIGGINS of New York, Mr. RUTHERFORD, Mr. DEFazio, Mr. BARTON, Ms. FRANKEL of Florida, Mr. BUCHANAN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. COLE, Ms. WILSON of Florida, Ms. VELÁZQUEZ, Ms. PLASKETT, Mr. BRADY of Pennsylvania, Mr. CLAY, Mr. HASTINGS, Mr. TED LIEU of California, Mr. PITTENGER, Mr. BLUMENAUER, Mr. RICHMOND, Mr. WELCH, Mr. SIRS, Mr. COSTA, Mrs. NAPOLITANO, Ms. ROYBAL-ALLARD, Mr. VEASEY, Mr. ESPAILLAT, Mrs. BEATTY, Mr. LYNCH, Ms. HANABUSA, Mr. BEN RAY LUJÁN of New Mexico, Mr. HUNTER, Mr. COFFMAN, Mr. FRELINGHUYSEN, Mr. ROSKAM, Mr. RASKIN, and Ms. ESHOO.
H.R. 5948: Mr. FASO.
H.R. 6005: Ms. MAXINE WATERS of California.
H.R. 6048: Mr. PASCRELL.
H.R. 6060: Ms. WASSERMAN SCHULTZ.
H.R. 6108: Mr. ROSKAM.
H.R. 6231: Ms. SHEA-PORTER.
H.R. 6249: Mr. KHANNA.
H.R. 6267: Ms. SPEIER, Mr. BLUMENAUER, Mr. DEFazio, and Mr. CRIST.
H.R. 6277: Mr. BARR.
H.R. 6288: Ms. WASSERMAN SCHULTZ.
H.R. 6378: Mr. KILMER.
H.R. 6387: Ms. ROSEN.
H.R. 6416: Mr. LANCE and Mr. LOBIONDO.
H.R. 6450: Mrs. LESKO.
H.R. 6504: Mr. RICHMOND, Mr. CUMMINGS, and Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 6510: Ms. ROS-LEHTINEN, Mrs. RADEWAGEN, Mr. FASO, and Ms. VELÁZQUEZ.
H.R. 6517: Mr. JEFFRIES, Mr. ESPAILLAT, and Mrs. CAROLYN B. MALONEY of New York.
H.R. 6528: Mr. COURTNEY.
H.R. 6530: Ms. ROSEN.
H.R. 6545: Mr. MCNERNEY, Mr. SMITH of Washington, Mr. O'ROURKE, Mr. WALZ, Mr. GOMEZ, and Mr. YARMUTH.
H.R. 6562: Mr. VALADAO.
H.R. 6635: Mr. VISCLOSKEY and Mr. NORMAN.
H.R. 6655: Mr. TED LIEU of California, Mr. HUFFMAN, and Ms. JUDY CHU of California.

H.R. 6681: Mr. HUFFMAN, Mr. ENGEL, Mr. MCEACHIN, and Mr. CICILLINE.
H.J. Res. 25: Mr. MEADOWS.
H. Con. Res. 72: Ms. SHEA-PORTER.
H. Res. 15: Mr. LAMB.
H. Res. 274: Mrs. CAROLYN B. MALONEY of New York.
H. Res. 318: Mrs. LESKO.
H. Res. 434: Mr. COFFMAN.
H. Res. 750: Ms. SCHAKOWSKY.
H. Res. 766: Mr. REED.
H. Res. 993: Mr. KILMER, Mr. KATKO, and Ms. FRANKEL of Florida.

FRIDAY, AUGUST 31, 2018 (122)

¶122.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BIGGS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
August 31, 2018.

I hereby appoint the Honorable ANDY BIGGS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶122.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BIGGS, announced that, pursuant to section 2(a) of House Resolution 1012, the Journal of the proceedings of Tuesday, August 28, 2018, was approved.

¶122.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6051. A letter from the Director, Defense Pricing/Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Repeal of Independent Research and Development Technical Interchange (DFARS Case 2017-D041) [Docket DARS-2017-0013] (RIN: 0750-AJ51) received August 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6052. A letter from the Director, Defense Pricing/Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Clause "Removal of Contractor's Employees" (DFARS Case 2018-D042) [Docket DARS-2018-0041] (RIN: 0750-AK04) received August 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6053. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Amendments to Forms and Schedules to Remove Provision of Certain Personally Identifiable Information [Release Nos.: 33-10486; 34-83097; IC-33077] (RIN: 3235-AM37) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6054. A letter from the Assistant General Counsel for the Division of Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting the Department's final regulations — Outdated or Superseded Regulations — Title I, Part A Improving Basic Programs Operated by Local Educational Agencies

(LEAs) (selected sections); Title I, Part B Even Start Family Literacy Program; Title I, Part C Migrant Education Program (selected sections); Christa McAuliffe Fellowship Program; and Empowerment Zone or Enterprise Community—Priority (RINs: 1810-AB36, 1810-AB37, 1810-AB38, 1810-AB39, 1810-AB40, 1810-AB41, 1810-AB42, 1810-AB43, 1810-AB44, and 1810-AB48) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6055. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Arkansas [EPA-R06-OAR-2017-0699; FRL-9981-41-Region 6] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6056. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Connecticut; 1997 8-hour Ozone Attainment Demonstration [EPA-R01-OAR-2018-0178; FRL-9981-40-Region 1] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6057. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Maine; Infrastructure Requirement for the 2010 Nitrogen Dioxide National Ambient Air Quality Standard [EPA-R01-OAR-2018-0269; FRL-9981-93-Region 1] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6058. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Rhode Island; Control of Volatile Organic Compound Emissions, Control of Nitrogen Oxide Emissions, and Sulfur Content of Fuels [EPA-R01-OAR-2018-0098; A-1-FRL-9981-55-Region 1] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6059. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2012 Primary Annual Fine Particle (PM_{2.5}) National Ambient Air Quality Standard (NAAQS) for Areas in Florida [EPA-HQ-OAR-2012-0918; FRL-9981-95-OAR] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6060. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Adoption of Control Techniques Guidelines for Control of Volatile Organic Compound Emissions from Miscellaneous Metal Parts Surface Coating, Miscellaneous Plastic Parts Surface Coating, and Pleasure Craft Surface Coatings [EPA-R03-OAR-2017-0437; FRL-9981-97-Region 3] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6061. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Plans for Designated Facilities and Pollutants; United States Virgin Islands; Commercial and Industrial Solid Waste Incineration Units [EPA-R02-OAR-2018-0712;

FRL-9981-99-Region 2] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6062. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; New Jersey; Infrastructure Requirements for the 2012 PM_{2.5} NAAQS; Interstate Transport Provisions [EPA-R02-OAR-2018-0237; FRL-9981-83-Region 2] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6063. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cerevisane (cell walls of *Saccharomyces cerevisiae* strain LAS117); Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2017-0315; FRL-9980-51] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6064. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Picoxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2017-0429; FRL-9980-47] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6065. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Spinetoram; Pesticide Tolerances [EPA-HQ-OPP-2017-0352; FRL-9978-83] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6066. A letter from the Division Chief, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment [WC Docket No.: 17-84] Accelerating Wireline Broadband Deployment by Removing Barriers to Infrastructure Investment [WC Docket No.: 17-79] received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6067. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Revision of Export and Reexport License Requirements for Republic of South Sudan Under the Export Administration Regulations [Docket No.: 180228230-8230-01] (RIN: 0694-AH52) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6068. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-022, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6069. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-056, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6070. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-033, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6071. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-043, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6072. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-123, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6073. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a certification pursuant to the reporting requirements of Sec. 36(c) and (d) of the Arms Export Control Act (Transmittal No.: DDTC 17-142); to the Committee on Foreign Affairs.

6074. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-100, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6075. A communication from the President of the United States, transmitting an alternative plan for pay adjustments for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2019, pursuant to 5 U.S.C. 5303(b)(1)(A); Public Law 89-554, Sec. 5303(b)(1)(A) (as amended by Public Law 101-509, Sec. 529); (104 Stat. 1430) and 5 U.S.C. 5304a(a); Public Law 101-509, title I, Sec. 101(a)(1); (104 Stat. 1436) (H. Doc. No. 115—149); to the Committee on Oversight and Government Reform and ordered to be printed.

6076. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants: Final Rule-making To Designate Critical Habitat for the Main Hawaiian Islands Insular False Killer Whale Distinct Population Segment [Docket No.: 120815341-8396-02] (RIN: 0648-BC45) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6077. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Kanawha River, Nitro, WV [Docket Number: USCG-2018-0686] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6078. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones; Pipeline Construction, Tennessee River Miles 465 to 466, Chattanooga, TN [Docket Number: USCG-2018-0698] (RIN: 1625-AA08) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6079. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Lower Mississippi River, Natchez, MS [Docket Number: USCG-2018-0708] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6080. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's

temporary final rule — Safety Zone; Waterview Loft Fireworks I, Detroit River, Detroit, MI [Docket No.: USCG-2018-0717] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6081. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Waterview Loft Fireworks II, Detroit River, Detroit, MI [Docket No.: USCG-2018-0722] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6082. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Regulated Navigation Area; Lake Washington, Seattle, WA [Docket Number: USCG-2018-0027] (RIN: 1625-AA11) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6083. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Fireworks Display, Shark River, Neptune, NJ [Docket Number: USCG-2018-0614] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6084. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Fireworks Display, Little Egg Harbor, Long Beach, NJ [Docket Number: USCG-2018-0615] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6085. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Philippine Sea, Rota [Docket Number: USCG-2018-0183] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6086. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Philippine Sea, Tinian [Docket Number: USCG-2018-0194] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6087. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones; Discovery World Fireworks, Milwaukee Harbor, Milwaukee, WI [Docket Number: USCG-2018-0724] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6088. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary rule — Safety Zone; Lake Michigan, Whiting, Indiana [Docket Number:

USCG-2018-0659] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6089. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Allegheny River, miles 43.5 to 45.5, Kittanning, PA [Docket Number: USCG-2018-0718] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6090. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lower Mississippi River, Mile Markers 94 to 97 Above Head of Passes, New Orleans, LA [Docket No.: USCG-2018-0372] (RIN: 1625-AA00) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6091. A communication from the President of the United States, transmitting a notification that the President intends to initiate trade negotiations with Mexico and Canada, pursuant to 19 U.S.C. 4205(a)(1)(A); Public Law 114-26, Sec. 106(a)(1)(A); (129 Stat. 350) (H. Doc. No. 115—150); to the Committee on Ways and Means and ordered to be printed.

6092. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the service's IRB only rule — Guidance on the Application of Section 162(m) [Notice 2018-68] received August 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6093. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Single Security Initiative (Section 1001) (Rev. Rul. 2018-24) received August 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶122.4 THE LATE HONORABLE JOHN S. MCCAIN III

Mr. SCHWEIKERT submitted the following privileged resolution (H. Res. 1047):

Resolved, That the House has heard with profound sorrow of the death of the Honorable John Sidney McCain, III, a Senator from the State of Arizona.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy thereof to the family of the deceased.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the deceased Senator.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶122.5 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 2147. An Act to require the Secretary of Veterans Affairs to hire additional Veterans Justice Outreach Specialists to provide

treatment court services to justice-involved veterans, and for other purposes.

And then,

¶122.6 ADJOURNMENT

The SPEAKER pro tempore, Mr. BIGGS, pursuant to section 2(b) of House Resolution 1012 and House Resolution 1047, at 9 o'clock and 33 minutes a.m., declared the House adjourned until 2 p.m. on Tuesday, September 4, 2018, as a further mark of respect to the memory of the late Honorable John Sidney McCain, III.

¶122.7 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6040. A bill to authorize the Secretary of the Interior to convey certain land and facilities of the Central Valley Project; with an amendment (Rept. 115-911). Referred to the Committee of the Whole House on the state of the Union.

¶122.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. HANDEL:

H.R. 6691. A bill to amend title 18, United States Code, to clarify the definition of "crime of violence", and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN of Maryland (for himself and Mrs. WATSON COLEMAN):

H.R. 6692. A bill to require the Secretary of Homeland Security to use alternatives to detention for certain vulnerable immigrant populations, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN of Maryland (for himself and Ms. JACKSON LEE):

H.R. 6693. A bill to amend title 41, United States Code, to require certain contractors to meet a requirement with respect to registered apprenticeship programs, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BROWN of Maryland (for himself and Ms. JACKSON LEE):

H.R. 6694. A bill to amend the Internal Revenue Code of 1986 to provide employers with a credit against tax for increasing employee training; to the Committee on Ways and Means.

By Mr. CHABOT (for himself and Mr. CUELLAR):

H.R. 6695. A bill to clarify that the licensing of a mark, and any control or exercise of control thereof for certain purposes, does not create an employment or principal-agent relationship, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHWEIKERT:

H. Res. 1047. A resolution expressing the profound sorrow of the House of Representatives on the death of the Honorable John Sidney McCain, III, a Senator from the State of Arizona; considered and agreed to.

By Mr. NORMAN (for himself, Mr. BIGGS, Mr. BABIN, Mr. BRAT, and Mr. JODY B. HICE of Georgia):

H. Res. 1048. A resolution opposing the targeted harassment of U.S. Immigration and Customs Enforcement officers and employees and reaffirming the fundamental principle

that public safety services should be provided without discrimination; to the Committee on the Judiciary, and in addition to the Committees on Ways and Means, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

122.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 303: Mr. FASO.
H.R. 1223: Mr. ROSKAM.
H.R. 1318: Ms. SINEMA.
H.R. 1739: Mr. CICILLINE.
H.R. 2315: Mr. JEFFRIES, Ms. CLARKE of New York, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2472: Mr. KATKO and Ms. ROYBAL-ALLARD.
H.R. 2952: Mr. ESPAILLAT.
H.R. 2965: Mr. BUCHANAN.
H.R. 3079: Mr. KILDEE.
H.R. 3269: Mr. BRADY of Pennsylvania and Mrs. COMSTOCK.
H.R. 3325: Mr. CASTRO of Texas and Mr. CLEAVER.
H.R. 4099: Ms. KAPTUR and Ms. BASS.
H.R. 4143: Mr. HULTGREN.
H.R. 4256: Mr. HURD and Ms. SCHAKOWSKY.
H.R. 4732: Mr. KILDEE, Mrs. COMSTOCK, Mr. GIBBS, and Mr. THOMAS J. ROONEY of Florida.
H.R. 5062: Mr. KHANNA and Mr. MESSER.
H.R. 5222: Mr. HIGGINS of New York.
H.R. 5561: Mr. GOODLATTE and Mr. GENE GREEN of Texas.
H.R. 5885: Mr. FITZPATRICK.
H.R. 6014: Ms. WASSERMAN SCHULTZ, Mrs. WALORSKI, and Ms. JACKSON LEE.
H.R. 6048: Mr. LEWIS of Georgia.
H.R. 6184: Mr. SMITH of Washington and Ms. ROSEN.
H.R. 6267: Mr. HUFFMAN and Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 6407: Mrs. NAPOLITANO.
H.R. 6417: Mr. DUNCAN of South Carolina and Mrs. WALORSKI.
H.R. 6506: Mr. KHANNA.
H.R. 6556: Mr. SCOTT of Virginia, Mr. MCEACHIN, and Mr. TAYLOR.
H.R. 6643: Mr. CAPUANO and Mr. COOPER.
H.R. 6649: Mr. JOHNSON of Georgia and Mr. CAPUANO.
H.R. 6655: Mr. SHERMAN.
H.R. 6681: Mr. NADLER, Mrs. DEMINGS, and Mr. SEAN PATRICK MALONEY of New York.
H. Res. 826: Ms. BORDALLO and Ms. ROSEN.
H. Res. 993: Miss RICE of New York, Mr. CROWLEY, Mr. MACARTHUR, Mr. DAVID SCOTT of Georgia, Mr. YOUNG of Iowa, Mr. WALZ, Mr. DENHAM, and Mr. KILDEE.
H. Res. 1031: Ms. BASS and Mr. GARAMENDI.
H. Res. 1034: Ms. JUDY CHU of California, Mr. FASO, Mr. BROOKS of Alabama, Mr. ZELDIN, Mr. CLAY, Mrs. HARTZLER, Mr. KING of New York, Ms. ROS-LEHTINEN, Mr. GENE GREEN of Texas, Mr. LIPINSKI, Mr. MEADOWS, Mr. WALKER, Mr. COFFMAN, Mr. DIAZ-BALART, and Mr. COOK.

TUESDAY, SEPTEMBER 4, 2018 (123)

123.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MEADOWS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
September 4, 2018.

I hereby appoint the Honorable MARK MEADOWS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

123.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MEADOWS, announced he had examined and approved the Journal of the proceedings of Friday, August 31, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

123.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6094. A letter from the Director, Office of Management and Budget, Executive Office of The President, transmitting the Office's Sequestration Update Report to the President and Congress for Fiscal Year 2019, pursuant to 2 U.S.C. 904(e); Public Law 99-177, Sec. 254(e) (as amended Public Law 112-25, Sec. 103); (125 Stat. 246); to the Committee on Appropriations.

6095. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Amendment to the Annual Privacy Notice Requirement Under the Gramm-Leach-Bliley Act (Regulation P) [Docket No.: CFPB-2016-0032] (RIN: 3170-AA60) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6096. A letter from the Assistant Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Disclosure Update and Simplification [Release No.: 33-10532; 34-83875; IC-33203; File No.: S7-15-16] (RIN: 3235-AL82) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6097. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rule — Amendments to Municipal Securities Disclosure [Release No.: 34-83885; File No.: S7-01-17] (RIN: 3235-AL97) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6098. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the FY 2017 Report on the Preventive Medicine and Public Health Training Grant Program, pursuant to 42 U.S.C. 295c(d); July 1, 1944, ch. 373, title VII, Sec. 768(d) (as amended by Public Law 111-148, Sec. 10501(m)); (124 Stat. 1002); to the Committee on Energy and Commerce.

6099. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Report on the Tenth Review of the Backlog of Post-marketing Requirements and Commitments, pursuant to 21 U.S.C. 355(k)(5)(B); June 25, 1938, ch. 675, Sec. 505(k)(5)(B) (as added by Public Law 110-85, Sec. 921); (121 Stat. 962); to the Committee on Energy and Commerce.

6100. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the FY 2017 Report to Congress on the Nurse Education, Practice, Quality and Retention Programs, pursuant to 42 U.S.C. 296p-1(e); July 1, 1944, ch. 373, title VIII, Sec. 831A(e) (as amended by Public Law 111-148, Sec. 5309(b)); (124 Stat. 630); to the Committee on Energy and Commerce.

6101. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — LPTV, TV Translator, and FM Broadcast Station Reimbursement [MB Docket No.: 18-214]; Expanding the Economic and Innovation Opportunities of Spectrum Through Incentive Auctions [GN Docket No.: 12-268] received August 27, 2018, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6102. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6103. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Libya that was declared in Executive Order 13566 of February 25, 2011, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6104. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report in accordance with section 549 of the Foreign Assistance Act of 1961; to the Committee on Foreign Affairs.

6105. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that the Department of State authorized danger pay for employees of the FBI pursuant to 5 U.S.C. 5928 and Sec. 131 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (Public Law 98-164); to the Committee on Foreign Affairs.

6106. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a final report entitled, "Certification of Fiscal Year 2018 Total Local Source General Fund Revenue Estimate (Net of Dedicated Taxes) in Support of the District's Issuance of General Obligation Commercial Paper Bond Anticipation Notes (Series 2018A)", pursuant to Public Law 93-198, Sec. 455(d); (87 Stat. 803); to the Committee on Oversight and Government Reform.

6107. A letter from the Auditor, Office of the District of Columbia Auditor, transmitting a final report entitled, "The District's Worksite Parking Program Treats Employees Inequitably and Could Increase Revenue", pursuant to Public Law 93-198, Sec. 455(d); (87 Stat. 803); to the Committee on Oversight and Government Reform.

6108. A letter from the Attorney-Advisor, Office of General Counsel, Department of Transportation, transmitting a notification of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6109. A letter from the Attorney-Advisor, Department of Transportation, transmitting a notification of a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6110. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Paid Sick Leave for Federal Contractors [FAC 2005-100; FAR Case 2017-001, Item I; Docket No.: 2017-0001; Sequence No.: 1] (RIN: 9000-AN27) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6111. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Technical Amendments [FAC 2005-100; Item III; Docket No.:

2018-0002; Sequence No.: 1] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6112. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: Non-Retaliation for Disclosure of Compensation Information [FAC 2005-100; FAR Case 2016-007; Item II; Docket No. 2016-0007; Sequence No. 1] (RIN: 9000-AN10) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6113. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation: Federal Acquisition Circular 2005-100 [Docket No.: FAR 2018-0001, Sequence No.: 4] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6114. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6115. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG161) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6116. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 50 Feet Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 160920866-7167-02] (RIN: 0648-XF892) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6117. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Manage-

ment Area [Docket No.: 161020985-7181-02] (RIN: 0648-XF702) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6118. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 161020985-7181-02] (RIN: 0648-XF859) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6119. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2018 Bering Sea and Aleutian Islands Pollock, Atka Mackerel, and Pacific Cod Total Allowable Catch Amounts [Docket No.: 161020985-7181-02] (RIN: 0648-XF866) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6120. A letter from the Ombudsman, Energy Employees Compensation Program, Department of Labor, transmitting the 2016 Annual Report of the Ombudsman for the Energy Employees Occupational Illness Compensation Program, pursuant to 42 U.S.C. 7385s-15(e)(1); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3161); (118 Stat. 2185); to the Committee on the Judiciary.

6121. A letter from the Secretary, Judicial Conference of the United States, transmitting the Report of the Proceedings of the Judicial Conference of the United States for the March 2018 session; to the Committee on the Judiciary.

6122. A letter from the Regulations Coordinator, Administration for Children and Families, Department of Health and Human Services, transmitting the Department's final rule — Adoption and Foster Care Analysis and Reporting System (RIN: 0970-AC76) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶123.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MEADOWS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 31, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on August 31, 2018, at 10:16 a.m.:

Appointment:
Creating Options for Veterans' Expedited Recovery (COVER Commission)
With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶123.5 RECESS—2:08 P.M.

The SPEAKER pro tempore, Mr. MEADOWS, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 8 minutes p.m., until approximately 4:15 p.m.

¶123.6 AFTER RECESS—4:17 P.M.

The SPEAKER pro tempore, Mrs. LESKO, called the House to order.

¶123.7 COMMITTEE RESIGNATION—MAJORITY

The SPEAKER pro tempore, Mrs. LESKO, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 4, 2018.

Hon. PAUL D. RYAN,
Speaker, House of Representatives, The Capitol, Washington, DC.

DEAR SPEAKER RYAN: I write to respectfully submit my resignation as a member of the Small Business Committee. It has been an honor to serve on this Committee under the leadership of Chairman Chabot.

Sincerely,
JAMES COMER,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶123.8 AMENDMENTS OF THE SENATE TO H.R. 4318

Mr. BRADY of Texas, moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 4318) to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty:

- (1) Strike sections 324, 372, and 1118.
- (2) Strike section 1274 and insert the following:

SEC. 1274. MEN'S SHOES WITH OUTER SOLES AND UPPERS OF RUBBER OR PLASTICS, VALUED OVER \$3 BUT NOT OVER \$6.50 PER PAIR.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“ 9902.14.03	Men's footwear with outer soles and uppers of rubber or plastics, with foxing or foxing-like band, covering the ankle, closed toe or heel, valued over \$3 but not over \$6.50 per pair, the foregoing other than sports footwear and protective, water proof or slip-on type footwear (provided for in subheading 6402.91.70)	Free	No change	No change	On or before 12/31/2020	”.

(3) Strike section 1275 and insert the following:

SEC. 1275. MEN'S SHOES WITH OUTER SOLES AND UPPERS OF RUBBER OR PLASTICS, VALUED OVER \$6.50 BUT NOT OVER \$12 PER PAIR.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“ 9902.14.04	<i>Men's footwear with outer soles and uppers of rubber or plastics (other than sports footwear), with foxing or foxing like band, covering the ankle, closed toe or heel, valued over \$6.50 but not over \$12.00 per pair, not of the protective, waterproof or slip-on type (provided for in subheading 6402.91.80)</i>	Free	No change	No change	On or before 12/31/2020 ”.

(4) Strike section 1305 and insert the following:

SEC. 1305. SKI BOOTS AND SNOWBOARD BOOTS.

Subchapter II of chapter 99 is amended by inserting in numerical sequence the following new heading:

“ 9902.14.34	<i>Ski boots, cross country ski footwear or snowboard boots, constructed with a forward-leaning upper or designed to attach securely to skis or a snowboard by means of bindings, the foregoing valued over \$12/pair, with outer soles of rubber, plastics, leather or composition leather and uppers of textile materials (provided for in subheading 6404.11.90)</i>	Free	No change	No change	On or before 12/31/2020 ”.

(5) Strike sections 1389, 1399, 1564, and 1565.

(6) Strike section 1665 and insert the following:

SEC. 1665. CUSTOMS USER FEES.

Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) is amended by striking “July 21, 2027” and inserting “October 13, 2027”.

The SPEAKER pro tempore, Mrs. LESKO, recognized Mr. BRADY of Texas, and Mr. PASCRELL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments of the Senate?

The SPEAKER pro tempore, Mrs. LESKO, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶123.9 BIOMETRIC IDENTIFICATION

TRANSNATIONAL MIGRATION ALERT PROGRAM

Mr. McCAUL moved to suspend the rules and pass the bill (H.R. 6439) to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security the Biometric Identification Transnational Migration Alert Program, and for other purposes.

The SPEAKER pro tempore, Mrs. LESKO, recognized Mr. McCAUL and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. LESKO, announced that two-thirds of

the Members present had voted in the affirmative.

Mr. McCAUL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mrs. LESKO, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶123.10 TSA OPEN FOR BUSINESS

Mr. McCAUL moved to suspend the rules and pass the bill (H.R. 6459) to amend the Homeland Security Act of 2002 to require a strategy to diversify the technology stakeholder marketplace regarding the acquisition by the Transportation Security Administration of security screening technologies, and for other purposes.

The SPEAKER pro tempore, Mrs. LESKO, recognized Mr. McCAUL and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. LESKO, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶123.11 SECURING THE HOMELAND SECURITY SUPPLY CHAIN

Mr. KING of New York, moved to suspend the rules and pass the bill (H.R. 6430) to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to implement

certain requirements for information relating to supply chain risk, and for other purposes.

The SPEAKER pro tempore, Mrs. LESKO, recognized Mr. KING of New York, and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HILL, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶123.12 ADVANCING CYBERSECURITY

DIAGNOSTICS AND MITIGATION

Mr. RATCLIFFE moved to suspend the rules and pass the bill (H.R. 6443) to amend the Homeland Security Act of 2002 to authorize the Secretary of Homeland Security to establish a continuous diagnostics and mitigation program at the Department of Homeland Security, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HILL, recognized Mr. RATCLIFFE and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶123.13 MARITIME BORDER SECURITY REVIEW

Mr. KATKO moved to suspend the rules and pass the bill (H.R. 5869) to require the Secretary of Homeland Security to conduct a maritime border threat analysis, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, recognized Mr. KATKO and Mr. THOMPSON of Mississippi, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶123.14 FITNESS INFORMATION TRANSPARENCY

Mr. KATKO moved to suspend the rules and pass the bill (H.R. 6374) to require the Department of Homeland Security to streamline Federal contractor fitness determinations, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, recognized Mr. KATKO and Mrs. WATSON COLEMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶123.15 ESTABLISHING THE POSITION OF CHIEF DATA OFFICER OF THE DHS

Mr. KATKO moved to suspend the rules and pass the bill (H.R. 6447) to amend the Homeland Security Act of 2002 to establish the position of Chief Data Officer of the Department of

Homeland Security, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, recognized Mr. KATKO and Mrs. WATSON COLEMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶123.16 DEPARTMENT OF DEFENSE APPROPRIATIONS FY 2019

On motion of Mr. COLE, by direction of the Committee on Appropriations, and pursuant to clause 1 of rule XXII, the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. COLE, it was,

Resolved, That the House disagree to the amendment of the Senate and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶123.17 MOTION TO INSTRUCT CONFEREES—H.R. 6157

Ms. DELAURO moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to H.R. 6157, be instructed to agree to division B (relating to appropriations for Labor, Education, and Health and Human Services) of the matter proposed to be added by the Senate amendment.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. BARTON, announced that the noes had it.

Ms. DELAURO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 171
negative } Nays 221

¶123.18 [Roll No. 380]

YEAS—171

Adams	Gabbard	Napolitano
Barragán	Garamendi	Nolan
Bass	Gomez	Norcross
Beatty	Gonzalez (TX)	O'Halleran
Bera	Gottheimer	Pallone
Beyer	Green, Al	Panetta
Bishop (GA)	Green, Gene	Pascrell
Blumenauer	Hanabusa	Payne
Blunt Rochester	Hastings	Pelosi
Bonamici	Heck	Perlmutter
Boyle, Brendan F.	Higgins (NY)	Peters
Brown (MD)	Himes	Peterson
Brownley (CA)	Hoyer	Pingree
Bustos	Huffman	Pocan
Butterfield	Jackson Lee	Polis
Carbajal	Jayapal	Price (NC)
Cárdenas	Jeffries	Quigley
Carson (IN)	Johnson (GA)	Raskin
Cartwright	Johnson, E. B.	Rice (NY)
Castro (TX)	Kaptur	Richmond
Chu, Judy	Kelly (IL)	Rosen
Cicilline	Khanna	Roybal-Allard
Clark (MA)	Kihuen	Ruiz
Clarke (NY)	Kildee	Ruppersberger
Clay	Kilmer	Ryan (OH)
Cleaver	Kind	Sánchez
Clyburn	Krishnamoorthi	Sarbanes
Cohen	Kuster (NH)	Schakowsky
Connolly	Lamb	Schiff
Cooper	Langevin	Schneider
Correa	Larsen (WA)	Schrader
Costa	Larson (CT)	Scott (VA)
Courtney	Lawrence	Scott, David
Crist	Lawson (FL)	Serrano
Crowley	Lee	Sewell (AL)
Cuellar	Levin	Shea-Porter
Cummings	Lewis (GA)	Sherman
Davis (CA)	Lieu, Ted	Sinema
Davis, Danny	Lipinski	Sires
DeFazio	Loeb sack	Smith (WA)
DeGette	Lofgren	Soto
Delaney	Lowenthal	Suozzi
DeLauro	Lowey	Takano
DelBene	Lujan Grisham, M.	Thompson (CA)
Demings	Lujan, Ben Ray	Thompson (MS)
DeSaulnier	Lynch	Tonko
Deutch	Maloney	Torres
Dingell	Carolyn B.	Vargas
Doggett	Matsui	Veasey
Doyle, Michael F.	McCollum	Vela
Engel	McEachin	Velázquez
Españalat	McGovern	Visclosky
Esty (CT)	Meeks	Wasserman
Evans	Meng	Schultz
Foster	Moore	Waters, Maxine
Frankel (FL)	Moulton	Watson Coleman
Fudge	Murphy (FL)	Welch
	Nadler	Yarmuth

NAYS—221

Abraham	Carter (TX)	Fleischmann
Aderholt	Chabot	Flores
Allen	Cheney	Fortenberry
Amash	Cloud	Fox
Amodei	Coffman	Frelinghuysen
Arrington	Cole	Gaetz
Babin	Collins (GA)	Gallagher
Bacon	Collins (NY)	Garrett
Banks (IN)	Comer	Gianforte
Barletta	Comstock	Gibbs
Barr	Conaway	Gohmert
Barton	Cook	Goodlatte
Bergman	Costello (PA)	Granger
Biggs	Cramer	Graves (GA)
Bilirakis	Crawford	Graves (LA)
Bishop (MI)	Curbelo (FL)	Graves (MO)
Bishop (UT)	Curtis	Griffith
Black	Davidson	Grothman
Blum	Davis, Rodney	Guthrie
Bost	Denham	Handel
Brady (TX)	DesJarlais	Harper
Brat	Diaz-Balart	Harris
Brooks (AL)	Donovan	Hartzler
Brooks (IN)	Duffy	Hensarling
Buchanan	Duncan (SC)	Herrera Beutler
Buck	Duncan (TN)	Hice, Jody B.
Bucshon	Dunn	Higgins (LA)
Budd	Emmer	Hill
Burgess	Estes (KS)	Holding
Byrne	Faso	Hollingsworth
Calvert	Ferguson	Hudson
Carter (GA)	Fitzpatrick	Huizenga

Hultgren	McMorris	Scott, Austin	Bishop (UT)	Harris	Pearce	Deutch	Larsen (WA)	Pocan
Hurd	Rodgers	Sensenbrenner	Black	Hartzler	Perry	Dingell	Larson (CT)	Polis
Issa	McSally	Sessions	Blum	Hensarling	Peters	Doggett	Lawrence	Price (NC)
Jenkins (KS)	Meadows	Shimkus	Blunt Rochester	Herrera Beutler	Peterson	Doyle, Michael	Lee	Raskin
Johnson (LA)	Messer	Shuster	Bost	Hice, Jody B.	Pittenger	F.	Levin	Richmond
Johnson (OH)	Mitchell	Simpson	Boyle, Brendan	Higgins (LA)	Poliquin	Duncan (TN)	Lewis (GA)	Roybal-Allard
Johnson, Sam	Moolenaar	Smith (MO)	F.	Higgins (NY)	Posey	Engel	Lieu, Ted	Sánchez
Jordan	Mooney (WV)	Smith (NE)	Brady (TX)	Hill	Quigley	Españillat	Lofgren	Sanford
Joyce (OH)	Mullin	Smith (NJ)	Brat	Himes	Ratcliffe	Esty (CT)	Lowenthal	Sarbanes
Katko	Newhouse	Smith (TX)	Brooks (AL)	Holding	Reed	Frankel (FL)	Lowe	Schakowsky
Kelly (MS)	Noem	Smucker	Brooks (IN)	Hollingsworth	Reichert	Fudge	Lujan Grisham,	Schiff
Kelly (PA)	Norman	Stefanik	Brown (MD)	Hudson	Renacci	Gabbard	M.	Scott (VA)
King (IA)	Nunes	Stewart	Brownley (CA)	Huizenga	Rice (NY)	Garrett	Luján, Ben Ray	Serrano
King (NY)	Olson	Stivers	Buchanan	Hultgren	Rice (SC)	Gomez	Maloney,	Sherman
Kinzinger	Palmer	Taylor	Buck	Hurd	Roby	Green, Al	Carolyn B.	Sires
Knight	Paulsen	Tenney	Bucshon	Issa	Roe (TN)	Grothman	Massie	Smith (WA)
Kustoff (TN)	Pearce	Thompson (PA)	Budd	Jenkins (KS)	Rogers (AL)	Hanabusa	Matsui	Soto
Labrador	Perry	Thornberry	Burgess	Johnson (GA)	Rogers (KY)	Hastings	McEchin	Takano
LaHood	Pittenger	Trott	Bustos	Johnson (LA)	Rooney, Francis	Heck	McGovern	Thompson (CA)
LaMalfa	Poliquin	Turner	Byrne	Johnson (OH)	Ros-Lehtinen	Hoyer	Meeks	Thompson (MS)
Lamborn	Posey	Upton	Calvert	Johnson, Sam	Rosen	Huffman	Meng	Vargas
Lance	Ratcliffe	Valadao	Carbajal	Jordan	Roskam	Jackson Lee	Moore	Veasey
Latta	Reed	Wagner	Carter (GA)	Joyce (OH)	Ross	Jayapal	Nadler	Vela
Lesko	Reichert	Walberg	Carter (TX)	Kaptur	Rothfus	Jeffries	Napolitano	Velázquez
Lewis (MN)	Renacci	Walden	Cartwright	Katko	Rouzer	Johnson, E. B.	Nolan	Wasserman
LoBiondo	Rice (SC)	Walker	Chabot	Kelly (MS)	Royce (CA)	Kelly (IL)	Pallone	Schultz
Long	Roby	Walorski	Cheney	Kelly (PA)	Ruiz	Khanna	Pascarella	Waters, Maxine
Loudermilk	Roe (TN)	Walters, Mimi	Cloud	Kilmer	Ruppersberger	Kihuen	Pelosi	Watson Coleman
Love	Rogers (AL)	Weber (TX)	Coffman	Kind	Russell	Kildee	Perlmutter	Welch
Lucas	Rogers (KY)	Webster (FL)	Cole	King (IA)		Labrador	Pingree	Yarmuth
Luetkemeyer	Rooney, Francis	Wenstrup	Collins (GA)	King (NY)	Rutherford			
MacArthur	Ros-Lehtinen	Westerman	Collins (NY)	Kinzinger	Ryan (OH)			
Marchant	Roskam	Williams	Comer	Knight	Scalise			
Marino	Ross	Wilson (SC)	Comstock	Krishnamoorthi	Schneider	Aguilar	Gutiérrez	Rohrabacher
Marshall	Rothfus	Wittman	Conaway	Kuster (NH)	Schrader	Blackburn	Hunter	Rokita
Massie	Rouzer	Womack	Cook	Kustoff (TN)	Schweikert	Brady (PA)	Jenkins (WV)	Rooney, Thomas
Mast	Royce (CA)	Woodall	Cooper	LaHood	Scott, Austin	Capuano	Jones	J.
McCarthy	Russell	Yoder	Correa	LaMalfa	Scott, David	Castor (FL)	Keating	Rush
McCaul	Rutherford	Yoho	Costa	Lamb	Sensenbrenner	Culberson	Kennedy	Speier
McClintock	Sanford	Young (AK)	Costello (PA)	Lamborn	Sessions	DeSantis	Maloney, Sean	Swalwell (CA)
McHenry	Scalise	Young (IA)	Cramer	Lance	Sewell (AL)	Ellison	McNerney	Tipton
McKinley	Schweikert	Zeldin	Crawford	Langevin	Shea-Porter	Eshoo	Neal	Titus
			Crist	Latta	Shimkus	Gallego	O'Rourke	Tsongas
			Cuellar	Lawson (FL)	Shuster	Gosar	Palazzo	Walz
			Curbelo (FL)	Lesko	Simpson	Gowdy	Payne	Wilson (FL)
			Curtis	Lewis (MN)	Sinema	Grijalva	Poe (TX)	
			Davidson	Lipinski				
			Davis, Rodney	LoBiondo				
			DeFazio	Loeback				
			Delaney	Long				
			Denham	Loudermilk				
			DesJarlais	Love				
			Diaz-Balart	Lucas				
			Donovan	Luetkemeyer				
			Duffy	Stivers				
			Duncan (SC)	Lynch				
			Dunn	MacArthur				
			Emmer	Marchant				
			Estes (KS)	Marino				
			Evans	Marshall				
			Faso	Mast				
			Ferguson	McCarthy				
			Fitzpatrick	McCaul				
			Fleischmann	McClintock				
			Flores	McCollum				
			Fortenberry	McHenry				
			Foster	McKinley				
			Fox	McMorris				
			Frelinghuysen	Rodgers				
			Gaetz	McSally				
			Gallagher	Meadows				
			Garamendi	Messer				
			Gianforte	Mitchell				
			Gibbs	Moolenaar				
			Gohmert	Mooney (WV)				
			Gonzalez (TX)	Moulton				
			Goodlatte	Mullin				
			Gottheimer	Murphy (FL)				
			Granger	Newhouse				
			Graves (GA)	Noem				
			Graves (LA)	Norcross				
			Graves (MO)	Norman				
			Green, Gene	Nunes				
			Griffith	O'Halleran				
			Guthrie	Olson				
			Handel	Palmer				
			Harper	Panetta				
				Paulsen				

NOT VOTING—36

Aguilar	Gutiérrez	Rokita
Blackburn	Hunter	Rooney, Thomas
Brady (PA)	Jenkins (WV)	J.
Capuano	Jones	Rush
Castor (FL)	Keating	Speier
Culberson	Kennedy	Swalwell (CA)
DeSantis	Maloney, Sean	Tipton
Ellison	McNerney	Titus
Eshoo	Neal	Tsongas
Gallego	O'Rourke	Walz
Gosar	Palazzo	Wilson (FL)
Gowdy	Poe (TX)	Rohrabacher
Grijalva		

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶123.19 H.R. 6439—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BARTON, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6439) to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security the Biometric Identification Transnational Migration Alert Program, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 272
affirmative } Nays 119

¶123.20 [Roll No. 381]
YEAS—272

Abraham	Babin	Barton
Aderholt	Bacon	Bera
Allen	Banks (IN)	Bergman
Amodei	Barletta	Bilirakis
Arrington	Barr	Bishop (MI)

NAYS—119

Adams	Cárdenas	Connolly
Amash	Carson (IN)	Courtney
Barragán	Castro (TX)	Crowley
Bass	Chu, Judy	Cummings
Beatty	Cicilline	Davis (CA)
Beyer	Clark (MA)	Davis, Danny
Biggs	Clarke (NY)	DeGette
Bishop (GA)	Clay	DeLauro
Blumenauer	Cleaver	DeBene
Bonamici	Clyburn	Demings
Butterfield	Cohen	DeSaulnier

NOT VOTING—37

Aguilar	Gutiérrez	Rohrabacher
Blackburn	Hunter	Rokita
Brady (PA)	Jenkins (WV)	Rooney, Thomas
Capuano	Jones	J.
Castor (FL)	Keating	Rush
Culberson	Kennedy	Speier
DeSantis	Maloney, Sean	Swalwell (CA)
Ellison	McNerney	Tipton
Eshoo	Neal	Titus
Gallego	O'Rourke	Tsongas
Gosar	Palazzo	Walz
Gowdy	Payne	Wilson (FL)
Grijalva	Poe (TX)	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶123.21 APPOINTMENT OF CONFEREES—
H.R. 6157

The SPEAKER pro tempore, Mr. BIGGS, by unanimous consent, appointed the following Members as managers on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes: Mr. FRELINGHUYSEN, Ms. GRANGER, Messrs. COLE, CALVERT, WOMACK, ADERHOLT, ROGERS of Kentucky, Mmes. ROBY, LOWEY, Mr. VISCLOSKEY, Ms. DELAULO, ROYBAL-ALLARD, and MCCOLLUM.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶123.22 COMMITTEE RESIGNATION—
MAJORITY

The SPEAKER pro tempore, Mr. BIGGS, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN: I write to respectfully tender my resignation as a member of the Science, Space, and Technology Committee. It has been an honor to serve on the Committee under the leadership of Chairman Smith.

Sincerely,

BARRY LOUDERMILK,
Member of Congress.

By unanimous consent, the resignation was accepted.

¶123.23 PRECHECK IS PRECHECK

Mr. KATKO moved to suspend the rules and pass the bill (H.R. 6265) to ensure that only travelers who are members of a trusted traveler program use Transportation Security Administration security screening lanes designated for trusted travelers, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BIGGS, recognized Mr. KATKO and Mrs. WATSON COLEMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BIGGS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶123.24 PROVIDING FOR CONSIDERATION OF H.R. 1635 AND H.R. 4606

Ms. CHENEY, by direction of the Committee on Rules, reported (Rept. No. 115-919) the resolution (H. Res. 1049) providing for consideration of the bill (H.R. 1635) to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes, and providing for consideration of the bill (H.R. 4606) to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay.

When said resolution and report were referred to the House Calendar and ordered printed.

¶123.25 TSA NATIONAL DEPLOYMENT FORCE

Mr. KATKO moved to suspend the rules and pass the bill (H.R. 6461) to amend title 49, United States Code, to establish in the Transportation Security Administration a National Deployment Office, and for other purposes.

The SPEAKER pro tempore, Mr. BIGGS, recognized Mr. KATKO and

Mrs. WATSON COLEMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BIGGS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶123.26 DHS COUNTERING UNMANNED AIRCRAFT SYSTEMS COORDINATOR

Mr. PERRY moved to suspend the rules and pass the bill (H.R. 6438) to amend the Homeland Security Act of 2002 to establish in the Department of Homeland Security an Unmanned Aircraft Systems Coordinator, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BIGGS, recognized Mr. PERRY and Mrs. WATSON COLEMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BIGGS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶123.27 PORTS OF ENTRY THREAT AND OPERATIONAL REVIEW

Mrs. LESKO moved to suspend the rules and pass the bill (H.R. 6400) to require the Secretary of Homeland Security to conduct a threat and operational analysis of ports of entry, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BIGGS, recognized Mrs. LESKO and Mrs. WATSON COLEMAN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BIGGS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and

said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill. And then,

¶123.28 ADJOURNMENT

On motion of Mr. GOHMERT, at 9 o'clock and 29 minutes p.m., the House adjourned.

¶123.29 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MCCAUL: Committee on Homeland Security. H.R. 6265. A bill to ensure that only travelers who are members of a trusted traveler program use Transportation Security Administration security screening lanes designated for trusted travelers, and for other purposes; with an amendment (Rept. 115-912). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 6374. A bill to require the Department of Homeland Security to streamline Federal Contractor fitness determinations, and for other purposes; with an amendment (Rept. 115-913). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 6400. A bill to require the Secretary of Homeland Security to conduct a threat and operational analysis of ports of entry, and for other purposes (Rept. 115-914, Pt. 1). Ordered to be printed.

Mr. MCCAUL: Committee on Homeland Security. H.R. 6447. A bill to amend the Homeland Security Act of 2002 to establish the position of Chief Data Officer of the Department of Homeland Security, and for other purposes; with an amendment (Rept. 115-915). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 6459. A bill to amend the Homeland Security Act of 2002 to require a strategy to diversify the technology stakeholder marketplace regarding the acquisition by the Transportation Security Administration of security screening technologies, and for other purposes (Rept. 115-916). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 6461. A bill to amend title 49, United States Code, to establish in the Transportation Security Administration a National Deployment Office, and for other purposes (Rept. 115-917). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 5869. A bill to require the Secretary of Homeland Security to conduct a maritime border threat analysis, and for other purposes; with an amendment (Rept. 115-918). Referred to the Committee of the Whole House on the state of the Union.

Ms. CHENEY: Committee on Rules. House Resolution 1049. Resolution providing for consideration of the bill (H.R. 1635) to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes, and providing for consideration of the bill (H.R. 4606) to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modi-

fication or delay (Rept. 115-919). Referred to the House Calendar.

123.30 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COFFMAN:

H.R. 6696. A bill to extend the temporary protected status of certain nationals of foreign states designated under section 244 of the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. KUSTOFF of Tennessee:

H.R. 6697. A bill to amend title 18, United States Code, relating to sentencing of armed career criminals; to the Committee on the Judiciary.

By Ms. ADAMS (for herself and Ms. CLARKE of New York):

H.R. 6698. A bill to support States in their work to end preventable morbidity and mortality in maternity care by using evidence-based quality improvement to protect the health of mothers during pregnancy, childbirth, and in the postpartum period and to reduce neonatal and infant mortality, to eliminate racial disparities in maternal health outcomes, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. BUSTOS:

H.R. 6699. A bill to offset retaliatory duties against the United States by establishing a fund to promote the exports of United States agricultural commodities and products; to the Committee on Agriculture.

By Mr. MAST:

H.R. 6700. A bill to modify the project for Central and Southern Florida to include public health and safety considerations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POE of Texas (for himself and Mr. O'HALLERAN):

H.R. 6701. A bill to require the Secretary of Housing and Urban Development to improve services for survivors of domestic violence, dating violence, sexual assault, or stalking; to the Committee on Financial Services.

123.31 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 19: Mr. SCHWEIKERT, Mr. MITCHELL, Mr. JODY B. HICE of Georgia, Ms. DEGETTE, and Mr. NEAL.

H.R. 233: Mr. BROWN of Maryland and Mr. SCHNEIDER.

H.R. 303: Mr. COHEN.

H.R. 459: Mr. SHERMAN.

H.R. 792: Mrs. LAWRENCE.

H.R. 909: Mr. HULTGREN.

H.R. 1022: Mr. KILDEE.

H.R. 1223: Mr. POE of Texas.

H.R. 1322: Ms. BARRAGAN.

H.R. 1378: Mr. DEUTCH, Mr. CLEAVER, and Ms. PINGREE.

H.R. 1542: Mr. PETERS and Mr. DEUTCH.

H.R. 1635: Mr. CURBELO of Florida, Mrs. WAGNER, and Mr. YODER.

H.R. 1651: Mr. COHEN.

H.R. 1661: Mr. SIRES.

H.R. 1734: Mr. ROSKAM.

H.R. 1820: Mr. MOULTON and Mr. GRIJALVA.

H.R. 1823: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 1847: Mr. HULTGREN.

H.R. 1874: Mrs. BEATTY, Ms. CLARKE of New York, and Ms. MCCOLLUM.

H.R. 1904: Mr. SARBANES.

H.R. 2161: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 2260: Mr. SWALWELL of California.

H.R. 2310: Mr. LAHOOD and Mr. SMUCKER.

H.R. 2327: Mr. PANETTA and Mr. CARTWRIGHT.

H.R. 2472: Mr. CARSON of Indiana.

H.R. 2598: Ms. MOORE and Mr. CURBELO of Florida.

H.R. 2790: Mr. VELA.

H.R. 2906: Miss RICE of New York, Mr. COHEN, Mr. KRISHNAMOORTHY, and Mr. CRAMER.

H.R. 3207: Mr. BERA, Mr. SCHRADER, and Mr. WELCH.

H.R. 3303: Mr. TAYLOR.

H.R. 3325: Mr. YODER.

H.R. 3533: Mr. HUFFMAN.

H.R. 3670: Mr. GOMEZ.

H.R. 3733: Mr. TAYLOR.

H.R. 3798: Mr. HILL.

H.R. 3931: Mr. LOBIONDO.

H.R. 3981: Mr. KILDEE.

H.R. 4022: Mr. SHERMAN.

H.R. 4099: Ms. BARRAGAN.

H.R. 4107: Ms. JENKINS of Kansas, Mr. GAETZ, Ms. VELÁZQUEZ, Ms. ROSEN, and Mr. SUOZZI.

H.R. 4116: Mr. TAKANO and Ms. MAXINE WATERS of California.

H.R. 4117: Ms. MAXINE WATERS of California.

H.R. 4142: Ms. JUDY CHU of California.

H.R. 4202: Mr. LIPINSKI and Mrs. DEMINGS.

H.R. 4222: Ms. SHEA-PORTER.

H.R. 4297: Mrs. NAPOLITANO.

H.R. 4459: Mr. WELCH.

H.R. 4733: Mr. LANGEVIN.

H.R. 4775: Mr. DEFAZZIO.

H.R. 4808: Mr. TAYLOR.

H.R. 4815: Mrs. WATSON COLEMAN.

H.R. 4897: Mr. DAVID SCOTT of Georgia, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. COFFMAN.

H.R. 4898: Mrs. DEMINGS.

H.R. 4973: Mr. CLEAVER.

H.R. 5062: Mr. ROSKAM.

H.R. 5241: Mr. FOSTER and Mr. GENE GREEN of Texas.

H.R. 5270: Mr. BOST.

H.R. 5282: Mr. HIGGINS of New York, Ms. STEFANIK, Mrs. BROOKS of Indiana, and Mr. BLUM.

H.R. 5365: Mr. DESAULNIER.

H.R. 5460: Ms. SCHAKOWSKY, Mr. MCGOVERN, and Mr. THOMPSON of Pennsylvania.

H.R. 5533: Mr. CARBAJAL, Mr. ELLISON, Ms. ESHOO, and Mr. MCBACHIN.

H.R. 5551: Mr. CICILLINE.

H.R. 5588: Mr. AGUILAR.

H.R. 5671: Mrs. DINGELL.

H.R. 5732: Mr. WILLIAMS.

H.R. 5761: Ms. SHEA-PORTER and Ms. ROSEN.

H.R. 5787: Mr. MAST.

H.R. 5922: Mr. BANKS of Indiana.

H.R. 5942: Mrs. BEATTY.

H.R. 6014: Mr. COSTA.

H.R. 6037: Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 6064: Mr. KING of New York, Miss RICE of New York, Mr. MEEKS, Ms. MENG, Ms. VELÁZQUEZ, Mr. JEFFRIES, Ms. CLARKE of New York, Mr. NADLER, Mrs. CAROLYN B. MALONEY of New York, Mr. ESPAILLAT, Mr. CROWLEY, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mr. SEAN PATRICK MALONEY of New York, Mr. FASO, Mr. TONKO, Ms. STEFANIK, Ms. TENNEY, Mr. REED, Mr. KATKO, and Mr. HIGGINS of New York.

H.R. 6079: Mr. BISHOP of Michigan and Mr. ROSS.

H.R. 6114: Mrs. RADEWAGEN, Mr. BROWN of Maryland, Mr. CARBAJAL, Mr. CRIST, and Mr. POLIQUIN.

H.R. 6142: Ms. PINGREE.

H.R. 6143: Mr. SARBANES, Ms. MAXINE WATERS of California, Ms. NORTON, Mr. KHANNA, Ms. JAYAPAL, Mr. HIGGINS of New York, Mr. GRIJALVA, and Mr. BLUMENAUER.

H.R. 6144: Mr. SARBANES, Ms. MAXINE WATERS of California, Ms. NORTON, Mr. KHANNA, Ms. JAYAPAL, Mr. HIGGINS of New York, Mr. GRIJALVA, and Mr. BLUMENAUER.

H.R. 6178: Mr. WOMACK and Mr. HILL.

H.R. 6193: Mrs. CAROLYN B. MALONEY of New York, Mr. TONKO, Ms. KELLY of Illinois, and Mr. KILDEE.

H.R. 6246: Mr. CRIST and Mr. POSEY.

H.R. 6267: Ms. VELÁZQUEZ.

H.R. 6277: Mr. REED.

H.R. 6358: Mr. SCHNEIDER, Mr. DESAULNIER, Mr. PETERS, and Ms. ESHOO.

H.R. 6392: Ms. JACKSON LEE.

H.R. 6406: Mr. FASO.

H.R. 6417: Mr. WALDEN, Mrs. COMSTOCK, Mr. HARPER, Mr. WEBER of Texas, Mr. WILLIAMS, Mr. CARTER of Texas, and Mr. HILL.

H.R. 6421: Mr. THOMAS J. ROONEY of Florida.

H.R. 6444: Mr. NORMAN.

H.R. 6485: Ms. NORTON.

H.R. 6510: Mr. VALADAO, Mr. NEAL, Mr. CLAY, Mr. GAETZ, Mr. BROWN of Maryland, Mrs. DEMINGS, Mr. COFFMAN, Mr. ROYCE of California, Mr. ROSS, Ms. KELLY of Illinois, Mr. ESPAILLAT, Mr. SIRES, Mr. CRIST, Mr. SMITH of Washington, Mr. GOMEZ, and Mr. AGUILAR.

H.R. 6517: Mr. FASO and Mr. SEAN PATRICK MALONEY of New York.

H.R. 6527: Mr. TAKANO.

H.R. 6551: Ms. LEE.

H.R. 6561: Mr. CURBELO of Florida and Mr. LOBIONDO.

H.R. 6578: Mr. JOHNSON of Georgia and Ms. PLASKETT.

H.R. 6629: Ms. CLARKE of New York and Ms. JAYAPAL.

H.R. 6631: Mr. LARSEN of Washington.

H.R. 6636: Mr. NORMAN.

H.R. 6644: Mr. HUFFMAN.

H.R. 6649: Mr. CONNOLLY and Mr. AGUILAR.

H.R. 6665: Ms. PLASKETT.

H.R. 6680: Mr. PANETTA.

H.R. 6681: Mr. CARBAJAL.

H.R. 6690: Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. DINGELL, Mr. SHIMKUS, and Mr. CONNOLLY.

H.R. 6692: Mr. VELA and Mr. JOHNSON of Georgia.

H. Con. Res. 13: Mr. ARRINGTON.

H. Con. Res. 28: Mr. HECK.

H. Con. Res. 72: Mr. COLLINS of Georgia and Mr. FITZPATRICK.

H. Res. 199: Mr. HILL.

H. Res. 413: Mr. GOODLATTE.

H. Res. 624: Mr. GAETZ.

H. Res. 673: Mr. MITCHELL, Mr. COOPER, and Mrs. WALORSKI.

H. Res. 751: Mr. VEASEY.

H. Res. 766: Mr. VALADAO.

H. Res. 864: Mr. CLEAVER, Ms. JUDY CHU of California, Mr. LYNCH, Mr. CARBAJAL, Mr. O'ROURKE, Miss RICE of New York, Mr. WOODALL, Mrs. CAROLYN B. MALONEY of New York, Mr. HASTINGS, Mrs. LOWEY, Mr. ZELDIN, Mr. LAWSON of Florida, and Ms. KUSTER of New Hampshire.

H. Res. 910: Mr. ESPAILLAT, Ms. WASSERMAN SCHULTZ, Mrs. DINGELL, Ms. JAYAPAL, and Mr. BROOKS of Alabama.

H. Res. 967: Mr. CARBAJAL, Mrs. HARTZLER, and Ms. TENNEY.

H. Res. 1022: Mr. STIVERS.

H. Res. 1031: Mr. KILMER, Mrs. DEMINGS, Ms. DEGETTE, and Mr. COURTNEY.

H. Res. 1036: Mr. HASTINGS.

H. Res. 1045: Ms. CLARKE of New York.

123.32 PETITIONS

Under clause 3 of rule XII,

120. The SPEAKER presented a petition of the Mayor and City Council of Gautier, Mississippi, relative to Resolution Number 043-2018, requesting the Mississippi legislature to amend the applicable sales tax laws and use tax laws to provide that 18.5 percent of the sales tax collected from internet interstate sales shall be paid to the municipalities as currently provided for in-state sales; and for related purposes; which was referred to the Committee on the Judiciary.

WEDNESDAY, SEPTEMBER 5, 2018
(124)

¶124.1 APPOINTMENT OF SPEAKER PRO
TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. WEBER of Texas, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
September 5, 2018.

I hereby appoint the Honorable RANDY K. WEBER, Sr. to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶124.2 RECESS—10:45 A.M.

The SPEAKER pro tempore, Mr. WEBER of Texas, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 45 minutes a.m., until noon.

¶124.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶124.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, September 4, 2018.

Mr. WILSON of South Carolina, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. WILSON of South Carolina, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶124.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6123. A letter from the Secretary, Department of Defense, transmitting a letter authorizing 16 officers to wear the insignia of the grade of brigadier general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

6124. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral David C. Johnson, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6125. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Zinc oxide; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0574; FRL-9978-36] received August 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6126. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0560; FRL-9982-77] (RIN: 2070-AB27) received August 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6127. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0464; FRL-9982-24] (RIN: 2070-AB27) received August 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6128. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Partial Deletion of the Omaha Lead Superfund Site [EPA-HQ-SFUND-2003-0010; FRL-9982-84-Region 7] received August 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6129. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Lignosulfonic Acid, Calcium, comp. with 1,6 hexanediamine polymer with Guanidine Hydrochloride (1:1); Tolerance Exemption [EPA-HQ-OPP-2017-0520; FRL-9979-94] received August 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6130. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hawaii: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R09-2018-RCRA-0267; FRL-9982-86-Region 9] received August 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6131. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Aspartic acid, N-(1,2-dicarboxyethyl)—, tetrasodium salt; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0474; FRL-9981-27] received August 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6132. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Nebraska Air Quality Implementation Plan; Particulate Emissions; Limitations and Standards [EPA-R07-OAR-2018-0188; FRL-9982-06-Region 7] received August 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6133. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Plan Revisions; Approvals and Promulgations: Cali-

fornia; Placer County Air Pollution Control District; Stationary Source Permits [EPA-R09-OAR-2018-0282; FRL-9981-98-Region 9] received August 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6134. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Nebraska; Revisions to Title 115 of the Nebraska Administrative Code; Rules of Practice and Procedure [EPA-R07-OAR-2018-0307; FRL-9982-07-Region 7] received August 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6135. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2018 Bering Sea and Aleutian Islands Pollock, Atka Mackerel, and Pacific Cod Total Allowable Catch Amounts; Correction [Docket No.: 161020985-7181-02] (RIN: 0648-XF866) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6136. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 161020985-7181-02] (RIN: 0648-XG023) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6137. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 160920866-7167-02] (RIN: 0648-XF891) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6138. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area [Docket No.: 161020985-7181-02] (RIN: 0648-XF838) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6139. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 161020985-7181-02] (RIN: 0648-XF842) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6140. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Hook-and-Line Catcher/Processors in the Central

Regulatory Area of the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XF893) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6141. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 161020985-7181-02] (RIN: 0648-XF979) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6142. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Model 234 and Model CH-47D Helicopters [Docket No.: FAA-2015-4007; Product Identifier 2015-SW-064-AD; Amendment 39-19351; AD 2018-16-11] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6143. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation Engines [Docket No.: FAA-2018-0259; Product Identifier 2018-NE-09-AD; Amendment 39-19358; AD 2018-17-04] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6144. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Régional Airplanes [Docket No.: FAA-2018-0712; Product Identifier 2018-NM-089-AD; Amendment 39-19361; AD 2018-17-07] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6145. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No. FAA-2018-0303; Product Identifier 2018-NM-006-AD; Amendment 39-19360; AD 2018-17-06] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6146. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2017-1022; Product Identifier 2017-NM-098-AD; Amendment 39-19357; AD 2018-17-03] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6147. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0072; Product Identifier 2017-NM-082-AD; Amendment 39-19363; AD 2018-17-09] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6148. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbojet Engines [Docket No.: FAA-2017-1108; Product Identifier 2012-NE-44-AD; Amendment 39-19362; AD 2018-17-08] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6149. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron, Inc. (Bell) Helicopters [Docket No.: FAA-2018-0738; Product Identifier 2017-SW-132-AD; Amendment 39-19355; AD 2018-17-01] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6150. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0277; Product Identifier 2017-NM-124-AD; Amendment 39-19364; AD 2018-17-10] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6151. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; B/E Aerospace Fischer GmbH Attendant Seats and Pilot Seats [Docket No.: FAA-2017-0937; Product Identifier 2017-NE-32-AD; Amendment 39-19341; AD 2018-16-01] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6152. A letter from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a report on the development and implementation of a training curriculum for members of the Board for Correction of Military Records for the United States Coast Guard, pursuant to 10 U.S.C. 1552 note; Public Law 114-328, Sec. 534(c)(4); (130 Stat. 2122); jointly to the Committees on Transportation and Infrastructure and Armed Services.

¶124.6 MOMENT OF SILENCE IN MEMORY OF THOSE KILLED OR WOUNDED IN SERVICE TO OUR COUNTRY

The SPEAKER announced that all Members stand and observe a moment of silence in honor of those who have been killed or wounded in service to our country and all those who serve and their families.

¶124.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 5, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following mes-

sage from the Secretary of the Senate on September 5, 2018, at 11:29 a.m.:

That the Senate passed S. 186.
That the Senate passed S. 994.
That the Senate passed S. 2553.
That the Senate passed S. 3021.
That the Senate passed with an amendment H.R. 1109.
That the Senate passed without an amendment H.R. 5385.
That the Senate passed without an amendment H.R. 5772.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶124.8 PROVIDING FOR CONSIDERATION OF H.R. 1635 AND H.R. 4606

Ms. CHENEY, by direction of the Committee on Rules, called up the following resolution (H. Res. 1049):

Resolved, That at any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1635) to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommend with or without instructions.

SEC. 2. At any time after adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 4606) to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on

Energy and Commerce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

When said resolution was considered. After debate,

Ms. CHENEY moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that the ayes had it.

Mrs. TORRES demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶124.9 RECESS—12:49 P.M.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 49 minutes p.m., for a period of less than 15 minutes.

¶124.10 AFTER RECESS—1:02 P.M.

The SPEAKER pro tempore, Mr. ROGERS of Alabama, called the House to order.

¶124.11 H. RES. 1049—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. ROGERS of Alabama, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 1049) providing for consideration of the bill (H.R. 1635) to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes, and providing for consideration of the bill

(H.R. 4606) to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the { Yeas 221
affirmative Nays 186

¶124.12 [Roll No. 382]

YEAS—221

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

NAYS—186

Adams	Beatty	Blumenauer
Aguiar	Bera	Blunt Rochester
Barragán	Beyer	Bonamici
Bass	Bishop (GA)	Brady (PA)

Brown (MD)	Heck	Panetta
Brownley (CA)	Higgins (NY)	Pascarell
Bustos	Himes	Payne
Butterfield	Hoyer	Pelosi
Carbajal	Huffman	Perlmutter
Cárdenas	Jackson Lee	Peters
Carson (IN)	Jayapal	Peterson
Cartwright	Jeffries	Pingree
Castor (FL)	Johnson (GA)	Pocan
Castro (TX)	Johnson, E. B.	Polis
Chu, Judy	Kaptur	Price (NC)
Cicilline	Keating	Quigley
Clark (MA)	Kelly (IL)	Raskin
Clarke (NY)	Kennedy	Rice (NY)
Clay	Khanna	Richmond
Cleaver	Kihuen	Rosen
Clyburn	Kildee	Roybal-Allard
Cohen	Kilmer	Ruiz
Connolly	Kind	Ruppersberger
Cooper	Krishnamoorthi	Rush
Correa	Kuster (NH)	Ryan (OH)
Costa	Lamb	Sánchez
Courtney	Langevin	Sarbanes
Crist	Larsen (WA)	Schakowsky
Crowley	Larson (CT)	Schiff
Cuellar	Lawrence	Schneider
Cummings	Lawson (FL)	Schrader
Davis (CA)	Lee	Scott (VA)
Davis, Danny	Levin	Scott, David
DeFazio	Lewis (GA)	Serrano
DeGette	Lieu, Ted	Sewell (AL)
Delaney	Lipinski	Shea-Porter
DeLauro	Loebuck	Sherman
DeBene	Lofgren	Sinema
Demings	Lowenthal	Sires
DeSaulnier	Lowe	Smith (WA)
Deutch	Lujan Grisham, M.	Soto
Dingell	Lujan, Ben Ray	Suozi
Doggett	Lynch	Swalwell (CA)
Doyle, Michael F.	Maloney, Carolyn B.	Takano
Engel	Matsui	Thompson (CA)
Españillat	McCollum	Thompson (MS)
Esty (CT)	McEachin	Tonko
Evans	McGovern	Torres
Foster	McNerney	Tsongas
Frankel (FL)	Meeks	Vargas
Fudge	Meng	Veasey
Gabbard	Moore	Vela
Gallego	Moulton	Velázquez
Garamendi	Murphy (FL)	Visclosky
Gomez	Nadler	Walz
Gonzalez (TX)	Napolitano	Wasserman
Gottheimer	Neal	Schultz
Green, Al	Nolan	Waters, Maxine
Green, Gene	Norcross	Watson Coleman
Grijalva	O'Halleran	Welch
Gutiérrez	O'Rourke	Wilson (FL)
Hanabusa	Pallone	Yarmuth
Hastings		

NOT VOTING—21

Barletta	Ellison	Rooney, Thomas J.
Barton	Eshoo	Ros-Lehtinen
Bishop (MI)	Gohmert	Sanford
Blackburn	Jenkins (WV)	Sensenbrenner
Boyle, Brendan F.	Maloney, Sean	Speier
Capuano	Messer	Titus
DeSantis	Palazzo	
	Poe (TX)	

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mrs. TORRES demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 224
affirmative Noes 180

¶124.13 [Roll No. 383]

AYES—224

Abraham	Amodei	Banks (IN)
Aderholt	Arrington	Barr
Allen	Babin	Barton
Amash	Bacon	Bergman

Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith

Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman

Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Posey
Ratcliffe
Reed
Reichert
Renacci
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Scalise
Schweikert
Scott, Austin
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Poliquin
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Lofgren
Lowenthal
Lowey
Lujan Grisham,
M.
Lujan, Ben Ray
Lynch
Maloney,
Carolyn B.
Matsui
McCormack
McEachin
McGovern
McNerney
Meeks

Barletta
Blackburn
Boyle, Brendan
F.
Capuano
DeSantis
Ellison
Eshoo
Gohmert

Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarella
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky

NOT VOTING—24

Jenkins (WV)
Johnson (GA)
Loebach
Maloney, Sean
Messer
Palazzo
Pelosi
Poe (TX)
Rice (SC)

Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)

States, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶124.16 GLOBAL ELECTORAL EXCHANGE

Mr. ROYCE of California, moved to suspend the rules and pass the bill (H.R. 5274) to promote international exchanges on best election practices, cultivate more secure democratic institutions around the world, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. CASTRO of Texas, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶124.17 EMPOWERING STUDENTS THROUGH ENHANCED FINANCIAL COUNSELING

The SPEAKER pro tempore, Mr. ALLEN, pursuant to House Resolution 1049 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1635) to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes.

The SPEAKER pro tempore, Mr. ALLEN, by unanimous consent, designated Mr. ROGERS of Kentucky, as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, assumed the Chair.

NOES—180

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay

Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Engel
Español

Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Galleo
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson, E. B.
Kaptur

When Mrs. HARTZLER, Acting Chairman, reported the bill back to the House with sundry amendments adopted by the Committee.

Pursuant to House Resolution 1049, the previous question was ordered.

The following sundry amendments, reported from the Committee of the Whole House on the state of the Union, were agreed to:

Page 4, after line 11, insert the following:

“(E) An explanation of how the student may seek additional financial assistance from the institution's financial aid office due to a change in the student's financial circumstances, and the contact information for such office.

Page 5, strike lines 12 through 16.

Page 15, line 15, insert “and for such amount as is specified by the borrower” after “such award year”.

Page 5, strike lines 4 through 11 and insert the following:

“(E) An explanation that, in the case of a student who transfers to another institution, the amount of time remaining for which a student may be eligible to receive a Federal Pell Grant, as provided under subparagraph (D), will not change, regardless of whether all of the courses completed by such student are accepted for purposes of meeting specific degree or program requirements by the institution to which such student transfer.”

In section 485(l)(4) of the Higher Education Act of 1965, as proposed to be amended by section 2 of the bill—

(1) redesignate subparagraphs (H) through (Q) as subparagraphs (I) through (R), respectively; and

(2) insert after subparagraph (G) the following:

“(H) An explanation that, in the case of a student who transfers to another institution, the loan amounts such student received before such transfer shall be used in determining the aggregate loan amount of the student, regardless of whether all of the courses completed by such student are accepted for purposes of meeting specific degree or program requirements by the institution to which such student transfers.”

Page 12, beginning on line 17, strike “(N) through (Q)” and insert “(O) through (R)”.

Page 9, line 10, strike “an income-based repayment plan under section 493C” and insert “the income-driven repayment plans the borrower is eligible for”.

Page 10, beginning on line 14, strike “an income-based repayment plan under section 493C” and insert “the income-driven repayment plans the borrower is eligible for”.

Page 17, beginning on line 11, strike “the income-based repayment plan under section 493C” and insert “the income-driven repayment plans the borrower is eligible for”.

Page 12, strike lines 19 through 21 and insert the following:

“(B) A notification that some students may qualify for other financial aid and an explanation that the student for whom the borrower is taking out the loan should consider accepting any grant, scholarship, or State or Federal work-study jobs for which such student is eligible prior to borrowing Parent PLUS Loans.

Page 14, line 23, insert “pay each loan while the dependent child is still in school, pay the interest on the loan while the loan is in deferment,” after “a shorter schedule.”.

Page 15, line 24, strike the period and quotation mark at the end.

Page 15, after line 24, insert the following:

“(7) CONSTRUCTION.—Nothing in this section shall be construed to prohibit an eligible institution from providing additional information and counseling services to recipients of Federal student aid under this title,

provided that any additional information and counseling services for recipients of Federal student aid shall not preclude or be considered a condition for disbursement of such aid.”.

Page 15, line 24, strike the period and quotation mark at the end.

Page 15, after line 24, insert the following: “(7) COUNSELING SESSIONS CONDUCTED IN PERSON.—Institutions of higher education may encourage individuals to attend in-person loan counseling sessions under paragraph (1)(A).”.

Page 16, line 13, strike “(iv) through (xii), respectively” and insert “(v) through (xiii), respectively”.

Page 16, line 14, strike “before clause (iv)” and insert “before clause (v)”.

Page 17, line 2, strike the quotation mark and semicolon at the end.

Page 17, after line 2, insert the following:

“(iv) an explanation that the borrower may be approached during the repayment process by third-party student debt relief companies, that they should use caution in any such dealings, and that the typical services provided by these companies are already offered to borrowers free of charge through servicers;”.

Page 17, line 3, strike “in clause (iv)” and insert “in clause (v)”.

Page 17, line 13, strike “in clause (ix)” and insert “in clause (x)”.

Page 17, line 20, strike “in clause (x)” and insert “in clause (xi)”.

Page 17, line 23, strike “in clauses (xi) and (xii)” and insert “in clauses (xii) and (xiii)”.

Page 18, line 1, strike “(xiii)” and insert “(xiv)”.

Page 18, line 6, strike “(xiv)” and insert “(xv)”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. LAMB moved to recommit the bill to the Committee on Education and the Workforce with instructions to report the bill back to the House forthwith with the following amendment:

Page 21, line 22, insert “status as a recipient of assistance under a tuition assistance program conducted by the Department of Defense under section 1784a or 2007 of title 10, United States Code, or other authorities available to the Department of Defense or veterans' education benefits (as defined in section 480),” after “income.”.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that the yeas and nays had it.

Mr. LAMB demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶124.18 RECESS—3:44 P.M.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 12(a) of rule I, declared the House in recess at 3 o'clock and 44 minutes p.m., subject to the call of the Chair.

¶124.19 AFTER RECESS—5:05 P.M.

The SPEAKER pro tempore, Mr. HULTGREN, called the House to order.

¶124.20 H.R. 1635—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to recommit with instructions on the bill (H.R. 1635) to amend the loan counseling requirements under the Higher Education Act of 1965, and for other purposes.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the { Yeas 187
negative Nays 224

¶124.21 [Roll No. 384]

YEAS—187

Adams	Gomez	Neal
Aguilar	Gonzalez (TX)	Nolan
Barragán	Gottheimer	Norcross
Bass	Green, Al	O'Halleran
Beatty	Green, Gene	O'Rourke
Bera	Grijalva	Pallone
Beyer	Gutiérrez	Panetta
Bishop (GA)	Hanabusa	Pascarella
Blum	Hastings	Payne
Blumenauer	Heck	Pelosi
Blunt Rochester	Higgins (NY)	Perlmutter
Bonamici	Himes	Peters
Brady (PA)	Hoyer	Peterson
Brown (MD)	Huffman	Pingree
Brownley (CA)	Jackson Lee	Pocan
Bustos	Jayapal	Polis
Butterfield	Jeffries	Price (NC)
Carbajal	Johnson (GA)	Quigley
Cárdenas	Johnson, E. B.	Raskin
Carson (IN)	Jones	Rice (NY)
Cartwright	Kaptur	Richmond
Castor (FL)	Keating	Rosen
Castro (TX)	Kelly (IL)	Roybal-Allard
Chu, Judy	Kennedy	Ruiz
Cicilline	Khanna	Ruppersberger
Clark (MA)	Kihuen	Rush
Clarke (NY)	Kildee	Ryan (OH)
Clay	Kilmer	Sánchez
Cleaver	Kind	Sarbanes
Clyburn	Krishnamoorthi	Schakowsky
Cohen	Kuster (NH)	Schiff
Connolly	Lamb	Schneider
Cooper	Langevin	Schrader
Correa	Larsen (WA)	Scott (VA)
Costa	Larson (CT)	Scott, David
Courtney	Lawrence	Serrano
Crist	Lawson (FL)	Sewell (AL)
Crowley	Lee	Shea-Porter
Cuellar	Levin	Sherman
Cummings	Lewis (GA)	Sinema
Davis (CA)	Lieu, Ted	Sires
Davis, Danny	Lipinski	Smith (WA)
DeFazio	Loebach	Soto
DeGette	Lofgren	Suozzi
Delaney	Lowenthal	Swalwell (CA)
DeLauro	Lowe	Takano
DelBene	Lujan Grisham,	Thompson (CA)
Demings	M.	Thompson (MS)
DeSaulnier	Luján, Ben Ray	Tonko
Deutch	Lynch	Torres
Dingell	Maloney,	Tsongas
Doggett	Carolyn B.	Vargas
Doyle, Michael	Matsui	Veasey
F.	McCollum	Vela
Engel	McEachin	Velázquez
Españat	McGovern	Visclosky
Esty (CT)	McNerney	Wasserman
Evans	Meeks	Schultz
Foster	Meng	Waters, Maxine
Frankel (FL)	Moore	Watson Coleman
Fudge	Moulton	Welch
Gabbard	Murphy (FL)	Wilson (FL)
Gallego	Nadler	Yarmuth
Garamendi	Napolitano	

NAYS—224

Abraham	Arrington	Barr
Aderholt	Babin	Barton
Allen	Bacon	Bergman
Amash	Banks (IN)	Biggs
Amodei	Barletta	Billirakis

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

NOT VOTING—17

Blackburn	Jenkins (WV)	Sensenbrenner
Boyle, Brendan	Maloney, Sean	Speier
F.	Palazzo	Thornberry
Capuano	Poe (TX)	Titus
DeSantis	Rooney, Thomas	Walz
Ellison	J.	
Eshoo	Ros-Lehtinen	

So the motion to recommit with instructions was not agreed to.

124.22 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, August 29, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the Certificate of Election received from the Honorable Jon

Husted, the Ohio Secretary of State, indicating that, at the Special Election held on August 7, 2018, the Honorable Troy Balderson was duly elected Representative in Congress for the 12th Congressional District, State of Ohio.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

THE STATE OF OHIO CERTIFICATE OF ELECTION Representative to Congress—Twelfth District

To the Clerk of the House of Representatives of the United States:

This is to certify, that on the 7th day of August 2018, Troy Balderson was duly chosen by the qualified electors of the 12th Congressional District of the State of Ohio as the Representative to Congress from said district to represent said State in the House of Representatives of the United States for the unexpired term ending January 3, 2019.

In testimony whereof, I have hereunto subscribed my name and caused the great seal of the State of Ohio to be hereto affixed at Columbus, Ohio, this 24th day of August, in the year of our Lord, A.D. 2018.

By the Governor:

JOHN R. KASICH,
Governor.

Countersigned:

JON HUSTED,
Secretary of State.

[State Seal Affixed]

124.23 MEMBER-ELECT SWORN IN

Mr. BALDERSON of the 12th District of Ohio, presented himself at the bar of the House and took the oath of office prescribed by law.

124.24 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER announced, under clause 5(d) of rule XX, that, in light of the administration of the oath to Representative BALDERSON, the whole number of the House is adjusted to 430.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER announced that the ayes had it.

Mr. GUTHRIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 406
affirmative Nays 4

124.25 [Roll No. 385]

YEAS—406

Abraham	Beyer	Buchanan
Adams	Bilirakis	Buck
Aderholt	Bishop (GA)	Bucshon
Aguilar	Bishop (MI)	Budd
Allen	Bishop (UT)	Burgess
Amodei	Black	Bustos
Arrington	Blum	Butterfield
Bacon	Blumenauer	Byrne
Balderson	Blunt Rochester	Calvert
Banks (IN)	Bonamici	Carbajal
Barletta	Bost	Cárdenas
Barr	Brady (PA)	Carson (IN)
Barragán	Brady (TX)	Carter (GA)
Barton	Brat	Carter (TX)
Bass	Brooks (AL)	Cartwright
Beatty	Brooks (IN)	Castor (FL)
Bera	Brown (MD)	Castro (TX)
Bergman	Brownley (CA)	Chabot
Cheney		
Chu, Judy		
Cicilline		
Clark (MA)		
Clarke (NY)		
Clay		
Cleaver		
Cloud		
Clyburn		
Coffman		
Cohen		
Cole		
Collins (GA)		
Collins (NY)		
Comer		
Comstock		
Conaway		
Connolly		
Cook		
Cooper		
Correa		
Costa		
Costello (PA)		
Courtney		
Cramer		
Crawford		
Crist		
Crowley		
Cuellar		
Culberson		
Cummings		
Curbelo (FL)		
Curtis		
Davidson		
Davis (CA)		
Davis, Danny		
Davis, Rodney		
DeFazio		
DeGette		
Delaney		
DeLauro		
DelBene		
Demings		
Denham		
DeSaulnier		
DesJarlais		
Deutch		
Diaz-Balart		
Dingell		
Doggett		
Donovan		
Doyle, Michael		
F.		
Duffy		
Duncan (SC)		
Duncan (TN)		
Dunn		
Emmer		
Engel		
Espallat		
Estes (KS)		
Esty (CT)		
Evans		
Faso		
Ferguson		
Fitzpatrick		
Fleischmann		
Flores		
Fortenberry		
Foster		
Fox		
Frankel (FL)		
Frelinghuysen		
Fudge		
Gabbard		
Gaetz		
Gallagher		
Gallego		
Garamendi		
Garrett		
Gianforte		
Gibbs		
Gohmert		
Gomez		
Gonzalez (TX)		
Goodlatte		
Gosar		
Gottheimer		
Gowdy		
Granger		
Graves (GA)		
Graves (LA)		
Graves (MO)		
Green, Al		
Green, Gene		
Griffith		
Grijalva		
Grothman		
Guthrie		
Gutiérrez		
Hanabusa		
Handel		
Harper		
Harris		
Hartzler		
Hastings		
Heck		
Hensarling		
Herrera Beutler		
Hice, Jody B.		
Higgins (LA)		
Higgins (NY)		
Hill		
Himes		
Holding		
Hollingsworth		
Hoyer		
Hudson		
Huffman		
Huizenga		
Hultgren		
Hunter		
Hurd		
Issa		
Jackson Lee		
Jayapal		
Jeffries		
Jenkins (KS)		
Johnson (GA)		
Johnson (LA)		
Johnson (OH)		
Johnson, E. B.		
Johnson, Sam		
Jones		
Jordan		
Joyce (OH)		
Kaptur		
Katko		
Keating		
Kelly (IL)		
Kelly (MS)		
Kelly (PA)		
Kennedy		
Khanna		
Kihuen		
Kildee		
Kilmer		
Kind		
King (IA)		
King (NY)		
Kinzing		
Knight		
Krishnamoorthi		
Kuster (NH)		
Kustoff (TN)		
Labrador		
LaHood		
LaMalfa		
Lamb		
Lamborn		
Lance		
Langevin		
Larsen (WA)		
Larson (CT)		
Latta		
Lawrence		
Lawson (FL)		
Lee		
Lesko		
Levin		
Lewis (GA)		
Lewis (MN)		
Lieu, Ted		
Lipinski		
LoBiondo		
Loeb		
Lofgren		
Long		
Loudermilk		
Love		
Lowenthal		
Lowey		
Lucas		
Luetkemeyer		
Lujan Grisham,		
M.		
Lujan, Ben Ray		
Lynch		
MacArthur		
Maloney,		
Carolyn B.		
Marchant		
Marino		
Marshall		
Mast		
Matsui		
McCarthy		
McCaul		
McClintock		
McCollum		
McEachin		
McGovern		
McHenry		
McKinley		
McMorris		
Rodgers		
McNerney		
McSally		
Meadows		
Meeks		
Meng		
Messer		
Mitchell		
Moolenaar		
Mooney (WV)		
Moore		
Moulton		
Mullin		
Murphy (FL)		
Nadler		
Napolitano		
Neal		
Newhouse		
Noem		
Nolan		
Norcross		
Norman		
Nunes		
O'Halleran		
O'Rourke		
Olson		
Pallone		
Palmer		
Panetta		
Pascarella		
Paulsen		
Payne		
Pearce		
Pelosi		
Perlmutter		
Perry		
Peters		
Peterson		
Pingree		
Pittenger		
Pocan		
Poliquin		
Polis		
Posey		
Price (NC)		
Quigley		
Raskin		
Ratcliffe		
Reed		
Reichert		
Renacci		
Rice (NY)		
Rice (SC)		
Richmond		
Roby		
Roe (TN)		
Rogers (AL)		
Rogers (KY)		
Rohrabacher		
Rokita		
Rooney, Francis		
Rosen		
Roskam		
Ross		
Rothfus		
Rouzer		
Roybal-Allard		
Royce (CA)		
Ruiz		
Ruppersberger		
Rush		
Russell		
Rutherford		
Ryan (OH)		
Sánchez		
Sarbanes		
Scalise		
Schakowsky		
Schiff		
Schneider		
Schrader		
Schweikert		
Scott (VA)		
Scott, Austin		
Scott, David		
Serrano		
Sessions		
Sewell (AL)		
Shea-Porter		
Sherman		
Shimkus		
Shuster		
Simpson		
Sinema		
Sires		

Smith (MO)	Tonko	Waters, Maxine
Smith (NE)	Torres	Watson Coleman
Smith (NJ)	Trott	Weber (TX)
Smith (TX)	Tsongas	Webster (FL)
Smith (WA)	Turner	Welch
Smucker	Upton	Wenstrup
Soto	Valadao	Westerman
Stefanik	Vargas	Williams
Stewart	Veasey	Wilson (FL)
Stivers	Velázquez	Wilson (SC)
Suozzi	Visclosky	Wittman
Swalwell (CA)	Wagner	Womack
Takano	Walberg	Woodall
Taylor	Walden	Yarmuth
Tenney	Walker	Yoder
Thompson (CA)	Walorski	Yoho
Thompson (MS)	Walters, Mimi	Young (AK)
Thompson (PA)	Wasserman	Young (IA)
Tipton	Schultz	Zeldin

NAYS—4

Amash	Biggs
Massie	Sanford

NOT VOTING—19

Babin	Eshoo	Ros-Lehtinen
Blackburn	Jenkins (WV)	Sensenbrenner
Boyle, Brendan	Maloney, Sean	Speier
F.	Palazzo	Thornberry
Capuano	Poe (TX)	Titus
DeSantis	Rooney, Thomas	Vela
Ellison	J.	Walz

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶124.26 APPROVAL OF THE JOURNAL—
UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. JOHNSON of Louisiana, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, September 4, 2018.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. JOHNSON of Louisiana, announced that the ayes had it.

So the Journal was approved.

¶124.27 COMMITTEE ELECTION—
MAJORITY

Mrs. McMORRIS RODGERS, by direction of the Republican Conference, submitted the following privileged resolution (H. Res. 1050):

Resolved, That the following named Member be, and is hereby, elected to the following standing committees of the House of Representatives:

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY: Mr. Balderson.

COMMITTEE ON SMALL BUSINESS: Mr. Balderson.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶124.28 PROVIDING FOR CONSIDERATION
OF H.R. 6691 AND MOTIONS TO SUSPEND
THE RULES

Mr. COLLINS of Georgia, by direction of the Committee on Rules, reported (Rept. No. 115-920) the resolution (H. Res. 1051) providing for consideration of the bill (H.R. 6691) to amend title 18, United States Code, to clarify the definition of "crime of violence",

and for other purposes, and providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶124.29 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2553. An Act to amend title XVIII of the Social Security Act to prohibit health plans and pharmacy benefit managers from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals; to the Committee on Energy and Commerce; in addition, to the Committee on Ways and Means for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 3021. An Act to designate the United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the "Diana E. Murphy United States Courthouse"; to the Committee on Transportation and Infrastructure.

¶124.30 BILL PRESENTED TO THE
PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 5, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 2147. An Act to require the Secretary of Veterans Affairs to hire additional Veterans Justice Outreach Specialists to provide treatment court services to justice-involved veterans, and for other purposes.

¶124.31 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. POE of Texas, for today and September 6 until 3 p.m. And then,

¶124.32 ADJOURNMENT

On motion of Mr. THOMPSON of Pennsylvania, at 6 o'clock and 34 minutes p.m., the House adjourned.

¶124.33 OATH OF OFFICE/MEMBERS,
RESIDENT COMMISSIONER &
DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 115th Congress, pursuant to the provisions of 2 U.S.C. 25:

TROY BALDERSON, 12th District of Ohio.

¶124.34 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BUCK: Committee on Rules. House Resolution 1051. Resolution providing for consideration of the bill (H.R. 6691) to amend title 18, United States Code, to clarify the definition of "crime of violence", and for other purposes, and providing for consideration of motions to suspend the rules (Rept. 115-920). Referred to the House Calendar.

¶124.35 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BILIRAKIS (for himself and Mrs. BLACKBURN):

H.R. 6702. A bill to clarify the congressional intent behind the requirements relating to immediate suspension orders and corrective action plans under the Controlled Substances Act that were added by the Ensuring Patient Access and Effective Drug Enforcement Act of 2016; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALMER:

H.R. 6703. A bill to allow individuals to choose to opt out of the Medicare part A benefit; to the Committee on Ways and Means.

By Mr. PALMER:

H.R. 6704. A bill to permanently rescind unobligated amounts in the United States Enrichment Corporation Fund; to the Committee on Energy and Commerce.

By Mr. CARDENAS:

H.R. 6705. A bill to amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for perchlorate, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CASTRO of Texas (for himself, Mrs. WAGNER, and Mr. LARSEN of Washington):

H.R. 6706. A bill to support the establishment of small business development centers internationally and promote international commerce, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GONZALEZ of Texas (for himself, Mr. GOMEZ, and Mr. ESPAILLAT):

H.R. 6707. A bill to establish certain standards for the adjudication of United States passport applications, and for other purposes; to the Committee on Foreign Affairs.

By Mr. HIGGINS of Louisiana (for himself, Mr. JONES, Ms. TENNEY, Mrs. WAGNER, and Mr. GRAVES of Louisiana):

H.R. 6708. A bill to limit the printing of the Congressional Record and the House Calendars, and for other purposes; to the Committee on House Administration.

By Mr. NORMAN:

H.R. 6709. A bill to prohibit the use of Federal funds by the Department of Health and

Human Services to award a grant for the development of any video game; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Education and the Workforce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 6710. A bill to amend the District of Columbia Home Rule Act to permit the District of Columbia to establish the timing of special elections for local office in the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. SMITH of Washington (for himself, Ms. BONAMICI, Ms. NORTON, Mr. SCOTT of Virginia, Mr. POCAN, Ms. VELÁZQUEZ, Mr. WELCH, Mr. BEYER, Ms. JUDY CHU of California, Mr. HECK, Ms. MCCOLLUM, Mr. KIHUEN, Ms. KAPTUR, Ms. LEE, Ms. BORDALLO, Mr. PANETTA, Mr. CLAY, Ms. DEGETTE, Mr. SCHIFF, Ms. SPEIER, Mr. MCGOVERN, and Mr. TED LIEU of California):

H.R. 6711. A bill to provide an allowance to offices of Members of the House of Representatives which shall be available for the compensation of interns, and for other purposes; to the Committee on House Administration.

By Mr. SMUCKER (for himself and Mr. CARBAJAL):

H.R. 6712. A bill to direct the Secretary of Defense to develop a strategy to recruit and retain mental health providers, to direct the Secretaries of the military departments to develop medication monitoring programs, and for other purposes; to the Committee on Armed Services.

By Mrs. MCMORRIS RODGERS:

H. Res. 1050. A resolution electing a Member to certain standing committees of the House of Representatives; considered and agreed to.

¶124.36 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 113: Mr. LAMB.
H.R. 148: Mr. ROSS.
H.R. 398: Mr. CLEAVER and Mr. VELA.
H.R. 483: Ms. TENNEY.
H.R. 762: Mr. ESPAILLAT and Mr. KING of New York.
H.R. 909: Mr. LAMB.
H.R. 1038: Mr. HILL.
H.R. 1161: Mr. CURBELO of Florida.
H.R. 1225: Mr. COURTNEY.
H.R. 1300: Mr. DEFazio, Mr. RYAN of Ohio, Mr. DOGGETT, Mr. JOHNSON of Georgia, and Mr. SARBANES.
H.R. 1316: Mr. POLIQUIN.
H.R. 1318: Mr. CURBELO of Florida.
H.R. 1322: Mr. BRENDAN F. BOYLE of Pennsylvania.
H.R. 1337: Mr. COLE, Mrs. BROOKS of Indiana, and Ms. STEFANIK.
H.R. 1456: Mr. WALDEN and Mr. MEEKS.
H.R. 1542: Ms. BROWNLEY of California.
H.R. 1681: Mr. POCAN.
H.R. 1734: Mr. CURBELO of Florida, Mr. UPTON, and Mr. DENHAM.
H.R. 1819: Mr. JOHNSON of Georgia.
H.R. 1847: Mr. LAMB.
H.R. 1898: Mrs. BEATTY.
H.R. 1904: Mr. LAMB.
H.R. 1953: Ms. JUDY CHU of California and Ms. TITUS.
H.R. 2049: Mr. LABRADOR.
H.R. 2150: Mr. RUPPERSBERGER, Mr. VELA, and Mr. YARMUTH.
H.R. 2327: Ms. MATSUI and Mr. TIPTON.

H.R. 2358: Mr. CARSON of Indiana, Mr. SHERMAN, Mr. LYNCH, Mr. SHUSTER, Mr. DESAULNIER, Mr. LATTATTA, and Ms. KUSTER of New Hampshire.

H.R. 2392: Ms. PINGREE.
H.R. 2425: Ms. DELBENE, Ms. TSONGAS, Mr. KILMER, and Ms. ESHOO.
H.R. 2535: Ms. PINGREE.
H.R. 2650: Ms. CLARKE of New York and Mr. GROTHMAN.

H.R. 2669: Mr. HECK.
H.R. 2856: Mr. HUDSON, Mr. BIGGS, and Mr. MCCLINTOCK.

H.R. 3124: Mr. DEUTCH, Mr. SERRANO, and Mr. DEFazio.

H.R. 3165: Mr. LATTATTA.
H.R. 3325: Ms. PINGREE, Mrs. HARTZLER, and Ms. SCHAKOWSKY.

H.R. 3349: Mr. SCHNEIDER.
H.R. 3378: Mr. HOLLINGSWORTH.
H.R. 3635: Mr. DUNN.

H.R. 3682: Mr. TED LIEU of California.
H.R. 3798: Mr. LATTATTA.
H.R. 3931: Mr. DENHAM.

H.R. 4016: Mr. COURTNEY.
H.R. 4107: Mr. LATTATTA, Mr. LOUDERMILK, Mr. GOHMERT, Mr. SESSIONS, Mr. SOTO, Mr. DEUTCH, Mr. HUIZENGA, Mr. THOMPSON of Pennsylvania, Mr. VALADAO, Mr. POCAN, Mr. BERGMAN, Mr. MCCALL, Mr. LAMALFA, Mr. MITCHELL, and Mr. JOHNSON of Louisiana.

H.R. 4312: Mr. BANKS of Indiana.
H.R. 4548: Ms. TSONGAS.
H.R. 4608: Mr. AGUILAR.

H.R. 4732: Mr. MEEKS, Mr. CLAY, Mr. CORREA, Mr. GOTTHEIMER, and Mr. PITTENGER.

H.R. 4843: Mr. KILDEE, Ms. SPEIER, and Mr. SMITH of Missouri.

H.R. 4886: Mr. SESSIONS.
H.R. 4983: Mr. LOUDERMILK.
H.R. 5011: Mr. GENE GREEN of Texas, Mr. PASCRELL, Ms. CASTOR of Florida, and Mr. GONZALEZ of Texas.

H.R. 5034: Ms. BASS, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, and Mr. KENNEDY.

H.R. 5100: Mr. RODNEY DAVIS of Illinois, Mr. CURBELO of Florida, Mr. COSTELLO of Pennsylvania, Mr. DENHAM, and Mr. UPTON.

H.R. 5107: Mr. NEWHOUSE.
H.R. 5141: Mrs. CAROLYN B. MALONEY of New York.

H.R. 5160: Ms. LOFGREN.
H.R. 5226: Ms. PINGREE.
H.R. 5279: Mr. KHANNA.

H.R. 5282: Mrs. HANDEL and Mr. HUIZENGA.
H.R. 5340: Mr. BURGESS, Mr. BABIN, and Mr. BACON.

H.R. 5383: Mr. SOTO.
H.R. 5413: Mr. BUDD.
H.R. 5527: Mrs. BEATTY, Ms. VELÁZQUEZ, and Ms. SHEA-PORTER.

H.R. 5610: Ms. ROSEN.
H.R. 5671: Mr. LAMB.
H.R. 5697: Mr. BUCHANAN, Mr. SOTO, and Ms. WASSERMAN SCHULTZ.

H.R. 5710: Ms. SHEA-PORTER.
H.R. 5728: Ms. PINGREE, Mr. YARMUTH, and Ms. MENG.

H.R. 5794: Mr. RUPPERSBERGER and Ms. HANABUSA.

H.R. 5879: Ms. CLARK of Massachusetts, Mr. FLEISCHMANN, Ms. DELBENE, Mr. DUNCAN of Tennessee, Mr. DESAULNIER, Ms. BONAMICI, Mr. DOGGETT, Mr. DUFFY, Mr. GUTHRIE, Mr. CUMMINGS, Mr. CLEAVER, Ms. BROWNLEY of California, Mr. BEYER, Mr. GRAVES of Missouri, Mr. JOHNSON of Ohio, Mrs. BLACKBURN, Mr. CASTRO of Texas, Mr. COOPER, Mr. KIHUEN, and Mr. ELLISON.

H.R. 5899: Mr. CURBELO of Florida and Mr. RODNEY DAVIS of Illinois.
H.R. 5945: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 5949: Mr. YOHO.
H.R. 5985: Miss RICE of New York and Mr. BARR.

H.R. 5986: Mr. COLE.
H.R. 6048: Mr. COURTNEY.

H.R. 6079: Mr. COLE.
H.R. 6080: Ms. KAPTUR.
H.R. 6108: Mr. MCEACHIN and Mr. HARRIS.
H.R. 6113: Mr. DENHAM.
H.R. 6216: Mr. LAMBORN.
H.R. 6217: Mr. LAMBORN.
H.R. 6219: Mr. SENSENBRENNER.
H.R. 6227: Mr. CARTWRIGHT.
H.R. 6246: Mr. KATKO.
H.R. 6252: Mr. SIRES.
H.R. 6277: Mr. LAHOOD, Mrs. BLACK, and Mr. MARCHANT.

H.R. 6292: Mr. AL GREEN of Texas.
H.R. 6405: Mr. UPTON, Mr. RODNEY DAVIS of Illinois, and Mr. CURBELO of Florida.

H.R. 6421: Mr. MARCHANT.
H.R. 6503: Mr. SHERMAN, Mrs. NAPOLITANO, Ms. TITUS, Ms. LOFGREN, and Ms. JUDY CHU of California.

H.R. 6517: Mr. KING of New York and Mr. MOULTON.

H.R. 6525: Ms. JUDY CHU of California, Mr. SIRES, Mr. GOMEZ, Mr. JOHNSON of Georgia, Mr. COHEN, Mr. GARAMENDI, and Mr. GALLEGOS.

H.R. 6527: Mr. KENNEDY, Mr. DESAULNIER, and Ms. SANCHEZ.
H.R. 6543: Mr. CUMMINGS, Ms. MCCOLLUM, Ms. JUDY CHU of California, and Mrs. LAWRENCE.

H.R. 6544: Mrs. HANDEL.
H.R. 6562: Mr. KNIGHT, Mr. COOK, and Mr. HUNTER.

H.R. 6578: Mr. PETERSON.
H.R. 6590: Mr. COSTELLO of Pennsylvania and Ms. SPEIER.

H.R. 6607: Mr. TAKANO.
H.R. 6619: Mr. ROSS.
H.R. 6626: Mr. PALLONE, Mr. LANCE, Mr. PAYNE, and Mr. FRELINGHUYSEN.

H.R. 6637: Mr. LATTATTA.
H.R. 6645: Mr. BUCHANAN, Mrs. MURPHY of Florida, Ms. CASTOR of Florida, Mr. CURBELO of Florida, Ms. WASSERMAN SCHULTZ, Mr. KATKO, Mr. CRIST, Mr. HIGGINS of Louisiana, and Mr. ROHRBACHER.

H.R. 6655: Mr. HUNTER.
H.R. 6659: Ms. ESTY of Connecticut.
H.R. 6663: Mr. LANCE.

H.R. 6671: Mr. TAKANO and Ms. LEE.
H.R. 6681: Ms. MENG, Mr. MEADOWS, Mr. HILL, Mr. WOMACK, Mr. DUNCAN of Tennessee, Mr. ROGERS of Kentucky, Mrs. WAGNER, Mr. BISHOP of Michigan, Mr. RUSSELL, Mr. MITCHELL, Mrs. BROOKS of Indiana, Mrs. LOVE, Mr. RICHMOND, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. JACKSON LEE.

H.R. 6683: Mr. CURBELO of Florida and Mrs. WAGNER.

H.R. 6689: Mr. ROSKAM, Mr. VISCLOSKEY, and Mr. RODNEY DAVIS of Illinois.

H. Con. Res. 72: Mrs. ROBY.
H. Con. Res. 130: Mr. AGUILAR.
H. Con. Res. 131: Mr. CICILLINE.

H. Res. 31: Mrs. COMSTOCK.
H. Res. 147: Ms. MOORE.
H. Res. 220: Mr. ROSKAM.

H. Res. 401: Mr. RYAN of Ohio, Mr. NEAL, Ms. CLARKE of New York, and Mr. GOMEZ.

H. Res. 673: Mr. CORREA.
H. Res. 776: Mr. GRIJALVA.

H. Res. 864: Mr. GALLAGHER, Ms. MATSUI, Mr. ENGEL, Ms. DELAURO, Ms. MOORE, Mr. SOTO, Mr. NADLER, Mr. PETERSON, and Mr. KILMER.

H. Res. 1022: Mr. RODNEY DAVIS of Illinois and Mr. UPTON.

H. Res. 1030: Mr. SESSIONS and Mr. FITZPATRICK.

H. Res. 1031: Mr. SCHIFF, Mr. CICILLINE, Mr. GONZALEZ of Texas, Mr. MEEKS, Mr. LEWIS of Georgia, Ms. ESHOO, Miss RICE of New York, Ms. FRANKEL of Florida, Mr. LOWENTHAL, and Mr. DESAULNIER.

H. Res. 1043: Mr. FITZPATRICK, Mr. GALLAGHER, and Mr. HIGGINS of New York.

¶124.37 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 4457: Mr. MEADOWS.

**THURSDAY, SEPTEMBER 6, 2018
(125)**

¶125.1 APPOINTMENT OF SPEAKER PRO
TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. VALADAO, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
September 6, 2018.

I hereby appoint the Honorable DAVID G. VALADAO to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶125.2 RECESS—10:57 A.M.

The SPEAKER pro tempore, Mr. VALADAO, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 57 minutes a.m., until noon.

¶125.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶125.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, September 5, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶125.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6153. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Air Quality Designation; KY; Redesignation of the Kentucky Portion of the Louisville Unclassifiable Area [EPA-R04-OAR-2017-0390; FRL-9982-70-Region 4] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6154. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Washington; Interstate Transport Requirements for the 2012 PM_{2.5} NAAQS [EPA-R10-OAR-2018-0060; FRL-9982-46-Region 10] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6155. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; New York; Subpart 225-1, Fuel Composition and Use — Sulfur Limitations [EPA-R02-OAR-2016-0414; FRL-9982-80-Region 2] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6156. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — District of Columbia: Final Authorization of District Hazardous Waste Management Program Revisions [EPA-R03-RCRA-2017-0553; FRL-9982-19-Region 3] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6157. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Ordinance Works Disposal Areas Superfund Site [EPA-HQ-SFUND-1986-0005; FRL-9982-57-Region 3] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6158. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Partial Approval and Partial Disapproval of Air Quality State Implementation Plans; Arizona; Infrastructure Requirements for Nitrogen Dioxide and Sulfur Dioxide [EPA-R09-OAR-2015-0472; FRL-9982-23-Region 9] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6159. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Rules and Regulations Under the Textile Fiber Products Identification Act (RIN: 3084-AB47) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6160. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Energy Labeling Rule (RIN: 3084-AB15) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6161. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 170817779-8161-02] (RIN: 0648-XG048) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6162. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 160920866-7167-02] (RIN: 0648-XF902) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6163. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG078) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6164. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Eco-

nomie Zone Off Alaska; Bering Sea and Aleutian Islands; 2018 and 2019 Harvest Specifications for Groundfish; Correction [Docket No.: 170817779-8161-02] (RIN: 0648-XG158) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6165. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Kamchatka Flounder in the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG305) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6166. A letter from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Merchant Marine Act and Magnuson-Stevens Act Provisions; Fishing Vessel, Fishing Facility and Individual Fishing Quota and Harvesting Rights Lending Program Regulations [Docket No.: 170404355-8455-02] (RIN: 0648-BG80) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6167. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Inseason Adjustment to the 2018 Gulf of Alaska Pollock and Pacific Cod Total Allowable Catch Amounts [Docket No.: 160920866-7167-02] (RIN: 0648-XF867) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6168. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Atka Mackerel in the Bering Sea and Aleutian Islands Management Area [Docket No.: 161020985-7181-02] (RIN: 0648-XF889) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6169. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Jig Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 160920866-7167-02] (RIN: 0648-XF894) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6170. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Hook-and-Line Gear in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 160920866-7167-02] (RIN: 0648-XF907) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6171. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone

Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 161020985-7181-02] (RIN: 0648-XF908) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6172. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Operating as Catcher Vessels Using Pot Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 160920866-7167-02] (RIN: 0648-XF940) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6173. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG076) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6174. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Northwest Fisheries Science Center Fisheries Research [Docket No.: 151027994-6421-02] (RIN: 0648-BF47) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6175. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; New Castle, IN [Docket No.: FAA-2018-0290; Airspace Docket No.: 18-AGL-9] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6176. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Freeport, PA [Docket No.: FAA-2017-0426; Airspace Docket No.: 17-AEA-8] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6177. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Chicago Class B and Chicago Class C Airspace; Chicago, IL [Docket No.: FAA-2018-0632; Airspace Docket No.: 17-AWA-4] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6178. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Multiple Restricted Area Boundary Descriptions; Florida [Docket No.: FAA-2018-0728; Airspace Docket No.: 18-ASO-2] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6179. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Lansing, MI [Docket No.: FAA-2018-0101; Airspace Docket No.: 18-AGL-4] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6180. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31206; Amdt. No.: 3811] received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6181. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31207; Amdt. No.: 3812] received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6182. A letter from the Chairman, Office of Proceedings and the Office of Economics, Surface Transportation Board, transmitting the Board's final rule — Regulations Governing Fees for Services Performed in Connection with Licensing and Related Services — 2018 Update [Docket No.: EP 542 (Sub-No. 26)] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

¶125.6 PROVIDING FOR CONSIDERATION OF H.R. 6691 AND MOTIONS TO SUSPEND THE RULES

Mr. BUCK, by direction of the Committee on Rules, called up the following resolution (H. Res. 1051):

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6691) to amend title 18, United States Code, to clarify the definition of "crime of violence", and for other purposes. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommend.

SEC. 2. It shall be in order at any time on the legislative day of September 13, 2018, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

When said resolution was considered. After debate,

Mr. BUCK moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that the ayes had it.

Mr. HASTINGS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶125.7 RECESS—12:49 P.M.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 49 minutes p.m., for a period of less than 15 minutes.

¶125.8 AFTER RECESS—1 P.M.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, called the House to order.

¶125.9 H. RES. 1051—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 1051) providing for consideration of the bill (H.R. 6691) to amend title 18, United States Code, to clarify the definition of "crime of violence", and for other purposes, and providing for consideration of motions to suspend the rules.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the { Yeas 224
affirmative } Nays 181

¶125.10 [Roll No. 386] YEAS—224

Abraham	Cloud	Frelinghuysen
Aderholt	Coffman	Gallagher
Allen	Cole	Garrett
Amash	Collins (GA)	Gianforte
Arrington	Collins (NY)	Gibbs
Babin	Comer	Gohmert
Bacon	Comstock	Goodlatte
Balderson	Conaway	Gosar
Banks (IN)	Cook	Gowdy
Barr	Costello (PA)	Granger
Barton	Cramer	Graves (GA)
Bergman	Crawford	Graves (LA)
Biggs	Culberson	Graves (MO)
Bilirakis	Curbelo (FL)	Griffith
Bishop (MI)	Curtis	Grothman
Bishop (UT)	Davidson	Guthrie
Black	Davis, Rodney	Handel
Blum	Denham	Harper
Bost	DesJarlais	Harris
Brady (TX)	Diaz-Balart	Hartzer
Brat	Donovan	Hensarling
Brooks (AL)	Duffy	Herrera Beutler
Brooks (IN)	Duncan (SC)	Hice, Jody B.
Buchanan	Duncan (TN)	Higgins (LA)
Buck	Dunn	Hill
Bucshon	Emmer	Holding
Budd	Estes (KS)	Hollingsworth
Burgess	Faso	Hudson
Byrne	Ferguson	Huizenga
Calvert	Fitzpatrick	Hultgren
Carter (GA)	Fleischmann	Hunter
Carter (TX)	Flores	Hurd
Chabot	Fortenberry	Issa
Cheney	Fox	Jenkins (KS)

Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers

McSally
Meadows
Messer
Mitchell
Moonenar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin

Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—181

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Engel
Españillat

Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebbeck
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch

Maloney,
Carolyn B.
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Suozi
Swalwell (CA)

Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas

Amodei
Barletta
Blackburn
Capuano
Connolly
DeSantis
Ellison
Eshoo
Gaetz

NOT VOTING—24

Huffman
Jenkins (WV)
Maloney, Sean
Moore
Neal
Palazzo
Poe (TX)
Rooney, Thomas
J.

Ros-Lehtinen
Royce (CA)
Ryan (OH)
Shuster
Speier
Titus
Walz

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that the ayes had it.

Mr. HASTINGS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 225
affirmative } Noes 179

¶125.11

[Roll No. 387]

AYES—225

Abraham
Aderholt
Allen
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Crist
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy

Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foss
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)

King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marino
Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moonenar
Mooney (WV)
Mullin
Newhouse
Noem
Norman
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Pittenger
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)

Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus

Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner

Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—179

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Cooper
Correa
Costa
Courtney
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Engel
Españillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard

Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Jackson Lee
Jayapal
Jeffries
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebbeck
Lofgren
Lowenthal
Lowe
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Massie
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moulton
Murphy (FL)
Nadler
Napolitano

Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Walters, Maxine
Watson Coleman
Wilson (FL)
Yarmuth

NOT VOTING—25

Amodei
Barletta
Blackburn
Capuano
Connolly
DeSantis
Ellison
Eshoo
Huffman

Jenkins (WV)
Johnson (GA)
Maloney, Sean
Moore
Moore
Palazzo
Poe (TX)
Rooney, Thomas
J.

Ros-Lehtinen
Royce (CA)
Ryan (OH)
Speier
Titus
Walz
Webster (FL)
Welch

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to

was, by unanimous consent, laid on the table.

¶125.12 ENSURING SMALL SCALE LNG
CERTAINTY AND ACCESS

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, pursuant to House Resolution 1049 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 4606) to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, by unanimous consent, designated Ms. CHENEY as Chairman of the Committee of the Whole; and after some time spent therein,

The SPEAKER pro tempore, Ms. CHENEY, assumed the Chair.

When Mr. CALVERT, Acting Chairman, reported that the Committee, having had under consideration said bill, had come to no resolution thereon.

¶125.13 INTERIOR, ENVIRONMENT, AND
RELATED AGENCIES APPROPRIATIONS
FY 2019

On motion of Mr. CALVERT, by direction of the Committee on Appropriations, and pursuant to clause 1 of rule XXII, the bill (H.R. 6147) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019, and for other purposes; together with the amendment of the Senate thereto, was taken from the Speaker's table.

When on motion of Mr. CALVERT, it was,

Resolved, That the House disagree to the amendment of the Senate and request a conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That the Clerk notify the Senate thereof.

¶125.14 MOTION TO INSTRUCT
CONFEREES—H.R. 6147

Ms. MCCOLLUM moved that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to H.R. 6147, be instructed to agree to section 114 of division A of the matter proposed to be added by the Senate amendment.

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Ms. CHENEY, announced that the noes had it.

Ms. MCCOLLUM demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 187
negative } Nays 218

¶125.15 [Roll No. 388]

YEAS—187

Adams	Gabbard	Nadler
Aguilar	Gallego	Napolitano
Barragán	Garamendi	Nolan
Bass	Gohmert	Norcross
Beatty	Gomez	O'Halleran
Bera	Gonzalez (TX)	O'Rourke
Beyer	Gottheimer	Pallone
Bishop (GA)	Green, Al	Panetta
Blumenauer	Green, Gene	Pascarell
Blunt Rochester	Grijalva	Payne
Bonamici	Gutiérrez	Pelosi
Boyle, Brendan	Hanabusa	Perlmutter
F.	Hastings	Peters
Brady (PA)	Heck	Peterson
Brown (MD)	Higgins (NY)	Pingree
Brownley (CA)	Himes	Pocan
Bustos	Hoyer	Polis
Butterfield	Jackson Lee	Price (NC)
Carbajal	Jayapal	Quigley
Cárdenas	Jeffries	Raskin
Carson (IN)	Johnson (GA)	Rice (NY)
Cartwright	Johnson, E. B.	Richmond
Castor (FL)	Jones	Rogers (AL)
Castro (TX)	Kaptur	Rosen
Chu, Judy	Keating	Roybal-Allard
Ciциlline	Kelly (IL)	Ruiz
Clark (MA)	Kennedy	Ruppersberger
Clarke (NY)	Khanna	Rush
Clay	Kihuen	Sánchez
Cleaver	Kildee	Sarbanes
Clyburn	Kilmer	Schakowsky
Cohen	Kind	Schiff
Connolly	Krishnamoorthi	Schneider
Cooper	Kuster (NH)	Schrader
Correa	Lamb	Scott (VA)
Costa	Langevin	Scott, David
Courtney	Larsen (WA)	Serrano
Crist	Larson (CT)	Sewell (AL)
Crowley	Lawrence	Shea-Porter
Cuellar	Lawson (FL)	Sherman
Cummings	Lee	Sinema
Davis (CA)	Levin	Sires
Davis, Danny	Lewis (GA)	Smith (WA)
DeFazio	Lieu, Ted	Soto
DeGette	Lipinski	Suozzi
Delaney	Loeb sack	Swalwell (CA)
DeLauro	Lofgren	Takano
DelBene	Lowenthal	Thompson (CA)
Demings	Lowe	Thompson (MS)
DeSaulnier	Lujan Grisham,	Tonko
Deutch	M.	Torres
Dingell	Luján, Ben Ray	Tsongas
Doggett	Lynch	Vargas
Donovan	Maloney,	Veasey
Doyle, Michael	Carolyn B.	Vela
F.	Matsui	Velázquez
Duncan (TN)	McCollum	Visclosky
Engel	McGovern	Wasserman
Españallat	McNerney	Schultz
Esty (CT)	Meeks	Waters, Maxine
Evans	Meng	Watson Coleman
Foster	Moore	Welch
Frankel (FL)	Moulton	Wilson (FL)
Fudge	Murphy (FL)	Yarmuth

NAYS—218

Abraham	Buchanan	Curtis
Aderholt	Buck	Davidson
Allen	Bucshon	Davis, Rodney
Amash	Budd	Denham
Amodei	Burgess	DesJarlais
Arrington	Byrne	Diaz-Balart
Babin	Calvert	Duffy
Bacon	Carter (GA)	Duncan (SC)
Balderson	Carter (TX)	Dunn
Banks (IN)	Chabot	Emmer
Barletta	Cheney	Estes (KS)
Barr	Cloud	Faso
Barton	Coffman	Ferguson
Bergman	Cole	Fitzpatrick
Biggs	Collins (GA)	Fleischmann
Bilirakis	Collins (NY)	Flores
Bishop (MI)	Comer	Fortenberry
Bishop (UT)	Comstock	Fox
Black	Conaway	Frelinghuysen
Blum	Cook	Gaetz
Bost	Costello (PA)	Gallagher
Brady (TX)	Cramer	Garrett
Brat	Crawford	Gibbs
Brooks (AL)	Culberson	Goodlatte
Brooks (IN)	Curbelo (FL)	Gosar

Gowdy	Loudermilk	Rothfus
Granger	Love	Rouzer
Graves (GA)	Lucas	Rutherford
Graves (LA)	Luetkemeyer	Sanford
Graves (MO)	MacArthur	Scalise
Griffith	Marchant	Schweikert
Grothman	Marino	Scott, Austin
Guthrie	Marshall	Sensenbrenner
Handel	Massie	Sessions
Harper	Mast	Shimkus
Harris	McCarthy	Simpson
Hartzler	McCaul	Smith (MO)
Hensarling	McClintock	Smith (NE)
Herrera Beutler	McHenry	Smith (NJ)
Hice, Jody B.	McKinley	Smith (TX)
Higgins (LA)	McMorris	Smucker
Hill	Rodgers	Stefanik
Holding	McSally	Stewart
Hollingsworth	Meadows	Stivers
Hudson	Messer	Taylor
Huizenga	Mitchell	Tenney
Hultgren	Mooney	Thompson (PA)
Hunter	Mooney (WV)	Thornberry
Hurd	Mullin	Tipton
Jenkins (KS)	Newhouse	Trott
Johnson (LA)	Norman	Turner
Johnson (OH)	Nunes	Upton
Johnson, Sam	Olson	Valadao
Jordan	Palmer	Wagner
Joyce (OH)	Pearce	Walberg
Katko	Perry	Walden
Kelly (MS)	Pittenger	Walker
Kelly (PA)	Poe (TX)	Walorski
King (IA)	Poliquin	Walters, Mimi
King (NY)	Posey	Weber (TX)
Kinzing	Ratcliffe	Webster (FL)
Knight	Reed	Wenstrup
Kustoff (TN)	Reichert	Westerman
Labrador	Renacci	Williams
LaHood	Rice (SC)	Wilson (SC)
LaMalfa	Roby	Wittman
Lamborn	Roe (TN)	Womack
Lance	Rogers (KY)	Woodall
Latta	Rohrabacher	Yoder
Lesko	Rokita	Yoho
Lewis (MN)	Rooney, Francis	Young (AK)
LoBiondo	Roskam	Young (IA)
Long	Ross	Zeldin

NOT VOTING—24

Blackburn	Maloney, Sean	Royce (CA)
Capuano	McEachin	Russell
DeSantis	Neal	Ryan (OH)
Ellison	Noem	Shuster
Eshoo	Palazzo	Speier
Gianforte	Paulsen	Titus
Huffman	Rooney, Thomas	Walz
Issa	J.	
Jenkins (WV)	Ros-Lehtinen	

So the motion to instruct the managers on the part of the House was not agreed to.

A motion to reconsider the vote whereby said motion was not agreed to was, by unanimous consent, laid on the table.

¶125.16 ENSURING SMALL SCALE LNG
CERTAINTY AND ACCESS

The SPEAKER pro tempore, Mr. RUTHERFORD, pursuant to House Resolution 1049 and rule XVIII, declared the House resolved into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 4606) to provide that applications under the Natural Gas Act for the importation or exportation of small volumes of natural gas shall be granted without modification or delay.

Mr. WEBER of Texas, Acting Chairman, assumed the chair; and after some time spent therein,

¶125.17 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 1, printed in Part B of House Report 115-919, submitted by Mr. PAL-LONE:

Page 3, line 18, insert “after opportunity for hearing and public input,” after “delay.”.

It was decided in the { Ayes 176
negative Noes 227

¶125.18

[Roll No. 389]

AYES—176

Adams	Frankel (FL)	Napolitano
Aguilar	Fudge	Norcross
Barragán	Gabbard	O'Halleran
Bass	Gallego	O'Rourke
Beatty	Garamendi	Pallone
Bera	Gomez	Panetta
Beyer	Gonzalez (TX)	Pascrell
Bishop (GA)	Gottheimer	Payne
Blumenauer	Green, Al	Pelosi
Blunt Rochester	Grijalva	Perlmutter
Bonamici	Gutiérrez	Peters
Boyle, Brendan F.	Hanabusa	Pingree
Brady (PA)	Hastings	Pocan
Brown (MD)	Heck	Polis
Brownley (CA)	Higgins (NY)	Price (NC)
Bustos	Himes	Quigley
Butterfield	Hoyer	Raskin
Carbajal	Jackson Lee	Rice (NY)
Cárdenas	Jayapal	Richmond
Carson (IN)	Jeffries	Rosen
Cartwright	Johnson (GA)	Roybal-Allard
Castor (FL)	Johnson, E. B.	Ruiz
Castro (TX)	Jones	Ruppersberger
Chu, Judy	Kaptur	Rush
Cicilline	Keating	Sánchez
Clark (MA)	Kelly (IL)	Sarbanes
Clarke (NY)	Kennedy	Schakowsky
Clay	Khanna	Schiff
Cleaver	Kihuen	Schneider
Clyburn	Kildee	Schrader
Cohen	Kilmer	Scott (VA)
Connolly	Kind	Scott, David
Cooper	Krishnamoorthi	Serrano
Correa	Kuster (NH)	Sewell (AL)
Costa	Langevin	Shea-Porter
Courtney	Larsen (WA)	Sherman
Crist	Lawrence	Sinema
Crowley	Lawson (FL)	Sires
Cuellar	Lee	Smith (WA)
Cummings	Levin	Soto
Davis (CA)	Lewis (GA)	Suozi
Davis, Danny	Lieu, Ted	Swalwell (CA)
DeFazio	Lipinski	Takano
DeGette	Loebsack	Thompson (CA)
Delaney	Lofgren	Thompson (MS)
DeLauro	Lowenthal	Tonko
DelBene	Lowey	Torres
Demings	Lynch	Tsongas
DeSaulnier	Maloney,	Vargas
Deutsch	Carolyn B.	Veasey
Dingell	Matsui	Vela
Doggett	McCollum	Velázquez
Doyle, Michael F.	McGovern	Visclosky
Engel	McNerney	Wasserman
Espallat	Meeks	Schultz
Esty (CT)	Meng	Waters, Maxine
Evans	Moore	Watson Coleman
Foster	Moulton	Welch
	Murphy (FL)	Wilson (FL)
	Nadler	Yarmuth

NOES—227

Abraham	Burgess	Duncan (SC)
Aderholt	Byrne	Duncan (TN)
Allen	Calvert	Dunn
Amash	Carter (GA)	Emmer
Amodei	Carter (TX)	Estes (KS)
Arrington	Chabot	Faso
Babin	Cheney	Ferguson
Bacon	Cloud	Fitzpatrick
Balderson	Coffman	Fleischmann
Banks (IN)	Cole	Flores
Barletta	Collins (GA)	Fortenberry
Barr	Collins (NY)	Fox
Barton	Comer	Frelinghuysen
Bergman	Comstock	Gaetz
Biggs	Conaway	Gallagher
Bilirakis	Cook	Garrett
Bishop (MI)	Costello (PA)	Gibbs
Bishop (UT)	Cramer	Gohmert
Black	Crawford	Goodlatte
Blum	Culberson	Gosar
Bost	Curbelo (FL)	Gowdy
Brady (TX)	Curtis	Granger
Brat	Davidson	Graves (GA)
Brooks (AL)	Davis, Rodney	Graves (LA)
Brooks (IN)	Denham	Graves (MO)
Buchanan	DesJarlais	Green, Gene
Buck	Diaz-Balart	Griffith
Bucshon	Donovan	Grothman
Budd	Duffy	Guthrie

Handel	Marchant	Sanford
Harper	Marino	Scalise
Harris	Marshall	Schweikert
Hartzler	Massie	Scott, Austin
Hensarling	Mast	Sensenbrenner
Herrera Beutler	McCarthy	Sessions
Hice, Jody B.	McCaul	Shimkus
Higgins (LA)	McClintock	Shuster
Hill	McHenry	Simpson
Holding	McKinley	Smith (MO)
Hollingsworth	McMorris	Smith (NE)
Hudson	Rodgers	Smith (NJ)
Huizenga	McSally	Smith (TX)
Hultgren	Meadows	Smucker
Hunter	Messer	Stefanik
Hurd	Mitchell	Stewart
Jenkins (KS)	Moolenaar	Stivers
Johnson (LA)	Mooney (WV)	Taylor
Johnson (OH)	Mullin	Tenney
Johnson, Sam	Newhouse	Thompson (PA)
Jordan	Norman	Thornberry
Katko	Nunes	Tipton
Kelly (MS)	Olson	Trott
Kelly (PA)	Palmer	Turner
King (IA)	Paulsen	Upton
King (NY)	Pearce	Valadao
Kinzing	Peterson	Wagner
Knight	Pittenger	Walberg
Kustoff (TN)	Poe (TX)	Walden
Labrador	Poliquin	Walker
LaHood	Posey	Walorski
LaMalfa	Ratcliffe	Walters, Mimi
Lamb	Reed	Weber (TX)
Lamborn	Reichert	Webster (FL)
Lance	Renacci	Wenstrup
Latta	Rice (SC)	Roby
Lesko	Rice (TN)	Westerman
Lewis (MN)	Rogers (AL)	Williams
LoBiondo	Rogers (KY)	Wilson (SC)
Long	Rohrabacher	Wittman
Loudermilk	Rokita	Womack
Love	Rooney, Francis	Woodall
Lucas	Roskam	Yoder
Luetkemeyer	Ross	Yoho
Lujan Grisham,	Rothfus	Young (AK)
M.	Rouzer	Young (IA)
Luján, Ben Ray	Rutherford	Zeldin
MacArthur		

NOT VOTING—26

Blackburn	Joyce (OH)	Rooney, Thomas J.
Capuano	Larson (CT)	Ros-Lehtinen
DeSantis	Maloney, Sean	Royce (CA)
Ellison	McEachin	Russell
Eshoo	Neal	Ryan (OH)
Gianforte	Noem	Speier
Huffman	Nolan	Titus
Issa	Palazzo	Walz
Jenkins (WV)	Perry	

So the amendment was not agreed to.

¶125.19 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment numbered 2, printed in Part B of House Report 115-919, submitted by Ms. DEGETTE:

Page 3, line 22, strike “; and” and insert a semicolon.

Page 4, line 2, strike “of 1969” and all that follows through the end and insert “of 1969; and”.

Page 4, after line 2, insert the following: “(C) with respect to an application for such exportation, the application includes sufficient information to demonstrate that the natural gas to be exported was produced using available designs, systems, and practices to minimize methane emissions from leaks or venting.”.

It was decided in the { Ayes 195
negative Noes 210

¶125.20

[Roll No. 390]

AYES—195

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

Cartwright	Hoyer	Pascrell
Castor (FL)	Jackson Lee	Payne
Castro (TX)	Jayapal	Pelosi
Chu, Judy	Jeffries	Perlmutter
Cicilline	Johnson (GA)	Peters
Clark (MA)	Johnson, E. B.	Pingree
Clarke (NY)	Kaptur	Pocan
Clay	Katko	Polis
Cleaver	Keating	Price (NC)
Clyburn	Kelly (IL)	Quigley
Cohen	Kennedy	Raskin
Connolly	Khanna	Reichert
Cooper	Kihuen	Rice (NY)
Correa	Kildee	Richmond
Costa	Kilmer	Rooney, Francis
Costello (PA)	Kind	Rosen
Courtney	Krishnamoorthi	Roybal-Allard
Crist	Kuster (NH)	Ruiz
Crowley	Lamb	Ruppersberger
Cuellar	Langevin	Rush
Cummings	Larsen (WA)	Sánchez
Curbelo (FL)	Larson (CT)	Sarbanes
Davis (CA)	Lawrence	Schakowsky
Davis, Danny	Lawson (FL)	Schiff
DeFazio	Lee	Schneider
DeGette	Levin	Schrader
Delaney	Lewis (GA)	Scott (VA)
DeLauro	Lieu, Ted	Scott, David
DelBene	Lipinski	Serrano
Demings	LoBiondo	Sewell (AL)
DeSaulnier	Loebsack	Shea-Porter
Deutsch	Lofgren	Sherman
Dingell	Love	Sinema
Doggett	Lowenthal	Sires
Doyle, Michael F.	Lowey	Smith (NJ)
Engel	Lujan Grisham,	Smith (WA)
Espallat	M.	Soto
Esty (CT)	Luján, Ben Ray	Stefanik
Evans	Lynch	Suozi
Foster	MacArthur	Swalwell (CA)
	Maloney,	Takano
	Carolyn B.	Thompson (CA)
	Mast	Thompson (MS)
	Matsui	Tonko
	McCollum	Torres
	McGovern	Tsongas
	McNerney	Upton
	Meeks	Vargas
	Meng	Veasey
	Moore	Vela
	Moulton	Velázquez
	Murphy (FL)	Visclosky
	Nadler	Wasserman
	Napolitano	Schultz
	Nolan	Waters, Maxine
	Norcross	Watson Coleman
	O'Halleran	Welch
	O'Rourke	Wilson (FL)
	Pallone	Yarmuth
	Panetta	

NOES—210

Abraham	Collins (GA)	Graves (LA)
Aderholt	Collins (NY)	Graves (MO)
Allen	Comer	Griffith
Amash	Comstock	Grothman
Amodei	Conaway	Guthrie
Arrington	Cook	Handel
Babin	Cramer	Harper
Bacon	Crawford	Harris
Balderson	Culberson	Hartzler
Banks (IN)	Curtis	Hensarling
Barletta	Davidson	Herrera Beutler
Barr	Davis, Rodney	Hice, Jody B.
Barton	Denham	Higgins (LA)
Bergman	DesJarlais	Hill
Biggs	Diaz-Balart	Holding
Bilirakis	Donovan	Hollingsworth
Bishop (MI)	Duffy	Hudson
Bishop (UT)	Duncan (SC)	Huizenga
Black	Duncan (TN)	Hultgren
Blum	Dunn	Hunter
Bost	Emmer	Hurd
Brady (TX)	Estes (KS)	Jenkins (KS)
Brat	Faso	Johnson (LA)
Brooks (AL)	Ferguson	Johnson (OH)
Brooks (IN)	Fleischmann	Johnson, Sam
Buchanan	Fortenberry	Jones
Buck	Fox	Jordan
Bucshon	Frelinghuysen	Joyce (OH)
Budd	Gaetz	Kelly (MS)
Burgess	Gallagher	Kelly (PA)
Byrne	Garrett	King (IA)
Calvert	Gibbs	King (NY)
Carter (GA)	Gohmert	Kinzing
Carter (TX)	Goodlatte	Knight
Chabot	Gosar	Kustoff (TN)
Cheney	Gowdy	Labrador
Cloud	Granger	LaHood
Cole	Graves (GA)	LaMalfa

Lamborn
Lance
Latta
Lesko
Lewis (MN)
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marino
Marshall
Massie
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palmer
Paulsen

Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Roskam
Ross
Rothfus
Rouzer
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)

Smucker
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—24

Blackburn
Capuano
DeSantis
Ellison
Eshoo
Flores
Gianforte
Huffman
Issa

Jenkins (WV)
Maloney, Sean
McEachin
Neal
Noem
Palazzo
Rooney, Thomas
J.
Ros-Lehtinen

Royce (CA)
Russell
Rutherford
Ryan (OH)
Speier
Titus
Walz

So the amendment was not agreed to.
After some further time,
The SPEAKER pro tempore, Mr.
WEBER of Texas, assumed the Chair.

When Mr. FERGUSON, Acting Chairman, reported the bill back to the House with an amendment adopted by the Committee.

Pursuant to House Resolution 1049, the previous question was ordered.

The following amendment, reported from the Committee of the Whole House on the state of the Union, was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ensuring Small Scale LNG Certainty and Access Act”.

SEC. 2. SMALL SCALE EXPORTATION OR IMPORTATION OF NATURAL GAS.

Section 3(c) of the Natural Gas Act (15 U.S.C. 717b(c)) is amended—

(1) by striking “For purposes” and inserting “(1) For purposes”; and

(2) by adding at the end the following:

“(2) For purposes of subsection (a), and in addition to any importation or exportation of natural gas described in paragraph (1), importation or exportation of natural gas shall be deemed to be consistent with the public interest, and an application for such importation or exportation shall be granted without modification or delay, if—

“(A) the application for such importation or exportation proposes to import or export a volume of natural gas that does not exceed 0.14 billion cubic feet per day; and

“(B) the Commission’s approval of such application does not require an environmental impact statement or an environmental assessment under the National Environmental Policy Act of 1969.”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mrs. WATSON COLEMAN moved to recommit the bill to the Committee on

Energy and Commerce with instructions to report the bill back to the House forthwith with the following amendment:

Page 3, line 22, strike “; and” and insert a semicolon.

Page 4, line 2, strike “of 1969” and all that follows through the end and insert “of 1969; and”.

Page 4, after line 2, insert the following:

“(C) such importation or exportation will not involve the use of any pipe line with respect to which eminent domain was, or will be, used to acquire land or other property necessary for its construction, operation, or maintenance.”.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, viva voce,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WEBER of Texas, announced that the noes had it.

Mrs. WATSON COLEMAN demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 178
negative } Noes 231

¶125.21

[Roll No. 391]

AYES—178

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Cárdenas
Cardenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutch
Dingell
Doggett

Doyle, Michael
F.
Engel
Españillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gottheimer
Green, Al
Grijalva
Gutiérrez
Hanabusa
Hastings
Napolitano
Heck
Higgins (NY)
Himes
Hoyer
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebbeck
Lofgren

Lowenthal
Lowey
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Matsui
McCollum
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Napolitano
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano

Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Suoizzi
Swalwell (CA)

Takano
Thompson (CA)
Thompson (MS)
Tonko
Torres
Tsongas
Vargas
Veasey
Vela

Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—231

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Billirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Frelinghuysen
Gaetz
Gallagher
Garrett
Gibbs
Gohmert
Gonzalez (TX)

Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Gaetz
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse

Norman
Nunes
Olson
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Roskam
Ross
Rothfus
Rouzer
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—20

Blackburn
Capuano
DeSantis
Ellison
Eshoo
Gianforte
Huffman
Jenkins (WV)

Maloney, Sean
McEachin
Neal
Noem
Palazzo
Rooney, Thomas
J.
Ros-Lehtinen

Royce (CA)
Ryan (OH)
Speier
Titus
Walz

So the motion to recommit with instructions was not agreed to.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. WEBER of Texas, announced that the ayes had it.

Mr. PALLONE demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 260
affirmative { Noes 146

¶125.22 [Roll No. 392]

AYES—260

Abraham	Fitzpatrick	Lujan Grisham,
Aderholt	Fleischmann	M.
Allen	Flores	Luján, Ben Ray
Amash	Fortenberry	MacArthur
Amodei	Fox	Marchant
Arrington	Frelinghuysen	Marino
Babin	Gaetz	Marshall
Bacon	Gallagher	Massie
Balderson	Garrett	Mast
Banks (IN)	Gibbs	McCarthy
Barletta	Gohmert	McCaul
Barr	Gonzalez (TX)	McClintock
Barton	Goodlatte	McHenry
Bergman	Gosar	McKinley
Biggs	Gottheimer	McMorris
Bilirakis	Gowdy	Rodgers
Bishop (GA)	Granger	McNerney
Bishop (MI)	Graves (GA)	McSally
Bishop (UT)	Graves (LA)	Meadows
Black	Graves (MO)	Messer
Blum	Green, Al	Mitchell
Bost	Green, Gene	Moolenaar
Brady (PA)	Griffith	Mooney (WV)
Brady (TX)	Grothman	Mullin
Brat	Guthrie	Murphy (FL)
Brooks (AL)	Handel	Newhouse
Brooks (IN)	Harper	Nolan
Brown (MD)	Harris	Norcross
Buchanan	Hartzler	Norman
Buck	Hensarling	Nunes
Bucshon	Herrera Beutler	O'Halleran
Budd	Hice, Jody B.	O'Rourke
Burgess	Higgins (LA)	Olson
Byrne	Hill	Palmer
Calvert	Himes	Paulsen
Carter (GA)	Holding	Pearce
Carter (TX)	Hollingsworth	Perlmutter
Cartwright	Hudson	Perry
Castro (TX)	Huizenga	Peterson
Chabot	Hultgren	Pittenger
Cheney	Hunter	Poe (TX)
Cloud	Hurd	Polliquin
Cole	Issa	Polis
Collins (GA)	Jackson Lee	Posey
Collins (NY)	Jenkins (KS)	Ratcliffe
Comer	Johnson (LA)	Reed
Comstock	Johnson (OH)	Reichert
Conaway	Johnson, Sam	Renacci
Cook	Jordan	Rice (SC)
Cooper	Joyce (OH)	Richmond
Correa	Katko	Roby
Costa	Kelly (MS)	Roe (TN)
Costello (PA)	Kelly (PA)	Rogers (AL)
Cramer	King (IA)	Rogers (KY)
Crawford	King (NY)	Rohrabacher
Cuellar	Kinzinger	Rokita
Culberson	Knight	Rooney, Francis
Curbelo (FL)	Kustoff (TN)	Roskam
Curtis	Labrador	Ross
Davidson	LaHood	Rothfus
Davis, Rodney	LaMalfa	Rouzer
Denham	Lamb	Russell
DesJarlais	Lamborn	Rutherford
Diaz-Balart	Lance	Scalise
Donovan	Larsen (WA)	Schrader
Doyle, Michael	Latta	Schweikert
F.	Lesko	Scott, Austin
Duffy	Lewis (MN)	Sensenbrenner
Duncan (SC)	Lipinski	Sessions
Duncan (TN)	LoBiondo	Sewell (AL)
Dunn	Long	Shimkus
Emmer	Loudermilk	Shuster
Estes (KS)	Love	Simpson
Faso	Lucas	Sinema
Ferguson	Luetkemeyer	Sires

Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (MS)
Thompson (PA)
Thornberry
Tipton

NOES—146

Adams	Gabbard	Pallone
Aguilar	Gallego	Panetta
Barragán	Garamendi	Pascrell
Bass	Gomez	Payne
Beatty	Grijalva	Pelosi
Bera	Gutiérrez	Peters
Beyer	Hanabusa	Pingree
Blumenauer	Hastings	Pocan
Blunt Rochester	Heck	Price (NC)
Bonamici	Higgins (NY)	Quigley
Boyle, Brendan	Hoyer	Raskin
F.	Jayapal	Rice (NY)
Brownley (CA)	Jeffries	Rosen
Bustos	Johnson (GA)	Roybal-Allard
Carbajal	Johnson, E. B.	Ruiz
Cárdenas	Jones	Ruppersberger
Carson (IN)	Kaptur	Rush
Castor (FL)	Keating	Sánchez
Chu, Judy	Kelly (IL)	Sanford
Ciilline	Kennedy	Sarbanes
Clark (MA)	Khanna	Schakowsky
Clarke (NY)	Kihuen	Schiff
Clay	Kildee	Schneider
Cleaver	Kilmer	Scott (VA)
Clyburn	Kind	Scott, David
Cohen	Krishnamoorthi	Serrano
Connolly	Kuster (NH)	Shea-Porter
Courtney	Langevin	Sherman
Crist	Larson (CT)	Smith (NJ)
Crowley	Lawrence	Smith (WA)
Cummings	Lawson (FL)	Soto
Davis (CA)	Lee	Suozzi
Davis, Danny	Levin	Swalwell (CA)
DeFazio	Lewis (GA)	Takano
DeGette	Lieu, Ted	Thompson (CA)
Delaney	Lofgren	Tonko
DeLauro	Lowenthal	Torres
DeBene	Lowey	Tsongas
Demings	Lynch	Vargas
DeSaulnier	Maloney,	Vela
Deutsch	Carolyn B.	Velázquez
Dingell	Matsui	Visclosky
Doggett	McCollum	Wasserman
Engel	McGovern	Schultz
Españallat	Meeks	Waters, Maxine
Esty (CT)	Meng	Watson Coleman
Evans	Moore	Welch
Foster	Moulton	Wilson (FL)
Frankel (FL)	Nadler	Yarmuth
Fudge	Napolitano	

NOT VOTING—23

Blackburn	Huffman	Rooney, Thomas
Butterfield	Jenkins (WV)	J.
Capuano	Loeb	Ros-Lehtinen
Coffman	Maloney, Sean	Royce (CA)
DeSantis	McEachin	Ryan (OH)
Ellison	Neal	Speier
Eshoo	Noem	Titus
Gianforte	Palazzo	Walz

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶125.23 APPOINTMENT OF CONFEREES—
H.R. 6147

The SPEAKER pro tempore, Mr. WEBER of Texas, by unanimous consent, appointed the following Members as managers on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6147) making appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September 30, 2019,

Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

and for other purposes: Messrs. FRELINGHUYSEN, ADERHOLT, SIMPSON, CALVERT, COLE, DIAZ-BALART, GRAVES of Georgia, YOUNG of Iowa, RUTHERFORD, Mrs. LOWEY, Messrs. PRICE of North Carolina, BISHOP of Georgia, Ms. MCCOLLUM, Mr. QUIGLEY, and Ms. PINGREE.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶125.24 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4318. An Act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty.

H.R. 5385. An Act to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

H.R. 5772. An Act to designate the J. Marvin Jones Federal Building and Courthouse in Amarillo, Texas, as the "J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse".

And then,

¶125.25 ADJOURNMENT

On motion of Mr. DIAZ-BALART, at 7 o'clock and 1 minute p.m., the House adjourned.

¶125.26 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6088. A bill to amend the Mineral Leasing Act to authorize notifications of permit to drill, and for other purposes; with an amendment (Rept. 115-921). Referred to the Committee of the Whole House on the state of the Union.

¶125.27 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COFFMAN (for himself and Mr. HIMES):

H.R. 6713. A bill to promote the creation of State anonymous school threat reporting programs, and for other purposes; to the Committee on the Judiciary.

By Mr. COLLINS of Georgia:

H.R. 6714. A bill to direct the Director of the Administrative Office of the United States Courts to consolidate the Case Management/Electronic Case Files system, and for other purposes; to the Committee on the Judiciary.

By Mr. LANGEVIN (for himself and Mr. CICILLINE):

H.R. 6715. A bill to designate the facility of the United States Postal Service located at 20 Ferry Road in Saunderson, Rhode Island, as the "Captain Matthew J. August Post Office"; to the Committee on Oversight and Government Reform.

By Mr. MCKINLEY (for himself and Mr. SCOTT of Virginia):

H.R. 6716. A bill to redesignate certain facilities of the National Aeronautics and

Space Administration; to the Committee on Science, Space, and Technology.

By Mr. RUSH:

H.R. 6717. A bill to amend the Federal Food, Drug, and Cosmetic Act to require that the label of drugs with an increased risk of suicide or depression present such increased risk prominently, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KELLY of Pennsylvania (for himself, Mr. THOMPSON of California, and Mrs. BLACK):

H.R. 6718. A bill to amend the Internal Revenue Code of 1986 to provide that health insurance coverage statements are required to be provided to individuals only upon request; to the Committee on Ways and Means.

By Mr. BISHOP of Georgia (for himself and Mr. FERGUSON):

H.R. 6719. A bill to designate the facility of the United States Postal Service located at 120 12th Street Lobby in Columbus, Georgia, as the "Richard W. Williams Chapter of the Triple Nickles (555th P.I.A.) Post Office"; to the Committee on Oversight and Government Reform.

By Mr. BUCHANAN (for himself, Mr. HASTINGS, Mr. BRAT, Mr. FITZPATRICK, Ms. TITUS, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TED LIEU of California, Mr. DONOVAN, and Mr. BLUMENAUER):

H.R. 6720. A bill to prohibit the slaughter of dogs and cats for human consumption, and for other purposes; to the Committee on Agriculture.

By Mr. BUDD (for himself and Mr. PEARCE):

H.R. 6721. A bill to amend title 31, United States Code, to modernize the research, development, information sharing, and acquisition process of the Financial Crimes Enforcement Network, and for other purposes; to the Committee on Financial Services.

By Ms. FUDGE (for herself and Mr. SCOTT of Virginia):

H.R. 6722. A bill to amend the Elementary and Secondary Education Act of 1965 to establish the Stronger Together Program; to the Committee on Education and the Workforce.

By Mr. GIBBS (for himself and Mr. WILSON of South Carolina):

H.R. 6723. A bill to amend the National Voter Registration Act of 1993 to prohibit a State from registering an individual to vote in elections for Federal office held in the State unless the individual provides documentary proof that the individual is a citizen of the United States; to the Committee on House Administration.

By Mr. GIBBS (for himself and Mr. WILSON of South Carolina):

H.R. 6724. A bill to limit the authority of a State to require remote sellers to collect taxes and fees owed by purchasers then located in such State incident to their purchases of goods and services from such sellers, and for other purposes; to the Committee on the Judiciary.

By Mr. TED LIEU of California (for himself and Ms. STEFANIK):

H.R. 6725. A bill to authorize the Secretary of Defense, upon request of the Ministry of Defense of Israel and with the concurrence of the Secretary of State, to carry out research, development, test, and evaluation activities, on a joint basis with Israel, to establish directed energy capabilities that address threats to the United States, deployed forces of the United States, or Israel, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARCHANT (for himself and Mr. CROWLEY):

H.R. 6726. A bill to amend the Internal Revenue Code of 1986 to repeal certain provisions applicable to foreign investment in United States real property; to the Committee on Ways and Means.

By Ms. MOORE (for herself, Mr. THOMPSON of Mississippi, Mr. AL GREEN of Texas, and Mr. GALLEGO):

H.R. 6727. A bill to establish an innovative water technology grant program and to amend the Safe Drinking Water Act and the Federal Water Pollution Control Act to encourage the use of emerging and innovative water technology, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'HALLERAN (for himself and Mr. COLE):

H.R. 6728. A bill to protect Native children and promote public safety in Indian country; to the Committee on Natural Resources, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WAGNER (for herself, Mrs. CAROLYN B. MALONEY of New York, and Mrs. LOVE):

H.R. 6729. A bill to allow nonprofit organizations to register with the Secretary of the Treasury and share information on activities that may involve human trafficking or money laundering with financial institutions and regulatory authorities, under a safe harbor that offers protections from liability, in order to better identify and report potential human trafficking or money laundering activities; to the Committee on Financial Services.

By Mr. PRICE of North Carolina (for himself and Ms. MATSUI):

H. Con. Res. 134. Concurrent resolution recognizing September 11, 2018, as a "National Day of Service and Remembrance"; to the Committee on Oversight and Government Reform.

By Mr. CASTRO of Texas (for himself, Ms. STEFANIK, Mr. COURTNEY, and Mr. GALLAGHER):

H. Res. 1052. A resolution affirming United States-Australia cooperation on space research, exploration, and utilization; to the Committee on Foreign Affairs.

By Mr. GALLAGHER (for himself, Mr. PANETTA, Mr. BACON, Mr. MOULTON, Ms. STEFANIK, Mr. COURTNEY, Mr. AUSTIN SCOTT of Georgia, Mrs. MURPHY of Florida, Mr. KINZINGER, and Ms. SINEMA):

H. Res. 1053. A resolution supporting renaming NATO Headquarters after the late United States Senator John Sidney McCain III; to the Committee on Foreign Affairs.

By Mr. MCEACHIN (for himself and Mr. SCOTT of Virginia):

H. Res. 1054. A resolution commemorating Arthur Ashe, a native of Richmond, Virginia, on the 50th anniversary of his historic win at the 1968 United States Open Tennis Championship and honoring his humanitarian contributions to civil rights, education, the movement against apartheid in South Africa, and HIV/AIDS awareness; to the Committee on Oversight and Government Reform.

¶125.28 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 242: Mr. RUIZ.
H.R. 354: Mr. COOK.
H.R. 466: Mr. COOK.
H.R. 559: Mr. GOWDY.
H.R. 592: Ms. SANCHEZ.
H.R. 644: Mr. GIANFORTE.
H.R. 930: Mr. MITCHELL.
H.R. 939: Mr. BOST.
H.R. 1017: Mr. DUNN.
H.R. 1048: Mr. ALLEN.
H.R. 1161: Mr. UPTON.
H.R. 1178: Mr. CLOUD.
H.R. 1251: Mr. FITZPATRICK.
H.R. 1275: Mr. CRAMER.
H.R. 1279: Mr. LAMB.
H.R. 1318: Mrs. MIMI WALTERS of California.
H.R. 1421: Mr. LYNCH and Ms. MATSUI.
H.R. 1552: Mr. WITTMAN.
H.R. 1605: Mr. MAST.
H.R. 1615: Mr. SERRANO and Mr. POLIS.
H.R. 1651: Mrs. TORRES.
H.R. 1683: Mr. MEADOWS, Mr. NORMAN, and Mr. ELLISON.
H.R. 1881: Mr. KUSTOFF of Tennessee.
H.R. 1902: Ms. BROWNLEY of California.
H.R. 1987: Mr. HASTINGS.
H.R. 2092: Mr. LARSEN of Washington and Mr. HOLDING.
H.R. 2248: Mr. LAMB.
H.R. 2310: Mr. BIGGS.
H.R. 2327: Mr. GARAMENDI.
H.R. 2328: Mrs. LAWRENCE.
H.R. 2472: Mr. ESPAILLAT.
H.R. 2476: Mr. POCAN.
H.R. 2556: Ms. SINEMA.
H.R. 2651: Mr. SCHNEIDER.
H.R. 2814: Ms. GABBARD.
H.R. 3081: Mr. MOULTON.
H.R. 3160: Mrs. CAROLYN B. MALONEY of New York.
H.R. 3395: Mr. GIANFORTE.
H.R. 3402: Mr. CRAMER.
H.R. 3513: Mr. MAST.
H.R. 3558: Mr. MAST.
H.R. 3635: Mr. RENACCI.
H.R. 3687: Ms. KAPTUR.
H.R. 3787: Mr. STIVERS.
H.R. 3918: Mr. CICILLINE.
H.R. 3919: Ms. STEFANIK and Mr. RENACCI.
H.R. 4006: Mr. KNIGHT.
H.R. 4099: Mr. EMMER.
H.R. 4107: Mr. THOMPSON of California, Mr. CRAMER, Ms. JUDY CHU of California, and Mr. RENACCI.
H.R. 4143: Mr. RUTHERFORD.
H.R. 4256: Mr. ROGERS of Kentucky, Ms. MENG, Mr. BARR, Mr. MCGOVERN, and Mr. LUCAS.
H.R. 4638: Mr. KILDEE and Mr. CLAY.
H.R. 4647: Ms. KAPTUR, Mr. WELCH, Mr. GAETZ, Ms. JENKINS of Kansas, Mr. FASO, and Ms. BASS.
H.R. 4691: Mr. BARLETTA and Mr. PETERS.
H.R. 4693: Mr. MAST.
H.R. 4912: Ms. MCCOLLUM, Ms. JAYAPAL, Ms. MOORE, Mr. COURTNEY, and Ms. KUSTER of New Hampshire.
H.R. 4957: Mr. POCAN.
H.R. 5003: Mr. ZELDIN.
H.R. 5006: Mr. STIVERS and Mr. HULTGREN.
H.R. 5060: Mrs. COMSTOCK.
H.R. 5115: Mr. ROSKAM, Ms. ESTY of Connecticut, and Ms. BROWNLEY of California.
H.R. 5161: Mrs. TORRES.
H.R. 5191: Mr. COURTNEY.
H.R. 5266: Mr. ROYCE of California, Mr. BARR, Mr. LUCAS, Mr. HULTGREN, and Mr. TIPTON.
H.R. 5306: Mr. BARR and Mr. RODNEY DAVIS of Illinois.
H.R. 5428: Ms. LOFGREN.
H.R. 5429: Mr. COURTNEY.
H.R. 5474: Mr. KENNEDY and Mr. LYNCH.

H.R. 5671: Mr. SUOZZI and Mrs. COMSTOCK.
H.R. 5760: Mr. PETERS.
H.R. 5780: Mr. GENE GREEN of Texas, Mr. LAMB, Mr. MAST, Mr. LAWSON of Florida, and Ms. MATSUI.
H.R. 5879: Mr. DUNCAN of South Carolina.
H.R. 5899: Mr. VALADAO.
H.R. 5924: Mr. DESANTIS.
H.R. 5977: Ms. ROSEN and Ms. MCCOLLUM.
H.R. 6043: Mr. COSTELLO of Pennsylvania and Ms. BONAMICI.
H.R. 6048: Mr. GENE GREEN of Texas.
H.R. 6086: Mr. MCNERNEY.
H.R. 6108: Mr. KATKO and Ms. STEFANIK.
H.R. 6114: Mr. WELCH, Mr. LAMALFA, and Mr. TONKO.
H.R. 6137: Mr. PETERS.
H.R. 6227: Mr. CARBAJAL.
H.R. 6236: Mr. DESAULNIER.
H.R. 6246: Mr. PRICE of North Carolina.
H.R. 6251: Mr. HUFFMAN.
H.R. 6275: Mr. WITTMAN.
H.R. 6292: Mr. CRIST.
H.R. 6315: Mr. BROWN of Maryland, Mr. WELCH, Mr. SIREs, and Mr. HASTINGS.
H.R. 6337: Mr. MARSHALL.
H.R. 6390: Ms. STEFANIK.
H.R. 6417: Mrs. BLACKBURN, Mr. RUSSELL, Mr. POE of Texas, Mr. MESSER, Mr. BERGMAN, Mr. KUSTOFF of Tennessee, and Mr. WITTMAN.
H.R. 6437: Mr. O'ROURKE.
H.R. 6474: Mr. TAKANO.
H.R. 6510: Mr. GOTTHEIMER, Mr. DONOVAN, Ms. ESHOO, Mr. SOTO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. POCAN, Mr. SEAN PATRICK MALONEY of New York, Mr. DELANEY, and Ms. LOFGREN.
H.R. 6531: Ms. NORTON, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, Ms. JAYAPAL, and Ms. KAPTUR.
H.R. 6544: Mr. BRAT.
H.R. 6545: Mr. HIGGINS of New York, Mr. KRISHNAMOORTHY, Mr. GONZALEZ of Texas, Mr. MICHAEL F. DOYLE of Pennsylvania, Mrs. MURPHY of Florida, Mr. DEFazio, Mr. AGUILAR, Mr. CARTWRIGHT, Mr. LOEBSACK, Mr. SCHIFF, Mr. GALLEGO, and Ms. MENG.
H.R. 6559: Mr. RICE of South Carolina.
H.R. 6562: Mr. LAMALFA, Mr. STEWART, and Mr. CALVERT.
H.R. 6586: Ms. JAYAPAL.
H.R. 6606: Mr. FITZPATRICK, Mr. COSTELLO of Pennsylvania, Mr. SHUSTER, Mr. KELLY of Pennsylvania, Mr. THOMPSON of Pennsylvania, and Mr. ROTHFUS.
H.R. 6626: Mr. MACARTHUR.
H.R. 6631: Ms. LOFGREN.
H.R. 6649: Mr. SOTO, Mrs. DAVIS of California, Mr. KEATING, and Mr. PETERS.
H.R. 6657: Mr. BUCK and Mr. SMITH of Texas.
H.R. 6692: Mr. CAPUANO.
H.R. 6695: Mr. FLORES.
H.R. 6703: Mr. GOSAR.
H.R. 6711: Mr. ELLISON, Ms. JAYAPAL, and Mr. HIMES.
H.J. Res. 31: Mr. PRICE of North Carolina.
H. Con. Res. 9: Mr. COHEN.
H. Res. 342: Ms. MOORE, Mr. RUPPERS-BERGER, and Ms. FRANKEL of Florida.
H. Res. 864: Mrs. LAWRENCE, Mr. KENNEDY, Mr. RUSH, Mrs. BUSTOS, and Ms. BARRAGÁN.
H. Res. 910: Mr. SCHWEIKERT, Mr. MAST, Mr. DESAULNIER, Mr. POCAN, and Mr. ELLISON.
H. Res. 930: Mr. PETERS.
H. Res. 931: Mrs. CAROLYN B. MALONEY of New York.
H. Res. 991: Mr. MAST.
H. Res. 1022: Mr. DENHAM, Mr. RENACCI, and Mr. RYAN of Ohio.
H. Res. 1025: Ms. MOORE.
H. Res. 1026: Mr. GROTHMAN, Mr. BLUM, Ms. STEFANIK, and Mr. BACON.
H. Res. 1031: Mr. CUMMINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MCCOLLUM, Mr. LANGEVIN, Mr. SEAN PATRICK MALONEY of New York, and Ms. JUDY CHU of California.
H. Res. 1034: Mr. GOHMERT, Mr. CURBELO of Florida, Mr. DONOVAN, Mr. LOUDERMILK, Mr.

MARCHANT, Mr. GROTHMAN, Mr. BISHOP of Michigan, Ms. CHENEY, Mr. DAVID SCOTT of Georgia, Mr. CHABOT, Mr. PITTENGER, Mr. TIPTON, Mr. LATTI, Mrs. MIMI WALTERS of California, Mr. WENSTRUP, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MAST, Mr. PALLONE, and Mr. SAM JOHNSON of Texas.
H. Res. 1036: Mr. SIREs.

¶125.29 PETITIONS

Under clause 3 of rule XII,

121. The SPEAKER presented a petition of Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to cease the appropriation of United States Federal Government funds for financial aid to foreign nations; which was referred to the Committee on Foreign Affairs.

¶125.30 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 6417: Mr. BISHOP of Georgia.

FRIDAY, SEPTEMBER 7, 2018 (126)

¶126.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. CURTIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
September 7, 2018.

I hereby appoint the Honorable JOHN R. CURTIS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶126.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. CURTIS, announced he had examined and approved the Journal of the proceedings of Thursday, September 6, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶126.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6183. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Air Quality Designation; AL; Redesignation of the Etowah County Unclassifiable Area [EPA-R04-OAR-2018-0173; FRL-9982-71-Region 4] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6184. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Office of the Inspector General, Freedom of Information Act Program [Docket ID: DOD-2017-OS-0024] (RIN: 0790-AJ65) received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6185. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of final rules — Federal Acquisition Regula-

tion: Federal Acquisition Circular 2005-100; Introduction [Docket No.: FAR 2018-0001, Sequence No.: 4] received August 23, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6186. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Migratory Bird Permits; Removal of Depredation Orders for Double-crested Cormorants To Protect Aquaculture Facilities and Public Resources [Docket No.: FWS-HQ-MB-2017-0091; FF09M21200-189-FXMB1232090000] (RIN: 1018-BC12) received September 4, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6187. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; Seasons and Bag and Possession Limits for Certain Migratory Game Birds [Docket No.: FWS-HQ-MB-2017-0028; FF09M21200-178-FXMB1231099BPP0] (RIN: 1018-BB73) received September 4, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6188. A letter from the Wildlife Biologist, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's Major final rule — Migratory Bird Hunting; Migratory Bird Hunting Regulations on Certain Federal Indian Reservations and Ceded Lands for the 2018-19 Season [Docket No.: FWS-HQ-MB-2017-0028; FF09M21200-178-FXMB1231099BPP0] (RIN: 1018-BB73) received September 4, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6189. A letter from the Chief, Branch of Delisting and Foreign Species, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Endangered Species Status for Five Poecilotheria Tarantula Species From Sri Lanka [Docket No.: FWS-HQ-ES-2016-0076; 4500030115] (RIN: 1018-BC82) received September 4, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6190. A letter from the Chief, Branch of Delisting and Foreign Species, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Listing the Hyacinth Macaw [Docket No.: FWS-R9-ES-2012-0013; 4500030115] (RIN: 1018-BC79) received September 4, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6191. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, Creswell, OR [Docket No.: FAA-2018-0044; Airspace Docket No.: 17-ANM-35] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6192. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace and Class E Airspace, and Revocation of Class E Airspace: New Smyrna Beach, FL [Docket No.: FAA-2018-0328; Airspace Docket No.: 18-ASO-7] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110

Stat. 868); to the Committee on Transportation and Infrastructure.

6193. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0168; Product Identifier 2017-NM-135-AD; Amendment 39-19344; AD 2018-16-04] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6194. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0028; Product Identifier 2017-NM-143-AD; Amendment 39-19356; AD 2018-17-02] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6195. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; St Marys, GA [Docket No.: FAA-2018-0255; Airspace Docket No.: 18-ASO-6] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6196. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0709; Product Identifier 2018-NM-100-AD; Amendment 39-19359; AD 2018-17-05] (RIN: 2120-AA64) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6197. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Biloxi, MS, and Gulfport, MS [Docket No.: FAA-2017-0865; Airspace Docket No.: 17-ASO-19] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6198. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace and Class E Airspace; Wrightstown, NJ [Docket No.: FAA-2017-1188; Airspace Docket No.: 17-AEA-23] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6199. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace and Class E Airspace; Jacksonville, NC and Establishment of Class D Airspace; Jacksonville, NC [Docket No.: FAA-2017-1159; Airspace Docket No.: 17-ASO-23] (RIN: 2120-AA66) received August 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6200. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance on section 481(a) adjustment period for eligible terminated S corporations [Revenue Procedure 2018-44] re-

ceived September 4, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6201. A letter from the Regulations Officer, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Making Permanent the Attorney Advisor Program [Docket No.: SSA-2018-0033] (RIN: 0960-AI23) received August 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶126.4 PROTECTING RELIGIOUSLY AFFILIATED INSTITUTIONS

On motion of Mrs. HANDEL, by unanimous consent, the bill of the Senate (S. 994) to amend title 18, United States Code, to provide for the protection of community centers with religious affiliation, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶126.5 COMMUNITY SAFETY AND SECURITY

Mrs. HANDEL, pursuant to House Resolution 1051, called up for consideration the bill (H.R. 6691) to amend title 18, United States Code, to clarify the definition of "crime of violence", and for other purposes.

When said bill was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, *viva voce*,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. CURTIS, announced that the ayes had it.

Ms. JACKSON LEE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	247
	Nays	152
	Answered present	2

¶126.6

[Roll No. 393]

YEAS—247

Abraham	Bera	Brooks (IN)
Aderholt	Bergman	Buchanan
Allen	Biggs	Buck
Amodei	Billirakis	Bucshon
Arrington	Bishop (MI)	Budd
Babin	Bishop (UT)	Burgess
Bacon	Black	Bustos
Balderson	Blum	Byrne
Banks (IN)	Bost	Calvert
Barletta	Brady (TX)	Carbajal
Barr	Brat	Carter (GA)
Barton	Brooks (AL)	Carter (TX)

Cartwright	Issa	Poliquin
Chabot	Jenkins (KS)	Polis
Cheney	Johnson (LA)	Posey
Cloud	Johnson (OH)	Ratcliffe
Coffman	Johnson, Sam	Reed
Cole	Jordan	Reichert
Collins (GA)	Joyce (OH)	Rice (SC)
Collins (NY)	Katko	Roby
Comer	Keating	Roe (TN)
Comstock	Kelly (MS)	Rogers (AL)
Conaway	Kelly (PA)	Rogers (KY)
Cook	Kind	Rohrabacher
Costa	King (IA)	Rokita
Costello (PA)	King (NY)	Rooney, Francis
Crawford	Kinziger	Rosen
Crist	Knight	Roskam
Cuellar	Kuster (NH)	Ross
Curbelo (FL)	Kustoff (TN)	Rothfus
Curtis	LaHood	Rouzer
Davidson	LaMalfa	Ruiz
Denham	Lamb	Russell
DesJarlais	Lamborn	Rutherford
Diaz-Balart	Lance	Sanford
Donovan	Latta	Scalise
Duffy	Lesko	Schrader
Duncan (SC)	Lewis (MN)	Schweikert
Duncan (TN)	Lipinski	Scott, Austin
Dunn	LoBiondo	Sensenbrenner
Emmer	Loeb sack	Sessions
Estes (KS)	Long	Shimkus
Faso	Loudermilk	Shuster
Ferguson	Love	Simpson
Fitzpatrick	Lucas	Sinema
Fleischmann	Luetkemeyer	Smith (MO)
Flores	Lujan Grisham,	Smith (NE)
Fortenberry	M.	Smith (NJ)
Fox	Lynch	Smucker
Frelinghuysen	MacArthur	Stefanik
Gaetz	Marchant	Stewart
Gallagher	Marino	Stivers
Garamendi	Marshall	Suozzi
Garrett	Mast	Taylor
Gibbs	McCarthy	Tenney
Gohmert	McCauley	Thompson (CA)
Goodlatte	McClintock	Thompson (PA)
Gosar	McHenry	Thornberry
Gottheimer	McKinley	Tipton
Gowdy	McMorris	Trott
Granger	Rodgers	Turner
Graves (GA)	McSally	Upton
Graves (LA)	Meadows	Valadao
Graves (MO)	Messer	Wagner
Grothman	Mitchell	Walberg
Guthrie	Moolenaar	Walden
Handel	Mooney (WV)	Walker
Harper	Mullin	Walorski
Harris	Murphy (FL)	Walters, Mimi
Hartzler	Newhouse	Weber (TX)
Hastings	Norman	Webster (FL)
Hensarling	Nunes	Wenstrup
Herrera Beutler	O'Halleran	Westerman
Hice, Jody B.	Olson	Williams
Higgins (LA)	Palazzo	Wilson (SC)
Hill	Palmer	Wittman
Holding	Panetta	Womack
Hollingsworth	Paulsen	Woodall
Hudson	Pearce	Yoder
Huizenga	Perry	Yoho
Hultgren	Peterson	Young (AK)
Hunter	Pittenger	Young (IA)
Hurd	Poe (TX)	Zeldin

NAYS—152

Adams	Clyburn	Fudge
Aguilar	Cohen	Gabbard
Amash	Connolly	Galleo
Barragán	Cooper	Gomez
Bass	Correa	Gonzalez (TX)
Beatty	Courtney	Green, Al
Beyer	Crowley	Green, Gene
Bishop (GA)	Cummings	Griffith
Blumenauer	Davis (CA)	Grijalva
Blunt Rochester	Davis, Danny	Guтиérrez
Bonamici	DeGette	Hanabusa
Boyle, Brendan	Delaney	Heck
F.	DeLauro	Higgins (NY)
Brady (PA)	DelBene	Himes
Brown (MD)	Demings	Hoyer
Brownley (CA)	DeSaulnier	Jackson Lee
Butterfield	Deutch	Jayapal
Cárdenas	Dingell	Jeffries
Carson (IN)	Doggett	Johnson (GA)
Castor (FL)	Doyle, Michael	Johnson, E. B.
Castro (TX)	F.	Kaptur
Chu, Judy	Engel	Kelly (IL)
Ciulline	Espallat	Khanna
Clark (MA)	Esty (CT)	Kihuen
Clarke (NY)	Evans	Kildee
Clay	Foster	Kilmer
Cleaver	Frankel (FL)	Krishnamoorthi

Labrador	Nadler	Scott (VA)
Langevin	Napolitano	Scott, David
Larsen (WA)	Nolan	Serrano
Larson (CT)	Norcross	Sewell (AL)
Lawrence	O'Rourke	Sherman
Lawson (FL)	Pallone	Sires
Lee	Pascrell	Smith (WA)
Levin	Payne	Soto
Lewis (GA)	Pelosi	Swalwell (CA)
Lieu, Ted	Perlmutter	Takano
Lowenthal	Peters	Thompson (MS)
Lowe	Pingree	Tonko
Luján, Ben Ray	Pocan	Torres
Maloney,	Price (NC)	Vargas
Carolyn B.	Quigley	Veasey
Massie	Raskin	Vela
Matsui	Rice (NY)	Velázquez
McCollum	Roybal-Allard	Visclosky
McEachin	Ruppersberger	Wasserman
McGovern	Rush	Schultz
McNerney	Sánchez	Waters, Maxine
Meeks	Sarbanes	Watson Coleman
Meng	Schakowsky	Welch
Moore	Schiff	Wilson (FL)
Moulton	Schneider	Yarmuth

ANSWERED "PRESENT"—2

DeFazio Lofgren

NOT VOTING—28

Blackburn	Jenkins (WV)	Ros-Lehtinen
Capuano	Jones	Royce (CA)
Cramer	Kennedy	Ryan (OH)
Culberson	Maloney, Sean	Shea-Porter
Davis, Rodney	Neal	Smith (TX)
DeSantis	Noem	Speier
Ellison	Renacci	Titus
Eshoo	Richmond	Tsongas
Gianforte	Rooney, Thomas	Walz
Huffman	J.	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶126.7 RECESS—11:14 A.M.

The SPEAKER pro tempore, Mr. RUTHERFORD, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 14 minutes a.m., subject to the call of the Chair.

¶126.8 AFTER RECESS—4:30 P.M.

The SPEAKER pro tempore, Mr. MITCHELL, called the House to order.

¶126.9 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MITCHELL, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 7, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 7, 2018, at 1:36 p.m.:

That the Senate passed S. 1417.

That the Senate passed S. 1586.

That the Senate passed with an amendment H.R. 302.

That the Senate passed without an amendment H.R. 6124.

That the Senate agrees to Conference with the House of Representatives H.R. 6147.

That the Senate agrees to Conference with the House of Representatives H.R. 6157.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶126.10 RECESS—4:36 P.M.

The SPEAKER pro tempore, Mr. MITCHELL, pursuant to clause 12(a) of rule I, declared the House in recess at 4 o'clock and 36 minutes p.m., for a period of less than 15 minutes.

¶126.11 AFTER RECESS—4:49 P.M.

The SPEAKER pro tempore, Mr. MITCHELL, called the House to order.

¶126.12 ADJOURNMENT OVER

On motion of Mr. SIMPSON, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 3:30 p.m. on Monday, September 10, 2018; and further, when the House adjourns on Monday, September 10, 2018, it adjourn to meet at noon on Wednesday, September 12, 2018, for morning-hour debate and 2 p.m. for legislative business.

¶126.13 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1417. An Act to require the Secretary of the Interior to develop a categorical exclusion for covered vegetative management activities carried out to establish or improve habitat for greater sage-grouse and mule deer, and for other purposes; to the Committee on Natural Resources.

S. 1586. An Act to require the Under Secretary for Oceans and Atmosphere to update periodically the environmental sensitivity index products of the National Oceanic and Atmospheric Administration for each coastal area of the Great Lakes, and for other purposes; to the Committee on Natural Resources.

¶126.14 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6124. An Act to amend title II of the Social Security Act to authorize voluntary agreements for coverage of Indian tribal council members, and for other purposes.

¶126.15 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 6, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 4318. An Act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty.

H.R. 5385. An Act to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

H.R. 5772. An Act to designate the J. Marvin Jones Federal Building and Courthouse in Amarillo, Texas, as the "J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse".

¶126.16 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. CULBERSON, for today.

And then,

¶126.17 ADJOURNMENT

On motion of Mr. SIMPSON, pursuant to the previous order of the House, at 4 o'clock and 49 minutes p.m., the House adjourned until 3:30 p.m. on Monday, September 10, 2018.

¶126.18 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5923. A bill to direct the Secretary of Agriculture to exchange certain public lands in Ouachita National Forest, and for other purposes; with an amendment (Rept. 115-922). Referred to the Committee of the Whole House on the state of the Union.

Mr. MCCAUL: Committee on Homeland Security. H.R. 6198. A bill to amend the Homeland Security Act of 2002 to establish the Countering Weapons of Mass Destruction Office, and for other purposes; with an amendment (Rept. 115-923, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 1320. A bill to amend the Omnibus Budget Reconciliation Act of 1990 related to Nuclear Regulatory Commission user fees and annual charges, and for other purposes; with an amendment (Rept. 115-924). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 2278. A bill to extend the authorization of the Uranium Mill Tailing Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado; with amendments (Rept. 115-925). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 2389. A bill to reauthorize the West Valley demonstration project, and for other purposes; with an amendment (Rept. 115-926). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5532. A bill to redesignate the Reconstruction Era National Monument as the Reconstruction Era National Historical Park, and for other purposes; with an amendment (Rept. 115-927). Referred to the Committee of the Whole House on the state of the Union.

¶126.19 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 6198 referred to the Committee of the Whole House on the state of the Union.

¶126.20 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GOODLATTE:

H.R. 6730. A bill to amend title 28, United States Code, to prohibit the issuance of national injunctions, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of Iowa (for himself and Mr. PETERSON):

H.R. 6731. A bill to provide for reallocation of the renewable fuel obligation of exempted small refineries under section 211(o) of the

Clean Air Act (42 U.S.C. 7545(o)) to other refineries, blenders, distributors, and importers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHNEIDER:

H.R. 6732. A bill to amend the Ethics in Government Act of 1978 to require Federal political appointees to sign a binding ethics pledge, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CARTER of Georgia (for himself, Mr. PAULSEN, Mr. DOGGETT, Mr. WELCH, Mrs. McMORRIS RODGERS, Ms. ESHOO, Mr. GRIFFITH, Mrs. DINGELL, Mr. BURGESS, and Mr. GENE GREEN of Texas):

H.R. 6733. A bill to amend title XXVII of the Public Health Service Act and title XVIII of the Social Security Act to prohibit group health plans, health insurance issuers, prescription drug plan sponsors, and Medicare Advantage organizations from limiting certain information on drug prices; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Michigan (for himself, Mr. WALZ, and Mr. SAM JOHNSON of Texas):

H.R. 6734. A bill to amend title 10, United States Code, to require a full military honors ceremony for certain deceased veterans, and for other purposes; to the Committee on Armed Services.

By Mr. MCCARTHY (for himself, Mr. HURD, Mr. LANGEVIN, and Mr. RATCLIFFE):

H.R. 6735. A bill to direct the Secretary of Homeland Security to establish a vulnerability disclosure policy for Department of Homeland Security internet websites, and for other purposes; to the Committee on Homeland Security.

By Mr. LAHOOD (for himself and Ms. DELBENE):

H.R. 6736. A bill to amend the Internal Revenue Code of 1986 to simplify reporting requirements, promote tax compliance, and reduce tip reporting compliance burdens in the beauty service industry; to the Committee on Ways and Means.

By Mr. ZELDIN:

H.R. 6737. A bill to amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to clarify seasoning requirements for certain refinanced mortgage loans, and for other purposes; to the Committee on Financial Services.

By Mr. GOSAR (for himself, Ms. MCSALLY, Mr. BIGGS, Ms. SINEMA, Mrs. LESKO, and Mr. SCHWEIKERT):

H.R. 6738. A bill to authorize, direct, expedite, and facilitate a land exchange in Bullhead City, Arizona, and for other purposes; to the Committee on Natural Resources.

By Mr. GOSAR (for himself, Mr. BIGGS, Ms. MCSALLY, Mr. YOHIO, Mr. O'HALLERAN, Mrs. LESKO, and Mr. DESANTIS):

H.R. 6739. A bill to provide for the unencumbering of title to non-Federal land owned by Embry-Riddle Aeronautical University, Florida, for purposes of economic development by conveyance of the Federal reversionary interest to the University; to the Committee on Natural Resources.

By Mr. SESSIONS (for himself and Mr. MCCAUL):

H.R. 6740. A bill to amend the Homeland Security Act of 2002 to establish Border Tunnel Task Forces, and for other purposes; to the Committee on Homeland Security.

By Mr. BARR (for himself, Mr. LUCAS, Mr. MOONEY of West Virginia, Ms. TENNEY, and Mr. DAVIDSON):

H.R. 6741. A bill to amend the Federal Reserve Act to increase monetary policy transparency and accountability and to make reforms to the Federal Reserve System, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAST (for himself and Mr. MCCAUL):

H.R. 6742. A bill to amend the Homeland Security Act of 2002 to ensure that appropriate officers and agents of U.S. Customs and Border Protection are equipped with secure radios or other two-way communication devices, supported by system interoperability, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUETKEMEYER:

H.R. 6743. A bill to amend the Gramm-Leach-Bliley Act to provide a national standard for financial institution data security and breach notification on behalf of all consumers, and for other purposes; to the Committee on Financial Services.

By Mr. CARTWRIGHT (for himself, Mr. POCAN, Ms. WILSON of Florida, Mr. GRIJALVA, Mr. LOWENTHAL, Mr. DEUTCH, Mr. HUFFMAN, and Mr. CARDENAS):

H.R. 6744. A bill to amend the Older Americans Act of 1965 to authorize Federal assistance to State adult protective services programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DUFFY (for himself and Ms. SINEMA):

H.R. 6745. A bill to amend the Securities Exchange Act of 1934 to revise the shareholder threshold for registration under such Act for issuers that receive support through certain Federal universal service support mechanisms, and for other purposes; to the Committee on Financial Services.

By Mr. HENSARLING:

H.R. 6746. A bill to protect American taxpayers and homeowners by creating a sustainable housing finance system for the 21st century, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself, Mr. PETERSON, Mr. CURTIS, Mr. CUELLAR, Mr. DIAZ-BALART, Mrs. COMSTOCK, and Mr. YOUNG of Iowa):

H.R. 6747. A bill to provide States with funding to establish new tools to prevent suicide and violence, and for other purposes; to the Committee on the Judiciary.

By Mr. KING of New York (for himself, Ms. CASTOR of Florida, Mr. STEWART, and Mr. BUTTERFIELD):

H.R. 6748. A bill to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children program; to the Committee on Energy and Commerce.

By Mr. LAWSON of Florida:

H.R. 6749. A bill to provide protections for amateur and professional athletes, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TED LIEU of California (for himself, Ms. BASS, Ms. BROWNLEY of California, Mrs. NAPOLITANO, Mr. SCHIFF, Ms. MAXINE WATERS of California, and Ms. BARRAGAN):

H.R. 6750. A bill to direct the Secretary of the Interior to conduct a special resource study of portions of the Los Angeles coastal area in the State of California to evaluate alternatives for protecting the resources of the coastal area, and for other purposes; to the Committee on Natural Resources.

By Mrs. LOVE:

H.R. 6751. A bill to increase transparency with respect to financial services benefitting state sponsors of terrorism, human rights abusers, and corrupt officials, and for other purposes; to the Committee on Financial Services.

By Ms. SPEIER (for herself, Ms. PELOSI, Mr. KHANNA, Mr. MCNERNEY, Mr. SWALWELL of California, Mr. GARAMENDI, Ms. ESHOO, Mr. HUFFMAN, Ms. LOFGREEN, Mr. DESAULNIER, Mr. THOMPSON of California, and Ms. LEE):

H.R. 6752. A bill to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN (for himself and Mr. PALLONE):

H.R. 6753. A bill to amend title XI of the Social Security Act to direct the Secretary of Health and Human Services to establish a public-private partnership for purposes of identifying health care waste, fraud, and abuse; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DONOVAN (for himself and Mr. JOHNSON of Georgia):

H. Res. 1055. A resolution to affirm strong United States-Liberia ties and support for democratic principles, and call for full implementation of the Truth and Reconciliation Commission recommendations, including the establishment of an Extraordinary Criminal Tribunal for Liberia; to the Committee on Foreign Affairs.

By Mr. GROTHMAN (for himself, Mr. POCAN, Mr. GALLAGHER, Ms. MOORE, Ms. MCCOLLUM, Mr. DUFFY, and Mr. VARGAS):

H. Res. 1056. A resolution recognizing the celebration of the Hmong New Year in 2018; to the Committee on Oversight and Government Reform.

By Mr. LEVIN:

H. Res. 1057. A resolution calling on Burma's civilian leader, Aung San Suu Kyi, to release two jailed journalists reporting on violence inflicted upon that nation's Rohingya population; to the Committee on Foreign Affairs.

¶126.21 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 564: Mr. BIGGS.
H.R. 754: Mr. FLORES.
H.R. 762: Mr. FITZPATRICK.
H.R. 1187: Mr. FITZPATRICK.
H.R. 1368: Ms. NORTON.
H.R. 1377: Mr. YARMUTH.
H.R. 1437: Mr. SEAN PATRICK MALONEY of New York.
H.R. 1447: Mr. RYAN of Ohio, Mr. KIHUEN, and Ms. ESHOO.
H.R. 1456: Ms. BASS.
H.R. 1475: Mr. LAMB.

H.R. 1531: Ms. SEWELL of Alabama.
H.R. 1552: Mr. NORMAN.
H.R. 1612: Ms. CLARKE of New York.
H.R. 1683: Ms. FUDGE.
H.R. 2008: Mrs. MIMI WALTERS of California.
H.R. 2016: Mr. FITZPATRICK.
H.R. 2051: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2092: Mr. WENSTRUP.
H.R. 2095: Mr. DANNY K. DAVIS of Illinois.
H.R. 2327: Mr. SHERMAN.
H.R. 2358: Mr. WELCH, Mr. GONZALEZ of Texas, Mr. SOTO, Mr. PETERSON, and Mr. MARINO.
H.R. 2366: Mr. MCNERNEY.
H.R. 2401: Mr. THOMPSON of Pennsylvania.
H.R. 2418: Mr. DANNY K. DAVIS of Illinois.
H.R. 2472: Mrs. LAWRENCE and Mrs. LOWEY.
H.R. 2911: Mr. VALADAO.
H.R. 3057: Mr. PETERS.
H.R. 3113: Ms. CLARKE of New York.
H.R. 3118: Mr. MAST.
H.R. 3124: Mr. PAYNE.
H.R. 3222: Ms. FRANKEL of Florida and Mr. BRADY of Pennsylvania.
H.R. 3325: Ms. MATSUI, Mr. MULLIN, and Mr. FORTENBERRY.
H.R. 3494: Ms. NORTON.
H.R. 3513: Mr. FRANCIS ROONEY of Florida.
H.R. 3543: Mr. LAMALFA.
H.R. 3770: Mr. RUSSELL.
H.R. 3834: Ms. WASSERMAN SCHULTZ, Miss RICE of New York, Mr. DANNY K. DAVIS of Illinois, Ms. JACKSON LEE, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. ROSEN, Mr. JOHNSON of Georgia, and Mr. DEUTCH.
H.R. 3840: Mr. KING of New York and Mr. DEFazio.
H.R. 4022: Mr. JOHNSON of Georgia and Mr. RUPPERSBERGER.
H.R. 4052: Ms. CLARKE of New York.
H.R. 4099: Mr. FORTENBERRY, Mr. MITCHELL, and Mr. GARAMENDI.
H.R. 4107: Ms. NORTON.
H.R. 4256: Ms. HERRERA BEUTLER, Mr. DEUTCH, and Miss RICE of New York.
H.R. 4417: Ms. BORDALLO, Mr. CRIST, Mrs. DINGELL, and Ms. WASSERMAN SCHULTZ.
H.R. 4608: Ms. JAYAPAL.
H.R. 4691: Mr. POLIS.
H.R. 4693: Mr. POLIS.
H.R. 4724: Ms. BROWNLEY of California.
H.R. 4983: Mr. PALMER.
H.R. 5006: Mr. GIANFORTE and Mr. POSEY.
H.R. 5031: Mr. FORTENBERRY, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. FRANCIS ROONEY of Florida, and Mr. PETERS.
H.R. 5114: Ms. SHEA-PORTER.
H.R. 5129: Mr. COFFMAN, Mr. MEEKS, Mr. BILIRAKIS, Ms. JAYAPAL, and Mr. HOLLINGSWORTH.
H.R. 5141: Mr. CÁRDENAS, Mr. STEWART, Mr. POLIS, Mr. SMUCKER, Mr. COLLINS of Georgia, Mr. WEBSTER of Florida, and Mrs. BROOKS of Indiana.
H.R. 5266: Mr. ROTHFUS.
H.R. 5306: Mr. RASKIN, Mr. LARSEN of Washington, Mr. EVANS, Mr. HARPER, Mr. SENSENBRENNER, Mr. CAPUANO, Mr. PAYNE, Mr. WELCH, Mr. KHANNA, Mr. LOWENTHAL, Mr. SERRANO, Mr. SEAN PATRICK MALONEY of New York, Mr. POCAN, Mr. GRIJALVA, Mr. COURTNEY, Mr. CARBAJAL, Mr. SWALWELL of California, Ms. LOFGREN, Mr. BLUMENAUER, Mrs. BEATTY, Ms. HANABUSA, and Ms. DEGETTE.
H.R. 5621: Mrs. LOVE.
H.R. 5697: Mr. RASKIN.
H.R. 5760: Mr. LARSON of Connecticut.
H.R. 5819: Mr. UPTON.
H.R. 5963: Mr. KATKO.
H.R. 6003: Mr. KINZINGER.
H.R. 6011: Mr. HILL.
H.R. 6018: Mr. RUSSELL and Mr. SRES.
H.R. 6093: Mr. LOWENTHAL and Mr. VEASEY.
H.R. 6108: Mr. CARTER of Georgia.
H.R. 6140: Mr. RUSH.
H.R. 6145: Mr. RASKIN.
H.R. 6193: Mr. LOWENTHAL and Mr. DESAULNIER.

H.R. 6267: Mr. FRANCIS ROONEY of Florida.
H.R. 6287: Mrs. LOWEY, Mr. SERRANO, Mr. TONKO, Ms. TENNEY, Mr. REED, Ms. MENG, Mr. ESPAILLAT, and Mr. JEFFRIES.
H.R. 6292: Ms. JACKSON LEE.
H.R. 6391: Mr. GOWDY.
H.R. 6406: Mr. FITZPATRICK and Ms. SPEIER.
H.R. 6409: Mr. COFFMAN.
H.R. 6410: Mr. AGUILAR.
H.R. 6417: Mr. GAETZ and Mr. SENSENBRENNER.
H.R. 6510: Mr. SMITH of Texas, Mr. HULTGREN, Mr. POE of Texas, Mr. WITTMAN, Mr. PETERS, Mr. KIHUEN, Ms. JUDY CHU of California, Mr. RUPPERSBERGER, Mr. HUFFMAN, Mrs. NAPOLITANO, Mr. CICILLINE, and Mr. BUTTERFIELD.
H.R. 6517: Ms. JUDY CHU of California, Ms. STEFANK, and Mr. KEATING.
H.R. 6525: Mr. THOMPSON of Mississippi and Mrs. DEMINGS.
H.R. 6527: Mr. ESPAILLAT, Ms. JACKSON LEE, Ms. BASS, and Mr. GENE GREEN of Texas.
H.R. 6551: Mr. POCAN.
H.R. 6561: Mr. KENNEDY.
H.R. 6562: Mr. NUNES and Mr. DENHAM.
H.R. 6578: Mr. NOLAN.
H.R. 6595: Mr. DESJARLAIS and Mr. OLSON.
H.R. 6635: Mr. DELANEY and Mr. KILMER.
H.R. 6647: Mr. MULLIN.
H.R. 6649: Mr. RUPPERSBERGER and Ms. KELLY of Illinois.
H.R. 6655: Mr. BERA, Ms. BROWNLEY of California, Ms. ESHOO, Mr. GOMEZ, Mr. KHANNA, Ms. LOFGREN, Ms. PELOSI, Mr. RUIZ, Ms. SPEIER, Mr. SWALWELL of California, and Mrs. TORRES.
H.R. 6657: Mr. KING of Iowa.
H.R. 6663: Mrs. MIMI WALTERS of California.
H.R. 6681: Ms. MAXINE WATERS of California, Ms. SEWELL of Alabama, Mrs. WATSON COLEMAN, Mr. DESAULNIER, Ms. MCCOLLUM, Mr. THOMPSON of Mississippi, Mr. CLYBURN, and Ms. BLUNT ROCHESTER.
H.R. 6683: Mr. WENSTRUP.
H.R. 6703: Mr. NORMAN.
H.R. 6711: Ms. BROWNLEY of California, Mrs. BUSTOS, Ms. SHEA-PORTER, and Ms. CLARKE of New York.
H.R. 6713: Mrs. COMSTOCK, Mr. TIPTON, Mr. DIAZ-BALART, and Mr. BERGMAN.
H.R. 6722: Mr. GENE GREEN of Texas and Ms. WILSON of Florida.
H. Con. Res. 12: Mrs. HANDEL.
H. Res. 274: Mr. DESAULNIER.
H. Res. 393: Mr. WOODALL.
H. Res. 750: Mr. KILMER.
H. Res. 766: Mr. KATKO.
H. Res. 864: Mr. SWALWELL of California and Ms. SHEA-PORTER.
H. Res. 1018: Ms. SEWELL of Alabama.
H. Res. 1043: Mr. O'HALLERAN, Ms. ESTY of Connecticut, Mr. PETERS, Mr. BEYER, Ms. NORTON, Mr. DEFazio, Ms. LOFGREN, Ms. BROWNLEY of California, Mr. CRIST, Ms. CLARKE of New York, and Mr. GARAMENDI.

MONDAY, SEPTEMBER 10, 2018 (127)

¶127.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MITCHELL, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
September 10, 2018.

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

PAUL D. RYAN,
Speaker.

¶127.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MITCHELL, announced he had exam-

ined and approved the Journal of the proceedings of Friday, September 7, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶127.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6202. A communication from the President of the United States, transmitting notification that the national emergency declared in Proclamation 7463 of September 14, 2001, with respect to certain terrorist attacks on the United States of September 11, 2001, is to continue for one year beyond September 14, 2018, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115-151); to the Committee on Foreign Affairs and ordered to be printed.

¶127.4 RESIGNATION AS MEMBER OF HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore, Mr. MITCHELL, laid before the House the following communication, which was read as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 10, 2018.

DEAR SPEAKER RYAN: One of my guiding principles during my tenure in Congress has been to protect the taxpayers that I represent. This is why in my first days in office, I rejected my congressional pension, turned down the healthcare subsidy for members of Congress, and fought against a congressional pay raise. I believe members of Congress should not be treated any differently than those they govern. I've done my best to live these principles: I refused my pay during government shutdowns and have slept in my office to cut costs and be a more effective legislator.

During my time in Congress, we've been able to accomplish some great things. I've had the honor to lead on important issues such as eliminating the Sexual Harassment Slush Fund for members of Congress, increasing protections for sexual assault victims in the military, and getting the PAWS Act to the floor for a vote later this month, which will provide much needed help for service members dealing with Post-Traumatic Stress. I've also been proud to play a significant role in helping pass one of the largest tax cuts in our country's history and moving the U.S. Embassy in Israel to Jerusalem.

As the Republican nominee for Governor of Florida, it is clear to me that I will likely miss the vast majority of our remaining session days for this Congress. Under these circumstances, it would be inappropriate for me to accept a salary. In order to honor my principles and protect the taxpayer, I officially resign from the House of Representatives effective immediately. For purposes of pay, I ask that my resignation be retroactive to September 1 so that I do not receive any pay for the month of September.

This is not a decision I make lightly. It has been an honor to serve the people of Florida's Sixth Congressional District, and I look forward to serving them and the rest of Florida as our state's next Governor.

Respectfully,

RON DESANTIS,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 10, 2018.
Governor RICK SCOTT,
State of Florida,
Tallahassee, FL.

DEAR GOVERNOR SCOTT: I hereby submit my resignation as the United States Representative of the 6th Congressional District of Florida, effective immediately.

Please find the attached letter I have submitted to the Speaker of the United States House of Representatives.

Sincerely,

RON DESANTIS,
Member of Congress.

¶127.5 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER pro tempore, Mr. MITCHELL, announced, under clause 5(d) of rule XX, that, in light of the resignation of the gentleman from Florida [Mr. DESANTIS], the whole number of the House is adjusted to 429.

¶127.6 SUBMISSION OF CONFERENCE REPORT—H.R. 5895

Mr. SIMPSON submitted a conference report (Rept. No. 115-929) on the bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; together with a statement thereon, for printing in the CONGRESSIONAL RECORD under the rule.

And then,

¶127.7 ADJOURNMENT

On motion of Mr. SIMPSON, pursuant to the special order of the House agreed to on September 7, 2018, at 3 o'clock and 36 minutes p.m., the House adjourned until noon on Wednesday, September 12, 2018.

¶127.8 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3764. A bill to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; with an amendment (Rept. 115-928). Referred to the Committee of the Whole House on the state of the Union.

Mr. SIMPSON: Committee of Conference. Conference report on H.R. 5895. A bill making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes (Rept. 115-929). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6287. A bill to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001 (Rept. 115-930). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. S. 2857. An act to designate the Nordic Museum in Seattle, Washington, as the "National Nordic Museum", and for other purposes (Rept. 115-931). Referred to the House Calendar.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 3309. A bill to require the Commissioner of Social Security to make publicly available online tools to allow individuals eligible for disability benefits to assess the impact of earnings on the individual's eligibility for, and amount of, benefits received through Federal and State benefit programs; with an amendment (Rept. 115-932). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 3635. A bill to amend title XVIII of the Social Security Act in order to improve the process whereby medicare administrative contractors issue local coverage determinations under the Medicare program, and for other purposes; with an amendment (Rept. 115-933, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 6561. A bill to direct the Secretary of Health and Human Services to finalize certain proposed provisions relating to the Programs of All-Inclusive Care for the Elderly (PACE) under the Medicare and Medicaid programs; with amendments (Rept. 115-934, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 6662. A bill to amend title XVIII of the Social Security Act to extend the special election period under part C of the Medicare program for certain deemed individuals enrolled in a reasonable cost reimbursement contract to certain nondeemed individuals enrolled in such contract; with an amendment (Rept. 115-935, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 6690. A bill to establish a smart card pilot program to combat fraud, waste, and abuse and to protect beneficiary identity under the Medicare program; with an amendment (Rept. 115-936, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶127.9 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 3635 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 6561 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 6662 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 6690 referred to the Committee of the Whole House on the state of the Union.

¶127.10 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ISSA (for himself and Mr. GOODLATTE):

H.R. 6754. A bill to amend title 28, United States Code, to modify the structure of the Court of Appeals for the Ninth Circuit, and for other purposes; to the Committee on the Judiciary.

By Mr. ISSA (for himself and Mr. GOODLATTE):

H.R. 6755. A bill to provide for additional Article III judges, to modernize the adminis-

tration of justice, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCHANAN (for himself, Mr. BRADY of Texas, Mr. SAM JOHNSON of Texas, Mr. NUNES, Mr. REICHERT, Mr. ROSKAM, Mr. SMITH of Nebraska, Ms. JENKINS of Kansas, Mr. PAULSEN, Mr. MARCHANT, Mrs. BLACK, Mr. REED, Mr. RENACCI, Mr. KELLY of Pennsylvania, Mrs. NOEM, Mr. HOLDING, Mr. SMITH of Missouri, Mr. RICE of South Carolina, Mr. SCHWEIKERT, Mrs. WALORSKI, Mr. CURBELO of Florida, Mr. BISHOP of Michigan, Mr. LAHOOD, and Mr. WENSTRUP):

H.R. 6756. A bill to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes; to the Committee on Ways and Means.

By Mr. KELLY of Pennsylvania (for himself, Mr. BRADY of Texas, Mr. SAM JOHNSON of Texas, Mr. NUNES, Mr. REICHERT, Mr. ROSKAM, Mr. BUCHANAN, Mr. SMITH of Nebraska, Ms. JENKINS of Kansas, Mr. PAULSEN, Mr. MARCHANT, Mrs. BLACK, Mr. REED, Mr. RENACCI, Mrs. NOEM, Mr. HOLDING, Mr. SMITH of Missouri, Mr. RICE of South Carolina, Mr. SCHWEIKERT, Mrs. WALORSKI, Mr. CURBELO of Florida, Mr. BISHOP of Michigan, Mr. LAHOOD, Mr. WENSTRUP, and Mr. MITCHELL):

H.R. 6757. A bill to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CHABOT (for himself, Mr. JOHNSON of Georgia, Mr. GOODLATTE, Mr. NADLER, Mrs. COMSTOCK, Mr. JEFFRIES, Ms. VELÁZQUEZ, Mrs. WAGNER, Ms. ADAMS, and Mrs. HANDEL):

H.R. 6758. A bill to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women and minorities in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office's authority to set the amounts for the fees it charges, and for other purposes; to the Committee on the Judiciary.

By Mr. GRIJALVA (for himself and Mr. COSTELLO of Pennsylvania):

H.R. 6759. A bill to amend title 54, United States Code, to provide consistent and reliable authority for, and for the funding of, the Land and Water Conservation Fund to maximize the effectiveness of the Fund for future generations, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RODNEY DAVIS of Illinois (for himself, Mr. MEADOWS, Mr. WALKER, Mr. BRADY of Texas, Mr. SAM JOHNSON of Texas, Mr. NUNES, Mr. REICHERT, Mr. ROSKAM, Mr. BUCHANAN, Mr. SMITH of Nebraska, Ms. JENKINS of Kansas, Mr. PAULSEN, Mr. MARCHANT, Mrs. BLACK, Mr.

REED, Mr. KELLY of Pennsylvania, Mr. RENACCI, Mrs. NOEM, Mr. HOLDING, Mr. SMITH of Missouri, Mr. RICE of South Carolina, Mr. SCHWEIKERT, Mrs. WALORSKI, Mr. CURBELO of Florida, Mr. BISHOP of Michigan, Mr. LAHOOD, and Mr. WENSTRUP):

H.R. 6760. A bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses; to the Committee on Ways and Means.

By Mr. CICILLINE:

H.R. 6761. A bill to direct the Judicial Conference to provide electronic public access to exhibits in Federal cases, and for other purposes; to the Committee on the Judiciary.

By Mr. CICILLINE (for himself, Mr. GOODLATTE, and Mr. NADLER):

H.R. 6762. A bill to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code; to the Committee on the Judiciary.

By Mr. GRAVES of Louisiana:

H.R. 6763. A bill to amend the Gulf of Mexico Energy Security Act of 2006, and for other purposes; to the Committee on Natural Resources.

By Ms. KUSTER of New Hampshire (for herself, Mr. CARSON of Indiana, Mr. RYAN of Ohio, Ms. BASS, and Mr. CICILLINE):

H.R. 6764. A bill to amend title XIX of the Social Security Act to provide a consistent standard of health care to the incarcerated; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 6765. A bill to direct the Secretary of Education to establish a competitive grant program to award grants to local educational agencies to address implicit bias in elementary and secondary schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. PANETTA (for himself and Mr. BACON):

H.R. 6766. A bill to authorize the Secretary of Veterans Affairs to make grants to public institutions of higher education for the establishment of Veterans Resource Centers, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN:

H.R. 6767. A bill to amend the Internal Revenue Code of 1986 to allow qualified education loan repayments from section 529 plans; to the Committee on Ways and Means.

By Mr. SOTO (for himself, Mr. GALLEGOS, Mr. QUIGLEY, Mr. PAYNE, Ms. NORTON, Ms. BARRAGÁN, Mr. CARTWRIGHT, and Ms. MOORE):

H.R. 6768. A bill to re-establish certain hydraulic fracturing chemical disclosure rules, standards for well construction, and waste management rules, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAYLOR (for himself and Mr. PANETTA):

H.R. 6769. A bill to amend title 38, United States Code, to extend the period in which members of the uniformed services may transfer entitlement to educational assistance under Post-9/11 Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

¶127.11 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 392: Mr. HUNTER.
H.R. 564: Mr. DAVIDSON.
H.R. 719: Mr. CLOUD.
H.R. 846: Mr. FASO.
H.R. 1098: Mr. BARR, Mr. LAHOOD, and Mr. DESJARLAIS.
H.R. 1298: Mr. SHERMAN, Ms. TSONGAS, and Mr. AGUILAR.
H.R. 1406: Mr. LAMB.
H.R. 1683: Mr. SOTO and Ms. MOORE.
H.R. 1911: Mr. DESAULNIER.
H.R. 1957: Mr. TAKANO, Ms. FRANKEL of Florida, Mr. KIHUEN, Mr. COHEN, Mr. BRADY of Pennsylvania, Mr. BEYER, Ms. MENG, Ms. JACKSON LEE, Mr. GRIJALVA, and Mr. BROWN of Maryland.
H.R. 1982: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2077: Mr. AGUILAR.
H.R. 2315: Mr. LATTA, Mr. YOHO, and Mr. PERRY.
H.R. 2856: Mr. CLOUD.
H.R. 3286: Mr. LOWENTHAL, Ms. WASSERMAN SCHULTZ, and Mr. TONKO.
H.R. 3444: Mr. POLIS.
H.R. 3635: Mr. COFFMAN.
H.R. 3671: Mr. HIGGINS of New York.
H.R. 3711: Mr. ROHRBACHER.
H.R. 3730: Mr. DENHAM.
H.R. 3751: Mr. DAVIDSON.
H.R. 3834: Ms. SCHAKOWSKY, Ms. ESHOO, Mr. LYNCH, and Mr. SEAN PATRICK MALONEY of New York.
H.R. 3941: Mr. WELCH.
H.R. 4107: Mr. FITZPATRICK, Mr. AUSTIN SCOTT of Georgia, Ms. TENNEY, and Mr. BRADY of Texas.
H.R. 4328: Mr. MARSHALL.
H.R. 5107: Mr. PERRY.
H.R. 5155: Mr. HECK, Mr. AGUILAR, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. DESAULNIER.
H.R. 5318: Mr. COHEN.
H.R. 5351: Ms. CLARKE of New York and Ms. SHEA-PORTER.
H.R. 5534: Mr. DAVID SCOTT of Georgia.
H.R. 5671: Mr. THOMPSON of Mississippi, Ms. KUSTER of New Hampshire, and Mr. MEEKS.
H.R. 5768: Mr. STIVERS and Ms. DELBENE.
H.R. 5977: Mr. AGUILAR.
H.R. 6231: Mrs. COMSTOCK.
H.R. 6287: Mr. NUNES, Mr. FRELINGHUYSEN, Mr. NORCROSS, Mr. SUOZZI, and Mr. COOK.
H.R. 6421: Ms. LOFGREN, Mr. FORTENBERRY, and Ms. NORTON.
H.R. 6487: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 6506: Ms. STEFANIK.
H.R. 6527: Ms. DELBENE.
H.R. 6578: Ms. BORDALLO.
H.R. 6580: Mr. DENHAM, Mr. UPTON, and Mr. RODNEY DAVIS of Illinois.
H.R. 6609: Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 6614: Mr. NEAL.
H.R. 6633: Mr. PALMER.
H.R. 6643: Mr. MCGOVERN, Mr. DESAULNIER, Mr. PETERS, Ms. KELLY of Illinois, Ms. MATSUI, and Mr. NORCROSS.
H.R. 6703: Mr. BUCK.
H.R. 6737: Ms. TENNEY.
H. Con. Res. 72: Mr. PAULSEN and Mr. MCCAUL.
H. Res. 993: Mr. LOWENTHAL, Ms. KAPTUR, Ms. KELLY of Illinois, Ms. LEE, Mr. RUSH, Mr. DEUTCH, Mr. YARMUTH, Mr. SABLAN, Ms. STEFANIK, Mrs. TORRES, Mr. KIND, Ms. BARRAGÁN, Ms. BROWNLEY of California, Mr. BEN RAY LUJÁN of New Mexico, Mr. PETERS, Mr. DANNY K. DAVIS of Illinois, Mr. GARAMENDI, Mr. PANETTA, Mrs. DINGELL, Mr. O'ROURKE, Mr. VEASEY, Mr. EVANS, Ms. CLARK of Massachusetts, Ms. BLUNT ROCH-

ESTER, Mr. PASCRELL, Mr. CUMMINGS, Mr. GUTIÉRREZ, Mr. NORCROSS, Mr. DIAZ-BALART, Mr. AGUILAR, and Mr. GIBBS.

WEDNESDAY, SEPTEMBER 12, 2018 (128)

¶128.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. MEADOWS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

September 12, 2018.

I hereby appoint the Honorable MARK MEADOWS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶128.2 RECESS—12:25 P.M.

The SPEAKER pro tempore, Mr. MEADOWS, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 25 minutes p.m., until 2 p.m.

¶128.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. CALVERT, called the House to order.

¶128.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. CALVERT, announced he had examined and approved the Journal of the proceedings of Monday, September 10, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶128.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6203. A letter from the Secretary, Commodity Futures Trading Commission, transmitting the Commission's final rule — Chief Compliance Officer Duties and Annual Report Requirements for Futures Commission Merchants, Swap Dealers, and Major Swap Participants; Amendments (RIN: 3038-AE56) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6204. A letter from the Administrator, Cotton and Tobacco Program, Agricultural Marketing Service, Department of Agriculture, transmitting the Department's direct final rule — Cotton Board Rules and Regulations: Adjusting Supplemental Assessment on Imports (2018 Amendments) [Doc. #: AMS-CN-18-0013] received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6205. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Defense Support of Special Events [Docket ID: DOD-2017-OS-0053] (RIN: 0790-AK05) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6206. A letter from the Assistant to the Board, Board of Governors of the Federal Re-

serve System, transmitting the Board's interim final rule — to amend the Small Bank Holding Company and Savings and Loan Holding Company Policy Statement and related regulations; Changes to Reporting Requirements [Docket No.: R-1619] (RIN: 7100-AF 13) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6207. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's Major final rule — Single-Counterparty Credit Limits for Bank Holding Companies and Foreign Banking Organizations [Regulation YY; Docket No.: R-1534] (RIN: 7100-AE48) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6208. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's interim final rule — Liquidity Coverage Ratio Rule: Treatment of Certain Municipal Obligations as High-Quality Liquid Assets (RIN: 3064-AE77) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6209. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Cyber Security Incident Reporting Reliability Standards [Docket No.: RM18-2-000; Order No. 848] received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6210. A letter from the Associate Chief, Auctions and Spectrum Access Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Auctions of Upper Microwave Flexible Use Licenses for Next-Generation Wireless Services; Notice and Filing Requirements, Minimum Opening Bids, Upfront Payments, and Other Procedures for Auctions 101 (28 GHz) and 102 (24 GHz); Bidding in Auction 101 Scheduled to Begin November 14, 2018 [AU Docket No.: 18-85] received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6211. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Battle of the Bridges, Intracoastal Waterway; Venice, FL [Docket No.: USCG-2018-0608] (RIN: 1625-AA08) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6212. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Allegheny River Miles 0.7 to 1.0, Pittsburgh, PA [Docket No.: USCG-2018-0750] (RIN: 1625-AA00) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6213. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Ohio River Miles 0.0 to 0.5, Pittsburgh, PA [Docket No.: USCG-2018-0743] (RIN: 1625-AA00) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6214. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland

Security, transmitting the Department's temporary final rule — Special Local Regulation; Michigan Championships; Detroit River; Detroit, MI [Docket No.: USCG-2018-0732] (RIN: 1625-AA08) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6215. A letter from the Regulation Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting the Department's final rule — Fiduciary Activities; Economic Impact Analysis (RIN: 2900-AO53/WP2010-001) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6216. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Implementation of Nonresident Alien Deposit Interest Regulations (Rev. Proc. 2018-36) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6217. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Procedure: Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability (Rev. Proc. 2018-45) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶128.6 RECESS—2:06 P.M.

The SPEAKER pro tempore, Mr. CALVERT, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 6 minutes p.m., until approximately 2:30 p.m.

¶128.7 AFTER RECESS—2:30 P.M.

The SPEAKER pro tempore, Mr. CALVERT, called the House to order.

¶128.8 COUNTERING WEAPONS OF MASS DESTRUCTION

Mr. DONOVAN moved to suspend the rules and pass the bill (H.R. 6198) to amend the Homeland Security Act of 2002 to establish the Countering Weapons of Mass Destruction Office, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. CALVERT, recognized Mr. DONOVAN and Mr. PAYNE, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. CALVERT, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.9 DOG AND CAT MEAT TRADE PROHIBITION

Mr. ABRAHAM moved to suspend the rules and pass the bill (H.R. 6720) to prohibit the slaughter of dogs and cats for human consumption, and for other purposes.

The SPEAKER pro tempore, Mr. CALVERT, recognized Mr. ABRAHAM and Ms. PLASKETT, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MCCAUL, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.10 FIGHTING FRAUD TO PROTECT CARE FOR SENIORS

Mr. ROSKAM moved to suspend the rules and pass the bill (H.R. 6690) to establish a smart card pilot program to combat fraud, waste, and abuse and to protect beneficiary identity under the Medicare program; as amended.

The SPEAKER pro tempore, Mr. ABRAHAM, recognized Mr. ROSKAM and Mr. LEVIN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ABRAHAM, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.11 EMPOWERING SENIORS' ENROLLMENT DECISION

Mr. PAULSEN moved to suspend the rules and pass the bill (H.R. 6662) to amend title XVIII of the Social Security Act to extend the special election period under part C of the Medicare program for certain deemed individuals enrolled in a reasonable cost reimbursement contract to certain non-deemed individuals enrolled in such contract; as amended.

The SPEAKER pro tempore, Mr. ABRAHAM, recognized Mr. PAULSEN and Mr. LEVIN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ABRAHAM, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend title XVIII of the Social Security Act to extend the special election period under part C of the Medicare program for certain deemed individuals enrolled in a reasonable cost reimbursement contract to any Medicare Advantage eligible individual enrolled in such a contract during the final year such contract is extended, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.12 COMPREHENSIVE CARE FOR SENIORS

Mrs. WALORSKI moved to suspend the rules and pass the bill (H.R. 6561) to direct the Secretary of Health and Human Services to finalize certain proposed provisions relating to the Programs of All-Inclusive Care for the Elderly (PACE) under the Medicare and Medicaid programs; as amended.

The SPEAKER pro tempore, Mr. ABRAHAM, recognized Mrs. WALORSKI and Mr. LEVIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ABRAHAM, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to direct the Secretary of Health and Human Services to issue a final regulation based on the proposed regulation relating to the Programs of All-Inclusive Care for the Elderly (PACE) under the Medicare and Medicaid programs."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.13 LOCAL COVERAGE DETERMINATION CLARIFICATION

Ms. JENKINS of Kansas, moved to suspend the rules and pass the bill (H.R. 3635) to amend title XVIII of the Social Security Act in order to improve the process whereby medicare ad-

ministrative contractors issue local coverage determinations under the Medicare program, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. ABRAHAM, recognized Ms. JENKINS of Kansas, and Mr. LEVIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ABRAHAM, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.14 STATE INSURANCE REGULATION PRESERVATION

Mr. ROTHFUS moved to suspend the rules and pass the bill (H.R. 5059) to amend the Home Owners' Loan Act with respect to the registration and supervision of insurance savings and loan holding companies, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROTHFUS and Mrs. BEATTY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.15 FINCEN IMPROVEMENT

Mr. ROTHFUS moved to suspend the rules and pass the bill (H.R. 6411) to amend the duties of the Financial Crimes Enforcement Network (FinCEN) to ensure FinCEN works with Tribal law enforcement agencies, protects against all forms of terrorism, and focuses on virtual currencies.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROTHFUS and Mr. PERLMUTTER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds

of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.16 MESSAGE FROM THE PRESIDENT

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

¶128.17 LITTLE SHELL TRIBE OF CHIPPEWA INDIANS RESTORATION

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 3764) to extend the Federal recognition to the Little Shell Tribe of Chippewa Indians of Montana, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.18 WALNUT GROVE LAND EXCHANGE

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 5923) to direct the Secretary of Agriculture to exchange certain public lands in Ouachita National Forest, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GIANFORTE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶128.19 RURAL BROADBAND PERMITTING EFFICIENCY

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 4824) to allow certain State permitting authority to encourage expansion of broadband service to rural communities, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to allow certain State and tribal permitting authority to encourage expansion of broadband service to rural and tribal communities, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.20 MODERNIZING THE PITTMAN-ROBERTSON FUND FOR TOMORROW'S NEEDS

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 2591) to amend the Pittman-Robertson Wildlife Restoration Act to modernize the funding of wildlife conservation, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.21 STIGLER AMENDMENTS

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 2606) to amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to In-

dians of the Five Civilized Tribes of Oklahoma, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.22 9/11 MEMORIAL GRANTS

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 6287) to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.23 EVERY KID OUTDOORS

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 3186) to establish an Every Kid Outdoors program, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GIANFORTE demanded that the vote be taken by the yeas and nays,

which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶128.24 PERMISSION TO FILE CONFERENCE REPORTS

On motion of Mr. SESSIONS, by unanimous consent, the managers on the part of the House were granted permission until midnight on Friday, September 14, 2018, to file conference reports; together with statements thereon, for printing in the CONGRESSIONAL RECORD under the rule.

¶128.25 RECONSTRUCTION ERA NATIONAL HISTORICAL PARK

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 5532) to redesignate the Reconstruction Era National Monument as the Reconstruction Era National Historical Park, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.26 BUREAU OF RECLAMATION TRANSPARENCY

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 660) to require the Secretary of the Interior to submit to Congress a report on the efforts of the Bureau of Reclamation to manage its infrastructure assets.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.27 REPAYMENT OF OBLIGATIONS
WITHIN THE NORTHPORT IRRIGATION
DISTRICT

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 4689) to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GIANFORTE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶128.28 UNITED STATES-ISRAEL
SECURITY ASSISTANCE

Mr. ROYCE of California, moved to suspend the rules and pass the bill of the Senate (S. 2497) to amend the Foreign Assistance Act of 1961 and the Arms Export Control Act to make improvements to certain defense and security assistance provisions and to authorize the appropriations of funds to Israel, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶128.29 SPECIAL ENVOY TO MONITOR AND
COMBAT ANTI-SEMITISM

Mr. ROYCE of California, moved to suspend the rules and pass the bill (H.R. 1911) to amend the State Department Basic Authorities Act of 1956 to monitor and combat anti-Semitism

globally, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROYCE of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, September 13, 2018.

¶128.30 URGING ALL NATIONS TO OUTLAW
THE DOG AND CAT MEAT TRADE

Mr. ROYCE of California, moved to suspend the rules and agree to the following resolution (H. Res. 401); as amended:

Whereas the consumption of dog meat has occurred in every corner of the world including in Asia;

Whereas established dog meat markets still exist in Asia;

Whereas the Humane Society International, Animals Asia Foundation, and others estimate that 30,000,000 dogs and 10,000,000 cats die annually across Asia for the trade in dog and cat meat;

Whereas it is estimated as many as 200,000 live dogs are trafficked each year from Thailand across the Mekong River to Vietnam, where dog meat is considered a delicacy;

Whereas cat meat, known locally as “little tiger”, is also a delicacy in Vietnam and, although officially banned, is widely available in specialty restaurants;

Whereas due to a traditional belief that high adrenaline levels produce tender meat and increase supposed health benefits, dogs killed for their meat may be first intentionally subjected to extreme fear and suffering through hanging or bludgeoning;

Whereas there appears to be little scientific evidence to support traditional claims of the health benefits of consuming dog meat;

Whereas there have been reports of abuse, poor living conditions, and cruel slaughtering techniques with respect to dogs and cats farmed for their meat;

Whereas many dogs and cats die during transport to slaughterhouses, after days or weeks crammed into small cages on the back of vehicles without food or water, and others suffer from illness or injury during such transport;

Whereas in February 2015, Vietnamese authorities impounded a truck in Hanoi smuggling three tons of live cats from China that were intended for the illegal cat meat trade, but then buried thousands of the seized cats—many, reportedly, while alive—claiming a desire to avoid the spread of disease;

Whereas the extreme suffering of dogs and cats at such slaughterhouses and on such transportation trucks would breach anti-cruelty laws in the United States, such as the Animal Welfare Act (7 U.S.C. 2131 et seq.) and the Humane Methods of Slaughter Act (7 U.S.C. 1901 et seq.);

Whereas many government officials, civil society advocates, and activists are working to end the dog and cat meat trade on anti-cruelty and public health grounds, and the governments of Singapore, Taiwan, and Hong Kong have passed laws banning the slaughter of dogs for meat consumption;

Whereas Chinese activists have claimed that stolen pets are sometimes used in the dog meat market in China;

Whereas Chinese dog transporters reportedly routinely flout regulations such as the Chinese Ministry of Agriculture Veterinary Bureau Circular No. 16 (2013), which requires dogs to be quarantined and issued a quarantine certificate before being transported across provincial boundaries;

Whereas the World Health Organization has linked the dog meat industry to human outbreaks of trichinellosis, cholera, and rabies, although consumption of dog meat alone has not been confirmed to spread rabies to humans;

Whereas those involved in the dog meat industry are at an increased health risk for zoonotic diseases, which can transfer from dogs to humans through infectious material such as saliva;

Whereas the spread of such diseases may be exacerbated by unsanitary conditions of slaughter and by the sale of dog meat at open-air markets and restaurants; and

Whereas Betsy Miranda, Asia Coordinator for the Global Alliance for Rabies Control, said in June 2013 that the spread of disease through the dog meat trade was “rampant” across Southeast Asia, and that “The risk that the animals are in poor health and not vaccinated is very high. If they move across borders they risk carrying the disease across large distances”: Now, therefore, be it

Resolved, That the House of Representatives—

(1) calls for an end to the dog and cat meat trade on cruelty and public health grounds;

(2) urges all nations to outlaw the dog and cat meat trade and enforce existing laws against such trade; and

(3) affirms the commitment of the United States to the protection of animals and to advancing the progress of animal protection around the world.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. DUNCAN of South Carolina, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: “A resolution urging all nations to outlaw the dog and cat meat trade and to enforce existing laws against such trade.”.

A motion to reconsider the votes whereby the rules were suspended and said resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

¶128.31 RESCUING ANIMALS WITH
REWARDS

Mr. ROYCE of California, moved to suspend the rules and pass the bill (H.R. 6197) to amend the State Depart-

ment Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes.

The SPEAKER pro tempore, Mr. DUNCAN of South Carolina, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. DUNCAN of South Carolina, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.32 H.R. 5923—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN of South Carolina, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5923) to direct the Secretary of Agriculture to exchange certain public lands in Ouachita National Forest, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 379
affirmative } Nays 3

¶128.33 [Roll No. 394] YEAS—379

Abraham	Bucshon	Courtney
Aderholt	Budd	Cramer
Aguilar	Burgess	Crawford
Allen	Bustos	Crist
Amodei	Byrne	Crowley
Arrington	Calvert	Cuellar
Babin	Capuano	Culberson
Bacon	Carbajal	Cummings
Balderson	Cárdenas	Curbelo (FL)
Banks (IN)	Carson (IN)	Curtis
Barr	Carter (GA)	Davidson
Barragán	Carter (TX)	Davis (CA)
Barton	Cartwright	Davis, Danny
Bass	Castor (FL)	Davis, Rodney
Beatty	Castro (TX)	DeFazio
Bera	Chabot	DeGette
Bergman	Cheney	Delaney
Beyer	Chu, Judy	DeLauro
Bilirakis	Clark (MA)	DeBene
Bishop (GA)	Clarke (NY)	Demings
Bishop (MI)	Clay	Denham
Bishop (UT)	Cleaver	DeSaulnier
Black	Cloud	DesJarlais
Blum	Clyburn	Deutsch
Blumenauer	Coffman	Diaz-Balart
Blunt Rochester	Cohen	Dingell
Bonamici	Cole	Doggett
Bost	Collins (GA)	Donovan
Boyle, Brendan	Collins (NY)	Doyle, Michael
F.	Comer	F.
Brady (TX)	Comstock	Duffy
Brat	Conaway	Duncan (SC)
Brooks (AL)	Cornally	Duncan (TN)
Brooks (IN)	Cook	Dunn
Brown (MD)	Cooper	Emmer
Brownley (CA)	Correa	Engel
Buchanan	Costa	Espallat
Buck	Costello (PA)	Estes (KS)

Esty (CT)	Lamb	Roe (TN)
Evans	Lance	Rogers (AL)
Faso	Langevin	Rogers (KY)
Ferguson	Larsen (WA)	Rokita
Fitzpatrick	Larson (CT)	Rooney, Francis
Fleischmann	Latta	Ros-Lehtinen
Flores	Lawrence	Rosen
Fortenberry	Lawson (FL)	Roskam
Foster	Lee	Rothfus
Fox	Lesko	Roybal-Allard
Frankel (FL)	Levin	Royce (CA)
Frelinghuysen	Lewis (GA)	Ruiz
Fudge	Lewis (MN)	Ruppersberger
Gabbard	Lieu, Ted	Rush
Gaetz	Lipinski	Russell
Gallagher	LoBiondo	Rutherford
Gallego	Loeb	Ryan (OH)
Garamendi	Long	Sanchez
Garrett	Loudermilk	Sarbanes
Gianforte	Love	Scalise
Gibbs	Lowenthal	Schakowsky
Gohmert	Lowe	Schiff
Gomez	Lucas	Schneider
Gonzalez (TX)	Luetkemeyer	Schrader
Goodlatte	Lujan Grisham,	Schweikert
Gosar	M.	Scott (VA)
Gowdy	Luján, Ben Ray	Scott, Austin
Granger	MacArthur	Scott, David
Graves (GA)	Maloney,	Sensenbrenner
Graves (LA)	Carolin B.	Serrano
Graves (MO)	Marchant	Sessions
Green, Al	Marino	Sewell (AL)
Green, Gene	Marshall	Sherman
Griffith	Mast	Shimkus
Grijalva	Matsui	Shuster
Grothman	McCarthy	Simpson
Guthrie	McClintock	Sinema
Hanabusa	McCollum	Sires
Handel	McEachin	Smith (MO)
Harper	McGovern	Smith (NE)
Harris	McHenry	Smith (NJ)
Hartzler	McKinley	Smith (TX)
Hastings	McMorris	Smith (WA)
Heck	Rodgers	Soto
Hensarling	McNerney	Stefanik
Herrera Beutler	McSally	Stewart
Higgins (LA)	Meadows	Stivers
Higgins (NY)	Meeke	Suozzi
Hill	Messer	Swalwell (CA)
Himes	Mitchell	Takano
Hollingsworth	Moolenaar	Tenney
Hudson	Mooney (WV)	Thompson (CA)
Huffman	Moore	Thompson (MS)
Huizenga	Moulton	Thompson (PA)
Hultgren	Mullin	Thornberry
Issa	Murphy (FL)	Tipton
Jackson Lee	Nadler	Titus
Jayapal	Napolitano	Tonko
Jeffries	Neal	Torres
Jenkins (KS)	Newhouse	Trott
Jenkins (WV)	Noem	Tsongas
Johnson (GA)	Norcross	Upton
Johnson (LA)	Nunes	Valadao
Johnson (OH)	O'Halleran	Vargas
Johnson, E. B.	Olson	Veasey
Johnson, Sam	Palazzo	Vela
Jordan	Pallone	Velázquez
Joyce (OH)	Palmer	Visclosky
Kaptur	Panetta	Wagner
Katko	Pascrell	Walberg
Keating	Paulsen	Walden
Kelly (IL)	Payne	Walker
Kelly (MS)	Perlmutter	Walorski
Kelly (PA)	Perry	Waters, Maxine
Kennedy	Peters	Watson Coleman
Khanna	Peterson	Weber (TX)
Kihuen	Pingree	Webster (FL)
Kildee	Pocan	Welch
Kilmer	Poe (TX)	Wenstrup
Kind	Poliquin	Westerman
King (IA)	Polis	Williams
King (NY)	Posey	Wilson (SC)
Kinzie	Quigley	Wittman
Knight	Raskin	Womack
Krishnamoorthi	Ratcliffe	Woodall
Kuster (NH)	Reed	Yarmuth
Kustoff (TN)	Reichert	Yoder
Labrador	Rice (NY)	Yoho
LaHood	Richmond	Young (IA)
LaMalfa	Roby	Zeldin

NAYS—3

Amash	Biggs	Massie

NOT VOTING—46

Cicilline	Hice, Jody B.
Ellison	Holding
Eshoo	Hoyer
Gottthelmer	Hunter
Gutiérrez	Hurd

Jones	Pelosi	Shea-Porter
Lamborn	Pittenger	Smucker
Lofgren	Price (NC)	Speier
Lynch	Renacci	Taylor
Maloney, Sean	Rice (SC)	Turner
McCaul	Rohrabacher	Walters, Mimi
Meng	Rooney, Thomas	Walz
Nolan	J.	Wasserman
Norman	Ross	Schultz
O'Rourke	Rouzer	Wilson (FL)
Pearce	Sanford	Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.34 H.R. 3186—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3186) to establish an Every Kid Outdoors program, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 383
affirmative } Nays 2

¶128.35 [Roll No. 395] YEAS—383

Abraham	Carter (TX)	DesJarlais
Aderholt	Cartwright	Deutch
Aguilar	Castor (FL)	Diaz-Balart
Allen	Castro (TX)	Dingell
Amodei	Chabot	Doggett
Arrington	Cheney	Donovan
Babin	Chu, Judy	Doyle, Michael
Bacon	Clark (MA)	F.
Balderson	Clarke (NY)	Duffy
Banks (IN)	Clay	Duncan (SC)
Barr	Cleaver	Duncan (TN)
Barragán	Cloud	Dunn
Barton	Clyburn	Emmer
Bass	Coffman	Engel
Beatty	Cohen	Espallat
Bera	Cole	Estes (KS)
Bergman	Collins (GA)	Esty (CT)
Beyer	Collins (NY)	Evans
Bilirakis	Comer	Faso
Bishop (GA)	Comstock	Ferguson
Bishop (MI)	Conaway	Fitzpatrick
Bishop (UT)	Cornally	Fleischmann
Black	Cook	Flores
Blum	Cooper	Fortenberry
Blumenauer	Correa	Foster
Blunt Rochester	Costa	Fox
Bonamici	Costello (PA)	Frankel (FL)
Bost	Courtney	Frelinghuysen
Boyle, Brendan	Cramer	Fudge
F.	Crawford	Gabbard
Brady (TX)	Crist	Gaetz
Brat	Crowley	Gallagher
Brooks (AL)	Cuellar	Gallego
Brooks (IN)	Culberson	Garamendi
Brown (MD)	Cummings	Garrett
Brownley (CA)	Curbelo (FL)	Gianforte
Buchanan	Curtis	Gibbs
Buck	Davidson	Gohmert
Bucshon	Davis (CA)	Gomez
Budd	Davis, Danny	Gonzalez (TX)
Burgess	Davis, Rodney	Goodlatte
Bustos	DeFazio	Gosar
Byrne	DeGette	Gowdy
Calvert	Delaney	Granger
Capuano	DeLauro	Graves (GA)
Carbajal	DeBene	Graves (LA)
Cárdenas	Demings	Graves (MO)
Carson (IN)	Denham	Green, Al
Carter (GA)	DeSaulnier	Green, Gene

Griffith	Luetkemeyer	Ruppersberger
Grijalva	Lujan Grisham,	Rush
Grothman	M.	Russell
Guthrie	Luján, Ben Ray	Rutherford
Hanabusa	MacArthur	Ryan (OH)
Handel	Maloney,	Sánchez
Harper	Carolyn B.	Sarbanes
Harris	Marchant	Scalise
Hartzler	Marino	Schakowsky
Hastings	Marshall	Schiff
Heck	Massie	Schneider
Hensarling	Mast	Schrader
Herrera Beutler	Matsui	Schweikert
Higgins (LA)	McCarthy	Scott (VA)
Higgins (NY)	McCaul	Scott, Austin
Hill	McClintock	Scott, David
Himes	McCollum	Sensenbrenner
Hollingsworth	McEachin	Serrano
Hoyer	McGovern	Sessions
Hudson	McHenry	Sewell (AL)
Huffman	McKinley	Sherman
Huizenga	McMorris	Shimkus
Hultgren	Rodgers	Shuster
Jackson Lee	McNerney	Simpson
Jayapal	McSally	Sinema
Jeffries	Meadows	Sires
Jenkins (KS)	Meeks	Smith (MO)
Jenkins (WV)	Messer	Smith (NE)
Johnson (GA)	Mitchell	Smith (NJ)
Johnson (LA)	Moolenaar	Smith (TX)
Johnson (OH)	Mooney (WV)	Smith (WA)
Johnson, E. B.	Moore	Soto
Johnson, Sam	Moulton	Stefanik
Jordan	Mullin	Stewart
Joyce (OH)	Murphy (FL)	Stivers
Kaptur	Nadler	Suozi
Katko	Napolitano	Swalwell (CA)
Keating	Neal	Takano
Kelly (IL)	Newhouse	Tenney
Kelly (MS)	Noem	Thompson (CA)
Kelly (PA)	Norcross	Thompson (MS)
Kennedy	Nunes	Thompson (PA)
Khanna	O'Halleran	Thornberry
Kihuen	Olson	Tipton
Kildee	Palazzo	Titus
Kilmer	Pallone	Tonko
Kind	Palmer	Torres
King (IA)	Panetta	Trott
King (NY)	Pascarella	Tsongas
Kinzing	Paulsen	Upton
Knight	Payne	Valadao
Krishnamoorthi	Perlmutter	Vargas
Kuster (NH)	Perry	Veasey
Kustoff (TN)	Peters	Vela
Labrador	Peterson	Visclosky
LaHood	Pingree	Wagner
LaMalfa	Pocan	Walberg
Lamb	Poe (TX)	Walden
Lamborn	Poliquin	Walker
Lance	Polis	Walorski
Langevin	Posey	Waters, Maxine
Larsen (WA)	Quigley	Watson Coleman
Larson (CT)	Raskin	Weber (TX)
Latta	Ratcliffe	Webster (FL)
Lawrence	Reed	Welch
Lawson (FL)	Reichert	Wenstrup
Lee	Rice (NY)	Westerman
Lesko	Richmond	Williams
Levin	Roby	Wilson (FL)
Lewis (GA)	Roe (TN)	Wilson (SC)
Lewis (MN)	Rogers (AL)	Wittman
Lieu, Ted	Rogers (KY)	Womack
Lipinski	Rokita	Woodall
LoBiondo	Rooney, Francis	Yarmuth
Loebsack	Ros-Lehtinen	Yoder
Long	Rosen	Yoho
Loudermilk	Roskam	Young (AK)
Love	Rothfus	Young (IA)
Lowenthal	Roybal-Allard	Zeldin
Lowey	Royce (CA)	
Lucas	Ruiz	

NAYS—2

Amash

NOT VOTING—43

Adams	Hurd	Price (NC)
Barletta	Issa	Renacci
Blackburn	Jones	Rice (SC)
Brady (PA)	Lofgren	Rohrabacher
Butterfield	Lynch	Rooney, Thomas
Cicilline	Maloney, Sean	J.
Ellison	Meng	Ross
Eshoo	Nolan	Rouzer
Gottheimer	Norman	Sanford
Guírrerz	O'Rourke	Shea-Porter
Hice, Jody B.	Pearce	Smucker
Holding	Pelosi	Speier
Hunter	Pittenger	

Taylor	Walz	Waters, Maxine
Turner	Wasserman	
Walters, Mimi	Schultz	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

128.36 H.R. 4689—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4689) to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 378
affirmative } Nays 1

128.37 [Roll No. 396]

YEAS—378

Abraham	Cheney	Duncan (TN)
Aguilar	Chu, Judy	Dunn
Allen	Clark (MA)	Emmer
Amodei	Clarke (NY)	Engel
Arrington	Clay	Espallat
Babin	Cleaver	Estes (KS)
Bacon	Cloud	Esty (CT)
Balderson	Clyburn	Evans
Banks (IN)	Coffman	Faso
Barr	Cohen	Ferguson
Barragán	Cole	Fitzpatrick
Barton	Collins (GA)	Fleischmann
Bass	Collins (NY)	Flores
Beatty	Comer	Fortenberry
Bera	Comstock	Foster
Bergman	Conaway	Fox
Beyer	Connolly	Frankel (FL)
Biggs	Cook	Frelinghuysen
Bilirakis	Cooper	Fudge
Bishop (GA)	Correa	Gabbard
Bishop (MI)	Gast	Gaetz
Bishop (UT)	Costello (PA)	Gallagher
Black	Courtney	Galleo
Blum	Cramer	Garamendi
Blumenauer	Crawford	Garrett
Blunt Rochester	Crist	Gianforte
Bonamici	Crowley	Gibbs
Bost	Cuellar	Gohmert
Boyle, Brendan	Culberson	Gomez
F.	Cummings	Gonzalez (TX)
Brady (TX)	Curbelo (FL)	Goodlatte
Brat	Curtis	Gosar
Brooks (AL)	Davidson	Gowdy
Brooks (IN)	Davis (CA)	Granger
Brown (MD)	Davis, Danny	Graves (GA)
Brownley (CA)	Davis, Rodney	Graves (LA)
Buchanan	DeFazio	Graves (MO)
Buck	DeGette	Green, Al
Bucshon	Delaney	Green, Gene
Budd	DeLauro	Griffith
Burgess	DelBene	Grijalva
Bustos	Demings	Grothman
Byrne	Denham	Guthrie
Calvert	DeSaulnier	Hanabusa
Capuano	DesJarlais	Handel
Carbajal	Deutch	Harper
Cárdenas	Diaz-Balart	Harris
Carson (IN)	Dingell	Hartzler
Carter (GA)	Doggett	Hastings
Carter (TX)	Donovan	Heck
Cartwright	Doyle, Michael	Hensarling
Castor (FL)	F.	Herrera Beutler
Castro (TX)	Duffy	Higgins (LA)
Chabot	Duncan (SC)	Higgins (NY)

Hill	Massie	Sánchez
Himes	Mast	Sarbanes
Hollingsworth	Matsui	Scalise
Hoyer	McCarthy	Schakowsky
Hudson	McCaul	Schiff
Huffman	McClintock	Schneider
Huizenga	McCollum	Schrader
Hultgren	McEachin	Schweikert
Jackson Lee	McGovern	Scott (VA)
Jayapal	McHenry	Scott, Austin
Jeffries	McKinley	Scott, David
Jenkins (KS)	McMorris	Sensenbrenner
Johnson (GA)	Rodgers	Serrano
Johnson (LA)	McNerney	Sessions
Johnson (OH)	McSally	Sewell (AL)
Johnson, E. B.	Meadows	Shimkus
Johnson, Sam	Meeks	Shuster
Jordan	Messer	Simpson
Joyce (OH)	Mitchell	Sinema
Kaptur	Moolenaar	Sires
Katko	Mooney (WV)	Smith (MO)
Keating	Moore	Smith (NE)
Kelly (IL)	Moulton	Smith (NJ)
Kelly (MS)	Mullin	Smith (TX)
Kelly (PA)	Murphy (FL)	Smith (WA)
Kennedy	Nadler	Soto
Khanna	Napolitano	Stefanik
Kihuen	Neal	Stewart
Kildee	Newhouse	Stivers
Kilmer	Noem	Suozi
Kind	Norcross	Swalwell (CA)
King (IA)	Nunes	Takano
King (NY)	Palazzo	Tenney
Kinzing	Pallone	Thompson (CA)
Knight	Palmer	Thompson (MS)
Krishnamoorthi	Panetta	Thompson (PA)
Kuster (NH)	Pascarella	Thornberry
Kustoff (TN)	Paulsen	Tipton
Labrador	Payne	Titus
LaHood	Perlmutter	Tonko
LaMalfa	Perry	Torres
Lamb	Peters	Trott
Lamborn	Peterson	Tsongas
Lance	Pingree	Upton
Langevin	Pocan	Valadao
Larsen (WA)	Poe (TX)	Vargas
Latta	Poliquin	Veasey
Lawrence	Polis	Vela
Lawson (FL)	Posey	Visclosky
Lee	Quigley	Wagner
Lesko	Raskin	Walberg
Levin	Ratcliffe	Walden
Lewis (GA)	Reed	Walker
Lewis (MN)	Reichert	Walorski
Lieu, Ted	Rice (NY)	Waters, Maxine
Lipinski	Richmond	Watson Coleman
LoBiondo	Roby	Weber (TX)
Loebsack	Roe (TN)	Webster (FL)
Long	Rogers (AL)	Welch
Loudermilk	Rogers (KY)	Wenstrup
Love	Rokita	Westerman
Lowenthal	Rooney, Francis	Williams
Lowey	Ros-Lehtinen	Wilson (FL)
Lucas	Rosen	Wilson (SC)
	Roskam	Wittman
	Rothfus	Womack
	Roybal-Allard	Woodall
	Royce (CA)	Yarmuth
	Ruppersberger	Yoder
	Rush	Yoho
	Russell	Young (AK)
	Rutherford	Young (IA)
	Ryan (OH)	Zeldin

NAYS—1

Amash

NOT VOTING—49

Adams	Jones	Rohrabacher
Aderholt	Larson (CT)	Rooney, Thomas
Barletta	Lofgren	J.
Blackburn	Lynch	Ross
Brady (PA)	Maloney, Sean	Rouzer
Butterfield	Meng	Sanford
Cicilline	Nolan	Shea-Porter
Ellison	Norman	Sherman
Eshoo	O'Halleran	Smucker
Gottheimer	O'Rourke	Speier
Guírrerz	Olson	Taylor
Hice, Jody B.	Pearce	Turner
Holding	Pelosi	Velázquez
Hunter	Pittenger	Walters, Mimi
Hurd	Price (NC)	Walz
Issa	Renacci	Wasserman
Jenkins (WV)	Rice (SC)	Schultz

So, two-thirds of the Members present having voted in favor thereof,

the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.38 FIRST SPONSOR CHANGE—H.R.

2926

Mr. LANCE, by unanimous consent, was authorized to be considered as the first sponsor of the bill (H.R. 2926) to amend the Higher Education Act of 1965 to require institutions of higher education to disclose hazing incidents, and for other purposes (a bill originally introduced by the former Representative Meehan); for the purposes of adding cosponsors and requesting reprintings, pursuant to clause 7(b)(4) of rule XII.

¶128.39 HOMELAND SECURITY APPROPRIATIONS FY 2019

Mr. YODER submitted a privileged report (Rept. No. 115-948) on the bill (H.R. 6776) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2019, and for other purposes.

When said bill and report were referred to the Union Calendar and ordered printed.

Pursuant to clause 1 of rule XXI, all points of order were reserved.

¶128.40 REMOVING THE PROHIBITION ON CERTAIN ALCOHOL MANUFACTURING ON INDIAN LANDS

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 5317) to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands; as amended.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.41 CONTRA COSTA CANAL TRANSFER

Mr. GIANFORTE moved to suspend the rules and pass the bill (H.R. 6040) to authorize the Secretary of the Interior to convey certain land and facilities of the Central Valley Project; as amended.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, recognized Mr. GIANFORTE and Ms. TSONGAS, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶128.42 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5895) "An Act making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes."

The message also announced that the Senate agreed to a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 46. A concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 5895.

¶128.43 MESSAGE FROM THE PRESIDENT—NATIONAL EMERGENCY WITH RESPECT TO FOREIGN INTERFERENCE IN U.S. ELECTIONS

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code, I hereby report that I have issued an Executive Order declaring a national emergency to deal with the threat of foreign interference in United States elections and authorizing the United States Government to impose a range of appropriate and meaningful sanctions against foreign individuals and entities determined to have engaged in election interference.

Foreign powers have historically sought to exploit America's free and open political system. In recent years, the proliferation of digital devices and internet-based communications has created significant vulnerabilities and magnified the scope and intensity of

the threat of foreign interference. To deal with this threat, I have directed the Director of National Intelligence to conduct regular assessments of any information indicating that foreign election interference has taken place. I have also directed the Attorney General and Secretary of Homeland Security to conduct evaluations of the effects of any such interference that targeted election infrastructure or campaign-related infrastructure, and to provide updates and recommendations on appropriate measures to take in response.

In the event foreign election interference is determined to have occurred, the Executive Order provides for the imposition of sanctions on foreign persons determined by the Secretary of the Treasury, in consultation with the Secretary of State, to have engaged in, sponsored, concealed, or otherwise been complicit in the interference, as well as other related persons. The Executive Order further directs the Secretary of State and the Secretary of the Treasury to develop additional recommended sanctions measures, appropriately calibrated to account for the severity of the interference and any collateral effects on United States and allied financial stability and economic and security interests, targeting companies in significant economic sectors in a country whose government is determined to have engaged in or sponsored election interference.

I am enclosing a copy of the Executive Order I have issued.

DONALD J. TRUMP.

THE WHITE HOUSE, *September 12, 2018.*

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs, the Committee on the Judiciary, the Committee on House Administration, and the Permanent Select Committee on Intelligence, and ordered to be printed (H. Doc. 115-152).

¶128.44 PROVIDING FOR CONSIDERATION OF H.R. 3798 AND THE CONFERENCE REPORT TO H.R. 5895

Mr. SESSIONS, by direction of the Committee on Rules, reported (Rept. No. 115-949) the resolution (H. Res. 1059) providing for consideration of the bill (H.R. 3798) to amend the Internal Revenue Code of 1986 to repeal the 30-hour threshold for classification as a full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act and replace it with 40 hours; providing for consideration of the conference report to accompany the bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; and providing for proceedings during the period from September 17, 2018, through September 24, 2018.

When said resolution and report were referred to the House Calendar and ordered printed.

¶128.45 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. HOLDING, for today and balance of the week; and

To Mr. ROUZER, for today and balance of the week.

And then,

¶128.46 ADJOURNMENT

On motion of Mr. ESTES of Kansas, at 8 o'clock and 34 minutes p.m., the House adjourned.

¶128.47 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 5059. A bill to amend the Home Owners' Loan Act with respect to the registration and supervision of insurance savings and loan holding companies, and for other purposes; with an amendment (Rept. 115-937). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 6316. A bill to clarify the primary functions and duties of the Office of Advocacy of the Small Business Administration, and for other purposes (Rept. 115-938). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 6330. A bill to amend the Small Business Act to modify the method for prescribing size standards for business concerns (Rept. 115-939). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 6347. A bill to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes (Rept. 115-940). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 6348. A bill to adjust the real estate appraisal thresholds under section 504 program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes (Rept. 115-941). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 6367. A bill to amend the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors, and for other purposes; with an amendment (Rept. 115-942). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 6369. A bill to amend the Small Business Act to eliminate the inclusion of option years in the award price for sole source contracts, and for other purposes; with an amendment (Rept. 115-943). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 6382. A bill to amend the Small Business Act to require the Administrator of the Small Business Administration to report certain information to the Congress and to the President, and for other purposes; with an amendment (Rept. 115-944). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 3398. A bill to amend the Real ID Act of 2005 to permit Freely Associated States to meet identification requirements under such Act, and for other purposes (Rept. 115-945). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 4431. A bill to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service (Rept. 115-946, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 4887. A bill to modernize Federal grant reporting, and for other purposes; with an amendment (Rept. 115-947). Referred to the Committee of the Whole House on the state of the Union.

Mr. YODER: Committee on Appropriations. H.R. 6776. A bill making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2019, and for other purposes (Rept. 115-948). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 1059. Resolution providing for consideration of the bill (H.R. 3798) to amend the Internal Revenue Code of 1986 to repeal the 30-hour threshold for classification as a full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Act and replace it with 40 hours; providing for consideration of the conference report to accompany the bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes; and providing for proceedings during the period from September 17, 2018, through September 24, 2018 (Rept. 115-949). Referred to the House Calendar.

¶128.48 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on House Administration discharged from further consideration. H.R. 4431 referred to the Committee of the Whole House on the state of the Union.

¶128.49 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. BORDALLO:

H.R. 6770. A bill to amend the Individuals with Disabilities Education Act to provide parity for outlying areas, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GRAVES of Louisiana (for himself, Mr. RICHMOND, Mr. SCALISE, Mr. WEBER of Texas, Mr. JOHNSON of Louisiana, Mr. ABRAHAM, Mr. HIGGINS of Louisiana, Mr. BYRNE, and Mr. BABIN):

H.R. 6771. A bill to amend the Gulf of Mexico Energy Security Act of 2006, and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of Mississippi (for himself, Ms. NORTON, Mr. BISHOP of Georgia, Mr. HASTINGS, Ms. JACKSON LEE, Mr. BUTTERFIELD, Mr. CLEAVER, Mr. AL GREEN of Texas, Mr. JOHNSON of Georgia, Mr. CARSON of Indiana, Ms. FUDGE, Ms. BASS, Mr. RICHMOND, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. PAYNE, Mrs. BEATTY, Mr. JEFFRIES, Ms. CLARKE of New York,

Ms. KELLY of Illinois, Mr. EVANS, Mr. LAWSON of Florida, Mr. BROWN of Maryland, Mr. LEWIS of Georgia, Mr. CLYBURN, Mr. VEASEY, Ms. LEE, and Mr. MCEACHIN):

H.R. 6772. A bill to strengthen partnerships between historically Black colleges and universities and minority-serving institutions and the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN:

H.R. 6773. A bill to direct the Secretary of Transportation to issue rules requiring the inclusion of new safety equipment in school buses, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Michigan (for himself and Mr. CONAWAY):

H.R. 6774. A bill to require the Director of National Intelligence to seek to determine if the Government of Iran has used certain funds received by reason of sanctions relief pursuant to the Joint Comprehensive Plan of Action or cash payments conveyed by the United States in early 2016 to sponsor foreign terrorist organizations, facilitate illicit narcotics activities, or conduct military operations in Syria, and for other purposes; to the Committee on Intelligence (Permanent Select), and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARK of Massachusetts:

H.R. 6775. A bill to effectively staff the public elementary schools and secondary schools of the United States with school-based mental health services providers; to the Committee on Education and the Workforce.

By Mr. PALMER:

H.R. 6777. A bill to amend chapter 3 of title 5, United States Code, to require the publication of settlement agreements, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 6778. A bill to require the Secretary of Health and Human Services to provide guidance to States regarding Federal reimbursement for furnishing services and treatment for substance use disorders under Medicaid using telehealth services; to the Committee on Energy and Commerce.

By Mr. BUCK:

H.R. 6779. A bill to amend the Controlled Substances Act to require the Drug Enforcement Administration to report certain information on distribution of opioids, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CASTOR of Florida (for herself, Mr. FRANCIS ROONEY of Florida, Mr. RUTHERFORD, Mrs. DEMINGS, Mr. DUNN, Mr. CRIST, Mr. ROSS, Mr. DIAZ-BALART, Mr. GAETZ, Mr. YOH, Ms. FRANKEL of Florida, Ms. WASSERMAN SCHULTZ, Mr. WEBSTER of Florida, Mrs. MURPHY of Florida, Mr. LAWSON

of Florida, Mr. CURBELO of Florida, Mr. SOTO, Mr. BUCHANAN, Mr. BILIRAKIS, Mr. POSEY, Mr. THOMAS J. ROONEY of Florida, Mr. MAST, Ms. ROS-LEHTINEN, Mr. HASTINGS, Ms. WILSON of Florida, and Mr. DEUTCH):

H.R. 6780. A bill to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the “Major Andreas O’Keeffe Post Office Building”; to the Committee on Oversight and Government Reform.

By Ms. DELBENE (for herself and Mr. REED):

H.R. 6781. A bill to amend title XVIII of the Social Security Act to provide for coverage under the Medicare program of certain mental health telehealth services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself and Mr. MCNERNEY):

H.R. 6782. A bill to determine the feasibility of additional agreements for long-term use of existing or expanded non-Federal storage and conveyance facilities to augment Federal water supply, ecosystem, and operational flexibility benefits in certain areas, and for other purposes; to the Committee on Natural Resources.

By Mr. DONOVAN (for himself, Mr. BUDD, and Mr. MCCAUL):

H.R. 6783. A bill to require the Secretary of the Treasury to confiscate interest paid on certain frozen bank accounts, to require the Secretary to confiscate certain frozen assets, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUFFY (for himself, Mr. NEWHOUSE, Mrs. MCMORRIS RODGERS, and Mr. PETERSON):

H.R. 6784. A bill to provide for removal of the gray wolf in the contiguous 48 States from the List of Endangered and Threatened Wildlife published under the Endangered Species Act of 1973; to the Committee on Natural Resources.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself and Mr. THOMPSON of Mississippi):

H.R. 6785. A bill to provide tax incentives to promote economic development in Economically Distressed Zones; to the Committee on Ways and Means.

By Mr. GOODLATTE:

H.R. 6786. A bill to protect the interests of each resident of intermediate care facilities for individuals with intellectual disabilities in class action lawsuits by federally funded entities involving such residents and in Department of Justice actions that could result in an agreement to move such a resident from that resident’s facility; to the Committee on the Judiciary.

By Mr. JODY B. HICE of Georgia (for himself, Mr. MEADOWS, and Mr. MITCHELL):

H.R. 6787. A bill to provide for reforming agencies of the Federal Government to improve efficiency and effectiveness, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TED LIEU of California:

H.R. 6788. A bill to amend title 18, United States Code, to provide a criminal penalty

for certain Federal officers and employees using their public office for private gain, and for other purposes; to the Committee on the Judiciary.

By Mr. MEEKS:

H.R. 6789. A bill to require certain Federal financial regulators to carry out an independent study of their regulated entities’ processes for allowing third parties to access consumer-authorized financial data; to the Committee on Financial Services.

By Mr. MOONEY of West Virginia (for himself and Mr. LABRADOR):

H.R. 6790. A bill to amend the Internal Revenue Code of 1986 to clarify that gain or loss on the sale or exchange of certain coins or bullion is exempt from recognition; to the Committee on Ways and Means.

By Ms. ROSEN (for herself, Mr. DONOVAN, Ms. STEFANIK, and Mr. MOULTON):

H.R. 6791. A bill to establish a grant program within the Department of Labor to support the creation, implementation, and expansion of registered apprenticeship programs in cybersecurity; to the Committee on Education and the Workforce.

By Mr. RYAN of Ohio (for himself and Mr. MCKINLEY):

H.R. 6792. A bill to authorize the Secretary of Housing and Urban Development to make grants to States for use to eliminate blight and assist in neighborhood revitalization, and for other purposes; to the Committee on Financial Services.

By Ms. KAPTUR (for herself, Mr. HARRIS, Mr. FITZPATRICK, and Mr. LEVIN):

H.J. Res. 139. A joint resolution providing for the designation of a “Freedom to Choose their Destiny for the Nations of Eastern Europe and Eurasia Week”; to the Committee on Foreign Affairs.

By Mr. HIGGINS of Louisiana:

H. Con. Res. 135. Concurrent resolution requiring Members of the House of Representatives and the Senate to participate in random drug testing; to the Committee on House Administration.

By Mr. VEASEY (for himself, Mr. HASTINGS, Ms. NORTON, Mrs. BEATTY, Ms. SEWELL of Alabama, Ms. JAYAPAL, Mrs. WATSON COLEMAN, Mr. PAYNE, Mr. LEWIS of Georgia, Mr. CARSON of Indiana, Ms. MOORE, Ms. CLARKE of New York, Mr. SCOTT of Virginia, Mr. TAKANO, Mr. LARSEN of Washington, Mr. DANNY K. DAVIS of Illinois, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BASS, Mr. POCAN, Mrs. DEMINGS, Mr. PALLONE, Mr. BROWN of Maryland, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. GARAMENDI, Mr. MOULTON, Mr. LOWENTHAL, Mr. LAWSON of Florida, Ms. WILSON of Florida, Mr. DESAULNIER, Mr. NADLER, Ms. BARRAGÁN, Mr. BEN RAY LUJÁN of New Mexico, Mr. SEAN PATRICK MALONEY of New York, Mr. PRICE of North Carolina, Mr. SERRANO, Ms. JUDY CHU of California, Mr. HIGGINS of New York, Mr. RUSH, Ms. BONAMICI, Ms. WASSERMAN SCHULTZ, Mr. MCEACHIN, Ms. SCHAKOWSKY, Ms. SHEA-PORTER, Mr. MCNERNEY, Mr. SIREs, Ms. ROYBAL-ALLARD, Mr. BLUMENAUER, Mr. JEFFRIES, Mr. GUTIERREZ, Ms. TITUS, Mr. GONZALEZ of Texas, Mr. SMITH of Washington, Mr. QUIGLEY, Mr. RYAN of Ohio, Mr. MEEKS, Ms. BROWNLEY of California, Mr. CUMMINGS, Mr. COSTA, Mr. MCGOVERN, Mr. YARMUTH, Mr. COHEN, Mr. SOTO, Mr. KILDEE, Mr. KHANNA, Ms. ESHOO, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. THOMPSON of Mississippi, Mrs. NAPOLITANO, Ms. MATSUI, Ms. JACKSON LEE, Ms. MCCOLLUM, Mr. EVANS,

Mrs. LAWRENCE, Mr. CARBAJAL, Mr. VELA, Mr. CRIST, Mr. SARBANES, Ms. DELBENE, Mrs. CAROLYN B. MALONEY of New York, Mr. NOLAN, Ms. BLUNT ROCHESTER, Mr. WELCH, Ms. DELAURO, Ms. SÁNCHEZ, Mr. TONKO, Mr. HUFFMAN, Mr. FOSTER, Ms. VELÁZQUEZ, Mr. GENE GREEN of Texas, Mr. DAVID SCOTT of Georgia, Mr. ESPAILLAT, Mr. CICILLINE, Ms. LEE, Mr. CASTRO of Texas, Mr. ENGEL, Mr. DELANEY, Mr. KILMER, Mrs. LOWEY, Mr. POLIS, Mr. LOEBACK, Mr. GOMEZ, Mrs. DINGELL, Ms. ADAMS, Mr. PANETTA, Mr. TED LIEU of California, Mr. DEFazio, Ms. FUDGE, Mr. KIHUEN, Mr. GALLEG0, and Ms. DEGETTE):

H. Res. 1058. A resolution expressing support for designation of the month of September as “National Voting Rights Month”; to the Committee on the Judiciary, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARKE of New York (for herself, Ms. BASS, Mr. POCAN, Mr. HASTINGS, Ms. NORTON, Ms. LEE, Mr. CARSON of Indiana, and Mrs. DEMINGS):

H. Res. 1060. A resolution commending Alice Allison Dunnigan for her barrier-breaking career in journalism; to the Committee on Oversight and Government Reform.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H. Res. 1061. A resolution expressing support for designation of the week of September 16, 2018, through September 22, 2018, as “Balance Awareness Week”; to the Committee on Energy and Commerce.

By Mr. PANETTA (for himself and Mr. MAST):

H. Res. 1062. A resolution supporting the goals to protect United States military personnel from malaria; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

128.50 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 93: Mr. PAYNE.
H.R. 303: Mr. MARINO.
H.R. 354: Mr. CLOUD.
H.R. 502: Mr. BERGMAN.
H.R. 544: Mr. GOHMERT.
H.R. 564: Mrs. LESKO.
H.R. 592: Mr. GUTIERREZ and Ms. ROYBAL-ALLARD.
H.R. 762: Mrs. BROOKS of Indiana, Mr. MCGOVERN, Mr. CURBELO of Florida, and Mr. COOK.
H.R. 1102: Mr. CRIST.
H.R. 1121: Mr. CHABOT.
H.R. 1300: Mrs. BEATTY, Mr. DEUTCH, Mrs. DINGELL, Mr. CICILLINE, and Mr. NORCROSS.
H.R. 1318: Mr. BOST and Mr. FRELING-HUYSEN.
H.R. 1363: Mr. NORCROSS.
H.R. 1447: Mrs. DEMINGS, Ms. KAPTUR, Ms. SPEIER, Mr. CONNOLLY, Mr. DELANEY, Mr. TED LIEU of California, Mr. HIMES, Mr. COOPER, Mr. BROWN of Maryland, and Mr. DEUTCH.
H.R. 1515: Mr. DEUTCH, Mr. RYAN of Ohio, Mr. KIHUEN, Mr. COHEN, Mr. ENGEL, Mrs. DEMINGS, Ms. KAPTUR, Ms. ROYBAL-ALLARD, and Ms. ESHOO.

H.R. 1683: Mr. LAMALFA, Mr. HASTINGS, Ms. HANABUSA, and Mr. CRIST.
 H.R. 1884: Mrs. COMSTOCK and Ms. PINGREE.
 H.R. 1902: Mr. DELANEY.
 H.R. 1911: Ms. SINEMA, Mr. RUTHERFORD, and Mr. QUIGLEY.
 H.R. 1957: Ms. BORDALLO, Mr. SHERMAN, Ms. KAPTUR, Ms. LEE, Mr. BEN RAY LUJÁN of New Mexico, Mr. GUTIÉRREZ, Ms. SPEIER, Mr. KILMER, Mr. TED LIEU of California, Mrs. LOWEY, Ms. VELÁZQUEZ, Mr. HECK, Mr. McEACHIN, Mr. WALZ, and Mr. HIMES.
 H.R. 2069: Mrs. MIMI WALTERS of California.
 H.R. 2092: Mr. HULTGREN and Mr. JOYCE of Ohio.
 H.R. 2119: Ms. FRANKEL of Florida, Mr. RYAN of Ohio, Mr. KIHUEN, Mr. THOMPSON of California, Ms. KAPTUR, Ms. BORDALLO, Mr. BEN RAY LUJÁN of New Mexico, Ms. BARRAGÁN, and Mr. CONNOLLY.
 H.R. 2150: Ms. FUDGE.
 H.R. 2267: Ms. ESTY of Connecticut and Mr. GOTTHEIMER.
 H.R. 2315: Mr. LOUDERMILK, Ms. HERRERA BEUTLER, and Mr. REICHERT.
 H.R. 2358: Mr. COOPER, Ms. WASSERMAN SCHULTZ, Ms. SEWELL of Alabama, Mr. LUCAS, Mr. McEACHIN, Mr. COSTA, Mr. SUOZZI, Mr. DEUTCH, Mr. WILLIAMS, Mr. BACON, Mr. THOMPSON of California, Mrs. WATSON COLEMAN, and Mr. WOODALL.
 H.R. 2594: Mr. PETERS.
 H.R. 2620: Mr. CLOUD.
 H.R. 2640: Mr. WELCH and Ms. PELOSI.
 H.R. 2902: Mr. AGUILAR.
 H.R. 2953: Mr. STIVERS, Mr. MOULTON, Mr. KATKO, Mrs. TORRES, and Mr. COLE.
 H.R. 3145: Ms. JACKSON LEE.
 H.R. 3222: Mr. THOMPSON of California, Mr. PANETTA, Mrs. DEMINGS, Ms. KAPTUR, Mrs. LOWEY, Ms. VELÁZQUEZ, Mrs. NAPOLITANO, Mr. COOPER, and Ms. BARRAGÁN.
 H.R. 3325: Mr. MARSHALL and Mr. DENHAM.
 H.R. 3398: Ms. BORDALLO and Mrs. RADEWAGEN.
 H.R. 3473: Mr. SOTO.
 H.R. 3513: Mr. LAWSON of Florida.
 H.R. 3520: Mr. ENGEL, Mr. TED LIEU of California, Mr. DEUTCH, Ms. ROYBAL-ALLARD, Ms. ESHOO, Mr. KIHUEN, Ms. KAPTUR, Mr. KILMER, Mr. SOTO, Mrs. DEMINGS, and Mr. LOWENTHAL.
 H.R. 3780: Mr. MEADOWS.
 H.R. 3798: Mr. ESTES of Kansas.
 H.R. 3834: Mr. FASO, Mr. ZELDIN, Mr. PERLMUTTER, Mr. MACARTHUR, and Mr. SIRES.
 H.R. 3976: Mr. VALADAO.
 H.R. 4107: Mrs. DEMINGS, Ms. WILSON of Florida, Mr. GUTIÉRREZ, Mr. GENE GREEN of Texas, Mr. THOMPSON of Mississippi, Mr. RUPPERSBERGER, Mr. CRAWFORD, Ms. KAPTUR, Mr. PANETTA, Ms. PINGREE, Ms. CLARKE of New York, Mr. FASO, and Mr. UPTON.
 H.R. 4143: Ms. ROYBAL-ALLARD.
 H.R. 4256: Mr. BUCSHON, Mr. RYAN of Ohio, Mr. YOHO, and Mr. BEN RAY LUJÁN of New Mexico.
 H.R. 4312: Mr. GOSAR.
 H.R. 4426: Mr. GALLEGO.
 H.R. 4454: Mr. BLUMENAUER.
 H.R. 4483: Mr. MEADOWS and Mr. GAETZ.
 H.R. 4588: Mr. MEADOWS and Mr. MITCHELL.
 H.R. 4704: Mr. COHEN.
 H.R. 4732: Mr. JOYCE of Ohio, Mrs. DINGELL, Mr. THOMPSON of Pennsylvania, Mr. MOOLENAAR, and Mr. WITTMAN.
 H.R. 4765: Mr. CICILLINE.
 H.R. 5011: Mr. PETERS, Ms. DELBENE, and Ms. DEGETTE.
 H.R. 5034: Mr. GENE GREEN of Texas, Ms. BARRAGÁN, Mr. CONNOLLY, and Mrs. TORRES.
 H.R. 5114: Mr. TED LIEU of California.
 H.R. 5136: Mr. FOSTER.
 H.R. 5141: Mr. MARINO, Mr. PERLMUTTER, Ms. TSONGAS, Mr. SIMPSON, Mr. TONKO, and Mr. COURTNEY.
 H.R. 5153: Mr. DESJARLAIS, Mr. HILL, and Ms. TENNEY.
 H.R. 5161: Mr. HUFFMAN.

H.R. 5222: Mr. DANNY K. DAVIS of Illinois.
 H.R. 5244: Ms. MCCOLLUM.
 H.R. 5282: Mr. THOMPSON of Pennsylvania and Mrs. COMSTOCK.
 H.R. 5306: Mr. SMUCKER and Mr. GIANFORTE.
 H.R. 5340: Mr. MACARTHUR.
 H.R. 5341: Ms. ROSEN.
 H.R. 5374: Mr. SCHIFF and Ms. ESHOO.
 H.R. 5460: Ms. JAYAPAL and Mr. MARSHALL.
 H.R. 5468: Mr. BUCK.
 H.R. 5476: Mr. PANETTA.
 H.R. 5500: Mr. FERGUSON.
 H.R. 5561: Ms. ADAMS, Ms. BLUNT ROCH-ESTER, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Ms. CLARKE of New York, Ms. DeLAURO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. DUNCAN of South Carolina, Mr. JODY B. HICE of Georgia, Mr. HUDSON, Mr. HUNTER, Ms. JAYAPAL, Ms. KELLY of Illinois, Mr. KILDEE, Mr. KINZINGER, Mr. LAMB, Ms. LEE, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Mr. RUPPERSBERGER, Mr. SMITH of Washington, Mr. TAYLOR, Mrs. TORRES, and Mr. YOHO.
 H.R. 5671: Mr. SIRES and Mr. VALADAO.
 H.R. 5701: Mr. MARSHALL and Mr. HILL.
 H.R. 5753: Mrs. DEMINGS.
 H.R. 5760: Mr. HIMES.
 H.R. 5819: Ms. HANABUSA.
 H.R. 5879: Mr. FRANCIS ROONEY of Florida, Mr. LAMBORN, Mrs. DEMINGS, Mrs. DAVIS of California, Mr. AGUILAR, Mr. PANETTA, Mr. GALLEGO, and Mr. POSEY.
 H.R. 5899: Mr. BOST.
 H.R. 5908: Mr. GRIJALVA.
 H.R. 5948: Mr. POE of Texas.
 H.R. 5949: Mr. POE of Texas.
 H.R. 5988: Mr. WALBERG and Mr. LUETKE-MEYER.
 H.R. 6014: Mr. PETERS.
 H.R. 6016: Ms. JUDY CHU of California.
 H.R. 6018: Mr. FRANCIS ROONEY of Florida.
 H.R. 6021: Mr. BEYER.
 H.R. 6033: Mr. COOPER, Ms. ROYBAL-ALLARD, Ms. BORDALLO, Mrs. DEMINGS, Mr. THOMPSON of California, Ms. BASS, Ms. FRANKEL of Florida, Mr. RYAN of Ohio, Mr. KIHUEN, Ms. ESHOO, Mr. QUIGLEY, Mr. CARBAJAL, Ms. VELÁZQUEZ, Mr. McEACHIN, Mr. DELANEY, Mrs. NAPOLITANO, Mrs. LOWEY, Ms. BARRAGÁN, Mrs. TORRES, and Mr. SERRANO.
 H.R. 6064: Mr. ZELDIN.
 H.R. 6079: Mr. WITTMAN.
 H.R. 6080: Mr. CARBAJAL.
 H.R. 6086: Ms. DEGETTE and Mr. PETERS.
 H.R. 6093: Ms. CLARKE of New York.
 H.R. 6097: Ms. BONAMICI.
 H.R. 6104: Ms. JACKSON LEE and Mr. DAVIDSON.
 H.R. 6125: Mr. KING of New York, Mr. SUOZZI, Miss RICE of New York, Ms. MENG, Ms. VELÁZQUEZ, Mr. JEFFRIES, Ms. CLARKE of New York, Mrs. CAROLYN B. MALONEY of New York, Mr. ESPAILLAT, Mr. SERRANO, Mr. TONKO, and Mr. HIGGINS of New York.
 H.R. 6143: Ms. ROSEN and Mr. BIGGS.
 H.R. 6144: Mr. BIGGS and Ms. ROSEN.
 H.R. 6156: Mrs. COMSTOCK and Mr. BILIRAKIS.
 H.R. 6197: Mr. COHEN.
 H.R. 6224: Mr. TURNER, Mr. FITZPATRICK, and Mr. CARSON of Indiana.
 H.R. 6227: Mr. BALDERSON.
 H.R. 6230: Ms. WASSERMAN SCHULTZ, Mrs. CAROLYN B. MALONEY of New York, and Mr. QUIGLEY.
 H.R. 6267: Mr. SOTO and Mr. LARSEN of Washington.
 H.R. 6268: Mr. WEBSTER of Florida.
 H.R. 6277: Mr. SMITH of Missouri.
 H.R. 6287: Mr. CURBELO of Florida, Mr. GRAVES of Missouri, Miss RICE of New York, Mr. YOUNG of Alaska, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Mr. LoBIONDO.
 H.R. 6390: Mr. CICILLINE.
 H.R. 6411: Ms. SINEMA.
 H.R. 6417: Mrs. BLACK and Mr. JOHNSON of Ohio.

H.R. 6421: Ms. GRANGER.
 H.R. 6437: Ms. DEGETTE.
 H.R. 6455: Miss GONZÁLEZ-COLÓN of Puerto Rico.
 H.R. 6505: Ms. LOFGREN and Mr. COURTNEY.
 H.R. 6510: Mr. GALLAGHER, Mr. ROTHFUS, Mr. LARSEN of Washington, Ms. CLARK of Massachusetts, Mr. HIMES, Mr. NORCROSS, Mr. PALLONE, Mr. POLIQUIN, Mr. O'HALLERAN, Ms. DELBENE, Mrs. MURPHY of Florida, Mr. TED LIEU of California, Mr. GALLEGO, Mr. LANGEVIN, Mr. COURTNEY, Mrs. WALORSKI, Mr. PAYNE, Mr. POLIS, Mr. BLUMENAUER, Mr. COOPER, Ms. TITUS, Mr. BARR, Mr. JOHNSON of Ohio, Ms. GRANGER, Ms. STEFANIK, Mr. GIBBS, Mr. EMMER, and Mr. BIGGS.
 H.R. 6543: Mr. PRICE of North Carolina and Ms. KELLY of Illinois.
 H.R. 6545: Mr. KEATING, Mr. RYAN of Ohio, Mr. GARAMENDI, Mr. LOWENTHAL, Mr. PRICE of North Carolina, Ms. ESTY of Connecticut, Mr. SCHRADER, Mr. LAWSON of Florida, and Mr. BEYER.
 H.R. 6580: Mr. PANETTA.
 H.R. 6595: Mr. POE of Texas.
 H.R. 6606: Mr. LAMB, Mr. EVANS, and Mr. PERRY.
 H.R. 6609: Mr. LARSEN of Washington and Mr. CICILLINE.
 H.R. 6622: Mrs. MURPHY of Florida, Mr. WEBSTER of Florida, Mr. THOMAS J. ROONEY of Florida, and Mr. DIAZ-BALART.
 H.R. 6626: Mr. NORCROSS and Mr. LoBIONDO.
 H.R. 6629: Mr. HASTINGS, Mr. RYAN of Ohio, and Mr. SIRES.
 H.R. 6637: Mr. NORCROSS.
 H.R. 6645: Mr. BILIRAKIS and Mr. DIAZ-BALART.
 H.R. 6657: Mr. MOONEY of West Virginia.
 H.R. 6711: Mr. PERLMUTTER and Mr. GRIJALVA.
 H.R. 6720: Mr. COHEN.
 H.R. 6728: Mr. GALLEGO and Ms. SINEMA.
 H.R. 6730: Mr. SENSENBRENNER, Mr. POE of Texas, and Mr. GAETZ.
 H.R. 6734: Mr. CASTRO of Texas, Mr. BISHOP of Georgia, Ms. SINEMA, and Mr. DUNN.
 H.R. 6737: Ms. SINEMA.
 H.R. 6745: Mr. GONZALEZ of Texas.
 H.R. 6753: Mr. BRADY of Texas and Mr. NEAL.
 H.R. 6755: Mr. HOLDING.
 H.R. 6757: Mr. SESSIONS.
 H.R. 6758: Mr. CICILLINE.
 H.R. 6759: Mr. FITZPATRICK.
 H. Con. Res. 105: Mr. DELANEY.
 H. Res. 15: Mr. PETERSON.
 H. Res. 31: Mr. LAMB and Mr. PETERSON.
 H. Res. 69: Mr. COHEN and Mr. LYNCH.
 H. Res. 199: Mr. McEACHIN.
 H. Res. 274: Mr. CORREA.
 H. Res. 349: Mrs. COMSTOCK.
 H. Res. 401: Mrs. LOWEY and Mr. KRISHNAMOORTHY.
 H. Res. 493: Mr. BACON.
 H. Res. 673: Mr. PERRY and Mrs. LESKO.
 H. Res. 776: Ms. SHEA-PORTER and Ms. TITUS.
 H. Res. 864: Mr. DENHAM, Mr. SHUSTER, Mr. CARSON of Indiana, Mr. COFFMAN, Mr. SEAN PATRICK MALONEY of New York, and Mrs. DAVIS of California.
 H. Res. 987: Mr. HUFFMAN.
 H. Res. 993: Mr. SWALWELL of California and Ms. HERRERA BEUTLER.
 H. Res. 1031: Mr. DELANEY.
 H. Res. 1055: Mr. FITZPATRICK.

128.51 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 6417: Mr. EVANS.

**THURSDAY, SEPTEMBER 13, 2018
(129)**

**¶129.1 APPOINTMENT OF SPEAKER PRO
TEMPORE**

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Ms. FOXX, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

September 13, 2018.

I hereby appoint the Honorable VIRGINIA FOXX to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶129.2 RECESS—10:46 A.M.

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 46 minutes a.m., until noon.

¶129.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶129.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, September 12, 2018.

Mr. WILLIAMS, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. WILLIAMS objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶129.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6218. A letter from the Director, Office of Management and Budget, Executive Office of The President, transmitting the September 2018 Monthly Cumulative Report on Rescissions, pursuant to 2 U.S.C. 685(e); Public Law 93-344, Sec. 1014(e); (88 Stat. 335) (H. Doc. No. 115—153); to the Committee on Appropriations and ordered to be printed.

6219. A letter from the Deputy Secretary, Department of Agriculture, transmitting a report of violations of the Antideficiency Act, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

6220. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks (RIN: 3064-AE76) received

September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6221. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Continued Temporary Modification of Category XI of the United States Munitions List (RIN: 1400-AE70) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6222. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the 2017 Annual Report on the Activities and Operations of the Public Integrity Section Criminal Division, pursuant to 28 U.S.C. 529(a); Public Law 95-521, Sec. 603(a); (92 Stat. 187); to the Committee on the Judiciary.

6223. A letter from the Director, Administrative Office of the United States Courts, transmitting the revised 2017 annual report on bankruptcy statistics, pursuant to 28 U.S.C. 159(b)(3); Public Law 109-8, Sec. 601(a); (119 Stat. 119); to the Committee on the Judiciary.

6224. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Sandusky Bicentennial Fireworks, Sandusky Bay, Sandusky, OH [Docket No.: USCG-2018-0777] (RIN: 1625-AA00) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6225. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Great Lakes Offshore Grand Prix, Lake Erie, Dunkirk, NY [Docket No.: USCG-2018-0683] (RIN: 1625-AA00) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6226. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Lower Mississippi River, New Orleans, LA [Docket No.: USCG-2018-0348] (RIN: 1625-AA00) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6227. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Security Zone; Ohio River, Olmsted, IL [Docket No.: USCG-2018-0700] (RIN: 1625-AA87) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6228. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Lower Mississippi River, Mile Markers 230.4 to 215, Baton Rouge, LA [Docket No.: USCG-2018-0744] (RIN: 1625-AA00) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6229. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Lake Michigan, Chicago, IL [Docket No.: USCG-2018-0707] (RIN: 1625-AA00) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6230. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Upper Mississippi River, Mile Markers 751.2 to 751.8, Alma, WI [Docket No.: USCG-2018-0742] (RIN: 1625-AA00) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6231. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Delaware River Fireworks Display, Delaware River, Philadelphia, PA [Docket No.: USCG-2018-0810] (RIN: 1625-AA00) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

**¶129.6 PROVIDING FOR CONSIDERATION
OF H.R. 3798 AND THE CONFERENCE
REPORT TO H.R. 5895**

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 1059):

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 3798) to amend the Internal Revenue Code of 1986 to repeal the 30-hour threshold for classification as a full-time employee for purposes of the employer mandate in the Patient Protection and Affordable Care Act and replace it with 40 hours. All points of order against consideration of the bill are waived. An amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-84 shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 5895) making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

SEC. 3. On any legislative day during the period from September 17, 2018, through September 24, 2018—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 4. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3 of this resolution as though under clause 8(a) of rule I.

SEC. 5. Each day during the period addressed by section 3 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

When said resolution was considered.
After debate,
On motion of Mr. SESSIONS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,
Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. PALMER, announced that the ayes had it.

Mr. HASTINGS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 222
affirmative Nays 171

¶129.7 [Roll No. 397]
YEAS—222

Abraham	Gaetz	McMorris
Aderholt	Gallagher	Rodgers
Allen	Garrett	McSally
Amash	Gianforte	Meadows
Amodei	Gibbs	Messer
Arrington	Gohmert	Mitchell
Babin	Goodlatte	Mooney (WV)
Bacon	Gosar	Mullin
Balderson	Gowdy	Murphy (FL)
Banks (IN)	Granger	Newhouse
Barletta	Graves (GA)	Noem
Barr	Graves (LA)	Nunes
Barton	Graves (MO)	O'Halleran
Bergman	Griffith	Olson
Biggs	Grothman	Palazzo
Bilirakis	Guthrie	Palmer
Bishop (MI)	Handel	Paulsen
Bishop (UT)	Harper	Perry
Black	Harris	Poe (TX)
Blum	Hartzler	Poliquin
Bost	Hensarling	Posey
Brady (TX)	Herrera Beutler	Ratcliffe
Brat	Higgins (LA)	Reed
Brooks (AL)	Hill	Reichert
Brooks (IN)	Hollingsworth	Roby
Buchanan	Hudson	Roe (TN)
Buck	Huizenga	Rogers (AL)
Bucshon	Hultgren	Rogers (KY)
Budd	Hunter	Rohrabacher
Burgess	Hurd	Rokita
Byrne	Issa	Rooney, Francis
Calvert	Jenkins (KS)	Ros-Lehtinen
Carter (GA)	Johnson (LA)	Roskam
Carter (TX)	Johnson (OH)	Ross
Chabot	Johnson, Sam	Rothfus
Cheney	Jordan	Royce (CA)
Cloud	Joyce (OH)	Russell
Coffman	Katko	Rutherford
Cole	Kelly (MS)	Scalise
Collins (GA)	Kelly (PA)	Schweikert
Collins (NY)	King (IA)	Scott, Austin
Comer	King (NY)	Sensenbrenner
Comstock	Kinzinger	Sessions
Conaway	Knight	Shimkus
Cook	Kustoff (TN)	Shuster
Costello (PA)	Labrador	Simpson
Cramer	LaHood	Sinema
Crawford	LaMalfa	Smith (MO)
Culberson	Lamb	Smith (NE)
Curbelo (FL)	Lamborn	Smith (NJ)
Curtis	Lance	Smith (TX)
Davidson	Latta	Smucker
Davis, Rodney	Lewis (MN)	Stefanik
Denham	LoBiondo	Stewart
DesJarlais	Long	Stivers
Diaz-Balart	Loudermilk	Tenney
Donovan	Love	Thompson (PA)
Duffy	Lucas	Thornberry
Duncan (SC)	Luetkemeyer	Tipton
Duncan (TN)	MacArthur	Turner
Dunn	Marchant	Upton
Emmer	Marino	Valadao
Estes (KS)	Marshall	Wagner
Faso	Massie	Walberg
Ferguson	Mast	Walden
Fitzpatrick	McCarthy	Walker
Fleischmann	McCaul	Walorski
Flores	McClintock	Weber (TX)
Fortenberry	McHenry	Webster (FL)
Fox	McKinley	Wenstrup
Frelinghuysen		

Westerman
Williams
Wilson (SC)
Wittman

Womack
Woodall
Yoder
Yoho

Young (AK)
Young (IA)
Zeldin

NAYS—171

Aguilar	Gallego	Napolitano
Barragán	Garamendi	Neal
Bass	Gomez	Norcross
Bera	Gonzalez (TX)	O'Rourke
Beyer	Green, Al	Pallone
Bishop (GA)	Green, Gene	Panetta
Blumenauer	Grijalva	Pascarell
Blunt Rochester	Gutiérrez	Payne
Bonamici	Hanabusa	Perlmutter
Boyle, Brendan	Hastings	Peters
F.	Heck	Peterson
Brady (PA)	Higgins (NY)	Pingree
Brown (MD)	Himes	Pocan
Brownley (CA)	Huffman	Polis
Bustos	Jackson Lee	Quigley
Capuano	Jayapal	Raskin
Carbajal	Jeffries	Rice (NY)
Cárdenas	Johnson (GA)	Rosen
Carson (IN)	Johnson, E. B.	Roybal-Allard
Cartwright	Kaptur	Ruiz
Castor (FL)	Keating	Ruppersberger
Castro (TX)	Kelly (IL)	Rush
Chu, Judy	Kennedy	Ryan (OH)
Cicilline	Khanna	Sánchez
Clark (MA)	Kihuen	Sarbanes
Clarke (NY)	Kildee	Schakowsky
Clay	Kilmer	Schiff
Clyburn	Kind	Schneider
Cohen	Krishnamoorthi	Schrader
Connolly	Kuster (NH)	Scott (VA)
Cooper	Langevin	Scott, David
Correa	Larsen (WA)	Serrano
Costa	Larson (CT)	Sewell (AL)
Courtney	Lawrence	Shea-Porter
Crist	Lawson (FL)	Sherman
Crowley	Lee	Sires
Cuellar	Levin	Smith (WA)
Davis (CA)	Lewis (GA)	Soto
Davis, Danny	Lieu, Ted	Suozzi
DeFazio	Lipinski	Swalwell (CA)
DeGette	Loeb sack	Takano
Delaney	Lowenthal	Thompson (CA)
DeLauro	Lowe	Thompson (MS)
DelBene	Lujan Grisham, M.	Titus
Demings	Luján, Ben Ray	Tonko
DeSaulnier	Lynch	Torres
Deutch	Maloney, Carolyn B.	Tsongas
Dingell	Matsui	Vargas
Doggett	McCollum	Veasey
Doyle, Michael	McEachin	Vela
F.	McGovern	Velázquez
Engel	McNerney	Visclosky
Españat	Meeks	Waters, Maxine
Esty (CT)	Meng	Watson Coleman
Evans	Moore	Welch
Foster	Moulton	Wilson (FL)
Frankel (FL)	Nadler	Yarmuth
Fudge		
Gabbard		

NOT VOTING—35

Adams	Jones	Richmond
Beatty	Lesko	Rooney, Thomas
Blackburn	Lofgren	J.
Butterfield	Maloney, Sean	Rouzer
Cleaver	Moolenaar	Sanford
Cummings	Nolan	Speier
Ellison	Norman	Taylor
Eshoo	Pearce	Walters, Mimi
Gottheimer	Pelosi	Walz
Hice, Jody B.	Pittenger	Wasserman
Holding	Price (NC)	Schultz
Hoyer	Renacci	
Jenkins (WV)	Rice (SC)	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶129.8 H.R. 1911—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PALMER, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 1911) to amend the State Department Basic Authorities Act of 1956 to monitor and combat anti-Semitism globally, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 393
affirmative Nays 2

¶129.9 [Roll No. 398]

YEAS—393

Abraham	Curtis	Issa
Aderholt	Davidson	Jackson Lee
Aguilar	Davis (CA)	Jayapal
Allen	Davis, Danny	Jeffries
Amodei	Davis, Rodney	Jenkins (KS)
Arrington	DeFazio	Johnson (GA)
Babin	DeGette	Johnson (LA)
Bacon	Delaney	Johnson (OH)
Balderson	DeLauro	Johnson, E. B.
Banks (IN)	DelBene	Johnson, Sam
Barletta	Demings	Jordan
Barr	Denham	Joyce (OH)
Barragán	DeSaulnier	Kaptur
Barton	DesJarlais	Katko
Bass	Deutch	Keating
Beatty	Diaz-Balart	Kelly (IL)
Bera	Dingell	Kelly (MS)
Bergman	Doggett	Kelly (PA)
Beyer	Donovan	Kennedy
Biggs	Doyle, Michael	Khanna
Bilirakis	F.	Kihuen
Bishop (GA)	Duffy	Kildee
Bishop (MI)	Duncan (SC)	Kilmer
Bishop (UT)	Duncan (TN)	Kind
Black	Dunn	King (IA)
Blum	Emmer	King (NY)
Blumenauer	Engel	Kinzinger
Blunt Rochester	Españat	Knight
Bonamici	Estes (KS)	Krishnamoorthi
Bost	Esty (CT)	Kuster (NH)
Boyle, Brendan	Evans	Kustoff (TN)
F.	Faso	Labrador
Brady (PA)	Ferguson	LaHood
Brady (TX)	Fitzpatrick	LaMalfa
Brat	Fleischmann	Lamb
Brooks (AL)	Flores	Lamborn
Brooks (IN)	Fortenberry	Lance
Brown (MD)	Foster	Langevin
Brownley (CA)	Fox	Larsen (WA)
Buchanan	Frankel (FL)	Larson (CT)
Buck	Frelinghuysen	Latta
Bucshon	Fudge	Lawrence
Budd	Gabbard	Lawson (FL)
Burgess	Gaetz	Lee
Bustos	Gallagher	Levin
Byrne	Gallego	Lewis (GA)
Calvert	Garamendi	Lewis (MN)
Capuano	Garrett	Lieu, Ted
Carbajal	Gianforte	Lipinski
Carson (IN)	Gibbs	LoBiondo
Carter (GA)	Gohmert	Loeb sack
Carter (TX)	Gomez	Long
Cartwright	Gonzalez (TX)	Loudermilk
Castor (FL)	Goodlatte	Love
Castro (TX)	Gosar	Lowenthal
Chabot	Gowdy	Lowe
Cheney	Granger	Lucas
Chu, Judy	Graves (GA)	Luetkemeyer
Cicilline	Graves (LA)	Lujan Grisham,
Clark (MA)	Graves (MO)	M.
Clarke (NY)	Green, Al	Luján, Ben Ray
Clay	Green, Gene	Lynch
Cloud	Griffith	MacArthur
Clyburn	Grijalva	Maloney,
Coffman	Grothman	Carolyn B.
Cohen	Guthrie	Marchant
Cole	Gutiérrez	Marino
Collins (GA)	Hanabusa	Marshall
Collins (NY)	Handel	Massie
Comer	Harper	Mast
Comstock	Harris	Matsui
Conaway	Hartzler	McCarthy
Connolly	Hastings	McCaul
Cook	Heck	McClintock
Cooper	Hensarling	McCollum
Correa	Herrera Beutler	McEachin
Costa	Higgins (LA)	McGovern
Costello (PA)	Higgins (NY)	McHenry
Courtney	Hill	McKinley
Cramer	Himes	McMorris
Crawford	Hollingsworth	Rodgers
Crist	Hudson	McSally
Crowley	Huffman	Meadows
Cuellar	Huizenga	Meeks
Culberson	Hultgren	Meng
Cummings	Hunter	Messer
Curbelo (FL)	Hurd	Mitchell

Moolenaar	Ros-Lehtinen	Swalwell (CA)
Mooney (WV)	Rosen	Takano
Moore	Roskam	Tenney
Moulton	Ross	Thompson (CA)
Mullin	Rothfus	Thompson (MS)
Murphy (FL)	Roybal-Allard	Thompson (PA)
Nadler	Royce (CA)	Thornberry
Napolitano	Ruiz	Tipton
Neal	Ruppersberger	Titus
Newhouse	Rush	Tonko
Noem	Russell	Torres
Norcross	Rutherford	Trott
Nunes	Ryan (OH)	Tsongas
O'Halleran	Sanchez	Turner
O'Rourke	Sarbanes	Upton
Olson	Scalise	Valadao
Palazzo	Schakowsky	Vargas
Pallone	Schiff	Veasey
Palmer	Schneider	Vela
Panetta	Schrader	Velázquez
Pascarell	Schweikert	Visclosky
Paulsen	Scott (VA)	Wagner
Payne	Scott, Austin	Walberg
Perlmutter	Scott, David	Walden
Perry	Sensenbrenner	Walker
Peters	Serrano	Walorski
Peterson	Sessions	Waters, Maxine
Pingree	Sewell (AL)	Watson Coleman
Pocan	Shea-Porter	Weber (TX)
Poe (TX)	Sherman	Webster (FL)
Poliquin	Shimkus	Welch
Polis	Shuster	Wenstrup
Posey	Simpson	Westerman
Quigley	Sinema	Williams
Raskin	Sires	Wilson (FL)
Ratcliffe	Smith (MO)	Wilson (SC)
Reed	Smith (NE)	Wittman
Reichert	Smith (NJ)	Womack
Rice (NY)	Smith (TX)	Woodall
Roby	Smith (WA)	Yarmuth
Roe (TN)	Smucker	Yoder
Rogers (AL)	Soto	Yoho
Rogers (KY)	Stefanik	Young (AK)
Rohrabacher	Stewart	Young (IA)
Rokita	Stivers	Zeldin
Rooney, Francis	Suozi	

NAYS—2

Amash McNeerney

NOT VOTING—33

Adams	Jones	Richmond
Blackburn	Lesko	Rooney, Thomas
Butterfield	Lofgren	J.
Cárdenas	Maloney, Sean	Rouzer
Cleaver	Nolan	Sanford
Ellison	Norman	Speier
Eshoo	Pearce	Taylor
Gottheimer	Pelosi	Walters, Mimi
Hice, Jody B.	Pittenger	Walz
Holding	Price (NC)	Wasserman
Hoyer	Renacci	Schultz
Jenkins (WV)	Rice (SC)	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.10 DIANA E. MURPHY UNITED STATES COURTHOUSE

Mr. SHUSTER moved to suspend the rules and pass the bill of the Senate (S. 3021) to designate the United States courthouse located at 300 South Fourth Street in Minneapolis, Minnesota, as the “Diana E. Murphy United States Courthouse”; as amended.

The SPEAKER pro tempore, Mr. PALMER, recognized Mr. SHUSTER and Mr. DEFAZIO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Ms. FOXX, announced that two-thirds of

the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: “An Act to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, to provide for water pollution control activities, and for other purposes.”

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendments.

¶129.11 NATIONAL QUANTUM INITIATIVE

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 6227) to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States; as amended.

The SPEAKER pro tempore, Ms. FOXX, recognized Mr. SMITH of Texas, and Ms. Eddie Bernice JOHNSON of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.12 AMENDMENT OF THE SENATE TO H.R. 589

Mr. SMITH of Texas, moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 589) to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes:

Strike title IV.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, recognized Mr. SMITH of Texas, and Ms. Eddie Bernice JOHNSON of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, an-

nounced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶129.13 NUCLEAR ENERGY INNOVATION CAPABILITIES

Mr. WEBER of Texas, moved to suspend the rules and pass the bill of the Senate (S. 97) to enable civilian research and development of advanced nuclear energy technologies by private and public institutions, to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science, and for other purposes.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, recognized Mr. WEBER of Texas, and Ms. Eddie Bernice JOHNSON of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶129.14 ENERGY AND WATER APPROPRIATIONS FY 2019

Mr. FRELINGHUYSEN, pursuant to House Resolution 1059, called up the following conference report (Rept. No. 115-929):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5895), making appropriations for the energy and water development and related agencies for the fiscal year ending September 30, 2019, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019”.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
 Sec. 2. Table of contents.
 Sec. 3. References.
 Sec. 4. Statement of appropriations.

DIVISION A—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Corps of Engineers—Civil
 Title II—Department of the Interior
 Title III—Department of Energy
 Title IV—Independent Agencies
 Title V—General Provisions

DIVISION B—LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2019

Title I—Legislative Branch
 Title II—General Provisions

DIVISION C—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

Title I—Department of Defense
 Title II—Department of Veterans Affairs
 Title III—Related Agencies
 Title IV—Overseas Contingency Operations
 Title V—General Provisions

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to “this Act” contained in any division of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2019.

DIVISION A—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

TITLE I

**CORPS OF ENGINEERS—CIVIL
 DEPARTMENT OF THE ARMY
 CORPS OF ENGINEERS—CIVIL**

The following appropriations shall be expended under the direction of the Secretary of the Army and the supervision of the Chief of Engineers for authorized civil functions of the Department of the Army pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related efforts.

INVESTIGATIONS

For expenses necessary where authorized by law for the collection and study of basic information pertaining to river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related needs; for surveys and detailed studies, and plans and specifications of proposed river and harbor, flood and storm damage reduction, shore protection, and aquatic ecosystem restoration projects, and related efforts prior to construction; for restudy of authorized projects; and for miscellaneous investigations, and, when authorized by law, surveys and detailed studies, and plans and specifications of projects prior to construction, \$125,000,000, to remain available until expended: Provided, That the Secretary shall initiate six new study starts during fiscal year 2019: Provided further, That the Secretary shall not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

CONSTRUCTION

For expenses necessary for the construction of river and harbor, flood and storm damage reduction, shore protection, aquatic ecosystem restoration, and related projects authorized by law; for conducting detailed studies, and plans and specifications, of such projects (including those involving participation by States, local governments, or private groups) authorized or made eligible for selection by law (but such detailed studies, and plans and specifications, shall not constitute a commitment of the Government to

construction); \$2,183,000,000, to remain available until expended; of which such sums as are necessary to cover the Federal share of construction costs for facilities under the Dredged Material Disposal Facilities program shall be derived from the Harbor Maintenance Trust Fund as authorized by Public Law 104–303; and of which such sums as are necessary to cover one-half of the costs of construction, replacement, rehabilitation, and expansion of inland waterways projects, except for Chickamauga Lock, Tennessee River, Tennessee, which shall be 15 percent during the fiscal year covered by this Act, shall be derived from the Inland Waterways Trust Fund, except as otherwise specifically provided for in law: Provided, That the Secretary shall initiate five new construction starts during fiscal year 2019: Provided further, That for new construction projects, project cost sharing agreements shall be executed as soon as practicable but no later than September 30, 2019: Provided further, That no allocation for a new start shall be considered final and no work allowance shall be made until the Secretary provides to the Committees on Appropriations of both Houses of Congress an out-year funding scenario demonstrating the affordability of the selected new starts and the impacts on other projects: Provided further, That the Secretary may not deviate from the new starts proposed in the work plan, once the plan has been submitted to the Committees on Appropriations of both Houses of Congress.

MISSISSIPPI RIVER AND TRIBUTARIES

For expenses necessary for flood damage reduction projects and related efforts in the Mississippi River alluvial valley below Cape Girardeau, Missouri, as authorized by law, \$368,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for inland harbors shall be derived from the Harbor Maintenance Trust Fund.

OPERATION AND MAINTENANCE

For expenses necessary for the operation, maintenance, and care of existing river and harbor, flood and storm damage reduction, aquatic ecosystem restoration, and related projects authorized by law; providing security for infrastructure owned or operated by the Corps, including administrative buildings and laboratories; maintaining harbor channels provided by a State, municipality, or other public agency that serve essential navigation needs of general commerce, where authorized by law; surveying and charting northern and northwestern lakes and connecting waters; clearing and straightening channels; and removing obstructions to navigation, \$3,739,500,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund; of which such sums as become available from the special account for the Corps of Engineers established by the Land and Water Conservation Fund Act of 1965 shall be derived from that account for resource protection, research, interpretation, and maintenance activities related to resource protection in the areas at which outdoor recreation is available; and of which such sums as become available from fees collected under section 217 of Public Law 104–303 shall be used to cover the cost of operation and maintenance of the dredged material disposal facilities for which such fees have been collected: Provided, That 1 percent of the total amount of funds provided for each of the programs, projects, or activities funded under this heading shall not be allocated to a field operating activity prior to the beginning of the fourth quarter of the fiscal year and shall be available for use by the Chief of Engineers to fund such emergency activities as the Chief of Engineers determines to be necessary and appropriate, and that the Chief of Engineers shall al-

locate during the fourth quarter any remaining funds which have not been used for emergency activities proportionally in accordance with the amounts provided for the programs, projects, or activities.

REGULATORY PROGRAM

For expenses necessary for administration of laws pertaining to regulation of navigable waters and wetlands, \$200,000,000, to remain available until September 30, 2020.

FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM

For expenses necessary to clean up contamination from sites in the United States resulting from work performed as part of the Nation's early atomic energy program, \$150,000,000, to remain available until expended.

FLOOD CONTROL AND COASTAL EMERGENCIES

For expenses necessary to prepare for flood, hurricane, and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters as authorized by law, \$35,000,000, to remain available until expended.

EXPENSES

For expenses necessary for the supervision and general administration of the civil works program in the headquarters of the Corps of Engineers and the offices of the Division Engineers; and for costs of management and operation of the Humphreys Engineer Center Support Activity, the Institute for Water Resources, the United States Army Engineer Research and Development Center, and the United States Army Corps of Engineers Finance Center allocable to the civil works program, \$193,000,000, to remain available until September 30, 2020, of which not to exceed \$5,000 may be used for official reception and representation purposes and only during the current fiscal year: Provided, That no part of any other appropriation provided in this title shall be available to fund the civil works activities of the Office of the Chief of Engineers or the civil works executive direction and management activities of the division offices: Provided further, That any Flood Control and Coastal Emergencies appropriation may be used to fund the supervision and general administration of emergency operations, repairs, and other activities in response to any flood, hurricane, or other natural disaster.

OFFICE OF THE ASSISTANT SECRETARY OF THE ARMY FOR CIVIL WORKS

For the Office of the Assistant Secretary of the Army for Civil Works as authorized by 10 U.S.C. 3016(b)(3), \$5,000,000, to remain available until September 30, 2020: Provided, That not more than 25 percent of such amount may be obligated or expended until the Assistant Secretary submits to the Committees on Appropriations of both Houses of Congress a work plan that allocates at least 95 percent of the additional funding provided under each heading in this title, as designated under such heading in the joint explanatory statement accompanying this Act, to specific programs, projects, or activities.

GENERAL PROVISIONS—CORPS OF ENGINEERS—CIVIL

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. (a) None of the funds provided in title I of this Act, or provided by previous appropriations Acts to the agencies or entities funded in title I of this Act that remain available for obligation or expenditure in fiscal year 2019, shall be available for obligation or expenditure through a reprogramming of funds that:

- (1) creates or initiates a new program, project, or activity;
- (2) eliminates a program, project, or activity;
- (3) increases funds or personnel for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the House and Senate Committees on Appropriations;

(4) proposes to use funds directed for a specific activity for a different purpose, unless prior approval is received from the House and Senate Committees on Appropriations;

(5) augments or reduces existing programs, projects, or activities in excess of the amounts contained in paragraphs (6) through (10), unless prior approval is received from the House and Senate Committees on Appropriations;

(6) INVESTIGATIONS.—For a base level over \$100,000, reprogramming of 25 percent of the base amount up to a limit of \$150,000 per project, study or activity is allowed: Provided, That for a base level less than \$100,000, the reprogramming limit is \$25,000: Provided further, That up to \$25,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(7) CONSTRUCTION.—For a base level over \$2,000,000, reprogramming of 15 percent of the base amount up to a limit of \$3,000,000 per project, study or activity is allowed: Provided, That for a base level less than \$2,000,000, the reprogramming limit is \$300,000: Provided further, That up to \$3,000,000 may be reprogrammed for settled contractor claims, changed conditions, or real estate deficiency judgments: Provided further, That up to \$300,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation for existing obligations and concomitant administrative expenses;

(8) OPERATION AND MAINTENANCE.—Unlimited reprogramming authority is granted for the Corps to be able to respond to emergencies: Provided, That the Chief of Engineers shall notify the House and Senate Committees on Appropriations of these emergency actions as soon thereafter as practicable: Provided further, That for a base level over \$1,000,000, reprogramming of 15 percent of the base amount up to a limit of \$5,000,000 per project, study, or activity is allowed: Provided further, That for a base level less than \$1,000,000, the reprogramming limit is \$150,000: Provided further, That \$150,000 may be reprogrammed into any continuing study or activity that did not receive an appropriation;

(9) MISSISSIPPI RIVER AND TRIBUTARIES.—The reprogramming guidelines in paragraphs (6), (7), and (8) shall apply to the Investigations, Construction, and Operation and Maintenance portions of the Mississippi River and Tributaries Account, respectively; and

(10) FORMERLY UTILIZED SITES REMEDIAL ACTION PROGRAM.—Reprogramming of up to 15 percent of the base of the receiving project is permitted.

(b) DE MINIMUS REPROGRAMMINGS.—In no case should a reprogramming for less than \$50,000 be submitted to the House and Senate Committees on Appropriations.

(c) CONTINUING AUTHORITIES PROGRAM.—Subsection (a)(1) shall not apply to any project or activity funded under the continuing authorities program.

(d) Not later than 60 days after the date of enactment of this Act, the Secretary shall submit a report to the House and Senate Committees on Appropriations to establish the baseline for application of reprogramming and transfer authorities for the current fiscal year which shall include:

(1) A table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if applicable, and the fiscal year enacted level; and

(2) A delineation in the table for each appropriation both by object class and program, project and activity as detailed in the budget appendix for the respective appropriations; and

(3) An identification of items of special congressional interest.

SEC. 102. The Secretary shall allocate funds made available in this Act solely in accordance with the provisions of this Act and the joint explanatory statement accompanying this Act, including the determination and designation of new starts.

SEC. 103. None of the funds made available in this title may be used to award or modify any contract that commits funds beyond the amounts appropriated for that program, project, or activity that remain unobligated, except that such amounts may include any funds that have been made available through reprogramming pursuant to section 101.

SEC. 104. The Secretary of the Army may transfer to the Fish and Wildlife Service, and the Fish and Wildlife Service may accept and expend, up to \$5,400,000 of funds provided in this title under the heading "Operation and Maintenance" to mitigate for fisheries lost due to Corps of Engineers projects.

SEC. 105. None of the funds in this Act shall be used for an open lake placement alternative for dredged material, after evaluating the least costly, environmentally acceptable manner for the disposal or management of dredged material originating from Lake Erie or tributaries thereto, unless it is approved under a State water quality certification pursuant to section 401 of the Federal Water Pollution Control Act (33 U.S.C. 1341): Provided, That until an open lake placement alternative for dredged material is approved under a State water quality certification, the Corps of Engineers shall continue upland placement of such dredged material consistent with the requirements of section 101 of the Water Resources Development Act of 1986 (33 U.S.C. 2211).

SEC. 106. None of the funds made available in this title may be used for any acquisition of buoy chain that is not consistent with 48 CFR 225.7007, subsections (a)(1) and (a)(2).

SEC. 107. None of the funds made available by this Act may be used to carry out any water supply reallocation study under the Wolf Creek Dam, Lake Cumberland, Kentucky, project authorized under the Act of July 24, 1946 (60 Stat. 636, ch. 595).

SEC. 108. None of the funds made available by this Act may be used to require a permit for the discharge of dredged or fill material under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) for the activities identified in subparagraphs (A) and (C) of section 404(f)(1) of the Act (33 U.S.C. 1344(f)(1)(A), (C)).

SEC. 109. For fiscal year 2019, none of the funds provided in this Act or available in the revolving fund established by the Civil Functions Appropriations Act of 1954 (33 U.S.C. 576(a)) may be obligated or expended on a new hopper dredge.

SEC. 110. None of the funds made available by this Act or any other Act may be used to reorganize or to transfer the Civil Works functions or authority of the Corps of Engineers or the Secretary of the Army to another department or agency.

TITLE II

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For carrying out activities authorized by the Central Utah Project Completion Act, \$15,000,000, to remain available until expended, of which \$898,000 shall be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission: Provided, That of the amount provided under this heading, \$1,398,675 shall be available until September 30, 2020, for expenses necessary in carrying out related responsibilities of the Secretary of the Interior: Provided further, That for fiscal year 2019, of the amount made available to the Commission under this Act or any other Act, the Commission may use an amount not to exceed \$1,500,000 for administrative expenses.

BUREAU OF RECLAMATION

The following appropriations shall be expended to execute authorized functions of the Bureau of Reclamation:

WATER AND RELATED RESOURCES (INCLUDING TRANSFERS OF FUNDS)

For management, development, and restoration of water and related natural resources and for related activities, including the operation, maintenance, and rehabilitation of reclamation and other facilities, participation in fulfilling related Federal responsibilities to Native Americans, and related grants to, and cooperative and other agreements with, State and local governments, federally recognized Indian tribes, and others, \$1,391,992,000, to remain available until expended, of which \$67,393,000 shall be available for transfer to the Upper Colorado River Basin Fund and \$5,551,000 shall be available for transfer to the Lower Colorado River Basin Development Fund; of which such amounts as may be necessary may be advanced to the Colorado River Dam Fund: Provided, That such transfers may be increased or decreased within the overall appropriation under this heading: Provided further, That within available funds, \$250,000 shall be for grants and financial assistance for educational activities: Provided further, That of the total appropriated, the amount for program activities that can be financed by the Reclamation Fund or the Bureau of Reclamation special fee account established by 16 U.S.C. 6806 shall be derived from that Fund or account: Provided further, That funds contributed under 43 U.S.C. 395 are available until expended for the purposes for which the funds were contributed: Provided further, That funds advanced under 43 U.S.C. 397a shall be credited to this account and are available until expended for the same purposes as the sums appropriated under this heading: Provided further, That of the amounts provided herein, funds may be used for high-priority projects which shall be carried out by the Youth Conservation Corps, as authorized by 16 U.S.C. 1706.

CENTRAL VALLEY PROJECT RESTORATION FUND

For carrying out the programs, projects, plans, habitat restoration, improvement, and acquisition provisions of the Central Valley Project Improvement Act, \$62,008,000, to be derived from such sums as may be collected in the Central Valley Project Restoration Fund pursuant to sections 3407(d), 3404(c)(3), and 3405(f) of Public Law 102-575, to remain available until expended: Provided, That the Bureau of Reclamation is directed to assess and collect the full amount of the additional mitigation and restoration payments authorized by section 3407(d) of Public Law 102-575: Provided further, That none of the funds made available under this heading may be used for the acquisition or leasing of water for in-stream purposes if the water is already committed to in-stream purposes by a court adopted decree or order.

CALIFORNIA BAY-DELTA RESTORATION (INCLUDING TRANSFERS OF FUNDS)

For carrying out activities authorized by the Water Supply, Reliability, and Environmental Improvement Act, consistent with plans to be approved by the Secretary of the Interior, \$35,000,000, to remain available until expended, of which such amounts as may be necessary to carry out such activities may be transferred to appropriate accounts of other participating Federal agencies to carry out authorized purposes: Provided, That funds appropriated herein may be used for the Federal share of the costs of CALFED Program management: Provided further, That CALFED implementation shall be carried out in a balanced manner with clear performance measures demonstrating concurrent progress in achieving the goals and objectives of the Program.

POLICY AND ADMINISTRATION

For expenses necessary for policy, administration, and related functions in the Office of the Commissioner, the Denver office, and offices in the five regions of the Bureau of Reclamation, to remain available until September 30, 2020, \$61,000,000, to be derived from the Reclamation

Fund and be nonreimbursable as provided in 43 U.S.C. 377: *Provided, That no part of any other appropriation in this Act shall be available for activities or functions budgeted as policy and administration expenses.*

ADMINISTRATIVE PROVISION

Appropriations for the Bureau of Reclamation shall be available for purchase of not to exceed five passenger motor vehicles, which are for replacement only.

GENERAL PROVISIONS—DEPARTMENT OF THE INTERIOR

SEC. 201. (a) None of the funds provided in title II of this Act for Water and Related Resources, or provided by previous or subsequent appropriations Acts to the agencies or entities funded in title II of this Act for Water and Related Resources that remain available for obligation or expenditure in fiscal year 2019, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) initiates or creates a new program, project, or activity;

(2) eliminates a program, project, or activity; (3) increases funds for any program, project, or activity for which funds have been denied or restricted by this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(4) restarts or resumes any program, project or activity for which funds are not provided in this Act, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate;

(5) transfers funds in excess of the following limits, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate:

(A) 15 percent for any program, project or activity for which \$2,000,000 or more is available at the beginning of the fiscal year; or

(B) \$400,000 for any program, project or activity for which less than \$2,000,000 is available at the beginning of the fiscal year;

(6) transfers more than \$500,000 from either the Facilities Operation, Maintenance, and Rehabilitation category or the Resources Management and Development category to any program, project, or activity in the other category, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate; or

(7) transfers, where necessary to discharge legal obligations of the Bureau of Reclamation, more than \$5,000,000 to provide adequate funds for settled contractor claims, increased contractor earnings due to accelerated rates of operations, and real estate deficiency judgments, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

(b) Subsection (a)(5) shall not apply to any transfer of funds within the Facilities Operation, Maintenance, and Rehabilitation category.

(c) For purposes of this section, the term transfer means any movement of funds into or out of a program, project, or activity.

(d) The Bureau of Reclamation shall submit reports on a quarterly basis to the Committees on Appropriations of the House of Representatives and the Senate detailing all the funds reprogrammed between programs, projects, activities, or categories of funding. The first quarterly report shall be submitted not later than 60 days after the date of enactment of this Act.

SEC. 202. (a) None of the funds appropriated or otherwise made available by this Act may be used to determine the final point of discharge for the interceptor drain for the San Luis Unit until development by the Secretary of the Interior and the State of California of a plan, which shall conform to the water quality standards of the State of California as approved by the Administrator of the Environmental Protection Agency, to minimize any detrimental effect of the San Luis drainage waters.

(b) The costs of the Kesterson Reservoir Cleanup Program and the costs of the San Joa-

quin Valley Drainage Program shall be classified by the Secretary of the Interior as reimbursable or nonreimbursable and collected until fully repaid pursuant to the "Cleanup Program—Alternative Repayment Plan" and the "SJVDP—Alternative Repayment Plan" described in the report entitled "Repayment Report, Kesterson Reservoir Cleanup Program and San Joaquin Valley Drainage Program, February 1995", prepared by the Department of the Interior, Bureau of Reclamation. Any future obligations of funds by the United States relating to, or providing for, drainage service or drainage studies for the San Luis Unit shall be fully reimbursable by San Luis Unit beneficiaries of such service or studies pursuant to Federal reclamation law.

SEC. 203. Hereinafter, notwithstanding any other provision of law, during the period from November 1 through April 30, water users may use their diversion structures for the purpose of recharging the Eastern Snake Plain Aquifer, when the Secretary, in consultation with the Advisory Committee and Water District 1 watermaster, determines there is water available in excess of that needed to satisfy existing Minidoka Project storage and hydropower rights and ensure operational flexibility.

SEC. 204. Section 9001(d) of the Omnibus Public Land Management Act of 2009 (Public Law 111-11; 123 Stat. 1295) is amended by striking "10" and inserting "20".

SEC. 205. (a) Section 206(c)(2) of the Energy and Water Development and Related Agencies Appropriations Act, 2015 (43 U.S.C. 620 note; Public Law 113-235) is amended by striking "2018," and inserting the following: "2022: Provided, That the Secretary shall not fund pilot projects in the Upper Colorado River Basin without the participation of the Upper Colorado River Division States, acting through the Upper Colorado River Commission."

(b) Section 9504(e) of the Secure Water Act of 2009 (42 U.S.C. 10364(e)) is amended by striking "\$450,000,000" and inserting "\$480,000,000".

SEC. 206. Section 9 of the Fort Peck Reservation Rural Water System Act of 2000 (Public Law 106-382; 114 Stat. 1457, 123 Stat. 2856, 128 Stat. 164) is amended by striking "2020" each place it appears in subsections (a)(1) and (b) and inserting "2026".

TITLE III

DEPARTMENT OF ENERGY

ENERGY PROGRAMS

ENERGY EFFICIENCY AND RENEWABLE ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy efficiency and renewable energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$2,379,000,000, to remain available until expended: *Provided, That of such amount, \$162,500,000 shall be available until September 30, 2020, for program direction.*

CYBERSECURITY, ENERGY SECURITY, AND EMERGENCY RESPONSE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for energy sector cybersecurity, energy security, and emergency response activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$120,000,000, to remain available until expended: *Provided, That of such amount, \$11,500,000 shall be available until September 30, 2020, for program direction.*

ELECTRICITY DELIVERY

For Department of Energy expenses including the purchase, construction, and acquisition of

plant and capital equipment, and other expenses necessary for electricity delivery activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$156,000,000, to remain available until expended: *Provided, That of such amount, \$17,000,000 shall be available until September 30, 2020, for program direction.*

NUCLEAR ENERGY

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for nuclear energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$1,326,090,000, to remain available until expended: *Provided, That of such amount, \$80,000,000 shall be available until September 30, 2020, for program direction.*

FOSSIL ENERGY RESEARCH AND DEVELOPMENT

For Department of Energy expenses necessary in carrying out fossil energy research and development activities, under the authority of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition of interest, including defeasible and equitable interests in any real property or any facility or for plant or facility acquisition or expansion, and for conducting inquiries, technological investigations and research concerning the extraction, processing, use, and disposal of mineral substances without objectionable social and environmental costs (30 U.S.C. 3, 1602, and 1603), \$740,000,000, to remain available until expended: *Provided, That of such amount \$61,070,000 shall be available until September 30, 2020, for program direction.*

NAVAL PETROLEUM AND OIL SHALE RESERVES

For Department of Energy expenses necessary to carry out naval petroleum and oil shale reserve activities, \$10,000,000, to remain available until expended: *Provided, That notwithstanding any other provision of law, unobligated funds remaining from prior years shall be available for all naval petroleum and oil shale reserve activities.*

STRATEGIC PETROLEUM RESERVE

For Department of Energy expenses necessary for Strategic Petroleum Reserve facility development and operations and program management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$235,000,000, to remain available until expended: *Provided, That, as authorized by section 404 of the Bipartisan Budget Act of 2015 (Public Law 114-74; 42 U.S.C. 6239 note), the Secretary of Energy shall draw down and sell not to exceed \$300,000,000 of crude oil from the Strategic Petroleum Reserve in fiscal year 2019: Provided further, That the proceeds from such drawdown and sale shall be deposited into the "Energy Security and Infrastructure Modernization Fund" during fiscal year 2019: Provided further, That such amounts shall be made available and shall remain available until expended for necessary expenses to carry out the Life Extension II project for the Strategic Petroleum Reserve.*

SPR PETROLEUM ACCOUNT

For the acquisition, transportation, and injection of petroleum products, and for other necessary expenses pursuant to the Energy Policy and Conservation Act of 1975, as amended (42 U.S.C. 6201 et seq.), sections 403 and 404 of the Bipartisan Budget Act of 2015 (42 U.S.C. 6241, 6239 note), and section 5010 of the 21st Century Cures Act (Public Law 114-255), \$10,000,000, to remain available until expended.

NORTHEAST HOME HEATING OIL RESERVE

For Department of Energy expenses necessary for Northeast Home Heating Oil Reserve storage,

operation, and management activities pursuant to the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.), \$10,000,000, to remain available until expended.

ENERGY INFORMATION ADMINISTRATION

For Department of Energy expenses necessary in carrying out the activities of the Energy Information Administration, \$125,000,000, to remain available until expended.

NON-DEFENSE ENVIRONMENTAL CLEANUP

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for non-defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$310,000,000, to remain available until expended.

URANIUM ENRICHMENT DECONTAMINATION AND DECOMMISSIONING FUND

For Department of Energy expenses necessary in carrying out uranium enrichment facility decontamination and decommissioning, remedial actions, and other activities of title II of the Atomic Energy Act of 1954, and title X, subtitle A, of the Energy Policy Act of 1992, \$841,129,000, to be derived from the Uranium Enrichment Decontamination and Decommissioning Fund, to remain available until expended, of which \$11,000,000 shall be available in accordance with title X, subtitle A, of the Energy Policy Act of 1992, including for the purchase of not to exceed one ambulance for replacement only.

SCIENCE

For Department of Energy expenses including the purchase, construction, and acquisition of plant and capital equipment, and other expenses necessary for science activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and purchase of not more than 16 passenger motor vehicles including one bus, and one airplane for replacement only, \$6,585,000,000, to remain available until expended: Provided, That of such amount, \$183,000,000 shall be available until September 30, 2020, for program direction.

ADVANCED RESEARCH PROJECTS AGENCY—ENERGY

For Department of Energy expenses necessary in carrying out the activities authorized by section 5012 of the America COMPETES Act (Public Law 110-69), \$366,000,000, to remain available until expended: Provided, That of such amount, \$31,250,000 shall be available until September 30, 2020, for program direction.

TITLE 17 INNOVATIVE TECHNOLOGY LOAN GUARANTEE PROGRAM

Such sums as are derived from amounts received from borrowers pursuant to section 1702(b) of the Energy Policy Act of 2005 under this heading in prior Acts, shall be collected in accordance with section 502(7) of the Congressional Budget Act of 1974: Provided, That for necessary administrative expenses of the Title 17 Innovative Technology Loan Guarantee Program, as authorized, \$33,000,000 is appropriated, to remain available until September 30, 2020: Provided further, That up to \$33,000,000 of fees collected in fiscal year 2019 pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections under this heading and used for necessary administrative expenses in this appropriation and shall remain available until September 30, 2020: Provided further, That to the extent that fees collected in fiscal year 2019 exceed \$33,000,000, those excess amounts shall be credited as offsetting collections under this heading and available in future fiscal years only to the extent provided in advance in appropriations Acts: Provided further,

That the sum herein appropriated from the general fund shall be reduced (1) as such fees are received during fiscal year 2019 (estimated at \$15,000,000) and (2) to the extent that any remaining general fund appropriations can be derived from fees collected in previous fiscal years that are not otherwise appropriated, so as to result in a final fiscal year 2019 appropriation from the general fund estimated at \$0: Provided further, That the Department of Energy shall not subordinate any loan obligation to other financing in violation of section 1702 of the Energy Policy Act of 2005 or subordinate any Guaranteed Obligation to any loan or other debt obligations in violation of section 609.10 of title 10, Code of Federal Regulations.

ADVANCED TECHNOLOGY VEHICLES MANUFACTURING LOAN PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Advanced Technology Vehicles Manufacturing Loan Program, \$5,000,000, to remain available until September 30, 2020.

TRIBAL ENERGY LOAN GUARANTEE PROGRAM

For Department of Energy administrative expenses necessary in carrying out the Tribal Energy Loan Guarantee Program, \$1,000,000, to remain available until September 30, 2020.

OFFICE OF INDIAN ENERGY POLICY AND PROGRAMS

For necessary expenses for Indian Energy activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$18,000,000, to remain available until expended: Provided, That, of the amount appropriated under this heading, \$4,800,000 shall be available until September 30, 2020, for program direction.

DEPARTMENTAL ADMINISTRATION

For salaries and expenses of the Department of Energy necessary for departmental administration in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), \$261,858,000, to remain available until September 30, 2020, including the hire of passenger motor vehicles and official reception and representation expenses not to exceed \$30,000, plus such additional amounts as necessary to cover increases in the estimated amount of cost of work for others notwithstanding the provisions of the Anti-Deficiency Act (31 U.S.C. 1511 et seq.): Provided, That such increases in cost of work are offset by revenue increases of the same or greater amount: Provided further, That moneys received by the Department for miscellaneous revenues estimated to total \$96,000,000 in fiscal year 2019 may be retained and used for operating expenses within this account, as authorized by section 201 of Public Law 95-238, notwithstanding the provisions of 31 U.S.C. 3302: Provided further, That the sum herein appropriated shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than \$165,858,000.

OFFICE OF THE INSPECTOR GENERAL

For expenses necessary for the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$51,330,000, to remain available until September 30, 2020.

ATOMIC ENERGY DEFENSE ACTIVITIES

NATIONAL NUCLEAR SECURITY

ADMINISTRATION

WEAPONS ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for atomic energy defense weapons activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of

not to exceed one ambulance for replacement only, \$11,100,000,000, to remain available until expended: Provided, That of such amount, \$102,022,000 shall be available until September 30, 2020, for program direction.

DEFENSE NUCLEAR NONPROLIFERATION (INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other incidental expenses necessary for defense nuclear nonproliferation activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed three aircraft, \$1,949,000,000, to remain available until expended: Provided, That of such amount, \$25,000,000 shall be made available for design activities supporting the dilute and dispose strategy for plutonium disposition: Provided further, That none of the funds made available under this heading shall be made available for the construction activities or acquisition of equipment for the Surplus Plutonium Disposition Project: Provided further, That of the unobligated balances from prior year appropriations available under this heading, \$19,000,000 is hereby rescinded: Provided further, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

NAVAL REACTORS (INCLUDING TRANSFER OF FUNDS)

For Department of Energy expenses necessary for naval reactors activities to carry out the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition (by purchase, condemnation, construction, or otherwise) of real property, plant, and capital equipment, facilities, and facility expansion, \$1,788,618,000, to remain available until expended, of which, \$85,500,000 shall be transferred to "Department of Energy—Energy Programs—Nuclear Energy", for the Advanced Test Reactor: Provided, That of such amount, \$48,709,000 shall be available until September 30, 2020, for program direction.

FEDERAL SALARIES AND EXPENSES

For expenses necessary for Federal Salaries and Expenses in the National Nuclear Security Administration, \$410,000,000, to remain available until September 30, 2020, including official reception and representation expenses not to exceed \$12,000.

ENVIRONMENTAL AND OTHER DEFENSE ACTIVITIES

DEFENSE ENVIRONMENTAL CLEANUP

(INCLUDING RESCISSION OF FUNDS)

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses necessary for atomic energy defense environmental cleanup activities in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, and the purchase of not to exceed one passenger minivan for replacement only, \$6,028,600,000, to remain available until expended: Provided, That of such amount, \$298,500,000 shall be available until September 30, 2020, for program direction: Provided further, That of the unobligated balances from prior year appropriations available under this heading, \$4,600,000 is hereby rescinded: Provided further, That no amounts may be rescinded from amounts that were designated by the Congress as an emergency requirement pursuant to the Concurrent Resolu-

tion on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEFENSE ACTIVITIES

For Department of Energy expenses, including the purchase, construction, and acquisition of plant and capital equipment and other expenses, necessary for atomic energy defense, other defense activities, and classified activities, in carrying out the purposes of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including the acquisition or condemnation of any real property or any facility or for plant or facility acquisition, construction, or expansion, \$860,292,000, to remain available until expended: Provided, That of such amount, \$295,432,000 shall be available until September 30, 2020, for program direction.

POWER MARKETING ADMINISTRATIONS BONNEVILLE POWER ADMINISTRATION FUND

Expenditures from the Bonneville Power Administration Fund, established pursuant to Public Law 93-454, are approved for official reception and representation expenses in an amount not to exceed \$5,000: Provided, That during fiscal year 2019, no new direct loan obligations may be made.

OPERATION AND MAINTENANCE, SOUTHEASTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, including transmission wheeling and ancillary services, pursuant to section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the southeastern power area, \$6,500,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944, up to \$6,500,000 collected by the Southeastern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the Southeastern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2019 appropriation estimated at not more than \$0: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$55,000,000 collected by the Southeastern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

OPERATION AND MAINTENANCE, SOUTHWESTERN POWER ADMINISTRATION

For expenses necessary for operation and maintenance of power transmission facilities and for marketing electric power and energy, for construction and acquisition of transmission lines, substations and appurtenant facilities, and for administrative expenses, including official reception and representation expenses in an amount not to exceed \$1,500 in carrying out section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), as applied to the Southwestern Power Administration, \$45,802,000, to remain available until expended: Provided, That notwithstanding 31 U.S.C. 3302 and section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), up to \$35,402,000 collected by the Southwestern Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of

funding the annual expenses of the Southwestern Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2019 appropriation estimated at not more than \$10,400,000: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$50,000,000 collected by the Southwestern Power Administration pursuant to the Flood Control Act of 1944 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

CONSTRUCTION, REHABILITATION, OPERATION AND MAINTENANCE, WESTERN AREA POWER ADMINISTRATION

For carrying out the functions authorized by title III, section 302(a)(1)(E) of the Act of August 4, 1977 (42 U.S.C. 7152), and other related activities including conservation and renewable resources programs as authorized, \$265,142,000, including official reception and representation expenses in an amount not to exceed \$1,500, to remain available until expended, of which \$265,142,000 shall be derived from the Department of the Interior Reclamation Fund: Provided, That notwithstanding 31 U.S.C. 3302, section 5 of the Flood Control Act of 1944 (16 U.S.C. 825s), and section 1 of the Interior Department Appropriation Act, 1939 (43 U.S.C. 392a), up to \$175,770,000 collected by the Western Area Power Administration from the sale of power and related services shall be credited to this account as discretionary offsetting collections, to remain available until expended, for the sole purpose of funding the annual expenses of the Western Area Power Administration: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2019 appropriation estimated at not more than \$89,372,000, of which \$89,372,000 is derived from the Reclamation Fund: Provided further, That notwithstanding 31 U.S.C. 3302, up to \$225,442,000 collected by the Western Area Power Administration pursuant to the Flood Control Act of 1944 and the Reclamation Project Act of 1939 to recover purchase power and wheeling expenses shall be credited to this account as offsetting collections, to remain available until expended for the sole purpose of making purchase power and wheeling expenditures: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred (excluding purchase power and wheeling expenses).

FALCON AND AMISTAD OPERATING AND MAINTENANCE FUND

For operation, maintenance, and emergency costs for the hydroelectric facilities at the Falcon and Amistad Dams, \$1,568,000, to remain available until expended, and to be derived from the Falcon and Amistad Operating and Maintenance Fund of the Western Area Power Administration, as provided in section 2 of the Act of June 18, 1954 (68 Stat. 255): Provided, That notwithstanding the provisions of that Act and of 31 U.S.C. 3302, up to \$1,340,000 collected by the Western Area Power Administration from the sale of power and related services from the Falcon and Amistad Dams shall be credited to this account as discretionary offsetting collections, to remain available until expended for the sole purpose of funding the annual expenses of the hydroelectric facilities of these Dams and associated Western Area Power Administration activities: Provided further, That the sum herein appropriated for annual expenses shall be reduced as collections are received during the fiscal year so as to result in a final fiscal year 2019 appro-

priation estimated at not more than \$228,000: Provided further, That for purposes of this appropriation, annual expenses means expenditures that are generally recovered in the same year that they are incurred: Provided further, That for fiscal year 2019, the Administrator of the Western Area Power Administration may accept up to \$372,000 in funds contributed by United States power customers of the Falcon and Amistad Dams for deposit into the Falcon and Amistad Operating and Maintenance Fund, and such funds shall be available for the purpose for which contributed in like manner as if said sums had been specifically appropriated for such purpose: Provided further, That any such funds shall be available without further appropriation and without fiscal year limitation for use by the Commissioner of the United States Section of the International Boundary and Water Commission for the sole purpose of operating, maintaining, repairing, rehabilitating, replacing, or upgrading the hydroelectric facilities at these Dams in accordance with agreements reached between the Administrator, Commissioner, and the power customers.

FEDERAL ENERGY REGULATORY COMMISSION SALARIES AND EXPENSES

For expenses necessary for the Federal Energy Regulatory Commission to carry out the provisions of the Department of Energy Organization Act (42 U.S.C. 7101 et seq.), including services as authorized by 5 U.S.C. 3109, official reception and representation expenses not to exceed \$3,000, and the hire of passenger motor vehicles, \$369,900,000, to remain available until expended: Provided, That notwithstanding any other provision of law, not to exceed \$369,900,000 of revenues from fees and annual charges, and other services and collections in fiscal year 2019 shall be retained and used for expenses necessary in this account, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as revenues are received during fiscal year 2019 so as to result in a final fiscal year 2019 appropriation from the general fund estimated at not more than \$0.

GENERAL PROVISIONS—DEPARTMENT OF ENERGY

(INCLUDING TRANSFERS OF FUNDS)

SEC. 301. (a) No appropriation, funds, or authority made available by this title for the Department of Energy shall be used to initiate or resume any program, project, or activity or to prepare or initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project, or activity if the program, project, or activity has not been funded by Congress.

(b)(1) Unless the Secretary of Energy notifies the Committees on Appropriations of both Houses of Congress at least 3 full business days in advance, none of the funds made available in this title may be used to—

(A) make a grant allocation or discretionary grant award totaling \$1,000,000 or more;

(B) make a discretionary contract award or Other Transaction Agreement totaling \$1,000,000 or more, including a contract covered by the Federal Acquisition Regulation;

(C) issue a letter of intent to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B); or

(D) announce publicly the intention to make an allocation, award, or Agreement in excess of the limits in subparagraph (A) or (B).

(2) The Secretary of Energy shall submit to the Committees on Appropriations of both Houses of Congress within 15 days of the conclusion of each quarter a report detailing each grant allocation or discretionary grant award totaling less than \$1,000,000 provided during the previous quarter.

(3) The notification required by paragraph (1) and the report required by paragraph (2) shall

include the recipient of the award, the amount of the award, the fiscal year for which the funds for the award were appropriated, the account and program, project, or activity from which the funds are being drawn, the title of the award, and a brief description of the activity for which the award is made.

(c) The Department of Energy may not, with respect to any program, project, or activity that uses budget authority made available in this title under the heading "Department of Energy—Energy Programs", enter into a multiyear contract, award a multiyear grant, or enter into a multiyear cooperative agreement unless—

(1) the contract, grant, or cooperative agreement is funded for the full period of performance as anticipated at the time of award; or

(2) the contract, grant, or cooperative agreement includes a clause conditioning the Federal Government's obligation on the availability of future year budget authority and the Secretary notifies the Committees on Appropriations of both Houses of Congress at least 3 days in advance.

(d) Except as provided in subsections (e), (f), and (g), the amounts made available by this title shall be expended as authorized by law for the programs, projects, and activities specified in the "Conference" column in the "Department of Energy" table included under the heading "Title III—Department of Energy" in the joint explanatory statement accompanying this Act.

(e) The amounts made available by this title may be reprogrammed for any program, project, or activity, and the Department shall notify, and obtain the prior approval of, the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program, project, or activity funding level to increase or decrease by more than \$5,000,000 or 10 percent, whichever is less, during the time period covered by this Act.

(f) None of the funds provided in this title shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates, initiates, or eliminates a program, project, or activity;

(2) increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act; or

(3) reduces funds that are directed to be used for a specific program, project, or activity by this Act.

(g)(1) The Secretary of Energy may waive any requirement or restriction in this section that applies to the use of funds made available for the Department of Energy if compliance with such requirement or restriction would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Secretary of Energy shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver.

(h) The unexpended balances of prior appropriations provided for activities in this Act may be available to the same appropriation accounts for such activities established pursuant to this title. Available balances may be merged with funds in the applicable established accounts and thereafter may be accounted for as one fund for the same time period as originally enacted.

SEC. 302. Funds appropriated by this or any other Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2019 until the enactment of the Intelligence Authorization Act for fiscal year 2019.

SEC. 303. None of the funds made available in this title shall be used for the construction of fa-

cilities classified as high-hazard nuclear facilities under 10 CFR Part 830 unless independent oversight is conducted by the Office of Enterprise Assessments to ensure the project is in compliance with nuclear safety requirements.

SEC. 304. None of the funds made available in this title may be used to approve critical decision-2 or critical decision-3 under Department of Energy Order 413.3B, or any successive departmental guidance, for construction projects where the total project cost exceeds \$100,000,000, until a separate independent cost estimate has been developed for the project for that critical decision.

SEC. 305. The Secretary of Energy may not transfer more than \$274,833,000 from the amounts made available under this title to the working capital fund established under section 653 of the Department of Energy Organization Act (42 U.S.C. 7263): Provided, That the Secretary may transfer additional amounts to the working capital fund after the Secretary provides notification in advance of any such transfer to the Committees on Appropriations of both Houses of Congress: Provided further, That any such notification shall identify the sources of funds by program, project, or activity: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress before adding or removing any activities from the fund.

SEC. 306. (a) None of the funds made available in this or any prior Act under the heading "Defense Nuclear Nonproliferation" may be made available to enter into new contracts with, or new agreements for Federal assistance to, the Russian Federation.

(b) The Secretary of Energy may waive the prohibition in subsection (a) if the Secretary determines that such activity is in the national security interests of the United States. This waiver authority may not be delegated.

(c) A waiver under subsection (b) shall not be effective until 15 days after the date on which the Secretary submits to the Committees on Appropriations of both Houses of Congress, in classified form if necessary, a report on the justification for the waiver.

SEC. 307. (a) NEW REGIONAL RESERVES.—The Secretary of Energy may not establish any new regional petroleum product reserve unless funding for the proposed regional petroleum product reserve is explicitly requested in advance in an annual budget submission and approved by the Congress in an appropriations Act.

(b) The budget request or notification shall include—

(1) the justification for the new reserve;

(2) a cost estimate for the establishment, operation, and maintenance of the reserve, including funding sources;

(3) a detailed plan for operation of the reserve, including the conditions upon which the products may be released;

(4) the location of the reserve; and

(5) the estimate of the total inventory of the reserve.

SEC. 308. Notwithstanding section 161 of the Energy Policy and Conservation Act (42 U.S.C. 6241), upon a determination by the President in this fiscal year that a regional supply shortage of refined petroleum product of significant scope and duration exists, that a severe increase in the price of refined petroleum product will likely result from such shortage, and that a draw down and sale of refined petroleum product would assist directly and significantly in reducing the adverse impact of such shortage, the Secretary of Energy may draw down and sell refined petroleum product from the Strategic Petroleum Reserve. Proceeds from a sale under this section shall be deposited into the SPR Petroleum Account established in section 167 of the Energy Policy and Conservation Act (42 U.S.C. 6247), and such amounts shall be available for obligation, without fiscal year limitation, consistent with that section.

TITLE IV INDEPENDENT AGENCIES

APPALACHIAN REGIONAL COMMISSION

For expenses necessary to carry out the programs authorized by the Appalachian Regional Development Act of 1965, and for expenses necessary for the Federal Co-Chairman and the Alternate on the Appalachian Regional Commission, for payment of the Federal share of the administrative expenses of the Commission, including services as authorized by 5 U.S.C. 3109, and hire of passenger motor vehicles, \$165,000,000, to remain available until expended.

DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SALARIES AND EXPENSES

For expenses necessary for the Defense Nuclear Facilities Safety Board in carrying out activities authorized by the Atomic Energy Act of 1954, as amended by Public Law 100-456, section 1441, \$31,000,000, to remain available until September 30, 2020: Provided, That none of the funds made available by this or any prior Act for the salaries and expenses of the Defense Nuclear Facilities Safety Board shall be available to implement any reform and reorganization plan of the Defense Nuclear Facilities Safety Board, including the plan announced on August 15, 2018, unless any such reform and reorganization plan is specifically authorized by law.

DELTA REGIONAL AUTHORITY

SALARIES AND EXPENSES

For expenses necessary for the Delta Regional Authority and to carry out its activities, as authorized by the Delta Regional Authority Act of 2000, notwithstanding sections 382F(d), 382M, and 382N of said Act, \$25,000,000, to remain available until expended.

DENALI COMMISSION

For expenses necessary for the Denali Commission including the purchase, construction, and acquisition of plant and capital equipment as necessary and other expenses, \$15,000,000, to remain available until expended, notwithstanding the limitations contained in section 306(g) of the Denali Commission Act of 1998: Provided, That funds shall be available for construction projects in an amount not to exceed 80 percent of total project cost for distressed communities, as defined by section 307 of the Denali Commission Act of 1998 (division C, title III, Public Law 105-277), as amended by section 701 of appendix D, title VII, Public Law 106-113 (113 Stat. 1501A-280), and an amount not to exceed 50 percent for non-distressed communities: Provided further, That notwithstanding any other provision of law regarding payment of a non-Federal share in connection with a grant-in-aid program, amounts under this heading shall be available for the payment of such a non-Federal share for programs undertaken to carry out the purposes of the Commission.

NORTHERN BORDER REGIONAL COMMISSION

For expenses necessary for the Northern Border Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$20,000,000, to remain available until expended: Provided, That such amounts shall be available for administrative expenses, notwithstanding section 15751(b) of title 40, United States Code: Provided further, That during fiscal year 2019, the duties and authority of the Federal Cochairperson shall be assumed by the Northern Border Regional Commission Program Director if the position of the Federal Cochairperson and Alternate Federal Cochairperson is vacant.

SOUTHEAST CRESCENT REGIONAL COMMISSION

For expenses necessary for the Southeast Crescent Regional Commission in carrying out activities authorized by subtitle V of title 40, United States Code, \$250,000, to remain available until expended.

NUCLEAR REGULATORY COMMISSION
SALARIES AND EXPENSES

For expenses necessary for the Commission in carrying out the purposes of the Energy Reorganization Act of 1974 and the Atomic Energy Act of 1954, \$898,350,000, including official representation expenses not to exceed \$25,000, to remain available until expended: Provided, That of the amount appropriated herein, not more than \$9,500,000 may be made available for salaries, travel, and other support costs for the Office of the Commission, to remain available until September 30, 2020, of which, notwithstanding section 201(a)(2)(c) of the Energy Reorganization Act of 1974 (42 U.S.C. 5841(a)(2)(c)), the use and expenditure shall only be approved by a majority vote of the Commission: Provided further, That revenues from licensing fees, inspection services, and other services and collections estimated at \$770,477,000 in fiscal year 2019 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: Provided further, That of the amounts appropriated under this heading, not less than \$10,300,000 shall be for activities related to the development of regulatory infrastructure for advanced nuclear technologies, and \$16,080,000 shall be for international activities, except that the amounts provided under this proviso shall not be derived from fee revenues, notwithstanding 42 U.S.C. 2214: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2019 so as to result in a final fiscal year 2019 appropriation estimated at not more than \$127,873,000: Provided further, That of the amounts appropriated under this heading, \$10,000,000 shall be for university research and development in areas relevant to the Commission's mission, and \$5,000,000 shall be for a Nuclear Science and Engineering Grant Program that will support multiyear projects that do not align with programmatic missions but are critical to maintaining the discipline of nuclear science and engineering.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$12,609,000, to remain available until September 30, 2020: Provided, That revenues from licensing fees, inspection services, and other services and collections estimated at \$10,355,000 in fiscal year 2019 shall be retained and be available until September 30, 2020, for necessary salaries and expenses in this account, notwithstanding section 3302 of title 31, United States Code: Provided further, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2019 so as to result in a final fiscal year 2019 appropriation estimated at not more than \$2,254,000: Provided further, That of the amounts appropriated under this heading, \$1,103,000 shall be for Inspector General services for the Defense Nuclear Facilities Safety Board, which shall not be available from fee revenues.

NUCLEAR WASTE TECHNICAL REVIEW BOARD
SALARIES AND EXPENSES

For expenses necessary for the Nuclear Waste Technical Review Board, as authorized by Public Law 100-203, section 5051, \$3,600,000, to be derived from the Nuclear Waste Fund, to remain available until September 30, 2020.

GENERAL PROVISIONS—INDEPENDENT AGENCIES

SEC. 401. The Nuclear Regulatory Commission shall comply with the July 5, 2011, version of Chapter VI of its Internal Commission Procedures when responding to Congressional requests for information, consistent with Department of Justice guidance for all federal agencies.

SEC. 402. (a) The amounts made available by this title for the Nuclear Regulatory Commission may be reprogrammed for any program, project,

or activity, and the Commission shall notify the Committees on Appropriations of both Houses of Congress at least 30 days prior to the use of any proposed reprogramming that would cause any program funding level to increase or decrease by more than \$500,000 or 10 percent, whichever is less, during the time period covered by this Act.

(b)(1) The Nuclear Regulatory Commission may waive the notification requirement in subsection (a) if compliance with such requirement would pose a substantial risk to human health, the environment, welfare, or national security.

(2) The Nuclear Regulatory Commission shall notify the Committees on Appropriations of both Houses of Congress of any waiver under paragraph (1) as soon as practicable, but not later than 3 days after the date of the activity to which a requirement or restriction would otherwise have applied. Such notice shall include an explanation of the substantial risk under paragraph (1) that permitted such waiver and shall provide a detailed report to the Committees of such waiver and changes to funding levels to programs, projects, or activities.

(c) Except as provided in subsections (a), (b), and (d), the amounts made available by this title for "Nuclear Regulatory Commission—Salaries and Expenses" shall be expended as directed in the joint explanatory statement accompanying this Act.

(d) None of the funds provided for the Nuclear Regulatory Commission shall be available for obligation or expenditure through a reprogramming of funds that increases funds or personnel for any program, project, or activity for which funds are denied or restricted by this Act.

(e) The Commission shall provide a monthly report to the Committees on Appropriations of both Houses of Congress, which includes the following for each program, project, or activity, including any prior year appropriations—

- (1) total budget authority;
- (2) total unobligated balances; and
- (3) total unliquidated obligations.

TITLE V
GENERAL PROVISIONS
(INCLUDING TRANSFER OF FUNDS)

SEC. 501. None of the funds appropriated by this Act may be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before Congress, other than to communicate to Members of Congress as described in 18 U.S.C. 1913.

SEC. 502. (a) None of the funds made available in title III of this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the joint explanatory statement accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(b) None of the funds made available for any department, agency, or instrumentality of the United States Government may be transferred to accounts funded in title III of this Act, except pursuant to a transfer made by or transfer authority provided in this Act or any other appropriations Act for any fiscal year, transfer authority referenced in the joint explanatory statement accompanying this Act, or any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to another department, agency, or instrumentality.

(c) The head of any relevant department or agency funded in this Act utilizing any transfer authority shall submit to the Committees on Appropriations of both Houses of Congress a semi-annual report detailing the transfer authorities, except for any authority whereby a department, agency, or instrumentality of the United States Government may provide goods or services to

another department, agency, or instrumentality, used in the previous 6 months and in the year-to-date. This report shall include the amounts transferred and the purposes for which they were transferred, and shall not replace or modify existing notification requirements for each authority.

SEC. 503. None of the funds made available by this Act may be used in contravention of Executive Order No. 12898 of February 11, 1994 (Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations).

SEC. 504. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 505. For an additional amount for "Department of the Interior—Bureau of Reclamation—Water and Related Resources", \$21,400,000, to remain available until expended, for transfer to Reclamation's Upper Colorado River Basin Fund to carry out environmental stewardship and endangered species recovery efforts pursuant to the Grand Canyon Protection Act of 1992 (Public Law 102-575), Public Law 106-392, the Colorado River Basin Project Act (43 U.S.C. 1551(b)), and the Act of April 11, 1956 (commonly known as the "Colorado River Storage Project Act") (43 U.S.C. 620n).

This division may be cited as the "Energy and Water Development and Related Agencies Appropriations Act, 2019".

**DIVISION B—LEGISLATIVE BRANCH
APPROPRIATIONS ACT, 2019**

TITLE I
LEGISLATIVE BRANCH
SENATE

PAYMENT TO WIDOWS AND HEIRS OF DECEASED
MEMBERS OF CONGRESS

For payment to Cindy H. McCain, widow of John Sidney McCain III, late a Senator from the State of Arizona, \$174,000.

EXPENSE ALLOWANCES

For expense allowances of the Vice President, \$18,760; the President Pro Tempore of the Senate, \$37,520; Majority Leader of the Senate, \$39,920; Minority Leader of the Senate, \$39,920; Majority Whip of the Senate, \$9,980; Minority Whip of the Senate, \$9,980; President Pro Tempore Emeritus, \$15,000; Chairmen of the Majority and Minority Conference Committees, \$4,690 for each Chairman; and Chairmen of the Majority and Minority Policy Committees, \$4,690 for each Chairman; in all, \$189,840.

For representation allowances of the Majority and Minority Leaders of the Senate, \$14,070 for each such Leader; in all, \$28,140.

SALARIES, OFFICERS AND EMPLOYEES

For compensation of officers, employees, and others as authorized by law, including agency contributions, \$208,390,812, which shall be paid from this appropriation as follows:

OFFICE OF THE VICE PRESIDENT

For the Office of the Vice President, \$2,484,248.

OFFICE OF THE PRESIDENT PRO TEMPORE

For the Office of the President Pro Tempore, \$744,466.

OFFICE OF THE PRESIDENT PRO TEMPORE
EMERITUS

For the Office of the President Pro Tempore Emeritus, \$319,000.

OFFICES OF THE MAJORITY AND MINORITY
LEADERS

For Offices of the Majority and Minority Leaders, \$5,399,576.

OFFICES OF THE MAJORITY AND MINORITY WHIPS

For Offices of the Majority and Minority Whips, \$3,455,424.

COMMITTEE ON APPROPRIATIONS

For salaries of the Committee on Appropriations, \$15,496,000.

CONFERENCE COMMITTEES

For the Conference of the Majority and the Conference of the Minority, at rates of compensation to be fixed by the Chairman of each such committee, \$1,704,000 for each such committee; in all, \$3,408,000.

OFFICES OF THE SECRETARIES OF THE CONFERENCE OF THE MAJORITY AND THE CONFERENCE OF THE MINORITY

For Offices of the Secretaries of the Conference of the Majority and the Conference of the Minority, \$843,402.

POLICY COMMITTEES

For salaries of the Majority Policy Committee and the Minority Policy Committee, \$1,740,905 for each such committee; in all, \$3,481,810.

OFFICE OF THE CHAPLAIN

For Office of the Chaplain, \$474,886.

OFFICE OF THE SECRETARY

For Office of the Secretary, \$26,315,000.

OFFICE OF THE SERGEANT AT ARMS AND DOORKEEPER

For Office of the Sergeant at Arms and Doorkeeper, \$84,157,000.

OFFICES OF THE SECRETARIES FOR THE MAJORITY AND MINORITY

For Offices of the Secretary for the Majority and the Secretary for the Minority, \$1,900,000.

AGENCY CONTRIBUTIONS AND RELATED EXPENSES

For agency contributions for employee benefits, as authorized by law, and related expenses, \$59,912,000.

OFFICE OF THE LEGISLATIVE COUNSEL OF THE SENATE

For salaries and expenses of the Office of the Legislative Counsel of the Senate, \$6,278,000.

OFFICE OF SENATE LEGAL COUNSEL

For salaries and expenses of the Office of Senate Legal Counsel, \$1,176,000.

EXPENSE ALLOWANCES OF THE SECRETARY OF THE SENATE, SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE, AND SECRETARIES FOR THE MAJORITY AND MINORITY OF THE SENATE

For expense allowances of the Secretary of the Senate, \$7,110; Sergeant at Arms and Doorkeeper of the Senate, \$7,110; Secretary for the Majority of the Senate, \$7,110; Secretary for the Minority of the Senate, \$7,110; in all, \$28,440.

CONTINGENT EXPENSES OF THE SENATE

INQUIRIES AND INVESTIGATIONS

For expenses of inquiries and investigations ordered by the Senate, or conducted under paragraph 1 of rule XXVI of the Standing Rules of the Senate, section 112 of the Supplemental Appropriations and Rescission Act, 1980 (Public Law 96-304), and Senate Resolution 281, 96th Congress, agreed to March 11, 1980, \$133,265,000, of which \$26,650,000 shall remain available until September 30, 2021.

U.S. SENATE CAUCUS ON INTERNATIONAL NARCOTICS CONTROL

For expenses of the United States Senate Caucus on International Narcotics Control, \$508,000.

SECRETARY OF THE SENATE

For expenses of the Office of the Secretary of the Senate, \$10,036,000 of which \$6,436,000 shall remain available until September 30, 2023 and of which \$3,600,000 shall remain available until expended.

SERGEANT AT ARMS AND DOORKEEPER OF THE SENATE

For expenses of the Office of the Sergeant at Arms and Doorkeeper of the Senate, \$126,595,000, which shall remain available until September 30, 2023.

MISCELLANEOUS ITEMS

For miscellaneous items, \$18,871,410 which shall remain available until September 30, 2021.

SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT

For Senators' Official Personnel and Office Expense Account, \$429,000,000 of which \$20,128,950 shall remain available until September 30, 2021 and of which \$5,000,000 shall be allocated solely for the purpose of providing financial compensation to Senate interns.

OFFICIAL MAIL COSTS

For expenses necessary for official mail costs of the Senate, \$300,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 101. Notwithstanding any other provision of law, any amounts appropriated under this Act under the heading "SENATE" under the heading "CONTINGENT EXPENSES OF THE SENATE" under the heading "SENATORS' OFFICIAL PERSONNEL AND OFFICE EXPENSE ACCOUNT" shall be available for obligation only during the fiscal year or fiscal years for which such amounts are made available. Any unexpended balances under such allowances remaining after the end of the period of availability shall be returned to the Treasury in accordance with the undesignated paragraph under the center heading "GENERAL PROVISION" under chapter X1 of the Third Supplemental Appropriation Act, 1957 (2 U.S.C. 4107) and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

FILING BY SENATE CANDIDATES WITH COMMISSION

SEC. 102. Section 302(g) of the Federal Election Campaign Act of 1971 (52 U.S.C. 30102(g)) is amended to read as follows:

"(g) FILING WITH THE COMMISSION.—All designations, statements, and reports required to be filed under this Act shall be filed with the Commission."

EXTENSION OF AUTHORITY

SEC. 103. Section 21(d) of Senate Resolution 64 of the One Hundred Thirteenth Congress, 1st session (agreed to on March 5, 2013), as amended by section 178 of the Continuing Appropriations Act, 2017 (division C of Public Law 114-223), is further amended by striking "December 31, 2018" and inserting "December 31, 2020".

HOUSE OF REPRESENTATIVES

SALARIES AND EXPENSES

For salaries and expenses of the House of Representatives, \$1,232,663,035, as follows:

HOUSE LEADERSHIP OFFICES

For salaries and expenses, as authorized by law, \$25,378,875, including: Office of the Speaker, \$7,123,634, including \$25,000 for official expenses of the Speaker; Office of the Majority Floor Leader, \$2,642,739, including \$10,000 for official expenses of the Majority Leader; Office of the Minority Floor Leader, \$7,751,946, including \$10,000 for official expenses of the Minority Leader; Office of the Majority Whip, including the Chief Deputy Majority Whip, \$2,197,163, including \$5,000 for official expenses of the Majority Whip; Office of the Minority Whip, including the Chief Deputy Minority Whip, \$1,700,079, including \$5,000 for official expenses of the Minority Whip; Republican Conference, \$2,186,819; Democratic Caucus, \$1,776,495: Provided, That such amount for salaries and expenses shall remain available from January 3, 2019 until January 2, 2020.

MEMBERS' REPRESENTATIONAL ALLOWANCES

INCLUDING MEMBERS' CLERK HIRE, OFFICIAL EXPENSES OF MEMBERS, AND OFFICIAL MAIL

For Members' representational allowances, including Members' clerk hire, official expenses, and official mail, \$573,630,000.

INTERN ALLOWANCE

For payments from the allowance established under section 120 of this Act for the compensa-

tion of interns who serve in the offices of Members of the House of Representatives, \$8,800,000.

COMMITTEE EMPLOYEES

STANDING COMMITTEES, SPECIAL AND SELECT

For salaries and expenses of standing committees, special and select, authorized by House resolutions, \$127,903,173: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2020, except that \$4,000,000 of such amount shall remain available until expended for committee room upgrading.

COMMITTEE ON APPROPRIATIONS

For salaries and expenses of the Committee on Appropriations, \$23,112,971, including studies and examinations of executive agencies and temporary personal services for such committee, to be expended in accordance with section 202(b) of the Legislative Reorganization Act of 1946 and to be available for reimbursement to agencies for services performed: Provided, That such amount shall remain available for such salaries and expenses until December 31, 2020.

SALARIES, OFFICERS AND EMPLOYEES

For compensation and expenses of officers and employees, as authorized by law, \$220,345,000, including: for salaries and expenses of the Office of the Clerk, including the positions of the Chaplain and the Historian, and including not more than \$25,000 for official representation and reception expenses, of which not more than \$20,000 is for the Family Room and not more than \$2,000 is for the Office of the Chaplain, \$28,305,000; for salaries and expenses of the Office of the Sergeant at Arms, including the position of Superintendent of Garages and the Office of Emergency Management, and including not more than \$3,000 for official representation and reception expenses, \$18,773,000 of which \$5,524,000 shall remain available until expended; for salaries and expenses of the Office of the Chief Administrative Officer including not more than \$3,000 for official representation and reception expenses, \$148,058,000, of which \$11,631,000 shall remain available until expended; for salaries and expenses of the Office of the Inspector General, \$5,019,000; for salaries and expenses of the Office of General Counsel, \$1,502,000; for salaries and expenses of the Office of the Parliamentarian, including the Parliamentarian, \$2,000 for preparing the Digest of Rules, and not more than \$1,000 for official representation and reception expenses, \$2,026,000; for salaries and expenses of the Office of the Law Revision Counsel of the House, \$3,327,000; for salaries and expenses of the Office of the Legislative Counsel of the House, \$11,937,000; for salaries and expenses of the Office of Interparliamentary Affairs, \$814,000; for other authorized employees, \$584,000.

ALLOWANCES AND EXPENSES

For allowances and expenses as authorized by House resolution or law, \$253,493,016, including: supplies, materials, administrative costs and Federal tort claims, \$525,016; official mail for committees, leadership offices, and administrative offices of the House, \$190,000; Government contributions for health, retirement, Social Security, and other applicable employee benefits, \$228,200,000, to remain available until March 31, 2020; Business Continuity and Disaster Recovery, \$16,186,000 of which \$5,000,000 shall remain available until expended; transition activities for new members and staff, \$3,000,000, to remain available until expended; Wounded Warrior Program \$3,000,000, to remain available until expended; Office of Congressional Ethics, \$1,670,000; and miscellaneous items including purchase, exchange, maintenance, repair and operation of House motor vehicles, inter-parliamentary receptions, and gratuities to heirs of deceased employees of the House, \$722,000.

ADMINISTRATIVE PROVISIONS

REQUIRING AMOUNTS REMAINING IN MEMBERS' REPRESENTATIONAL ALLOWANCES TO BE USED FOR DEFICIT REDUCTION OR TO REDUCE THE FEDERAL DEBT

SEC. 110. (a) Notwithstanding any other provision of law, any amounts appropriated under this Act for "HOUSE OF REPRESENTATIVES—SALARIES AND EXPENSES—MEMBERS' REPRESENTATIONAL ALLOWANCES" shall be available only for fiscal year 2019. Any amount remaining after all payments are made under such allowances for fiscal year 2019 shall be deposited in the Treasury and used for deficit reduction (or, if there is no Federal budget deficit after all such payments have been made, for reducing the Federal debt, in such manner as the Secretary of the Treasury considers appropriate).

(b) REGULATIONS.—The Committee on House Administration of the House of Representatives shall have authority to prescribe regulations to carry out this section.

(c) DEFINITION.—As used in this section, the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

DELIVERY OF BILLS AND RESOLUTIONS

SEC. 111. (a) None of the funds made available in any fiscal year may be used to deliver a printed copy of a bill, joint resolution, or resolution to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) unless the Member requests a copy.

(b) This section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

DELIVERY OF CONGRESSIONAL RECORD

SEC. 112. (a) None of the funds made available in any fiscal year may be used to deliver a printed copy of any version of the Congressional Record to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

(b) This section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

LIMITATION ON AMOUNT AVAILABLE TO LEASE VEHICLES

SEC. 113. None of the funds made available in this Act may be used by the Chief Administrative Officer of the House of Representatives to make any payments from any Members' Representational Allowance for the leasing of a vehicle, excluding mobile district offices, in an aggregate amount that exceeds \$1,000 for the vehicle in any month.

LIMITATION ON PRINTED COPIES OF U.S. CODE TO HOUSE

SEC. 114. (a) None of the funds made available in any fiscal year may be to provide an aggregate number of more than 50 printed copies of any edition of the United States Code to all offices of the House of Representatives.

(b) This section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

DELIVERY OF REPORTS OF DISBURSEMENTS

SEC. 115. (a) None of the funds made available in any fiscal year may be used to deliver a printed copy of the report of disbursements for the operations of the House of Representatives under section 106 of the House of Representatives Administration Reform Technical Corrections Act (2 U.S.C. 5535) to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

(b) This section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

DELIVERY OF DAILY CALENDAR

SEC. 116. (a) None of the funds made available in any fiscal year may be used to deliver to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress) a printed copy of the Daily Calendar of the House of Representatives

which is prepared by the Clerk of the House of Representatives.

(b) This section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

DELIVERY OF CONGRESSIONAL PICTORIAL DIRECTORY

SEC. 117. (a) None of the funds made available in any fiscal year may be used to deliver a printed copy of the Congressional Pictorial Directory to the office of a Member of the House of Representatives (including a Delegate or Resident Commissioner to the Congress).

(b) This section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

REPEAL OF AUTHORIZATIONS FOR FORMER SPEAKERS

SEC. 118. (a) REPEAL OF AUTHORIZATIONS FOR OFFICE SPACE, OFFICE EXPENSES, FRANKING AND PRINTING PRIVILEGES, AND STAFF.—The first section and sections 2, 4, 5, and 8 of House Resolution 1238, Ninety-first Congress, agreed to December 22, 1970 (as enacted into permanent law by chapter VIII of the Supplemental Appropriations Act, 1971) (2 U.S.C. 5125(a), 5126, 5127, 5128, and 5129) are repealed.

(b) CONFORMING AMENDMENT.—Subsection (b) of the first section of Public Law 93-532 (2 U.S.C. 5125(b)) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to any individual who serves as a Representative in Congress during the One Hundred Fifteenth Congress or any succeeding Congress.

TRANSFER AUTHORITY

SEC. 119. (a) AUTHORITY TO MAKE TRANSFERS AMONG HOUSE LEADERSHIP OFFICES.—Section 101 of the Legislative Branch Appropriations Act, 1993 (2 U.S.C. 5507) is amended by adding at the end the following new subsection:

"(f) Amounts appropriated for any fiscal year for the House of Representatives under the heading 'House Leadership Offices' may be transferred among and merged with the various offices and activities under such heading, effective upon the expiration of the 21-day period (or such alternative period that may be imposed by the Committee on Appropriations of the House of Representatives) which begins on the date such Committee has been notified of the transfer."

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

ALLOWANCE FOR COMPENSATION OF INTERNS IN MEMBER OFFICES

SEC. 120. (a) ESTABLISHMENT OF ALLOWANCE.—There is established for the House of Representatives an allowance which shall be available for the compensation of interns who serve in the offices of Members of the House of Representatives.

(b) CAP ON AMOUNT AVAILABLE PER OFFICE.—An office of a Member of the House of Representatives may not use more than \$20,000 of the allowance under this section during any calendar year.

(c) BENEFIT EXCLUSION.—Section 104(b) of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5321(b)) shall apply with respect to an intern who is compensated under the allowance under this section in the same manner as such section applies with respect to an intern who is compensated under the Members' Representational Allowance.

(d) NO EFFECT ON PAYMENT OF INTERNS UNDER MEMBERS' REPRESENTATIONAL ALLOWANCE.—Nothing in this section may be construed to affect the use of the Members' Representational Allowance for the compensation of interns, as provided under section 104 of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5321).

(e) DEFINITIONS.—In this section—

(1) the term "intern" has the meaning given such term in section 104(c)(2) of the House of Representatives Administrative Reform Technical Corrections Act (2 U.S.C. 5321(c)(2)); and

(2) the term "Member of the House of Representatives" means a Representative in, or a Delegate or Resident Commissioner to, the Congress.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$8,800,000 for fiscal year 2019.

JOINT ITEMS

For Joint Committees, as follows:

JOINT ECONOMIC COMMITTEE

For salaries and expenses of the Joint Economic Committee, \$4,203,000, to be disbursed by the Secretary of the Senate.

JOINT COMMITTEE ON TAXATION

For salaries and expenses of the Joint Committee on Taxation, \$11,169,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

For other joint items, as follows:

OFFICE OF THE ATTENDING PHYSICIAN

For medical supplies, equipment, and contingent expenses of the emergency rooms, and for the Attending Physician and his assistants, including:

(1) an allowance of \$2,175 per month to the Attending Physician;

(2) an allowance of \$1,300 per month to the Senior Medical Officer;

(3) an allowance of \$725 per month each to three medical officers while on duty in the Office of the Attending Physician;

(4) an allowance of \$725 per month to 2 assistants and \$580 per month each not to exceed 11 assistants on the basis heretofore provided for such assistants; and

(5) \$2,740,000 for reimbursement to the Department of the Navy for expenses incurred for staff and equipment assigned to the Office of the Attending Physician, which shall be advanced and credited to the applicable appropriation or appropriations from which such salaries, allowances, and other expenses are payable and shall be available for all the purposes thereof, \$3,798,000, to be disbursed by the Chief Administrative Officer of the House of Representatives.

OFFICE OF CONGRESSIONAL ACCESSIBILITY SERVICES

SALARIES AND EXPENSES

For salaries and expenses of the Office of Congressional Accessibility Services, \$1,486,000, to be disbursed by the Secretary of the Senate.

CAPITOL POLICE

SALARIES

For salaries of employees of the Capitol Police, including overtime, hazardous duty pay, and Government contributions for health, retirement, social security, professional liability insurance, and other applicable employee benefits, \$374,804,000 of which overtime shall not exceed \$43,668,000 unless the Committee on Appropriations of the House and Senate are notified, to be disbursed by the Chief of the Capitol Police or his designee.

GENERAL EXPENSES

For necessary expenses of the Capitol Police, including motor vehicles, communications and other equipment, security equipment and installation, uniforms, weapons, supplies, materials, training, medical services, forensic services, stenographic services, personal and professional services, the employee assistance program, the awards program, postage, communication services, travel advances, relocation of instructor and liaison personnel for the Federal Law Enforcement Training Center, and not more than \$5,000 to be expended on the certification of the Chief of the Capitol Police in connection with official representation and reception expenses, \$81,504,000, to be disbursed by the Chief of the Capitol Police or his designee: Provided, That, notwithstanding any other provision of law, the cost of basic training for the Capitol Police at the Federal Law Enforcement Training Center for fiscal year 2019 shall be paid by the Secretary of Homeland Security from funds available to the Department of Homeland Security.

OFFICE OF COMPLIANCE SALARIES AND EXPENSES

For salaries and expenses of the Office of Compliance, as authorized by section 305 of the Congressional Accountability Act of 1995 (2 U.S.C. 1385), \$6,332,670, of which \$1,000,000 shall remain available until September 30, 2020: Provided, That not more than \$500 may be expended on the certification of the Executive Director of the Office of Compliance in connection with official representation and reception expenses.

CONGRESSIONAL BUDGET OFFICE SALARIES AND EXPENSES

For salaries and expenses necessary for operation of the Congressional Budget Office, including not more than \$6,000 to be expended on the certification of the Director of the Congressional Budget Office in connection with official representation and reception expenses, \$50,737,000: Provided, that the Director shall use not less than \$500,000 of the amount made available under this heading for (1) improving technical systems, processes, and models for the purpose of improving the transparency of estimates of budgetary effects to Members of Congress, employees of Members of Congress, and the public, and (2) to increase the availability of models, economic assumptions, and data for Members of Congress, employees of Members of Congress, and the public.

ARCHITECT OF THE CAPITOL CAPITAL CONSTRUCTION AND OPERATIONS

For salaries for the Architect of the Capitol, and other personal services, at rates of pay provided by law; for all necessary expenses for surveys and studies, construction, operation, and general and administrative support in connection with facilities and activities under the care of the Architect of the Capitol including the Botanic Garden; electrical substations of the Capitol, Senate and House office buildings, and other facilities under the jurisdiction of the Architect of the Capitol; including furnishings and office equipment; including not more than \$5,000 for official reception and representation expenses, to be expended as the Architect of the Capitol may approve; for purchase or exchange, maintenance, and operation of a passenger motor vehicle, \$103,962,000.

CAPITOL BUILDING

For all necessary expenses for the maintenance, care and operation of the Capitol, \$43,992,000, of which \$17,344,000 shall remain available until September 30, 2023.

CAPITOL GROUNDS

For all necessary expenses for care and improvement of grounds surrounding the Capitol, the Senate and House office buildings, and the Capitol Power Plant, \$16,761,000, of which \$5,519,000 shall remain available until September 30, 2023.

HOUSE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of the House office buildings, \$187,098,000, of which \$65,552,000 shall remain available until September 30, 2023, and of which \$62,000,000 shall remain available until expended for the restoration and renovation of the Cannon House Office Building; Provided, That of the amount made available under this heading, \$7,000,000 shall be derived by transfer from the House Office Building Fund established under section 176(d) of the Continuing Appropriations Act, 2017, as added by section 101(3) of the Further Continuing Appropriation Act, 2017 (Public Law 114-254; 2 U.S.C. 2001 note).

In addition, for a payment to the House Historic Buildings Revitalization Trust Fund, \$10,000,000, to remain available until expended.

SENATE OFFICE BUILDINGS

For all necessary expenses for the maintenance, care and operation of Senate office buildings; and furniture and furnishings to be

expended under the control and supervision of the Architect of the Capitol, \$93,562,000, of which \$31,162,000 shall remain available until September 30, 2023.

CAPITOL POWER PLANT

For all necessary expenses for the maintenance, care and operation of the Capitol Power Plant; lighting, heating, power (including the purchase of electrical energy) and water and sewer services for the Capitol, Senate and House office buildings, Library of Congress buildings, and the grounds about the same, Botanic Garden, Senate garage, and air conditioning refrigeration not supplied from plants in any of such buildings; heating the Government Publishing Office and Washington City Post Office, and heating and chilled water for air conditioning for the Supreme Court Building, the Union Station complex, the Thurgood Marshall Federal Judiciary Building and the Folger Shakespeare Library, expenses for which shall be advanced or reimbursed upon request of the Architect of the Capitol and amounts so received shall be deposited into the Treasury to the credit of this appropriation, \$114,050,000, of which \$31,362,000 shall remain available until September 30, 2023: Provided, That not more than \$9,000,000 of the funds credited or to be reimbursed to this appropriation as herein provided shall be available for obligation during fiscal year 2019.

LIBRARY BUILDINGS AND GROUNDS

For all necessary expenses for the mechanical and structural maintenance, care and operation of the Library buildings and grounds, \$68,525,000, of which \$40,403,000 shall remain available until September 30, 2023.

CAPITOL POLICE BUILDINGS, GROUNDS AND SECURITY

For all necessary expenses for the maintenance, care and operation of buildings, grounds and security enhancements of the United States Capitol Police, wherever located, the Alternate Computing Facility, and Architect of the Capitol security operations, \$57,714,000, of which \$31,777,000 shall remain available until September 30, 2023.

BOTANIC GARDEN

For all necessary expenses for the maintenance, care and operation of the Botanic Garden and the nurseries, buildings, grounds, and collections; and purchase and exchange, maintenance, repair, and operation of a passenger motor vehicle; all under the direction of the Joint Committee on the Library, \$14,759,000, of which \$3,559,000 shall remain available until September 30, 2023: Provided, That, of the amount made available under this heading, the Architect of the Capitol may obligate and expend such sums as may be necessary for the maintenance, care and operation of the National Garden established under section 307E of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146), upon vouchers approved by the Architect of the Capitol or a duly authorized designee.

CAPITOL VISITOR CENTER

For all necessary expenses for the operation of the Capitol Visitor Center, \$23,322,000.

ADMINISTRATIVE PROVISIONS

NO BONUSES FOR CONTRACTORS BEHIND SCHEDULE OR OVER BUDGET

SEC. 130. None of the funds made available in this Act for the Architect of the Capitol may be used to make incentive or award payments to contractors for work on contracts or programs for which the contractor is behind schedule or over budget, unless the Architect of the Capitol, or agency-employed designee, determines that any such deviations are due to unforeseeable events, government-driven scope changes, or are not significant within the overall scope of the project and/or program.

SCRIMS

SEC. 131. (a) None of the funds made available by this Act may be used for scrims containing

photographs of building facades during restoration or construction projects performed by the Architect of the Capitol.

(b) This section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

SECURITY PROGRAMS

SEC. 132. (a) PURPOSE OF PROGRAMS.—Section 906(b) of the 2002 Supplemental Appropriations Act for Further Recovery From and Response To Terrorist Attacks on the United States (2 U.S.C. 1865(b)) is amended to read as follows:

“(b) Funds in the account shall be used by the Architect of the Capitol for all necessary expenses for—

“(1) resilience and security programs of the Architect of the Capitol; and

“(2) the maintenance, care, and operation of buildings, grounds, and security enhancements for facilities of the United States Capitol Police and for other facilities associated with such resilience and security programs at any location.”.

(b) TRANSFERS OF FUNDS.—Section 906 of such Act (2 U.S.C. 1865) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

“(c)(1) For carrying out the purposes of the account, the Architect of the Capitol may receive transfers of appropriations from any agency of the Legislative Branch upon the approval of—

“(A) the Committee on Appropriations of the House of Representatives, in the case of a transfer from an office of the House of Representatives;

“(B) the Committee on Appropriations of the Senate, in the case of a transfer from an office of the Senate; or

“(C) the Committees on Appropriations of the House of Representatives and the Senate, in the case of a transfer from any other office of the Government.

“(2) Amounts transferred under this subsection shall be merged with the account and made available under this section.

“(3) This subsection shall apply with respect to fiscal year 2019 and each succeeding fiscal year.”.

INCREASE IN THRESHOLD FOR SMALL PURCHASE CONTRACTING AUTHORITY

SEC. 133. (a) 2 U.S.C. 1821 is amended by adding before “Notwithstanding any other provision of law—” the following text: “To promote efficiency and economy in contracting and to avoid unnecessary burdens, the Architect of the Capitol is granted authority to utilize special simplified procedures for purchases of property and services the aggregate amount of which does not exceed \$250,000.”.

(b) The amendment made by subsection (a) shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

INTERAGENCY DETAILS

SEC. 134. (a) AUTHORIZING DETAILS OF EMPLOYEES UNDER JOINT AGENCY AGREEMENTS.—In addition to any other authority relating to the detail of employees, the Architect of the Capitol and the head of any other department, agency, or instrumentality of the United States Government may enter into a joint agency agreement under which—

(1) employees of the Office of the Architect of the Capitol (including employees of the United States Botanic Garden) may be detailed to such department, agency, or instrumentality on a reimbursable or non-reimbursable basis; and

(2) employees of such department, agency, or instrumentality may be detailed to the Office of the Architect of the Capitol on a reimbursable or non-reimbursable basis.

(b) DURATION.—The detail of an employee under a joint agency agreement under this section shall be for such duration as may be provided in the agreement, except that in the case of a detail made on a non-reimbursable basis,

the duration of the detail may not exceed one year unless the Architect of the Capitol and the head of the department, agency, or instrumentality involved each determine that an extension of the detail of the employee is in the public interest.

(c) **NO EFFECT ON APPROPRIATIONS OF RECIPIENT OF NON-REIMBURSABLE DETAIL.**—For purposes of any law, rule, or regulation, the detail of an employee on a non-reimbursable basis under a joint agency agreement under this section for a fiscal year shall not be treated as an increase or modification of the appropriation for the fiscal year of the office to whom the employee is detailed.

(d) **EFFECTIVE DATE.**—This section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

ACCEPTANCE OF TRAVEL EXPENSES FROM NON-FEDERAL SOURCES

SEC. 135. (a) PERMITTING ACCEPTANCE OF EXPENSES.—Notwithstanding any other provision of law, the Architect of the Capitol may accept payment or authorize an employee of the Office of the Architect of the Capitol to accept payment on the Office's behalf from non-Federal sources for travel, subsistence, and related expenses with respect to attendance of the employee (or the spouse of such employee) at any meeting or similar function relating to the employee's official duties. Any cash payment so accepted shall be credited to the appropriation applicable to such expenses. In the case of a payment in kind so accepted, a pro rata reduction shall be made in any entitlement of the employee to payment from the Government for such expenses.

(b) **PROHIBITING ACCEPTANCE FROM OTHER SOURCES.**—Except as provided in this section or section 7342 of title 5, United States Code, the Office or an employee of the Office may not accept payment for expenses referred to in subsection (a). An employee who accepts any payment in violation of the preceding sentence—

(1) may be required, in addition to any penalty provided by law, to repay, for deposit in the general fund of the Treasury, an amount equal to the amount of the payment so accepted; and

(2) in the case of a repayment under paragraph (1), shall not be entitled to any payment from the Government for such expenses.

(c) **EFFECTIVE DATE.**—This section shall apply with respect to fiscal year 2019 and each succeeding fiscal year.

LIBRARY OF CONGRESS SALARIES AND EXPENSES

For all necessary expenses of the Library of Congress not otherwise provided for, including development and maintenance of the Library's catalogs; custody and custodial care of the Library buildings; special clothing; cleaning, laundering and repair of uniforms; preservation of motion pictures in the custody of the Library; operation and maintenance of the American Folklife Center in the Library; preparation and distribution of catalog records and other publications of the Library; hire or purchase of one passenger motor vehicle; and expenses of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$480,052,000, of which not more than \$6,000,000 shall be derived from collections credited to this appropriation during fiscal year 2019, and shall remain available until expended, under the Act of June 28, 1902 (chapter 1301; 32 Stat. 480; 2 U.S.C. 150): Provided, That the Library of Congress may not obligate or expend any funds derived from collections under the Act of June 28, 1902, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$6,000,000: Provided further, That of the total amount appropriated, not more than \$12,000 may be expended, on the certification of the Librarian of Congress, in connection with

official representation and reception expenses for the Overseas Field Offices: Provided further, That of the total amount appropriated, \$8,855,000 shall remain available until expended for the digital collections and educational curricula program: Provided further, That of the total amount appropriated, \$1,318,000 shall remain available until expended for upgrade of the Legislative Branch Financial Management System: Provided further, That of the total amount appropriated, \$250,000 shall remain available until expended for the Surplus Books Program to promote the program and facilitate a greater number of donations to eligible entities across the United States: Provided further, That of the total amount appropriated, \$2,383,000 shall remain available until expended for the Veterans History Project to continue digitization efforts of already collected materials, reach a greater number of veterans to record their stories, and promote public access to the Project.

COPYRIGHT OFFICE

SALARIES AND EXPENSES

For all necessary expenses of the Copyright Office, \$93,407,000, of which not more than \$39,218,000, to remain available until expended, shall be derived from collections credited to this appropriation during fiscal year 2019 under section 708(d) of title 17, United States Code: Provided, That the Copyright Office may not obligate or expend any funds derived from collections under such section, in excess of the amount authorized for obligation or expenditure in appropriations Acts: Provided further, That not more than \$6,272,000 shall be derived from collections during fiscal year 2019 under sections 111(d)(2), 119(b)(3), 803(e), 1005, and 1316 of such title: Provided further, That the total amount available for obligation shall be reduced by the amount by which collections are less than \$45,490,000: Provided further, That \$4,328,000 shall be derived from prior year unobligated balances: Provided further, That not more than \$100,000 of the amount appropriated is available for the maintenance of an "International Copyright Institute" in the Copyright Office of the Library of Congress for the purpose of training nationals of developing countries in intellectual property laws and policies: Provided further, That not more than \$6,500 may be expended, on the certification of the Librarian of Congress, in connection with official representation and reception expenses for activities of the International Copyright Institute and for copyright delegations, visitors, and seminars: Provided further, That, notwithstanding any provision of chapter 8 of title 17, United States Code, any amounts made available under this heading which are attributable to royalty fees and payments received by the Copyright Office pursuant to sections 111, 119, and chapter 10 of such title may be used for the costs incurred in the administration of the Copyright Royalty Judges program, with the exception of the costs of salaries and benefits for the Copyright Royalty Judges and staff under section 802(e).

CONGRESSIONAL RESEARCH SERVICE

SALARIES AND EXPENSES

For all necessary expenses to carry out the provisions of section 203 of the Legislative Reorganization Act of 1946 (2 U.S.C. 166) and to revise and extend the Annotated Constitution of the United States of America, \$125,688,000: Provided, That no part of such amount may be used to pay any salary or expense in connection with any publication, or preparation of material therefor (except the Digest of Public General Bills), to be issued by the Library of Congress unless such publication has obtained prior approval of either the Committee on House Administration of the House of Representatives or the Committee on Rules and Administration of the Senate: Provided further, That this prohibition does not apply to publication of non-confidential Congressional Research Service (CRS) products: Provided further, That a non-confidential CRS product includes any written product con-

taining research or analysis that is currently available for general congressional access on the CRS Congressional Intranet, or that would be made available on the CRS Congressional Intranet in the normal course of business and does not include material prepared in response to Congressional requests for confidential analysis or research.

BOOKS FOR THE BLIND AND PHYSICALLY HANDICAPPED

SALARIES AND EXPENSES

For all necessary expenses to carry out the Act of March 3, 1931 (chapter 400; 46 Stat. 1487; 2 U.S.C. 135a), \$52,783,000: Provided, That of the total amount appropriated, \$650,000 shall be available to contract to provide newspapers to blind and physically handicapped residents at no cost to the individual.

ADMINISTRATIVE PROVISIONS

REIMBURSABLE AND REVOLVING FUND ACTIVITIES

SEC. 140. (a) IN GENERAL.—For fiscal year 2019, the obligational authority of the Library of Congress for the activities described in subsection (b) may not exceed \$194,608,000.

(b) **ACTIVITIES.**—The activities referred to in subsection (a) are reimbursable and revolving fund activities that are funded from sources other than appropriations to the Library in appropriations Acts for the legislative branch.

GOVERNMENT PUBLISHING OFFICE

CONGRESSIONAL PUBLISHING

(INCLUDING TRANSFER OF FUNDS)

For authorized publishing of congressional information and the distribution of congressional information in any format; publishing of Government publications authorized by law to be distributed to Members of Congress; and publishing, and distribution of Government publications authorized by law to be distributed without charge to the recipient, \$79,000,000: Provided, That this appropriation shall not be available for paper copies of the permanent edition of the Congressional Record for individual Representatives, Resident Commissioners or Delegates authorized under section 906 of title 44, United States Code: Provided further, That this appropriation shall be available for the payment of obligations incurred under the appropriations for similar purposes for preceding fiscal years: Provided further, That notwithstanding the 2-year limitation under section 718 of title 44, United States Code, none of the funds appropriated or made available under this Act or any other Act for printing and binding and related services provided to Congress under chapter 7 of title 44, United States Code, may be expended to print a document, report, or publication after the 27-month period beginning on the date that such document, report, or publication is authorized by Congress to be printed, unless Congress reauthorizes such printing in accordance with section 718 of title 44, United States Code: Provided further, That unobligated or unexpended balances of expired discretionary funds made available under this heading in this Act for this fiscal year may be transferred to, and merged with, funds under the heading "Government Publishing Office Business Operations Revolving Fund" no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated, to be available for carrying out the purposes of this heading, subject to the approval of the Committee on Appropriations of the House of Representatives and the Senate: Provided further, That notwithstanding sections 901, 902, and 906 of title 44, United States Code, this appropriation may be used to prepare indexes to the Congressional Record on only a monthly and session basis.

PUBLIC INFORMATION PROGRAMS OF THE

SUPERINTENDENT OF DOCUMENTS

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For expenses of the public information programs of the Office of Superintendent of Docu-

ments necessary to provide for the cataloging and indexing of Government publications and their distribution to the public, Members of Congress, other Government agencies, and designated depository and international exchange libraries as authorized by law, \$32,000,000: Provided, That amounts of not more than \$2,000,000 from current year appropriations are authorized for producing and disseminating Congressional serial sets and other related publications for fiscal years 2017 and 2018 to depository and other designated libraries: Provided further, That unobligated or unexpended balances of expired discretionary funds made available under this heading in this Act for this fiscal year may be transferred to, and merged with, funds under the heading "Government Publishing Office Business Operations Revolving Fund" no later than the end of the fifth fiscal year after the last fiscal year for which such funds are available for the purposes for which appropriated, to be available for carrying out the purposes of this heading, subject to the approval of the Committee on Appropriations of the House of Representatives and the Senate.

GOVERNMENT PUBLISHING OFFICE BUSINESS OPERATIONS REVOLVING FUND

For payment to the Government Publishing Office Business Operations Revolving Fund, \$6,000,000, to remain available until expended, for information technology development and facilities repair: Provided, That the Government Publishing Office is hereby authorized to make such expenditures, within the limits of funds available and in accordance with law, and to make such contracts and commitments without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the programs and purposes set forth in the budget for the current fiscal year for the Government Publishing Office Business Operations Revolving Fund: Provided further, That not more than \$7,500 may be expended on the certification of the Director of the Government Publishing Office in connection with official representation and reception expenses: Provided further, That the Business Operations Revolving Fund shall be available for the hire or purchase of not more than 12 passenger motor vehicles: Provided further, That expenditures in connection with travel expenses of the advisory councils to the Director of the Government Publishing Office shall be deemed necessary to carry out the provisions of title 44, United States Code: Provided further, That the Business Operations Revolving Fund shall be available for temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level V of the Executive Schedule under section 5316 of such title: Provided further, That activities financed through the Business Operations Revolving Fund may provide information in any format: Provided further, That the Business Operations Revolving Fund and the funds provided under the heading "Public Information Programs of the Superintendent of Documents" may not be used for contracted security services at Government Publishing Office's passport facility in the District of Columbia.

GOVERNMENT ACCOUNTABILITY OFFICE SALARIES AND EXPENSES

For necessary expenses of the Government Accountability Office, including not more than \$12,500 to be expended on the certification of the Comptroller General of the United States in connection with official representation and reception expenses; temporary or intermittent services under section 3109(b) of title 5, United States Code, but at rates for individuals not more than the daily equivalent of the annual rate of basic pay for level IV of the Executive Schedule under section 5315 of such title; hire of one passenger motor vehicle; advance payments in foreign countries in accordance with section 3324 of title

31, United States Code; benefits comparable to those payable under sections 901(5), (6), and (8) of the Foreign Service Act of 1980 (22 U.S.C. 4081(5), (6), and (8)); and under regulations prescribed by the Comptroller General of the United States, rental of living quarters in foreign countries, \$589,749,653: Provided, That, in addition, \$35,900,000 of payments received under sections 782, 791, 3521, and 9105 of title 31, United States Code, shall be available without fiscal year limitation: Provided further, That this appropriation and appropriations for administrative expenses of any other department or agency which is a member of the National Intergovernmental Audit Forum or a Regional Intergovernmental Audit Forum shall be available to finance an appropriate share of either Forum's costs as determined by the respective Forum, including necessary travel expenses of non-Federal participants: Provided further, That payments hereunder to the Forum may be credited as reimbursements to any appropriation from which costs involved are initially financed: Provided further, That this appropriation shall be available to transfer amounts to the Department of the Army for the expenses of constructing an Army facility at Redstone Arsenal for the sole, unlimited use of the Government Accountability Office, and (notwithstanding section 1502(a) of title 31, United States Code) shall be available to transfer such amounts without regard to the fiscal year in which such expenses are incurred: Provided further, That hereafter, amounts appropriated for the salaries and expenses of the Government Accountability Office shall be available to transfer to the Department of the Army for the maintenance of such facility.

OPEN WORLD LEADERSHIP CENTER TRUST FUND

For a payment to the Open World Leadership Center Trust Fund for financing activities of the Open World Leadership Center under section 313 of the Legislative Branch Appropriations Act, 2001 (2 U.S.C. 1151), \$5,600,000: Provided, That funds made available to support Russian participants shall only be used for those engaging in free market development, humanitarian activities, and civic engagement, and shall not be used for officials of the central government of Russia.

JOHN C. STENNIS CENTER FOR PUBLIC SERVICE TRAINING AND DEVELOPMENT

For payment to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105), \$430,000.

TITLE II

GENERAL PROVISIONS

MAINTENANCE AND CARE OF PRIVATE VEHICLES

SEC. 201. No part of the funds appropriated in this Act shall be used for the maintenance or care of private vehicles, except for emergency assistance and cleaning as may be provided under regulations relating to parking facilities for the House of Representatives issued by the Committee on House Administration and for the Senate issued by the Committee on Rules and Administration.

FISCAL YEAR LIMITATION

SEC. 202. No part of the funds appropriated in this Act shall remain available for obligation beyond fiscal year 2019 unless expressly so provided in this Act.

RATES OF COMPENSATION AND DESIGNATION

SEC. 203. Whenever in this Act any office or position not specifically established by the Legislative Pay Act of 1929 (46 Stat. 32 et seq.) is appropriated for or the rate of compensation or designation of any office or position appropriated for is different from that specifically established by such Act, the rate of compensation and the designation in this Act shall be the permanent law with respect thereto: Provided, That the provisions in this Act for the various items of official expenses of Members, officers, and

committees of the Senate and House of Representatives, and clerk hire for Senators and Members of the House of Representatives shall be the permanent law with respect thereto.

CONSULTING SERVICES

SEC. 204. The expenditure of any appropriation under this Act for any consulting service through procurement contract, under section 3109 of title 5, United States Code, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued under existing law.

COSTS OF LBFMC

SEC. 205. Amounts available for administrative expenses of any legislative branch entity which participates in the Legislative Branch Financial Managers Council (LBFMC) established by charter on March 26, 1996, shall be available to finance an appropriate share of LBFMC costs as determined by the LBFMC, except that the total LBFMC costs to be shared among all participating legislative branch entities (in such allocations among the entities as the entities may determine) may not exceed \$2,000.

LIMITATION ON TRANSFERS

SEC. 206. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

GUIDED TOURS OF THE CAPITOL

SEC. 207. (a) Except as provided in subsection (b), none of the funds made available to the Architect of the Capitol in this Act may be used to eliminate or restrict guided tours of the United States Capitol which are led by employees and interns of offices of Members of Congress and other offices of the House of Representatives and Senate, unless through regulations as authorized by section 402(b)(8) of the Capitol Visitor Center Act of 2008 (2 U.S.C. 2242(b)(8)).

(b) At the direction of the Capitol Police Board, or at the direction of the Architect of the Capitol with the approval of the Capitol Police Board, guided tours of the United States Capitol which are led by employees and interns described in subsection (a) may be suspended temporarily or otherwise subject to restriction for security or related reasons to the same extent as guided tours of the United States Capitol which are led by the Architect of the Capitol.

LIMITATION ON TELECOMMUNICATIONS EQUIPMENT PROCUREMENT

SEC. 208. (a) None of the funds appropriated or otherwise made available under this Act may be used to acquire telecommunications equipment produced by Huawei Technologies Company, ZTE Corporation or a high-impact or moderate-impact information system, as defined for security categorization in the National Institute of Standards and Technology's (NIST) Federal Information Processing Standard Publication 199, "Standards for Security Categorization of Federal Information and Information Systems" unless the agency, office, or other entity acquiring the equipment or system has—

(1) reviewed the supply chain risk for the information systems against criteria developed by NIST to inform acquisition decisions for high-impact and moderate-impact information systems within the Federal Government;

(2) reviewed the supply chain risk from the presumptive awardee against available and relevant threat information provided by the Federal Bureau of Investigation and other appropriate agencies; and

(3) in consultation with the Federal Bureau of Investigation or other appropriate Federal entity, conducted an assessment of any risk of cyber-espionage or sabotage associated with the acquisition of such system, including any risk associated with such system being produced, manufactured, or assembled by one or more enti-

ties identified by the United States Government as posing a cyber threat, including but not limited to, those that may be owned, directed, or subsidized by the People's Republic of China, the Islamic Republic of Iran, the Democratic People's Republic of Korea, or the Russian Federation.

(b) None of the funds appropriated or otherwise made available under this Act may be used to acquire a high-impact or moderate impact information system reviewed and assessed under subsection (a) unless the head of the assessing entity described in subsection (a) has—

(1) developed, in consultation with NIST and supply chain risk management experts, a mitigation strategy for any identified risks;

(2) determined, in consultation with NIST and the Federal Bureau of Investigation, that the acquisition of such system is in the vital national security interest of the United States; and

(3) reported that determination to the Committees on Appropriations of the House of Representatives and the Senate in a manner that identifies the system intended for acquisition and a detailed description of the mitigation strategies identified in (1), provided that such report may include a classified annex as necessary.

PROHIBITION ON CERTAIN OPERATIONAL EXPENSES

SEC. 209. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities or other official government activities.

PLASTIC WASTE REDUCTION

SEC. 210. All agencies and offices funded by this division that contract with a food service provider or providers shall confer and coordinate with such food service provider or providers, in consultation with disability advocacy groups, to eliminate or reduce plastic waste, including waste from plastic straws, explore the use of biodegradable items, and increase recycling and composting opportunities.

AGENCY COST OF LIVING ADJUSTMENTS

SEC. 211. (a) Each agency, office, or other entity that is provided appropriations under this Division shall report to the Committees on Appropriations of the House and Senate, not less than 30 days after enactment of this Act, specifying the dollar amount estimated for cost-of-living adjustments that was included in the fiscal year 2019 budget request for each appropriations account.

(b) In the event that Executive Branch agencies do not receive a cost-of-living adjustment, such dollar amount reported pursuant to subsection (a) may be obligated and expended only upon written approval by the Chair and ranking minority member of the Subcommittee on the Legislative Branch of the Committee on Appropriations of the House of Representatives and by the Chair and ranking minority member of the Subcommittee on the Legislative Branch of the Committee on Appropriations of the Senate.

(c) Pursuant to subsection (b), the agencies, offices, or other entities of the House of Representatives and the Senate require only the written approval of the Committee on Appropriations of their respective Chamber.

ADJUSTMENTS TO COMPENSATION

SEC. 212. Notwithstanding any other provision of law, no adjustment shall be made under section 601(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4501) (relating to cost of living adjustments for Members of Congress) during fiscal year 2019.

This division may be cited as the “Legislative Branch Appropriations Act, 2019”.

DIVISION C—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Army as currently authorized by law, including personnel in the Army Corps of Engineers and other personal services necessary for the purposes of this appropriation, and for construction and operation of facilities in support of the functions of the Commander in Chief, \$1,021,768,000, to remain available until September 30, 2023: Provided, That, of this amount, not to exceed \$110,068,000 shall be available for study, planning, design, architect and engineer services, and host nation support, as authorized by law, unless the Secretary of the Army determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For acquisition, construction, installation, and equipment of temporary or permanent public works, naval installations, facilities, and real property for the Navy and Marine Corps as currently authorized by law, including personnel in the Naval Facilities Engineering Command and other personal services necessary for the purposes of this appropriation, \$2,118,619,000, to remain available until September 30, 2023: Provided, That, of this amount, not to exceed \$185,542,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE

For acquisition, construction, installation, and equipment of temporary or permanent public works, military installations, facilities, and real property for the Air Force as currently authorized by law, \$1,440,323,000, to remain available until September 30, 2023: Provided, That, of this amount, not to exceed \$206,577,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Air Force determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, DEFENSE-WIDE

(INCLUDING TRANSFER OF FUNDS)

For acquisition, construction, installation, and equipment of temporary or permanent public works, installations, facilities, and real property for activities and agencies of the Department of Defense (other than the military departments), as currently authorized by law, \$2,550,728,000, to remain available until September 30, 2023: Provided, That such amounts of this appropriation as may be determined by the Secretary of Defense may be transferred to such appropriations of the Department of Defense available for military construction or family housing as the Secretary may designate, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided further, That, of the amount, not to exceed \$192,345,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of Defense determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of

both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$190,122,000, to remain available until September 30, 2023: Provided, That, of the amount, not to exceed \$16,622,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Army National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air National Guard, and contributions therefor, as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$129,126,000, to remain available until September 30, 2023: Provided, That, of the amount, not to exceed \$18,500,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Director of the Air National Guard determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, ARMY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Army Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$64,919,000, to remain available until September 30, 2023: Provided, That, of the amount, not to exceed \$5,855,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Army Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, NAVY RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the reserve components of the Navy and Marine Corps as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$43,065,000, to remain available until September 30, 2023: Provided, That, of the amount, not to exceed \$4,695,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Secretary of the Navy determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of Congress of the determination and the reasons therefor.

MILITARY CONSTRUCTION, AIR FORCE RESERVE

For construction, acquisition, expansion, rehabilitation, and conversion of facilities for the training and administration of the Air Force Reserve as authorized by chapter 1803 of title 10, United States Code, and Military Construction Authorization Acts, \$38,063,000, to remain available until September 30, 2023: Provided, That, of the amount, not to exceed \$4,055,000 shall be available for study, planning, design, and architect and engineer services, as authorized by law, unless the Chief of the Air Force Reserve determines that additional obligations are necessary for such purposes and notifies the Committees on Appropriations of both Houses of

Congress of the determination and the reasons therefor: Provided further, That, the Chief of the Air Force Reserve shall take immediate action to address unfunded military construction requirements for access control points and security issues at Air Force Reserve facilities.

**NORTH ATLANTIC TREATY ORGANIZATION
SECURITY INVESTMENT PROGRAM**

For the United States share of the cost of the North Atlantic Treaty Organization Security Investment Program for the acquisition and construction of military facilities and installations (including international military headquarters) and for related expenses for the collective defense of the North Atlantic Treaty Area as authorized by section 2806 of title 10, United States Code, and Military Construction Authorization Acts, \$171,064,000, to remain available until expended.

**DEPARTMENT OF DEFENSE BASE CLOSURE
ACCOUNT**

For deposit into the Department of Defense Base Closure Account, established by section 2906(a) of the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. 2687 note), \$342,000,000, to remain available until expended.

FAMILY HOUSING CONSTRUCTION, ARMY

For expenses of family housing for the Army for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$330,660,000, to remain available until September 30, 2023.

**FAMILY HOUSING OPERATION AND MAINTENANCE,
ARMY**

For expenses of family housing for the Army for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$376,509,000.

**FAMILY HOUSING CONSTRUCTION, NAVY AND
MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$104,581,000, to remain available until September 30, 2023.

**FAMILY HOUSING OPERATION AND MAINTENANCE,
NAVY AND MARINE CORPS**

For expenses of family housing for the Navy and Marine Corps for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$314,536,000.

FAMILY HOUSING CONSTRUCTION, AIR FORCE

For expenses of family housing for the Air Force for construction, including acquisition, replacement, addition, expansion, extension, and alteration, as authorized by law, \$78,446,000, to remain available until September 30, 2023.

**FAMILY HOUSING OPERATION AND MAINTENANCE,
AIR FORCE**

For expenses of family housing for the Air Force for operation and maintenance, including debt payment, leasing, minor construction, principal and interest charges, and insurance premiums, as authorized by law, \$317,274,000.

**FAMILY HOUSING OPERATION AND MAINTENANCE,
DEFENSE-WIDE**

For expenses of family housing for the activities and agencies of the Department of Defense (other than the military departments) for operation and maintenance, leasing, and minor construction, as authorized by law, \$58,373,000.

DEPARTMENT OF DEFENSE

FAMILY HOUSING IMPROVEMENT FUND

For the Department of Defense Family Housing Improvement Fund, \$1,653,000, to remain available until expended, for family housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alter-

native means of acquiring and improving military family housing and supporting facilities.

DEPARTMENT OF DEFENSE

**MILITARY UNACCOMPANIED HOUSING
IMPROVEMENT FUND**

For the Department of Defense Military Unaccompanied Housing Improvement Fund, \$600,000, to remain available until expended, for unaccompanied housing initiatives undertaken pursuant to section 2883 of title 10, United States Code, providing alternative means of acquiring and improving military unaccompanied housing and supporting facilities.

ADMINISTRATIVE PROVISIONS

SEC. 101. None of the funds made available in this title shall be expended for payments under a cost-plus-a-fixed-fee contract for construction, where cost estimates exceed \$25,000, to be performed within the United States, except Alaska, without the specific approval in writing of the Secretary of Defense setting forth the reasons therefor.

SEC. 102. Funds made available in this title for construction shall be available for hire of passenger motor vehicles.

SEC. 103. Funds made available in this title for construction may be used for advances to the Federal Highway Administration, Department of Transportation, for the construction of access roads as authorized by section 210 of title 23, United States Code, when projects authorized therein are certified as important to the national defense by the Secretary of Defense.

SEC. 104. None of the funds made available in this title may be used to begin construction of new bases in the United States for which specific appropriations have not been made.

SEC. 105. None of the funds made available in this title shall be used for purchase of land or land easements in excess of 100 percent of the value as determined by the Army Corps of Engineers or the Naval Facilities Engineering Command, except: (1) where there is a determination of value by a Federal court; (2) purchases negotiated by the Attorney General or the designee of the Attorney General; (3) where the estimated value is less than \$25,000; or (4) as otherwise determined by the Secretary of Defense to be in the public interest.

SEC. 106. None of the funds made available in this title shall be used to: (1) acquire land; (2) provide for site preparation; or (3) install utilities for any family housing, except housing for which funds have been made available in annual Acts making appropriations for military construction.

SEC. 107. None of the funds made available in this title for minor construction may be used to transfer or relocate any activity from one base or installation to another, without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 108. None of the funds made available in this title may be used for the procurement of steel for any construction project or activity for which American steel producers, fabricators, and manufacturers have been denied the opportunity to compete for such steel procurement.

SEC. 109. None of the funds available to the Department of Defense for military construction or family housing during the current fiscal year may be used to pay real property taxes in any foreign nation.

SEC. 110. None of the funds made available in this title may be used to initiate a new installation overseas without prior notification to the Committees on Appropriations of both Houses of Congress.

SEC. 111. None of the funds made available in this title may be obligated for architect and engineer contracts estimated by the Government to exceed \$500,000 for projects to be accomplished in Japan, in any North Atlantic Treaty Organization member country, or in countries bordering the Arabian Gulf, unless such contracts are awarded to United States firms or United States firms in joint venture with host nation firms.

SEC. 112. None of the funds made available in this title for military construction in the United States territories and possessions in the Pacific and on Kwajalein Atoll, or in countries bordering the Arabian Gulf, may be used to award any contract estimated by the Government to exceed \$1,000,000 to a foreign contractor: Provided, That this section shall not be applicable to contract awards for which the lowest responsive and responsible bid of a United States contractor exceeds the lowest responsive and responsible bid of a foreign contractor by greater than 20 percent: Provided further, That this section shall not apply to contract awards for military construction on Kwajalein Atoll for which the lowest responsive and responsible bid is submitted by a Marshallese contractor.

SEC. 113. The Secretary of Defense shall inform the appropriate committees of both Houses of Congress, including the Committees on Appropriations, of plans and scope of any proposed military exercise involving United States personnel 30 days prior to its occurring, if amounts expended for construction, either temporary or permanent, are anticipated to exceed \$100,000.

SEC. 114. Funds appropriated to the Department of Defense for construction in prior years shall be available for construction authorized for each such military department by the authorizations enacted into law during the current session of Congress.

SEC. 115. For military construction or family housing projects that are being completed with funds otherwise expired or lapsed for obligation, expired or lapsed funds may be used to pay the cost of associated supervision, inspection, overhead, engineering and design on those projects and on subsequent claims, if any.

SEC. 116. Notwithstanding any other provision of law, any funds made available to a military department or defense agency for the construction of military projects may be obligated for a military construction project or contract, or for any portion of such a project or contract, at any time before the end of the fourth fiscal year after the fiscal year for which funds for such project were made available, if the funds obligated for such project: (1) are obligated from funds available for military construction projects; and (2) do not exceed the amount appropriated for such project, plus any amount by which the cost of such project is increased pursuant to law.

(INCLUDING TRANSFER OF FUNDS)

SEC. 117. Subject to 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, such additional amounts as may be determined by the Secretary of Defense may be transferred to: (1) the Department of Defense Family Housing Improvement Fund from amounts appropriated for construction in "Family Housing" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund; or (2) the Department of Defense Military Unaccompanied Housing Improvement Fund from amounts appropriated for construction of military unaccompanied housing in "Military Construction" accounts, to be merged with and to be available for the same purposes and for the same period of time as amounts appropriated directly to the Fund: Provided, That appropriations made available to the Funds shall be available to cover the costs, as defined in section 502(5) of the Congressional Budget Act of 1974, of direct loans or loan guarantees issued by the Department of Defense pursuant to the provisions of subchapter IV of chapter 169 of title 10, United States Code, pertaining to alternative means of acquiring and improving military family housing, military unaccompanied housing, and supporting facilities.

(INCLUDING TRANSFER OF FUNDS)

SEC. 118. In addition to any other transfer authority available to the Department of Defense, amounts may be transferred from the Department of Defense Base Closure Account to the fund established by section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374) to pay for expenses associated with the Homeowners Assistance Program incurred under 42 U.S.C. 3374(a)(1)(A). Any amounts transferred shall be merged with and be available for the same purposes and for the same time period as the fund to which transferred.

SEC. 119. Notwithstanding any other provision of law, funds made available in this title for operation and maintenance of family housing shall be the exclusive source of funds for repair and maintenance of all family housing units, including general or flag officer quarters: Provided, That not more than \$35,000 per unit may be spent annually for the maintenance and repair of any general or flag officer quarters without 30 days prior notification, or 14 days for a notification provided in an electronic medium pursuant to sections 480 and 2883 of title 10, United States Code, to the Committees on Appropriations of both Houses of Congress, except that an after-the-fact notification shall be submitted if the limitation is exceeded solely due to costs associated with environmental remediation that could not be reasonably anticipated at the time of the budget submission: Provided further, That the Under Secretary of Defense (Comptroller) is to report annually to the Committees on Appropriations of both Houses of Congress all operation and maintenance expenditures for each individual general or flag officer quarters for the prior fiscal year.

SEC. 120. Amounts contained in the Ford Island Improvement Account established by subsection (h) of section 2814 of title 10, United States Code, are appropriated and shall be available until expended for the purposes specified in subsection (i)(1) of such section or until transferred pursuant to subsection (i)(3) of such section.

(INCLUDING TRANSFER OF FUNDS)

SEC. 121. During the 5-year period after appropriations available in this Act to the Department of Defense for military construction and family housing operation and maintenance and construction have expired for obligation, upon a determination that such appropriations will not be necessary for the liquidation of obligations or for making authorized adjustments to such appropriations for obligations incurred during the period of availability of such appropriations, unobligated balances of such appropriations may be transferred into the appropriation "Foreign Currency Fluctuations, Construction, Defense", to be merged with and to be available for the same time period and for the same purposes as the appropriation to which transferred.

SEC. 122. (a) Except as provided in subsection (b), none of the funds made available in this Act may be used by the Secretary of the Army to relocate a unit in the Army that—

(1) performs a testing mission or function that is not performed by any other unit in the Army and is specifically stipulated in title 10, United States Code; and

(2) is located at a military installation at which the total number of civilian employees of the Department of the Army and Army contractor personnel employed exceeds 10 percent of the total number of members of the regular and reserve components of the Army assigned to the installation.

(b) EXCEPTION.—Subsection (a) shall not apply if the Secretary of the Army certifies to the congressional defense committees that in proposing the relocation of the unit of the Army, the Secretary complied with Army Regulation 5-10 relating to the policy, procedures, and responsibilities for Army stationing actions.

SEC. 123. Amounts appropriated or otherwise made available in an account funded under the

headings in this title may be transferred among projects and activities within the account in accordance with the reprogramming guidelines for military construction and family housing construction contained in Department of Defense Financial Management Regulation 7000.14-R, Volume 3, Chapter 7, of March 2011, as in effect on the date of enactment of this Act.

SEC. 124. None of the funds made available in this title may be obligated or expended for planning and design and construction of projects at Arlington National Cemetery.

SEC. 125. For an additional amount for the accounts and in the amounts specified, to remain available until September 30, 2023:

"Military Construction, Army", \$94,100,000;
 "Military Construction, Navy and Marine Corps", \$196,850,000;
 "Military Construction, Air Force", \$118,450,000;
 "Military Construction, Army National Guard", \$22,000,000;
 "Military Construction, Air National Guard", \$54,000,000;
 "Military Construction, Army Reserve", \$23,000,000; and
 "Military Construction, Air Force Reserve", \$84,800,000:

Provided, That such funds may only be obligated to carry out construction projects identified in the respective military department's unfunded priority list for fiscal year 2019 submitted to Congress: Provided further, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section.

(RESCISSIONS OF FUNDS)

SEC. 126. Of the unobligated balances available to the Department of Defense from prior appropriation Acts, the following funds are hereby rescinded from the following accounts in the amounts specified:

"NATO Security Investment Program", \$25,000,000;
 "Military Construction, Air Force", \$31,158,000;
 "Military Construction, Army National Guard", \$10,000,000;
 "Family Housing Construction, Navy and Marine Corps", \$2,138,000; and
 "The fund established in section 1013(d) of the Demonstration Cities and Metropolitan Development Act of 1966 (42 U.S.C. 3374)", \$15,333,000:

Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended.

SEC. 127. For the purposes of this Act, the term "congressional defense committees" means the Committees on Armed Services of the House of Representatives and the Senate, the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the Senate, and the Subcommittee on Military Construction and Veterans Affairs of the Committee on Appropriations of the House of Representatives.

SEC. 128. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantanamo Bay, Cuba.

SEC. 129. Notwithstanding any other provision of law, none of the funds appropriated or otherwise made available by this or any other Act may be used to consolidate or relocate any element of a United States Air Force Rapid Engineer Deployable Heavy Operational Repair Squadron Engineer (RED HORSE) outside of

the United States until the Secretary of the Air Force: (1) completes an analysis and comparison of the cost and infrastructure investment required to consolidate or relocate a RED HORSE squadron outside of the United States versus within the United States; (2) provides to the Committees on Appropriations of both Houses of Congress ("the Committees") a report detailing the findings of the cost analysis; and (3) certifies in writing to the Committees that the preferred site for the consolidation or relocation yields the greatest savings for the Air Force: Provided, That the term "United States" in this section does not include any territory or possession of the United States.

SEC. 130. Notwithstanding section 124 of this Act, for an additional amount for "Military Construction, Army" in this title, \$30,000,000, to remain available until expended, is provided for completion of the Defense Access Roads project and land acquisition for Arlington National Cemetery as authorized by section 2101 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) and section 2829A of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328): Provided, That such funds shall be in addition to any other funds made available in this or prior year Acts for such purposes, including funds made available by section 132 of the Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2016 (Public Law 114-113).

SEC. 131. All amounts appropriated to the "Department of Defense—Military Construction, Army", "Department of Defense—Military Construction, Navy and Marine Corps", "Department of Defense—Military Construction, Air Force", and "Department of Defense—Military Construction, Defense-Wide" accounts pursuant to the authorization of appropriations in a National Defense Authorization Act specified for fiscal year 2019 in the funding table in section 4601 of that Act shall be immediately available and allotted to contract for the full scope of authorized projects.

SEC. 132. For an additional amount for the accounts and in the amounts specified, for enhancing force protection and safety at military installations, to remain available until September 30, 2023:

"Military Construction, Navy and Marine Corps", \$50,000,000; and
 "Military Construction, Air Force", \$50,000,000:

Provided, That such projects are subject to authorization prior to obligation and expenditure of funds to carry out construction: Provided further, That not later than 30 days after enactment of this Act, the Secretary of the military department concerned, or his or her designee, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this section: Provided further, That the Secretary of the military department concerned may not obligate or expend any funds prior to approval by the Committees on Appropriations of both Houses of Congress of the expenditure plan required by this section.

TITLE II

DEPARTMENT OF VETERANS AFFAIRS

VETERANS BENEFITS ADMINISTRATION

COMPENSATION AND PENSIONS

(INCLUDING TRANSFER OF FUNDS)

For the payment of compensation benefits to or on behalf of veterans and a pilot program for disability examinations as authorized by section 107 and chapters 11, 13, 18, 51, 53, 55, and 61 of title 38, United States Code; pension benefits to or on behalf of veterans as authorized by chapters 15, 51, 53, 55, and 61 of title 38, United States Code; and burial benefits, the Reinstated Entitlement Program for Survivors, emergency and other officers' retirement pay, adjusted-service credits and certificates, payment of premiums due on commercial life insurance policies

guaranteed under the provisions of title IV of the Servicemembers Civil Relief Act (50 U.S.C. App. 541 et seq.) and for other benefits as authorized by sections 107, 1312, 1977, and 2106, and chapters 23, 51, 53, 55, and 61 of title 38, United States Code, \$2,994,366,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2018, to remain available until expended; and, in addition, \$109,017,152,000 shall become available on October 1, 2019: Provided, That not to exceed \$18,047,000 of the amount made available for fiscal year 2020 under this heading shall be reimbursed to "General Operating Expenses, Veterans Benefits Administration", and "Information Technology Systems" for necessary expenses in implementing the provisions of chapters 51, 53, and 55 of title 38, United States Code, the funding source for which is specifically provided as the "Compensation and Pensions" appropriation: Provided further, That such sums as may be earned on an actual qualifying patient basis, shall be reimbursed to "Medical Care Collections Fund" to augment the funding of individual medical facilities for nursing home care provided to pensioners as authorized.

READJUSTMENT BENEFITS

For the payment of readjustment and rehabilitation benefits to or on behalf of veterans as authorized by chapters 21, 30, 31, 33, 34, 35, 36, 39, 41, 51, 53, 55, and 61 of title 38, United States Code, \$14,065,282,000, to remain available until expended and to become available on October 1, 2019: Provided, That expenses for rehabilitation program services and assistance which the Secretary is authorized to provide under subsection (a) of section 3104 of title 38, United States Code, other than under paragraphs (1), (2), (5), and (11) of that subsection, shall be charged to this account.

VETERANS INSURANCE AND INDEMNITIES

For military and naval insurance, national service life insurance, servicemen's indemnities, service-disabled veterans insurance, and veterans mortgage life insurance as authorized by chapters 19 and 21, title 38, United States Code, \$111,340,000, which shall become available on October 1, 2019, and shall remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by subchapters I through III of chapter 37 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That, during fiscal year 2019, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$200,612,000.

VOCATIONAL REHABILITATION LOANS PROGRAM ACCOUNT

For the cost of direct loans, \$39,000, as authorized by chapter 31 of title 38, United States Code: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That funds made available under this heading are available to subsidize gross obligations for the principal amount of direct loans not to exceed \$2,037,000.

In addition, for administrative expenses necessary to carry out the direct loan program, \$396,000, which may be paid to the appropriation for "General Operating Expenses, Veterans Benefits Administration".

NATIVE AMERICAN VETERAN HOUSING LOAN PROGRAM ACCOUNT

For administrative expenses to carry out the direct loan program authorized by subchapter V

of chapter 37 of title 38, United States Code, \$1,163,000.

GENERAL OPERATING EXPENSES, VETERANS BENEFITS ADMINISTRATION

For necessary operating expenses of the Veterans Benefits Administration, not otherwise provided for, including hire of passenger motor vehicles, reimbursement of the General Services Administration for security guard services, and reimbursement of the Department of Defense for the cost of overseas employee mail, \$2,956,316,000: Provided, That expenses for services and assistance authorized under paragraphs (1), (2), (5), and (11) of section 3104(a) of title 38, United States Code, that the Secretary of Veterans Affairs determines are necessary to enable entitled veterans: (1) to the maximum extent feasible, to become employable and to obtain and maintain suitable employment; or (2) to achieve maximum independence in daily living, shall be charged to this account: Provided further, That, of the funds made available under this heading, not to exceed 10 percent shall remain available until September 30, 2020.

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans described in section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the Department, and including medical supplies and equipment, bio-engineering services, food services, and salaries and expenses of healthcare employees hired under title 38, United States Code, aid to State homes as authorized by section 1741 of title 38, United States Code, assistance and support services for caregivers as authorized by section 1720G of title 38, United States Code, loan repayments authorized by section 604 of the Caregivers and Veterans Omnibus Health Services Act of 2010 (Public Law 111-163; 124 Stat. 1174; 38 U.S.C. 7681 note), monthly assistance allowances authorized by section 322(d) of title 38, United States Code, grants authorized by section 521A of title 38, United States Code, and administrative expenses necessary to carry out sections 322(d) and 521A of title 38, United States Code, and hospital care and medical services authorized by section 1787 of title 38, United States Code; \$750,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2018; and, in addition, \$51,411,165,000, plus reimbursements, shall become available on October 1, 2019, and shall remain available until September 30, 2020: Provided, That, of the amount made available on October 1, 2019, under this heading, \$1,500,000,000 shall remain available until September 30, 2021: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall establish a priority for the provision of medical treatment for veterans who have service-connected disabilities, lower income, or have special needs: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs shall give priority funding for the provision of basic medical benefits to veterans in enrollment priority groups 1 through 6: Provided further, That, notwithstanding any other provision of law, the Secretary of Veterans Affairs may authorize the dispensing of prescription drugs from Veterans Health Administration facilities to enrolled veterans with privately written prescriptions based on requirements established by the Secretary: Provided further, That the implementation of the program described in the previous proviso shall incur no additional cost to the Department of Veterans Affairs: Provided further, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading for medical supplies and equipment are available for the acquisition of prosthetics designed specifically for female veterans.

MEDICAL COMMUNITY CARE

For necessary expenses for furnishing health care to individuals pursuant to chapter 17 of title 38, United States Code, at non-Department facilities, \$1,000,000,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2018; and, in addition, \$10,758,399,000, plus reimbursements, shall become available on October 1, 2019, and shall remain available until September 30, 2020: Provided, That, of the amount made available on October 1, 2019, under this heading, \$2,000,000,000 shall remain available until September 30, 2021.

MEDICAL SUPPORT AND COMPLIANCE

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities; and administrative and legal expenses of the Department for collecting and recovering amounts owed the Department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), \$7,239,156,000, plus reimbursements, shall become available on October 1, 2019, and shall remain available until September 30, 2020: Provided, That, of the amount made available on October 1, 2019, under this heading, \$100,000,000 shall remain available until September 30, 2021.

MEDICAL FACILITIES

For necessary expenses for the maintenance and operation of hospitals, nursing homes, domiciliary facilities, and other necessary facilities of the Veterans Health Administration; for administrative expenses in support of planning, design, project management, real property acquisition and disposition, construction, and renovation of any facility under the jurisdiction or for the use of the Department; for oversight, engineering, and architectural activities not charged to project costs; for repairing, altering, improving, or providing facilities in the several hospitals and homes under the jurisdiction of the Department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; for leases of facilities; and for laundry services; \$90,180,000, which shall be in addition to funds previously appropriated under this heading that become available on October 1, 2018; and, in addition, \$6,141,880,000, plus reimbursements, shall become available on October 1, 2019, and shall remain available until September 30, 2020: Provided, That, of the amount made available on October 1, 2019, under this heading, \$250,000,000 shall remain available until September 30, 2021.

MEDICAL AND PROSTHETIC RESEARCH

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, \$779,000,000, plus reimbursements, shall remain available until September 30, 2020: Provided, That of the amount made available under this heading, \$27,000,000 shall remain available until September 30, 2023: Provided further, That the Secretary of Veterans Affairs shall ensure that sufficient amounts appropriated under this heading are available for prosthetic research specifically for female veterans, and for toxic exposure research.

NATIONAL CEMETERY ADMINISTRATION

For necessary expenses of the National Cemetery Administration for operations and maintenance, not otherwise provided for, including uniforms or allowances therefor; cemeterial expenses as authorized by law; purchase of one passenger motor vehicle for use in cemeterial operations; hire of passenger motor vehicles; and repair, alteration or improvement of facilities under the jurisdiction of the National Cemetery Administration, \$315,836,000, of which not to exceed 10 percent shall remain available until September 30, 2020.

DEPARTMENTAL ADMINISTRATION
GENERAL ADMINISTRATION
(INCLUDING TRANSFER OF FUNDS)

For necessary operating expenses of the Department of Veterans Affairs, not otherwise provided for, including administrative expenses in support of Department-wide capital planning, management and policy activities, uniforms, or allowances therefor; not to exceed \$25,000 for official reception and representation expenses; hire of passenger motor vehicles; and reimbursement of the General Services Administration for security guard services, \$355,897,000, of which not to exceed 10 percent shall remain available until September 30, 2020: Provided, That funds provided under this heading may be transferred to "General Operating Expenses, Veterans Benefits Administration".

BOARD OF VETERANS APPEALS

For necessary operating expenses of the Board of Veterans Appeals, \$174,748,000, of which not to exceed 10 percent shall remain available until September 30, 2020.

INFORMATION TECHNOLOGY SYSTEMS
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for information technology systems and telecommunications support, including developmental information systems and operational information systems; for pay and associated costs; and for the capital asset acquisition of information technology systems, including management and related contractual costs of said acquisitions, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, \$4,103,000,000, plus reimbursements: Provided, That \$1,199,220,000 shall be for pay and associated costs, of which not to exceed 3 percent shall remain available until September 30, 2020: Provided further, That \$2,523,209,000 shall be for operations and maintenance, of which not to exceed 5 percent shall remain available until September 30, 2020: Provided further, That \$380,571,000 shall be for information technology systems development, and shall remain available until September 30, 2020: Provided further, That amounts made available for salaries and expenses, operations and maintenance, and information technology systems development may be transferred among the three subaccounts after the Secretary of Veterans Affairs requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That amounts made available for the "Information Technology Systems" account for development may be transferred among projects or to newly defined projects: Provided further, That no project may be increased or decreased by more than \$1,000,000 of cost prior to submitting a request to the Committees on Appropriations of both Houses of Congress to make the transfer and an approval is issued, or absent a response, a period of 30 days has elapsed: Provided further, That the funds made available under this heading for information technology systems development shall be for the projects, and in the amounts, specified under this heading in the joint explanatory statement accompanying this Act.

VETERANS ELECTRONIC HEALTH RECORD

For activities related to implementation, preparation, development, interface, management, rollout, and maintenance of a Veterans Electronic Health Record system, including contractual costs associated with operations authorized by section 3109 of title 5, United States Code, and salaries and expenses of employees hired under titles 5 and 38, United States Code, \$1,107,000,000, to remain available until September 30, 2021: Provided, That the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress quarterly reports detailing obligations, expenditures, and deployment implementation by facility: Provided further, That the funds provided

in this account shall only be available to the Office of the Deputy Secretary, to be administered by that Office: Provided further, That none of the funds made available under this heading may be obligated in a manner inconsistent with deployment schedules provided to the Committees on Appropriations unless the Secretary of Veterans Affairs provides notification to the Committees on Appropriations of such change and an approval is issued.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, to include information technology, in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$192,000,000, of which not to exceed 10 percent shall remain available until September 30, 2020.

CONSTRUCTION, MAJOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, including planning, architectural and engineering services, construction management services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, where the estimated cost of a project is more than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, or where funds for a project were made available in a previous major project appropriation, \$1,127,486,000, of which \$647,486,000 shall remain available until September 30, 2023, and of which \$480,000,000 shall remain available until expended, of which \$400,000,000 shall be available for seismic improvement projects and seismic program management activities, including for projects that would otherwise be funded by the Construction, Minor Projects, Medical Facilities or National Cemetery Administration accounts: Provided, That except for advance planning activities, including needs assessments which may or may not lead to capital investments, and other capital asset management related activities, including portfolio development and management activities, and investment strategy studies funded through the advance planning fund and the planning and design activities funded through the design fund, including needs assessments which may or may not lead to capital investments, and salaries and associated costs of the resident engineers who oversee those capital investments funded through this account and contracting officers who manage specific major construction projects, and funds provided for the purchase, security, and maintenance of land for the National Cemetery Administration through the land acquisition line item, none of the funds made available under this heading shall be used for any project that has not been notified to Congress through the budgetary process or that has not been approved by the Congress through statute, joint resolution, or in the explanatory statement accompanying such Act and presented to the President at the time of enrollment: Provided further, That funds made available under this heading for fiscal year 2019, for each approved project shall be obligated: (1) by the awarding of a construction documents contract by September 30, 2019; and (2) by the awarding of a construction contract by September 30, 2020: Provided further, That the Secretary of Veterans Affairs shall promptly submit to the Committees on Appropriations of both Houses of Congress a written report on any approved major construction project for which obligations are not incurred within the time limitations established above: Provided further, That notwithstanding the requirements of section 8104(a) of title 38, United States Code, amounts made available under this heading for seismic improvement projects and seismic pro-

gram management activities shall be available for the completion of both new and existing seismic projects of the Department.

CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities, including parking projects, under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406 and chapter 81 of title 38, United States Code, not otherwise provided for, where the estimated cost of a project is equal to or less than the amount set forth in section 8104(a)(3)(A) of title 38, United States Code, \$649,514,000, to remain available until September 30, 2023, along with unobligated balances of previous "Construction, Minor Projects" appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in such section: Provided, That funds made available under this heading shall be for: (1) repairs to any of the nonmedical facilities under the jurisdiction or for the use of the Department which are necessary because of loss or damage caused by any natural disaster or catastrophe; and (2) temporary measures necessary to prevent or to minimize further loss by such causes.

GRANTS FOR CONSTRUCTION OF
STATE EXTENDED CARE FACILITIES

For grants to assist States to acquire or construct State nursing home and domiciliary facilities and to remodel, modify, or alter existing hospital, nursing home, and domiciliary facilities in State homes, for furnishing care to veterans as authorized by sections 8131 through 8137 of title 38, United States Code, \$150,000,000, to remain available until expended.

GRANTS FOR CONSTRUCTION OF VETERANS
CEMETERIES

For grants to assist States and tribal organizations in establishing, expanding, or improving veterans cemeteries as authorized by section 2408 of title 38, United States Code, \$45,000,000, to remain available until expended.

ADMINISTRATIVE PROVISIONS
(INCLUDING TRANSFER OF FUNDS)

SEC. 201. Any appropriation for fiscal year 2019 for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" may be transferred as necessary to any other of the mentioned appropriations: Provided, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and such Committees issue an approval, or absent a response, a period of 30 days has elapsed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 202. Amounts made available for the Department of Veterans Affairs for fiscal year 2019, in this or any other Act, under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities" accounts may be transferred among the accounts: Provided, That any transfers among the "Medical Services", "Medical Community Care", and "Medical Support and Compliance" accounts of 1 percent or less of the total amount appropriated to the account in this or any other Act may take place subject to notification from the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress of the amount and purpose of the transfer: Provided further, That any transfers among the "Medical Services", "Medical Community Care", and "Medical Support and Compliance" accounts in excess of 1 per-

cent, or exceeding the cumulative 1 percent for the fiscal year, may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued: Provided further, That any transfers to or from the "Medical Facilities" account may take place only after the Secretary requests from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

SEC. 203. Appropriations available in this title for salaries and expenses shall be available for services authorized by section 3109 of title 5, United States Code; hire of passenger motor vehicles; lease of a facility or land or both; and uniforms or allowances therefore, as authorized by sections 5901 through 5902 of title 5, United States Code.

SEC. 204. No appropriations in this title (except the appropriations for "Construction, Major Projects", and "Construction, Minor Projects") shall be available for the purchase of any site for or toward the construction of any new hospital or home.

SEC. 205. No appropriations in this title shall be available for hospitalization or examination of any persons (except beneficiaries entitled to such hospitalization or examination under the laws providing such benefits to veterans, and persons receiving such treatment under sections 7901 through 7904 of title 5, United States Code, or the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.)), unless reimbursement of the cost of such hospitalization or examination is made to the "Medical Services" account at such rates as may be fixed by the Secretary of Veterans Affairs.

SEC. 206. Appropriations available in this title for "Compensation and Pensions", "Readjustment Benefits", and "Veterans Insurance and Indemnities" shall be available for payment of prior year accrued obligations required to be recorded by law against the corresponding prior year accounts within the last quarter of fiscal year 2018.

SEC. 207. Appropriations available in this title shall be available to pay prior year obligations of corresponding prior year appropriations accounts resulting from sections 3328(a), 3334, and 3712(a) of title 31, United States Code, except that if such obligations are from trust fund accounts they shall be payable only from "Compensation and Pensions".

(INCLUDING TRANSFER OF FUNDS)

SEC. 208. Notwithstanding any other provision of law, during fiscal year 2019, the Secretary of Veterans Affairs shall, from the National Service Life Insurance Fund under section 1920 of title 38, United States Code, the Veterans' Special Life Insurance Fund under section 1923 of title 38, United States Code, and the United States Government Life Insurance Fund under section 1955 of title 38, United States Code, reimburse the "General Operating Expenses, Veterans Benefits Administration" and "Information Technology Systems" accounts for the cost of administration of the insurance programs financed through those accounts: Provided, That reimbursement shall be made only from the surplus earnings accumulated in such an insurance program during fiscal year 2019 that are available for dividends in that program after claims have been paid and actuarially determined reserves have been set aside: Provided further, That if the cost of administration of such an insurance program exceeds the amount of surplus earnings accumulated in that program, reimbursement shall be made only to the extent of such surplus earnings: Provided further, That the Secretary shall determine the cost of administration for fiscal year 2019 which is properly allocable to the provision of each such insurance program and to the provision of any total disability income insurance included in that insurance program.

SEC. 209. Amounts deducted from enhanced-use lease proceeds to reimburse an account for

expenses incurred by that account during a prior fiscal year for providing enhanced-use lease services, may be obligated during the fiscal year in which the proceeds are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 210. Funds available in this title or funds for salaries and other administrative expenses shall also be available to reimburse the Office of Resolution Management, the Office of Employment Discrimination Complaint Adjudication, the Office of Accountability and Whistleblower Protection, and the Office of Diversity and Inclusion for all services provided at rates which will recover actual costs but not to exceed \$48,431,000 for the Office of Resolution Management, \$4,333,000 for the Office of Employment Discrimination Complaint Adjudication, \$17,700,000 for the Office of Accountability and Whistleblower Protection, and \$3,230,000 for the Office of Diversity and Inclusion: Provided, That payments may be made in advance for services to be furnished based on estimated costs: Provided further, That amounts received shall be credited to the "General Administration" and "Information Technology Systems" accounts for use by the office that provided the service.

SEC. 211. No funds of the Department of Veterans Affairs shall be available for hospital care, nursing home care, or medical services provided to any person under chapter 17 of title 38, United States Code, for a non-service-connected disability described in section 1729(a)(2) of such title, unless that person has disclosed to the Secretary of Veterans Affairs, in such form as the Secretary may require, current, accurate third-party reimbursement information for purposes of section 1729 of such title: Provided, That the Secretary may recover, in the same manner as any other debt due the United States, the reasonable charges for such care or services from any person who does not make such disclosure as required: Provided further, That any amounts so recovered for care or services provided in a prior fiscal year may be obligated by the Secretary during the fiscal year in which amounts are received.

(INCLUDING TRANSFER OF FUNDS)

SEC. 212. Notwithstanding any other provision of law, proceeds or revenues derived from enhanced-use leasing activities (including disposal) may be deposited into the "Construction, Major Projects" and "Construction, Minor Projects" accounts and be used for construction (including site acquisition and disposition), alterations, and improvements of any medical facility under the jurisdiction or for the use of the Department of Veterans Affairs. Such sums as realized are in addition to the amount provided for in "Construction, Major Projects" and "Construction, Minor Projects".

SEC. 213. Amounts made available under "Medical Services" are available—

(1) for furnishing recreational facilities, supplies, and equipment; and

(2) for funeral expenses, burial expenses, and other expenses incidental to funerals and burials for beneficiaries receiving care in the Department.

(INCLUDING TRANSFER OF FUNDS)

SEC. 214. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, may be transferred to the "Medical Services" and "Medical Community Care" accounts to remain available until expended for the purposes of these accounts.

SEC. 215. The Secretary of Veterans Affairs may enter into agreements with Federally Qualified Health Centers in the State of Alaska and Indian tribes and tribal organizations which are party to the Alaska Native Health Compact with the Indian Health Service, to provide healthcare, including behavioral health and dental care, to veterans in rural Alaska. The Secretary shall require participating veterans and facilities to comply with all appro-

priate rules and regulations, as established by the Secretary. The term "rural Alaska" shall mean those lands which are not within the boundaries of the municipality of Anchorage or the Fairbanks North Star Borough.

(INCLUDING TRANSFER OF FUNDS)

SEC. 216. Such sums as may be deposited to the Department of Veterans Affairs Capital Asset Fund pursuant to section 8118 of title 38, United States Code, may be transferred to the "Construction, Major Projects" and "Construction, Minor Projects" accounts, to remain available until expended for the purposes of these accounts.

SEC. 217. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a report on the financial status of the Department of Veterans Affairs for the preceding quarter: Provided, That, at a minimum, the report shall include the direction contained in the paragraph entitled "Quarterly reporting", under the heading "General Administration" in the joint explanatory statement accompanying Public Law 114-223.

(INCLUDING TRANSFER OF FUNDS)

SEC. 218. Amounts made available under the "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "General Operating Expenses, Veterans Benefits Administration", "Board of Veterans Appeals", "General Administration", and "National Cemetery Administration" accounts for fiscal year 2019 may be transferred to or from the "Information Technology Systems" account: Provided, That such transfers may not result in a more than 10 percent aggregate increase in the total amount made available by this Act for the "Information Technology Systems" account: Provided further, That, before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and an approval is issued.

(INCLUDING TRANSFER OF FUNDS)

SEC. 219. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2019 for "Medical Services", "Medical Community Care", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to \$301,578,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress: Provided further, That section 220 of title II of division J of Public Law 115-141 is repealed.

(INCLUDING TRANSFER OF FUNDS)

SEC. 220. Of the amounts appropriated to the Department of Veterans Affairs which become available on October 1, 2019, for "Medical Services", "Medical Community Care", "Medical Support and Compliance", and "Medical Facilities", up to \$307,609,000, plus reimbursements, may be transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571) and may be used for oper-

ation of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

(INCLUDING TRANSFER OF FUNDS)

SEC. 221. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for healthcare provided at facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500) shall also be available: (1) for transfer to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 3571); and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4500): Provided, That, notwithstanding section 1704(b)(3) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84; 123 Stat. 2573), amounts transferred to the Joint Department of Defense—Department of Veterans Affairs Medical Facility Demonstration Fund shall remain available until expended.

(INCLUDING TRANSFER OF FUNDS)

SEC. 222. Of the amounts available in this title for “Medical Services”, “Medical Community Care”, “Medical Support and Compliance”, and “Medical Facilities”, a minimum of \$15,000,000 shall be transferred to the DOD-VA Health Care Sharing Incentive Fund, as authorized by section 8111(d) of title 38, United States Code, to remain available until expended, for any purpose authorized by section 8111 of title 38, United States Code.

SEC. 223. None of the funds available to the Department of Veterans Affairs, in this or any other Act, may be used to replace the current system by which the Veterans Integrated Service Networks select and contract for diabetes monitoring supplies and equipment.

SEC. 224. The Secretary of Veterans Affairs shall notify the Committees on Appropriations of both Houses of Congress of all bid savings in a major construction project that total at least \$5,000,000, or 5 percent of the programmed amount of the project, whichever is less: Provided, That such notification shall occur within 14 days of a contract identifying the programmed amount: Provided further, That the Secretary shall notify the Committees on Appropriations of both Houses of Congress 14 days prior to the obligation of such bid savings and shall describe the anticipated use of such savings.

SEC. 225. None of the funds made available for “Construction, Major Projects” may be used for a project in excess of the scope specified for that project in the original justification data provided to the Congress as part of the request for appropriations unless the Secretary of Veterans Affairs receives approval from the Committees on Appropriations of both Houses of Congress.

SEC. 226. Not later than 30 days after the end of each fiscal quarter, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of both Houses of Congress a quarterly report containing performance measures and data from each Veterans Benefits Administration Regional Office: Provided, That, at a minimum, the report shall include the direction contained in the section entitled “Disability claims backlog”, under the heading “General

Operating Expenses, Veterans Benefits Administration” in the joint explanatory statement accompanying Public Law 114-223: Provided further, That the report shall also include information on the number of appeals pending at the Veterans Benefits Administration as well as the Board of Veterans Appeals on a quarterly basis.

SEC. 227. The Secretary of Veterans Affairs shall provide written notification to the Committees on Appropriations of both Houses of Congress 15 days prior to organizational changes which result in the transfer of 25 or more full-time equivalents from one organizational unit of the Department of Veterans Affairs to another.

SEC. 228. The Secretary of Veterans Affairs shall provide on a quarterly basis to the Committees on Appropriations of both Houses of Congress notification of any single national outreach and awareness marketing campaign in which obligations exceed \$2,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 229. The Secretary of Veterans Affairs, upon determination that such action is necessary to address needs of the Veterans Health Administration, may transfer to the “Medical Services” account any discretionary appropriations made available for fiscal year 2019 in this title (except appropriations made to the “General Operating Expenses, Veterans Benefits Administration” account) or any discretionary unobligated balances within the Department of Veterans Affairs, including those appropriated for fiscal year 2019, that were provided in advance by appropriations Acts: Provided, That transfers shall be made only with the approval of the Office of Management and Budget: Provided further, That the transfer authority provided in this section is in addition to any other transfer authority provided by law: Provided further, That no amounts may be transferred from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That such authority to transfer may not be used unless for higher priority items, based on emergent healthcare requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by Congress: Provided further, That, upon determination that all or part of the funds transferred from an appropriation are not necessary, such amounts may be transferred back to that appropriation and shall be available for the same purposes as originally appropriated: Provided further, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

(INCLUDING TRANSFER OF FUNDS)

SEC. 230. Amounts made available for the Department of Veterans Affairs for fiscal year 2019, under the “Board of Veterans Appeals” and the “General Operating Expenses, Veterans Benefits Administration” accounts may be transferred between such accounts: Provided, That before a transfer may take place, the Secretary of Veterans Affairs shall request from the Committees on Appropriations of both Houses of Congress the authority to make the transfer and receive approval of that request.

SEC. 231. The Secretary of Veterans Affairs may not reprogram funds among major construction projects or programs if such instance of reprogramming will exceed \$7,000,000, unless such reprogramming is approved by the Committees on Appropriations of both Houses of Congress.

SEC. 232. (a) The Secretary of Veterans Affairs shall ensure that the toll-free suicide hotline under section 1720F(h) of title 38, United States Code—

(1) provides to individuals who contact the hotline immediate assistance from a trained professional; and

(2) adheres to all requirements of the American Association of Suicidology.

(b)(1) None of the funds made available by this Act may be used to enforce or otherwise carry out any Executive action that prohibits the Secretary of Veterans Affairs from appointing an individual to occupy a vacant civil service position, or establishing a new civil service position, at the Department of Veterans Affairs with respect to such a position relating to the hotline specified in subsection (a).

(2) In this subsection—

(A) the term “civil service” has the meaning given such term in section 2101(1) of title 5, United States Code; and

(B) the term “Executive action” includes—

(i) any Executive order, presidential memorandum, or other action by the President; and

(ii) any agency policy, order, or other directive.

(c)(1) The Secretary of Veterans Affairs shall conduct a study on the effectiveness of the hotline specified in subsection (a) during the five-year period beginning on January 1, 2016, based on an analysis of national suicide data and data collected from such hotline.

(2) At a minimum, the study required by paragraph (1) shall—

(A) determine the number of veterans who contact the hotline specified in subsection (a) and who receive follow up services from the hotline or mental health services from the Department of Veterans Affairs thereafter;

(B) determine the number of veterans who contact the hotline who are not referred to, or do not continue receiving, mental health care who commit suicide; and

(C) determine the number of veterans described in subparagraph (A) who commit or attempt suicide.

SEC. 233. None of the funds in this or any other Act may be used to close Department of Veterans Affairs (VA) hospitals, domiciliaries, or clinics, conduct an environmental assessment, or to diminish healthcare services at existing Veterans Health Administration medical facilities located in Veterans Integrated Service Network 23 as part of a planned realignment of VA services until the Secretary provides to the Committees on Appropriations of both Houses of Congress a report including the following elements:

(1) a national realignment strategy that includes a detailed description of realignment plans within each Veterans Integrated Services Network (VISN), including an updated Long Range Capital Plan to implement realignment requirements;

(2) an explanation of the process by which those plans were developed and coordinated within each VISN;

(3) a cost versus benefit analysis of each planned realignment, including the cost of replacing Veterans Health Administration services with contract care or other outsourced services;

(4) an analysis of how any such planned realignment of services will impact access to care for veterans living in rural or highly rural areas, including travel distances and transportation costs to access a VA medical facility and availability of local specialty and primary care;

(5) an inventory of VA buildings with historic designation and the methodology used to determine the buildings’ condition and utilization;

(6) a description of how any realignment will be consistent with requirements under the National Historic Preservation Act; and

(7) consideration given for reuse of historic buildings within newly identified realignment requirements: Provided, That, this provision shall not apply to capital projects in VISN 23, or any other VISN, which have been authorized or approved by Congress.

SEC. 234. Effective during the period beginning on October 1, 2018 and ending on January 1, 2024, none of the funds made available to the Secretary of Veterans Affairs by this or any other Act may be obligated or expended in contravention of the “Veterans Health Administra-

tion Clinical Preventive Services Guidance Statement on the Veterans Health Administration's Screening for Breast Cancer Guidance" published on May 10, 2017, as issued by the Veterans Health Administration National Center for Health Promotion and Disease Prevention.

SEC. 235. (a) Notwithstanding any other provision of law, the amounts appropriated or otherwise made available to the Department of Veterans Affairs for the "Medical Services" account may be used to provide—

- (1) fertility counseling and treatment using assisted reproductive technology to a covered veteran or the spouse of a covered veteran; or
- (2) adoption reimbursement to a covered veteran.

(b) In this section:

(1) The term "service-connected" has the meaning given such term in section 101 of title 38, United States Code.

(2) The term "covered veteran" means a veteran, as such term is defined in section 101 of title 38, United States Code, who has a service-connected disability that results in the inability of the veteran to procreate without the use of fertility treatment.

(3) The term "assisted reproductive technology" means benefits relating to reproductive assistance provided to a member of the Armed Forces who incurs a serious injury or illness on active duty pursuant to section 1074(c)(4)(A) of title 10, United States Code, as described in the memorandum on the subject of "Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members" issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such policy, including any limitations on the amount of such benefits available to such a member except that—

(A) the time periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of such memorandum shall not apply; and

(B) such term includes embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage.

(4) The term "adoption reimbursement" means reimbursement for the adoption-related expenses for an adoption that is finalized after the date of the enactment of this Act under the same terms as apply under the adoption reimbursement program of the Department of Defense, as authorized in Department of Defense Instruction 1341.09, including the reimbursement limits and requirements set forth in such instruction.

(c) Amounts made available for the purposes specified in subsection (a) of this section are subject to the requirements for funds contained in section 508 of division H of the Consolidated Appropriations Act, 2018 (Public Law 115-141).

(RESCISSION OF FUNDS)

SEC. 236. Of the funds made available for fiscal year 2019 under the heading "Department of Veterans Affairs—Veterans Health Administration—Medical Support and Compliance" in title II of division J of the Consolidated Appropriations Act, 2018 (Public Law 115-141), \$211,000,000 is hereby rescinded.

SEC. 237. None of the funds appropriated or otherwise made available by this Act or any other Act for the Department of Veterans Affairs may be used in a manner that is inconsistent with: (1) section 842 of the Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia, and Independent Agencies Appropriations Act, 2006 (Public Law 109-115; 119 Stat. 2506); or (2) section 8110(a)(5) of title 38, United States Code.

SEC. 238. Section 842 of Public Law 109-115 shall not apply to conversion of an activity or function of the Veterans Health Administration, Veterans Benefits Administration, or National Cemetery Administration to contractor performance by a business concern that is at least 51 percent owned by one or more Indian tribes as

defined in section 5304(e) of title 25, United States Code, or one or more Native Hawaiian Organizations as defined in section 637(a)(15) of title 15, United States Code.

SEC. 239. (a) Except as provided in subsection (b), the Secretary of Veterans Affairs, in consultation with the Secretary of Defense and the Secretary of Labor, shall discontinue using Social Security account numbers to identify individuals in all information systems of the Department of Veterans Affairs as follows:

(1) For all veterans submitting to the Secretary of Veterans Affairs new claims for benefits under laws administered by the Secretary, not later than 5 years after the date of the enactment of this Act.

(2) For all individuals not described in paragraph (1), not later than 8 years after the date of the enactment of this Act.

(b) The Secretary of Veterans Affairs may use a Social Security account number to identify an individual in an information system of the Department of Veterans Affairs if and only if the use of such number is required to obtain information the Secretary requires from an information system that is not under the jurisdiction of the Secretary.

SEC. 240. For funds provided to the Department of Veterans Affairs for each of fiscal year 2019 and 2020 for "Medical Services", section 239 of Division A of Public Law 114-223 shall apply.

SEC. 241. None of the funds appropriated in this or prior appropriations Acts or otherwise made available to the Department of Veterans Affairs may be used to transfer any amounts from the Filipino Veterans Equity Compensation Fund to any other account within the Department of Veterans Affairs.

SEC. 242. Of the funds provided to the Department of Veterans Affairs for each of fiscal year 2019 and fiscal year 2020 for "Medical Services", funds may be used in each year to carry out and expand the child care program authorized by section 205 of Public Law 111-163, notwithstanding subsection (e) of such section.

SEC. 243. For funds provided to the Department of Veterans Affairs for each of fiscal year 2019 and 2020, section of Division A of Public Law 114-223 shall apply.

SEC. 244. (a) The Secretary of Veterans Affairs may use amounts appropriated or otherwise made available in this title to ensure that the ratio of veterans to full-time employment equivalents within any program of rehabilitation conducted under chapter 31 of title 38, United States Code, does not exceed 125 veterans to one full-time employment equivalent.

(b) Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the programs of rehabilitation conducted under chapter 31 of title 38, United States Code, including—

(1) an assessment of the veteran-to-staff ratio for each such program; and

(2) recommendations for such action as the Secretary considers necessary to reduce the veteran-to-staff ratio for each such program.

SEC. 245. None of the funds appropriated or otherwise made available in this title may be used by the Secretary of Veterans Affairs to enter into an agreement related to resolving a dispute or claim with an individual that would restrict in any way the individual from speaking to members of Congress or their staff on any topic not otherwise prohibited from disclosure by Federal law or required by Executive Order to be kept secret in the interest of national defense or the conduct of foreign affairs.

SEC. 246. For funds provided to the Department of Veterans Affairs for each of fiscal year 2019 and 2020, section 258 of Division A of Public Law 114-223 shall apply.

SEC. 247. None of the funds appropriated or otherwise made available by this Act may be used to conduct research using canines unless: the scientific objectives of the study can only be met by research with canines; the study has been directly approved by the Secretary; and the study is consistent with the revised Department

of Veterans Affairs canine research policy document released on December 18, 2017: Provided, That not later than 180 days after enactment of this Act, the Secretary shall submit to the Committees on Appropriations of both Houses of Congress a detailed report outlining under what circumstances canine research may be needed if there are no other alternatives, how often it was used during that time period, and what protocols are in place to determine both the safety and efficacy of the research.

SEC. 248. For an additional amount for the Department of Veterans Affairs, \$2,000,000,000 to remain available until expended, for infrastructure improvements, including new construction, and in addition to amounts otherwise made available in this Act for such purpose, of which:

(1) \$750,000,000 shall be available for seismic improvement projects and seismic program management activities, including projects that would otherwise be funded by the Construction, Major Projects, the Construction, Minor Projects, Medical Facilities, or National Cemetery Administration accounts;

(2) \$300,000,000 shall be for "Departmental Administration—Construction, Major Projects";

(3) \$800,000,000 shall be for "Veterans Health Administration—Medical Facilities" to be used for non-recurring maintenance; and

(4) \$150,000,000 shall be for "Departmental Administration—Construction, Minor Projects":

Provided, That the additional amounts appropriated for the purposes of non-recurring maintenance and minor construction may be used to carry out critical life-safety projects identified in the Department's annual facility condition assessments; sustainment projects; modernization projects; infrastructure repair; renovations at existing Veterans Health Administration medical centers and outpatient clinics; and projects included in the Strategic Capital Investment Process plan: Provided further, That funds made available under this section for "Construction, Major Projects" shall be available for previously authorized and partially funded major construction projects: Provided further, That notwithstanding the requirements of section 8104(a) of title 38, United States Code, amounts made available under this heading for seismic improvement projects and seismic program management activities shall be available for the completion of both new and existing projects of the Department: Provided further, That the additional amounts appropriated under this section may not be obligated or expended until the Secretary of Veterans Affairs submits to the Committees on Appropriations of both Houses of Congress, and such Committees approve, a detailed expenditure plan, including project descriptions and costs, for any non-recurring maintenance, minor construction, major construction, or seismic improvement project being funded with the additional amounts made available in this administrative provision.

SEC. 249. (a) PROHIBITION ON USE OF FUNDS.—None of the funds appropriated or otherwise made available by this Act may be used to deny an Inspector General funded under this Act timely access to any records, documents, or other materials available to the department or agency of the United States Government over which such Inspector General has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.), or to prevent or impede the access of such Inspector General to such records, documents, or other materials, under any provision of law, except a provision of law that expressly refers to such Inspector General and expressly limits the right of access of such Inspector General.

(b) TIMELY ACCESS.—A department or agency covered by this section shall provide its Inspector General access to all records, documents, and other materials in a timely manner.

(c) COMPLIANCE.—Each Inspector General covered by this section shall ensure compliance with statutory limitations on disclosure relevant to the information provided by the department or agency over which that Inspector General

has responsibilities under the Inspector General Act of 1978 (5 U.S.C. App.).

(d) **REPORT.**—Each Inspector General covered by this section shall report to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives within 5 calendar days of any failure by any department or agency covered by this section to comply with this section.

SEC. 250. (a) PLAN REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress a plan to reduce the chances that clinical mistakes by employees of the Department of Veterans Affairs will result in adverse events that require institutional or clinical disclosures and to prevent any unnecessary hardship for patients and families impacted by such adverse events.

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

(1) A description of a process for the timely identification of individuals impacted by disclosures described in subsection (a) and the process for contacting those individuals or their next of kin.

(2) A description of procedures for expediting any remedial or follow-up care required for those individuals.

(3) A detailed outline of proposed changes to the process of the Department for clinical quality checks and oversight.

(4) A communication plan to ensure all facilities of the Department are made aware of any requirements updated pursuant to the plan.

(5) A timeline detailing the implementation of the plan.

(6) An identification of the senior executive of the Department responsible for ensuring compliance with the plan.

(7) An identification of potential impacts of the plan on timely diagnoses for patients.

(8) An identification of the processes and procedures for employees of the Department to make leadership at the facility and the Department aware of adverse events that are concerning and that result in disclosures and to ensure that the medical impact on veterans of such disclosures is minimized.

(c) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Veterans’ Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate; and

(2) the Committee on Veterans’ Affairs and the Subcommittee on Military Construction, Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives.

SEC. 251. None of the funds made available in this Act may be used in a manner that would increase wait times for veterans who seek care at medical facilities of the Department of Veterans Affairs.

SEC. 252. None of the funds appropriated or otherwise made available by this Act to the Veterans Health Administration may be used in fiscal year 2019 to convert any program which received specific purpose funds in fiscal year 2018 to a general purpose funded program unless the Secretary of Veterans Affairs submits written notification of any such proposal to the Committees on Appropriations of both Houses of Congress at least thirty days prior to any such action and an approval is issued by the Committees.

TITLE III

RELATED AGENCIES

AMERICAN BATTLE MONUMENTS COMMISSION

SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, including the acquisition of land or interest in land in foreign countries; purchases

and repair of uniforms for caretakers of national cemeteries and monuments outside of the United States and its territories and possessions; rent of office and garage space in foreign countries; purchase (one-for-one replacement basis only) and hire of passenger motor vehicles; not to exceed \$42,000 for official reception and representation expenses; and insurance of official motor vehicles in foreign countries, when required by law of such countries, \$104,000,000, to remain available until expended.

FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

For necessary expenses, not otherwise provided for, of the American Battle Monuments Commission, such sums as may be necessary, to remain available until expended, for purposes authorized by section 2109 of title 36, United States Code.

UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS

SALARIES AND EXPENSES

For necessary expenses for the operation of the United States Court of Appeals for Veterans Claims as authorized by sections 7251 through 7298 of title 38, United States Code, \$34,955,000: Provided, That \$2,580,000 shall be available for the purpose of providing financial assistance as described and in accordance with the process and reporting procedures set forth under this heading in Public Law 102-229.

DEPARTMENT OF DEFENSE—CIVIL

CEMETERIAL EXPENSES, ARMY

SALARIES AND EXPENSES

For necessary expenses for maintenance, operation, and improvement of Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, including the purchase or lease of passenger motor vehicles for replacement on a one-for-one basis only, and not to exceed \$2,000 for official reception and representation expenses, \$80,800,000, of which not to exceed \$15,000,000 shall remain available until September 30, 2021. In addition, such sums as may be necessary for parking maintenance, repairs and replacement, to be derived from the “Lease of Department of Defense Real Property for Defense Agencies” account.

CONSTRUCTION

For necessary expenses for planning and design and construction at Arlington National Cemetery and Soldiers’ and Airmen’s Home National Cemetery, \$33,600,000, to remain available until expended, for planning and design and construction associated with the Southern Expansion project at Arlington National Cemetery.

ARMED FORCES RETIREMENT HOME

TRUST FUND

For expenses necessary for the Armed Forces Retirement Home to operate and maintain the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulftport, Mississippi, to be paid from funds available in the Armed Forces Retirement Home Trust Fund, \$64,300,000, of which \$1,000,000 shall remain available until expended for construction and renovation of the physical plants at the Armed Forces Retirement Home—Washington, District of Columbia, and the Armed Forces Retirement Home—Gulftport, Mississippi: Provided, That of the amounts made available under this heading from funds available in the Armed Forces Retirement Home Trust Fund, \$22,000,000 shall be paid from the general fund of the Treasury to the Trust Fund.

ADMINISTRATIVE PROVISION

SEC. 301. Amounts deposited into the special account established under 10 U.S.C. 4727 are appropriated and shall be available until expended to support activities at the Army National Military Cemeteries.

TITLE IV

OVERSEAS CONTINGENCY OPERATIONS

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, ARMY

For an additional amount for “Military Construction, Army”, \$192,250,000, to remain available until September 30, 2023, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$227,320,000, to remain available until September 30, 2023, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force” \$414,800,000, to remain available until September 30, 2023, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, DEFENSE-WIDE

For an additional amount for “Military Construction, Defense-Wide”, \$87,050,000, to remain available until September 30, 2023, for projects outside of the United States: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ADMINISTRATIVE PROVISIONS

SEC. 401. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 402. None of the funds appropriated for military construction projects outside the United States under this title may be obligated or expended for planning and design of any project associated with the European Deterrence Initiative until the Secretary of Defense develops and submits to the congressional defense committees, in a classified and unclassified format, a list of all of the military construction projects associated with the European Deterrence Initiative which the Secretary anticipates will be carried out during each of the fiscal years 2020 through 2024.

TITLE V

GENERAL PROVISIONS

SEC. 501. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 502. None of the funds made available in this Act may be used for any program, project, or activity, when it is made known to the Federal entity or official to which the funds are made available that the program, project, or activity is not in compliance with any Federal law relating to risk assessment, the protection of private property rights, or unfunded mandates.

SEC. 503. All departments and agencies funded under this Act are encouraged, within the limits of the existing statutory authorities and funding, to expand their use of “E-Commerce” tech-

nologies and procedures in the conduct of their business practices and public service activities.

SEC. 504. Unless stated otherwise, all reports and notifications required by this Act shall be submitted to the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the House of Representatives and the Subcommittee on Military Construction and Veterans Affairs, and Related Agencies of the Committee on Appropriations of the Senate.

SEC. 505. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government except pursuant to a transfer made by, or transfer authority provided in, this or any other appropriations Act.

SEC. 506. None of the funds made available in this Act may be used for a project or program named for an individual serving as a Member, Delegate, or Resident Commissioner of the United States House of Representatives.

SEC. 507. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains confidential or proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 508. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 509. None of the funds made available in this Act may be used by an agency of the executive branch to pay for first-class travel by an employee of the agency in contravention of sections 301–10.122 through 301–10.124 of title 41, Code of Federal Regulations.

SEC. 510. None of the funds made available in this Act may be used to execute a contract for goods or services, including construction services, where the contractor has not complied with Executive Order No. 12989.

SEC. 511. None of the funds made available by this Act may be used by the Department of Defense or the Department of Veterans Affairs to lease or purchase new light duty vehicles for any executive fleet, or for an agency's fleet inventory, except in accordance with Presidential Memorandum—Federal Fleet Performance, dated May 24, 2011.

SEC. 512. (a) IN GENERAL.—None of the funds appropriated or otherwise made available to the Department of Defense in this Act may be used to construct, renovate, or expand any facility in the United States, its territories, or possessions to house any individual detained at United States Naval Station, Guantánamo Bay, Cuba, for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

This division may be cited as the “Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2019”.

And the Senate agree to the same.

RODNEY P.

FRELINGHUYSEN,
MICHAEL K. SIMPSON,
JOHN R. CARTER,
KEN CALVERT,
JEFF FORTENBERRY,
CHARLES F. FLEISCHMANN,
JAIME HERRERA BEUTLER,
SCOTT TAYLOR,

Managers on the Part of the House.

RICHARD C. SHELBY,
LAMAR ALEXANDER,
JOHN BOOZMAN,
STEVE DAINES,
JAMES LANKFORD,
PATRICK J. LEAHY,
DIANNE FEINSTEIN,
BRIAN SCHATZ,
CHRISTOPHER MURPHY,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

Pursuant to House Resolution 1059, the previous question was ordered on the conference report.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. POE of Texas, announced that, pursuant to clause 10 of rule XX, the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 377
affirmative { Nays 20

¶129.15

[Roll No. 399]

YEAS—377

Abraham
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Budd
Burgess
Bustos
Byrne
Calvert

Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davis (CA)

Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Handel
Harper
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Higgins (LA)
Higgins (NY)
Hill
Himes
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildeer
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lipinski
LoBiondo

Loeb sack
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Polis
Posey
Quigley
Raskin
Ratcliffe
Reed
Reichert
Rice (NY)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus

NAYS—20

Amash
Barton
Biggs
Brooks (AL)
Buck
Davidson
Duncan (SC)
Duncan (TN)
Garrett
Harris
Hollingsworth
Labrador
Lieu, Ted
Massie
McClintock
Perry
Schakowsky
Sensenbrenner
Shimkus
Walker
Ellison
Eshoo
Gohmert
Gottheimer
Hice, Jody B.
Holding
Jenkins (WV)
Jones

NOT VOTING—31

Lofgren	Pittenger	Rouzer
Maloney, Sean	Price (NC)	Sanford
Nolan	Renacci	Speier
Norman	Rice (SC)	Taylor
Payne	Richmond	Walz
Pearce	Rooney, Thomas	Wasserman
Pelosi	J.	Schultz

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶129.16 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, September 12, 2018.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

So the Journal was approved.

¶129.17 CLERK TO CORRECT ENROLLMENT OF H.R. 5895

On motion of Mr. FRELINGHUYSEN, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 46):

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill H.R. 5895, the Clerk of the House of Representatives shall make the following correction to the title so as to read: "Making consolidated appropriations for Energy and Water Development, the Legislative Branch, Military Construction, Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes."

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶129.18 ANTI-TERRORISM CLARIFICATION

On motion of Mr. GOODLATTE, by unanimous consent, the bill of the Senate (S. 2946) to amend title 18, United States Code, to clarify the meaning of the terms "act of war" and "blocked asset", and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶129.19 AMENDMENT OF THE SENATE TO H.R. 1109

On motion of Mr. WALBERG, by unanimous consent, the bill (H.R. 1109)

to amend section 203 of the Federal Power Act; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. CLARIFICATION OF FACILITY MERG- ER AUTHORIZATION.

Section 203(a)(1) of the Federal Power Act (16 U.S.C. 824b(a)(1)) is amended by striking subparagraph (B) and inserting the following:

"(B) merge or consolidate, directly or indirectly, its facilities subject to the jurisdiction of the Commission, or any part thereof, with the facilities of any other person, or any part thereof, that are subject to the jurisdiction of the Commission and have a value in excess of \$10,000,000, by any means whatsoever;"

SEC. 2. NOTIFICATION FOR CERTAIN TRANS- ACTIONS.

Section 203(a) of the Federal Power Act (16 U.S.C. 824b(a)) is amended by adding at the end the following new paragraph:

"(7)(A) Not later than 180 days after the date of enactment of this paragraph, the Commission shall promulgate a rule requiring any public utility that is seeking to merge or consolidate, directly or indirectly, its facilities subject to the jurisdiction of the Commission, or any part thereof, with those of any other person, to notify the Commission of such transaction not later than 30 days after the date on which the transaction is consummated if—

"(i) the facilities, or any part thereof, to be acquired are of a value in excess of \$1,000,000; and

"(ii) such public utility is not required to secure an order of the Commission under paragraph (1)(B).

"(B) In establishing any notification requirement under subparagraph (A), the Commission shall, to the maximum extent practicable, minimize the paperwork burden resulting from the collection of information."

SEC. 3. EFFECTIVE DATE.

The amendment made by section 1 shall take effect 180 days after the date of enactment of this Act.

SEC. 4. FEDERAL ENERGY REGULATORY COM- MISSION REPORT.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Federal Energy Regulatory Commission shall submit to Congress a report that assesses the effects of the amendment made by section 1.

(b) REQUIREMENTS.—In preparing the report under subsection (a), the Federal Energy Regulatory Commission shall—

(1) take into account any information collected under paragraph (7) of section 203(a) of the Federal Power Act (16 U.S.C. 824b(a)) (as added by section 2); and

(2) provide for public notice and comment with respect to the report.

On motion of Mr. WALBERG, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶129.20 HAROLD D. MCCRAW, SR., POST OFFICE BUILDING

On motion of Mr. RUSSELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 606) to designate the facility of the United States Postal Service located at 1025 Nevin Avenue in Richmond, California, as the "Harold D. McCraw, Sr., Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.21 SGT. MAJ. WARDELL B. TURNER POST OFFICE BUILDING

On motion of Mr. RUSSELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 4913) to designate the facility of the United States Postal Service located at 816 East Salisbury Parkway in Salisbury, Maryland, as the "Sgt. Maj. Wardell B. Turner Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.22 CAPTAIN JOSHUA E. STEELE POST OFFICE

On motion of Mr. RUSSELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5737) to designate the facility of the United States Postal Service located at 108 West D Street in Alpha, Illinois, as the "Captain Joshua E. Steele Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.23 BILL HARRIS POST OFFICE

On motion of Mr. RUSSELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5868) to designate the facility of the United States Postal Service located at 530 Claremont Avenue in Ashland, Ohio, as the "Bill Harris Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.24 LOGAN S. PALMER POST OFFICE

On motion of Mr. RUSSELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5935) to designate the

facility of the United States Postal Service located at 1355 North Meridian Road in Harristown, Illinois, as the "Logan S. Palmer Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.25 SERGEANT DONALD BURGETT
POST OFFICE BUILDING

On motion of Mr. RUSSELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6020) to designate the facility of the United States Postal Service located at 325 South Michigan Avenue in Howell, Michigan, as the "Sergeant Donald Burgett Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.26 COLONEL ALFRED ASCH POST
OFFICE

On motion of Mr. RUSSELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6116) to designate the facility of the United States Postal Service located at 362 North Ross Street in Beaverton, Michigan, as the "Colonel Alfred Asch Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.27 JUDGE RUSSELL B. SUGARMON
POST OFFICE BUILDING

On motion of Mr. RUSSELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5349) to designate the facility of the United States Postal Service located at 1320 Autumn Avenue in Memphis, Tennessee, as the "Judge Russell B. Sugarmon Post Office Building".

When said bill was considered and read twice.

Mr. RUSSELL submitted the following amendment which was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. JUDGE RUSSELL B. SUGARMON POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1325

Autumn Avenue in Memphis, Tennessee, shall be known and designated as the "Judge Russell B. Sugarmon Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Judge Russell B. Sugarmon Post Office Building".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to designate the facility of the United States Postal Service located at 1325 Autumn Avenue in Memphis, Tennessee, as the 'Judge Russell B. Sugarmon Post Office Building'".

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.28 VEL R. PHILLIPS POST OFFICE
BUILDING

On motion of Mr. RUSSELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5784) to designate the facility of the United States Postal Service located at 2650 North Doctor Martin Luther King Drive in Milwaukee, Wisconsin, as the "Vel R. Phillips Post Office Building".

When said bill was considered and read twice.

Mr. RUSSELL submitted the following amendment which was agreed to:

Strike out all after the enacting clause and insert:

SECTION 1. VEL R. PHILLIPS POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 2650 North Doctor Martin Luther King Jr. Drive in Milwaukee, Wisconsin, shall be known and designated as the "Vel R. Phillips Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Vel R. Phillips Post Office Building".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to designate the facility of the United States Postal Service located at 2650 North Doctor Martin Luther King Jr. Drive in Milwaukee, Wisconsin, shall be known and designated as the 'Vel R. Phillips Post Office Building'".

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶129.29 ADJOURNMENT OVER

On motion of Mr. RUSSELL, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 1 p.m. on Monday, September 17, 2018.

¶129.30 SUBMISSION OF CONFERENCE
REPORT—H.R. 6157

Mr. FRELINGHUYSEN submitted a conference report (Rept. No. 115-952) on the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; together with a statement thereon, for printing in the CONGRESSIONAL RECORD under the rule.

¶129.31 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 994. An Act to amend title 18, United States Code, to provide for the protection of community centers with religious affiliation, and for other purposes.

¶129.32 BILL PRESENTED TO THE
PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 12, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 6124. An Act to amend title II of the Social Security Act to authorize voluntary agreements for coverage of Indian tribal council members, and for other purposes.

And then,

¶129.33 ADJOURNMENT

On motion of Mr. FRELINGHUYSEN, pursuant to the previous order of the House, at 5 o'clock and 48 minutes p.m., the House adjourned until 1 p.m. on Monday, September 17, 2018.

¶129.34 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 6227. A bill to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States; with an amendment (Rept. 115-950). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 5175. A bill to require the Secretary of Energy to carry out a program relating to physical security and cybersecurity for pipelines and liquefied natural gas facilities; with an amendment (Rept. 115-951, Pt. 1). Ordered to be printed.

Mr. FRELINGHUYSEN: Committee of Conference. Conference report on H.R. 6157. A bill making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes (Rept. 115-952). Ordered to be printed.

¶129.35 REPORTED BILL SEQUENTIALLY
REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. WALDEN: Committee on Energy and Commerce. H.R. 5175. A bill to require the Secretary of Energy to carry out a program relating to physical security and cybersecu-

rity for pipelines and liquefied natural gas facilities; with an amendment; (Rept. 115-951, Pt. 1); referred to the Committee on Transportation and Infrastructure for a period ending not later than September 28, 2018, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(r) of rule X.

129.36 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BUCSHON (for himself and Mr. SHIMKUS):

H.R. 6793. A bill to transfer a bridge over the Wabash River to the States of Illinois and Indiana, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. COFFMAN (for himself and Mr. KRISHNAMOORTHY):

H.R. 6794. A bill to amend the Immigration and Nationality Act to authorize additional visas for well-educated aliens to live and work in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Mr. LUCAS):

H.R. 6795. A bill to award a gold medal on behalf of the United States Congress to the women who worked as computers, mathematicians, and engineers for the National Advisory Committee on Aeronautics and the National Aeronautics and Space Administration from the 1930s to the 1970s in recognition for their service to the Nation in the fields of aeronautics and astronautics; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK (for herself, Mr. FASO, Mr. FITZPATRICK, Mr. STIVERS, Mrs. BROOKS of Indiana, Mr. BACON, Mr. RODNEY DAVIS of Illinois, and Mr. COFFMAN):

H.R. 6796. A bill to reauthorize Department of Justice programs that combat violence against women, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Natural Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas:

H.R. 6797. A bill to reauthorize Department of Justice programs that combat violence against women, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Natural Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BYRNE (for himself and Mrs. HANDEL):

H.R. 6798. A bill to require the Director of the Institute of Education Sciences to make available to elementary and secondary school officials research for improving

school safety, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TIPTON:

H.R. 6799. A bill to authorize disaster recovery assistance for areas affected by wildfires on Federal Lands, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Natural Resources, and Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POCAN (for himself, Ms. PINGREE, Ms. KAPTUR, Mr. KHANNA, Ms. DELAURO, and Mr. ELLISON):

H.R. 6800. A bill to impose a moratorium on large agribusiness, food and beverage manufacturing, and grocery retail mergers, and to establish a commission to review large agriculture, food and beverage manufacturing, and grocery retail mergers, concentration, and market power; to the Committee on Agriculture, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. VARGAS (for himself, Mr. THOMAS J. ROONEY of Florida, and Mr. PETERS):

H.R. 6801. A bill to establish a Rare Disease Therapeutics Corporation to encourage the development of high-risk, high-return therapies for rare diseases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCNERNEY:

H.R. 6802. A bill to provide support to develop career and technical education programs of study and facilities in the areas of renewable energy; to the Committee on Education and the Workforce.

By Mr. MARINO:

H.R. 6803. A bill to direct the Secretary of Education to make grants to institutions of higher education for active assailable consulting and training programs; to the Committee on Education and the Workforce.

By Mr. BABIN (for himself and Ms. SEWELL of Alabama):

H.R. 6804. A bill to improve processes for alternative wastewater systems, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BASS (for herself, Mrs. LOVE, Ms. CLARK of Massachusetts, Mrs. MCMORRIS RODGERS, Ms. FRANKEL of Florida, Ms. MCSALLY, Mrs. LAWRENCE, Ms. STEFANIK, Ms. ROYBAL-ALLARD, Ms. GRANGER, Ms. LOFGREN, Mrs. COMSTOCK, Ms. JACKSON LEE, Mrs. BROOKS of Indiana, Ms. JUDY CHU of California, Ms. JENKINS of Kansas, Ms. JAYAPAL, Mrs. NOEM, Mrs. NAPOLITANO, Mrs. BLACK, Mrs. WAGNER, Ms. KAPTUR, Ms. HERRERA BEUTLER, Ms. MATSUI, Mrs. ROSLEHTINEN, Ms. BROWNLEY of California, Mrs. HANDEL, Ms. SEWELL of Alabama, Ms. CHENEY, Ms. FUDGE, Mrs. ROBY, Ms. MCCOLLUM, Mrs. WALORSKI, Mrs. DINGELL, Ms. SPEIER, Mrs. WATSON COLEMAN, Ms. NORTON, Ms. LEE, Ms. MOORE, Ms. CLARKE of New York, Ms. PINGREE, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. WILSON of Florida, Ms. TITUS, Ms. BARRAGÁN, Ms. HANABUSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. DAVIS of California, Ms. VELÁZQUEZ, Ms. BONAMICI, Mrs. BUSTOS, Ms. ESTY of Connecticut, Ms.

TSONGAS, Ms. MENG, Ms. SINEMA, Ms. BLUNT ROCHESTER, Ms. DELAURO, Ms. ADAMS, and Ms. SCHAKOWSKY):

H.R. 6805. A bill to prohibit the use of restraints and restrictive housing on inmates during the period of pregnancy, labor and postpartum recovery, to collect data on incarcerated pregnant women in the United States and the results of such pregnancies, to address the health needs of incarcerated women related to pregnancy and childbirth, and for other purposes; to the Committee on the Judiciary.

By Ms. BORDALLO (for herself and Mr. SABLÁN):

H.R. 6806. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to increase the minimum amount made available to territories under the Sexual Assault Services Program, and for other purposes; to the Committee on the Judiciary.

By Mr. CARTWRIGHT (for himself, Mr. LOWENTHAL, Mr. HUFFMAN, Mr. RYAN of Ohio, and Ms. TSONGAS):

H.R. 6807. A bill to amend the Mineral Leasing Act to make certain improvements in the laws relating to coal royalties, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Financial Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER (for himself and Mr. POE of Texas):

H.R. 6808. A bill to provide payment for patient navigator services under title XIX of the Social Security Act, and for other purposes; to the Committee on Energy and Commerce.

By Miss GONZÁLEZ-COLÓN of Puerto Rico (for herself, Mr. SERRANO, Mr. BACON, Mr. SOTO, and Mrs. MURPHY of Florida):

H.R. 6809. A bill to amend title XVIII of the Social Security Act to provide for temporary stabilization of Medicare Advantage payments following Hurricane Maria; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOSAR (for himself, Mr. NORMAN, and Ms. SPEIER):

H.R. 6810. A bill to affirm the power of the President to revoke the Presidential Medal of Freedom awarded to Bill Cosby and to provide for criminal penalties for anyone who wears or publicly displays a Presidential Medal of Freedom that has been revoked; to the Committee on the Judiciary, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GROTHMAN:

H.R. 6811. A bill to amend the Age Discrimination in Employment Act of 1967 to extend protection to additional employees; to the Committee on Education and the Workforce.

By Mr. GROTHMAN:

H.R. 6812. A bill to amend the Internal Revenue Code of 1986 to allow unreimbursed employee expenses to be taken into account as miscellaneous itemized deductions; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself and Mr. LARSON of Connecticut):

H.R. 6813. A bill to amend the Internal Revenue Code of 1986 to allow qualified distributions from health savings account for certain

home care expenses; to the Committee on Ways and Means.

By Ms. KAPTUR (for herself and Mr. WELCH):

H.R. 6814. A bill to require the Secretary of Energy to establish and carry out a program to provide financial assistance to units of local government impacted by the reduction in tax revenue from nuclear power plants; to the Committee on Energy and Commerce.

By Mr. LAMB (for himself and Ms. STEFANIK):

H.R. 6815. A bill to authorize the use of veterans educational assistance for examinations and assessments to receive credit toward degrees awarded by institutions of higher learning, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. LOVE (for herself, Mr. BIGGS, Mr. CURTIS, Mr. BISHOP of Utah, and Mr. STEWART):

H.R. 6816. A bill to amend title 17, United States Code, to exempt certain performances from copyright and trademark infringement, and for other purposes; to the Committee on the Judiciary.

By Mrs. CAROLYN B. MALONEY of New York:

H.R. 6817. A bill to amend the Internal Revenue Code of 1986 to reinstate the deduction for interest on home equity indebtedness; to the Committee on Ways and Means.

By Mr. MCEACHIN:

H.R. 6818. A bill to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; and to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCKINLEY (for himself and Mr. WELCH):

H.R. 6819. A bill to establish a worker adjustment assistance program to provide assistance and job retraining for workers who have lost their jobs due to unplanned closures of coal and coal dependent industries, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NORCROSS (for himself and Mr. MCKINLEY):

H.R. 6820. A bill to direct the Secretary of Labor to support the development of pre-apprenticeship programs in the building and construction trades that serve underrepresented populations, including individuals from low income and rural census tracts; to the Committee on Education and the Workforce.

By Mr. FRANCIS ROONEY of Florida (for himself, Mr. DUNN, Mr. RATCLIFFE, Mr. WEBSTER of Florida, Mr. GROTHMAN, and Mr. GAETZ):

H.R. 6821. A bill to address foreign threats to higher education in the United States; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHNEIDER:

H.R. 6822. A bill to require the Federal Communications Commission to prescribe regulations on caller identification information authentication technology, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCOTT of Virginia:

H.R. 6823. A bill to amend title XIX of the Social Security Act to require States to suspend, rather than terminate, an individual's eligibility for medical assistance under the State Medicaid plan while such individual is an inmate of a public institution; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER (for himself, Ms. ESHOO, Mr. DUNCAN of South Carolina, and Ms. LOFGREN):

H.R. 6824. A bill to prohibit States from retroactively imposing a sales tax collection duty on a remote seller, and for other purposes; to the Committee on the Judiciary.

By Ms. TSONGAS (for herself and Ms. KUSTER of New Hampshire):

H.R. 6825. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Nashua, Squannacook, and Nissitissit Rivers as components of the Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Ms. VELÁZQUEZ:

H.R. 6826. A bill to amend the Small Business Act to provide for disaster loans to repair, rehabilitate, or replace property damaged or destroyed by hurricane Harvey, Irma, or Maria, and for other purposes; to the Committee on Small Business.

By Ms. VELÁZQUEZ (for herself, Mr. CICILLINE, Ms. CLARKE of New York, Ms. DELAUNO, Mr. ESPAILLAT, Mr. GALLEGO, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. KHANNA, Mr. MCGOVERN, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SIREN, Mr. SOTO, Mr. THOMPSON of Mississippi, Ms. MAXINE WATERS of California, and Mr. WELCH):

H.R. 6827. A bill to provide the option of discharging certain unsecured financial obligations of self-governing territories of the United States; to the Committee on Natural Resources, and in addition to the Committees on the Judiciary, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WAGNER (for herself and Mr. CASTRO of Texas):

H.R. 6828. A bill to require a strategy for engagement with Southeast Asia and the Association of Southeast Asian Nations (ASEAN); to the Committee on Foreign Affairs.

By Ms. CASTOR of Florida (for herself, Mr. HOYER, Mr. PALLONE, Mr. NEAL, and Mr. SCOTT of Virginia):

H.J. Res. 140. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the final rule of the Department of the Treasury, the Department of Labor, and the Department of Health and Human Services relating to "Short-Term, Limited-Duration Insurance"; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROE of Tennessee (for himself, Mr. RUIZ, Mr. HARRIS, and Mr. BERA):

H. Con. Res. 136. Concurrent resolution expressing the sense of Congress on the need to improve and expand training for future physicians on properly treating pain and prescribing opioids, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LAHOOD (for himself, Mr. KRISHNAMOORTHY, Ms. KELLY of Illinois, Mr. LIPINSKI, Mr. GUTIÉRREZ, Mr. QUIGLEY, Mr. ROSKAM, Mr. DANNY K. DAVIS of Illinois, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Mr.

FOSTER, Mr. BOST, Mr. RODNEY DAVIS of Illinois, Mr. HULTGREN, Mr. SHIMKUS, Mr. KINZINGER, and Mrs. BUSTOS):

H. Res. 1063. A resolution designating room H-226 of the United States Capitol as the "Lincoln Room"; to the Committee on Transportation and Infrastructure.

By Mr. POE of Texas:

H. Res. 1064. A resolution honoring the work done by the 12th Woman; to the Committee on Education and the Workforce.

By Mr. YARMUTH (for himself, Mr.

ROE of Tennessee, and Mr. MCNERNEY):

H. Res. 1065. A resolution expressing support for designation of the week of September 23 through 29, 2018, as National Adult Education and Family Literacy Week; to the Committee on Education and the Workforce.

By Mr. YOUNG of Iowa (for himself,

Mr. RODNEY DAVIS of Illinois, Mr. MCKINLEY, Mr. DIAZ-BALART, Mr. BLUM, Mr. JOYCE of Ohio, Mrs. MIMI WALTERS of California, Ms. STEFANIK, Mr. BACON, Mr. VALADAO, Mr. KNIGHT, Mr. BOST, Ms. HERRERA BEUTLER, Mrs. BROOKS of Indiana, Mr. KING of New York, Mr. RENACCI, Mr. LOBIONDO, Mr. NEWHOUSE, Mr. HURD, Mr. HUIZENGA, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. UPTON, Mr. COFFMAN, Mr. CURBELO of Florida, Mr. YODER, Mr. KATKO, Mr. DONOVAN, and Ms. MCSALLY):

H. Res. 1066. A resolution expressing the sense of the House of Representatives that protections for individuals with pre-existing conditions should be retained in law regardless of further amendments to, or the repeal of, the Patient Protection and Affordable Care Act; to the Committee on Energy and Commerce.

By Mr. KATKO (for himself, Mrs. NAPOLITANO, and Mr. BEYER):

H. Res. 1067. A resolution recognizing suicide as a public health problem and expressing support for designation of September as "National Suicide Prevention Month"; to the Committee on Energy and Commerce.

By Mr. CÁRDENAS (for himself, Mr.

AGUILAR, Ms. BARRAGÁN, Ms. BASS, Ms. BONAMICI, Ms. BORDALLO, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. BRADY of Pennsylvania, Mrs. BUSTOS, Mr. CAPUANO, Mr. CARBAJAL, Ms. CASTOR of Florida, Mr. CASTRO of Texas, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Mr. CLAY, Mr. CORREA, Mr. COSTA, Mr. CROWLEY, Mr. CUELLAR, Mr. DANNY K. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DEGETTE, Ms. DELBENE, Mrs. DEMINGS, Mr. DEUTCH, Mrs. DINGELL, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. ENGEL, Ms. ESHOO, Mr. ESPAILLAT, Ms. ESTY of Connecticut, Mr. EVANS, Ms. FRANKEL of Florida, Mr. GOMEZ, Mr. GONZALEZ of Texas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, Mr. GUTIÉRREZ, Ms. HANABUSA, Mr. HASTINGS, Mr. HIGGINS of Louisiana, Mr. HUFFMAN, Mr. JEFFRIES, Mr. KEATING, Mr. KIHUEN, Mr. KILDEE, Mr. KILMER, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE, Ms. LOFGREN, Mr. LOWENTHAL, Mrs. LOWEY, Mr. BEN RAY LUJAN of New Mexico, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. LYNCH, Mr. SEAN PATRICK MALONEY of New York, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEKES, Ms. MENG, Ms. MOORE, Mr. MOULTON, Mrs. MURPHY of Florida, Mrs. NAPOLITANO, Mr. NOLAN, Mr. NORCROSS, Ms. NORTON, Mr. O'HALLERAN, Mr. PALLONE, Mr. PA-

NETTA, Mr. PASCRELL, Mr. PAYNE, Mr. PETERS, Ms. PLASKETT, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Miss RICE of New York, Ms. ROSEN, Ms. ROYBAL-ALLARD, Mr. RUIZ, Mr. SABLAN, Ms. SÁNCHEZ, Mr. DAVID SCOTT of Georgia, Mr. SERRANO, Ms. SEWELL of Alabama, Ms. SCHAKOWSKY, Mr. SIRES, Mr. SMITH of Washington, Mr. SOTO, Ms. SPEIER, Mr. SUOZZI, Mr. SWALWELL of California, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. THOMPSON of California, Ms. TITUS, Mrs. TORRES, Mr. VARGAS, Mr. VEASEY, Mr. VELA, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. YARMUTH, Mr. BROWN of Maryland, Mr. TED LIEU of California, Mr. VISCLOSKEY, Mr. GALLEG0, Mr. CARSON of Indiana, and Mr. RICHMOND):

H. Res. 1068. A resolution recognizing Hispanic Heritage Month and celebrating the heritage and culture of Latinos in the United States and the immense contributions of Latinos to the United States; to the Committee on Oversight and Government Reform.

By Ms. GABBARD (for herself and Mr. JONES):

H. Res. 1069. A resolution requiring the President to seek congressional authorization prior to any engagement of the United States Armed Forces against any adversary; to the Committee on Foreign Affairs.

129.37 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. KILDEE introduced a bill (H.R. 6829) for the relief of Francis Anwana; which was referred to the Committee on the Judiciary.

129.38 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 84: Mr. LATTA.
H.R. 93: Mr. SRES.
H.R. 502: Mr. TIPTON and Mr. YODER.
H.R. 544: Mr. BYRNE and Mr. SENSENBRENNER.
H.R. 592: Mr. MAST and Mr. LOUDERMILK.
H.R. 669: Mr. KENNEDY.
H.R. 712: Ms. JACKSON LEE.
H.R. 754: Mr. MCKINLEY, Mr. BISHOP of Michigan, Mr. WALKER, Mr. KEATING, Mr. AMODEI, Mr. CRAWFORD, Mr. CULBERSON, Mr. COLE, and Mr. GOWDY.
H.R. 850: Mr. CLOUD.
H.R. 907: Mr. KATKO.
H.R. 930: Mr. CASTRO of Texas and Mr. BUDD.
H.R. 1045: Mr. CLOUD.
H.R. 1121: Mr. YODER, Mrs. HANDEL, Mr. SCHWEIKERT, Mr. CARTER of Georgia, Mr. GROTHMAN, Mr. MACARTHUR, Mr. GIBBS, Mr. PAULSEN, Mr. GIANFORTE, and Mr. AMODEI.
H.R. 1212: Mr. KATKO.
H.R. 1278: Mr. DESAULNIER.
H.R. 1318: Mr. MACARTHUR.
H.R. 1447: Mr. RUSH, Mr. RUIZ, Mr. DESAULNIER, Mrs. DAVIS of California, Mr. ENGEL, Mr. SERRANO, Mr. ESPAILLAT, and Mr. RUPPERSBERGER.
H.R. 1515: Mr. HIMES, Ms. CLARKE of New York, Ms. ESTY of Connecticut, Mr. RUIZ, Mr. KEATING, Mr. LOBIONDO, Ms. ROSEN, Mr. YARMUTH, Mr. CARTWRIGHT, Mr. SCHNEIDER, Mr. ESPAILLAT, and Ms. ROS-LEHTINEN.
H.R. 1542: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 1550: Mr. RUPPERSBERGER.
H.R. 1615: Mr. TED LIEU of California.
H.R. 1661: Mr. LOEBACK and Mr. KRISHNAMOORTHY.

H.R. 1683: Mr. BYRNE, Mr. COSTA, and Ms. ESTY of Connecticut.
H.R. 1783: Mr. SENSENBRENNER.
H.R. 1874: Mr. COHEN.
H.R. 1881: Mr. FRANCIS ROONEY of Florida.
H.R. 1957: Ms. BARRAGAN, Mr. LYNCH, Mr. MCGOVERN, Mr. CÁRDENAS, Ms. CLARKE of New York, Mrs. TORRES, Mr. VARGAS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. COSTA, Mr. SERRANO, Mr. KEATING, Mr. NORCROSS, Mr. CARTWRIGHT, Ms. ROSEN, Mr. HUFFMAN, Mr. HIGGINS of New York, and Mr. KIND.
H.R. 2119: Mr. YARMUTH, Mr. KHANNA, Mr. DELANEY, Mrs. MURPHY of Florida, Mr. RUIZ, Mr. VARGAS, Mrs. TORRES, Mr. NORCROSS, Mr. RASKIN, and Mr. KIND.
H.R. 2150: Mr. RENACCI.
H.R. 2315: Mr. HULTGREN, Mr. RUTHERFORD, and Mr. LOBIONDO.
H.R. 2358: Mr. KEATING and Ms. ESTY of Connecticut.
H.R. 2472: Mr. MEEKS and Mrs. MURPHY of Florida.
H.R. 2495: Mr. POSEY.
H.R. 2498: Mr. SOTO, Mr. COHEN, Mr. RYAN of Ohio, Mr. DEUTCH, Mrs. DEMINGS, Ms. KAPTUR, Mr. COOPER, Mr. KIHUEN, Mr. HIGGINS of New York, Mr. KILMER, Mr. RUSH, Mr. DESAULNIER, Ms. ROSEN, Mr. CARTWRIGHT, Mr. YARMUTH, Mr. KEATING, Mr. LOBIONDO, Ms. ESTY of Connecticut, Mr. RUIZ, and Mr. ESPAILLAT.
H.R. 2587: Mr. SIMPSON, Mr. RASKIN, Mr. COLE, and Ms. JACKSON LEE.
H.R. 2651: Mr. LIPINSKI.
H.R. 2899: Mr. CICILLINE.
H.R. 2911: Mr. WITTMAN.
H.R. 2925: Mr. MOULTON and Mr. POCAN.
H.R. 2957: Mr. POLIQUIN.
H.R. 3113: Mr. GUTIÉRREZ and Mr. GENE GREEN of Texas.
H.R. 3222: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RUIZ, Mr. SWALWELL of California, Mr. SCHNEIDER, Mrs. MURPHY of Florida, Mr. COSTA, Mr. YARMUTH, Mr. CARTWRIGHT, Mr. DELANEY, Mr. RUPPERSBERGER, Mr. LARSEN of Washington, and Mr. LANGEVIN.
H.R. 3325: Mr. WALDEN.
H.R. 3520: Mr. DELANEY, Mrs. DAVIS of California, Mr. RUIZ, Ms. ESTY of Connecticut, Mr. DESAULNIER, Mr. KEATING, Mr. YARMUTH, Mr. CARTWRIGHT, and Ms. ROSEN.
H.R. 3730: Mr. MACARTHUR.
H.R. 3790: Mr. JOHNSON of Ohio and Mr. NORMAN.
H.R. 3891: Mr. WALDEN.
H.R. 3918: Mrs. COMSTOCK.
H.R. 3976: Mr. GUTHRIE.
H.R. 4022: Mr. AGUILAR.
H.R. 4057: Mr. LAMB.
H.R. 4099: Mr. LATTA, Mr. FLORES, and Mr. NORCROSS.
H.R. 4107: Mr. KEATING, Mr. GRIJALVA, Ms. DELAURO, Mr. RUTHERFORD, Mr. KENNEDY, Mr. LAWSON of Florida, Mrs. RADEWAGEN, and Ms. MENG.
H.R. 4202: Mr. PETERS.
H.R. 4253: Ms. WILSON of Florida.
H.R. 4340: Mr. CLOUD.
H.R. 4447: Mrs. HANDEL.
H.R. 4556: Ms. KELLY of Illinois.
H.R. 4647: Mr. KUSTOFF of Tennessee, Mr. FLEISCHMANN, Mr. CARSON of Indiana, Ms. PINGREE, Mr. LATTA, and Mr. MACARTHUR.
H.R. 4732: Mr. BISHOP of Michigan, Mr. HUIZENGA, Mr. ROE of Tennessee, Mr. CULBERSON, and Mr. CALVERT.
H.R. 4846: Mr. BOST.
H.R. 4922: Mr. GIANFORTE.
H.R. 4985: Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 5113: Mr. DESAULNIER.
H.R. 5129: Ms. KUSTER of New Hampshire and Mr. MCCAUL.
H.R. 5138: Mr. EMMER.
H.R. 5141: Mr. FRELINGHUYSEN.
H.R. 5153: Ms. STEFANIK and Mr. DUNCAN of South Carolina.

H.R. 5199: Mr. LAHOOD and Mr. POE of Texas.
H.R. 5222: Mr. GUTIÉRREZ.
H.R. 5226: Mrs. NAPOLITANO.
H.R. 5282: Mr. RUPPERSBERGER and Mr. DEUTCH.
H.R. 5306: Mr. WALDEN and Mr. MARSHALL.
H.R. 5314: Mr. KIND.
H.R. 5374: Mr. LOBIONDO, Mr. KEATING, and Mr. RUPPERSBERGER.
H.R. 5541: Mr. JOHNSON of Ohio.
H.R. 5610: Mr. BACON.
H.R. 5634: Mr. PANETTA and Mr. CRIST.
H.R. 5639: Ms. PINGREE.
H.R. 5658: Mr. BARLETTA.
H.R. 5671: Mr. LAMBORN and Mr. KEATING.
H.R. 5780: Mrs. DEMINGS.
H.R. 5879: Mr. KNIGHT, Mr. HURD, Ms. SÁNCHEZ, and Mr. MACARTHUR.
H.R. 5899: Mr. MACARTHUR.
H.R. 6033: Mr. LYNCH, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. VARGAS, Mr. LANGEVIN, Mr. RUIZ, Mr. SCHNEIDER, Mrs. MURPHY of Florida, Mr. GOMEZ, Mrs. DAVIS of California, Mr. NOLAN, Mrs. CAROLYN B. MALONEY of New York, Ms. ROSEN, Ms. PINGREE, Mr. HUFFMAN, Mr. CROWLEY, and Mr. KIND.
H.R. 6048: Mr. HASTINGS, Mr. RUSH, and Ms. ROYBAL-ALLARD.
H.R. 6081: Mr. BYRNE.
H.R. 6085: Ms. HERRERA BEUTLER and Ms. MATSUI.
H.R. 6093: Ms. BONAMICI.
H.R. 6114: Mr. GALLEG0 and Mrs. NAPOLITANO.
H.R. 6137: Ms. KUSTER of New Hampshire.
H.R. 6158: Mr. WILLIAMS and Mr. LOUDERMILK.
H.R. 6256: Mr. PETERS.
H.R. 6261: Mrs. LESKO.
H.R. 6267: Mr. LOBIONDO.
H.R. 6269: Mr. GRAVES of Louisiana.
H.R. 6270: Mr. LOBIONDO.
H.R. 6273: Mr. LANCE.
H.R. 6356: Mr. LATTA.
H.R. 6406: Ms. STEFANIK.
H.R. 6416: Mr. NORCROSS.
H.R. 6417: Mr. WALBERG and Mr. GIANFORTE.
H.R. 6418: Mr. COFFMAN.
H.R. 6420: Mr. COFFMAN.
H.R. 6486: Mr. HILL.
H.R. 6510: Ms. JAYAPAL, Mr. WALDEN, Mr. KRISHNAMOORTHY, Mr. QUIGLEY, Mr. HECK, Mrs. LESKO, Mr. RODNEY DAVIS of Illinois, and Mr. LAWSON of Florida.
H.R. 6517: Mr. CROWLEY and Miss RICE of New York.
H.R. 6571: Mrs. NAPOLITANO.
H.R. 6578: Mr. GENE GREEN of Texas and Mr. CAPUANO.
H.R. 6606: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 6609: Miss RICE of New York.
H.R. 6625: Mr. HASTINGS.
H.R. 6631: Ms. SCHAKOWSKY.
H.R. 6635: Mr. MCKINLEY, Mr. WELCH, and Mr. JOHNSON of Ohio.
H.R. 6636: Mr. COFFMAN and Mr. GARRETT.
H.R. 6649: Mr. LOWENTHAL.
H.R. 6657: Mr. GOHMERT and Mr. DUNCAN of South Carolina.
H.R. 6664: Mr. CHABOT, Mr. WEBER of Texas, Mr. DUNCAN of Tennessee, Mr. DUNN, Mr. GENE GREEN of Texas, Mr. KING of New York, Mr. LIPINSKI, Mr. MOOLENAAR, Mr. NORMAN, Mr. BARR, and Mr. SMITH of New Jersey.
H.R. 6681: Ms. SÁNCHEZ, Mr. BUTTERFIELD, Mr. JOHNSON of Georgia, and Mr. MOOLENAAR.
H.R. 6683: Mr. DIAZ-BALART.
H.R. 6685: Mr. RASKIN.
H.R. 6689: Mr. GOTTHEIMER.
H.R. 6700: Mr. POSEY.
H.R. 6713: Ms. ROS-LEHTINEN and Mr. BACON.
H.R. 6723: Mr. GOSAR.
H.R. 6724: Mrs. BLACK.

H.R. 6729: Mrs. Mimi WALTERS of California, Ms. SINEMA, and Ms. TENNEY.

H.R. 6733: Mrs. BLACKBURN, Mr. CRAMER, Mr. SCHRADER, Mr. WALDEN, and Ms. HERRERA BEUTLER.

H.R. 6734: Mr. COOK, Mrs. RADEWAGEN, and Mr. MCGOVERN.

H.R. 6737: Mr. DAVID SCOTT of Georgia.

H.R. 6755: Mr. SMITH of Texas.

H.R. 6766: Mr. SUOZZI.

H.R. 6771: Mr. PALAZZO.

H.R. 6774: Mr. CURBELO of Florida, Mr. RYAN of Ohio, Mr. COLE, Mr. MESSER, Mr. BILIRAKIS, Mr. JONES, Mr. VELA, Mr. TROTT, Mr. BUCK, and Mr. MOOLENAAR.

H.J. Res. 31: Ms. JACKSON LEE.

H. Con. Res. 60: Mr. EVANS.

H. Con. Res. 72: Ms. TITUS and Ms. WASSERMAN SCHULTZ.

H. Res. 993: Ms. ESHOO, Mr. KENNEDY, Ms. ESTY of Connecticut, and Mr. SCHRADER.

H. Res. 1022: Mr. MACARTHUR and Ms. STEFANIK.

H. Res. 1034: Mr. LUETKEMEYER, Mr. DANNY K. DAVIS of Illinois, Mr. FRANCIS ROONEY of Florida, Mr. ROKITA, Mr. NORCROSS, Mr. CORREA, Ms. STEFANIK, Mr. PAYNE, Mr. RUIZ, Mr. HIGGINS of New York, Mr. BACON, Mr. GARRETT, and Mr. JOHNSON of Ohio.

H. Res. 1056: Mr. LOWENTHAL, Mr. TAKANO, and Mr. KIND.

H. Res. 1057: Mr. MEEKS, Mr. MCGOVERN, and Mrs. WAGNER.

MONDAY, SEPTEMBER 17, 2018 (130)

¶130.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
September 17, 2018.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶130.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HARRIS, announced that, pursuant to section 3(a) of House Resolution 1059, the Journal of the proceedings of Thursday, September 13, 2018, was approved.

¶130.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6232. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Captain Kristen B. Fabry, United States Navy, to wear the insignia of the grade of rear admiral (lower half), pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

6233. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting the Department's 2017 annual Report to Congress on Defense Environmental Programs, pursuant to 10 U.S.C. 2711(a); Public Law 112-81, Sec. 317(a); (125 Stat. 1359); to the Committee on Armed Services.

6234. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Truth in Lending (Regulation Z) Annual

Threshold Adjustments (Credit Cards, HOEPA, and Qualified Mortgages) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6235. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Metschnikowia fructicola* strain NRRL Y-27328; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0705; FRL-9982-22] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6236. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Spiromesifen; Pesticide Tolerances [EPA-HQ-OPP-2017-0505; FRL-9982-21] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6237. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cloquintocet-mexyl; Pesticide Tolerances [EPA-HQ-OPP-2017-0591; FRL-9980-90] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6238. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone Standard [EPA-R03-OAR-2017-0399; FRL-9983-33-Region 3] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6239. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Vermont; Infrastructure State Implementation Plan Requirements for the 2012 PM_{2.5} NAAQS [EPA-R01-OAR-2017-0696; FRL-9983-02-Region 1] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6240. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina: New Source Review for Fine Particulate Matter (PM_{2.5}) [EPA-R04-OAR-2015-0501; FRL-9983-43-Region 4] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6241. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; New Hampshire; Single Source Orders and Revisions to Definitions [EPA-R01-OAR-2017-0442; FRL-9982-99-Region 1] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6242. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; ID, Pinehurst PM 10 Redesignation, Limited Maintenance Plan; West Silver Valley 2012 Annual PM_{2.5} Emission Inventory [EPA-R10-OAR-2017-0582; FRL-9983-53-Region 10] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6243. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval and Air Quality Designation; Florida: Redesignation of the Hillsborough County Lead Nonattainment Area to Attainment [EPA-R04-OAR-2018-0182; FRL-9983-44-Region 4] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6244. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, 2-methyl-, 2-oxiranylmethyl ester, polymer with butyl 2-propenoate, ethenylbenzene and 2-ethylhexyl 2-propenoate; Tolerance Exemption [EPA-HQ-OPP-2018-0263; FRL-9982-72] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6245. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Cleveland, PM_{2.5} Attainment Plan [EPA-R05-OAR-2016-0644; FRL-9982-96-Region 5] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6246. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Wisconsin; 2017 Revisions to NR 400 and 406 [EPA-R05-OAR-2017-0280; FRL-9982-60-Region 5] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6247. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Infrastructure Requirements for the 2012 Fine Particulate Matter National Ambient Air Quality Standard [EPA-R03-OAR-2017-0441; FRL-9983-07-Region 3] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6248. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; District of Columbia; State Implementation Plan for the Interstate Transport Requirements for the 2008 Ozone Standard [EPA-R03-OAR-2014-0701; FRL-9983-11-Region 3] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6249. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Michigan; Minor New Source Review [EPA-R05-OAR-2007-1092; FRL-9982-97-Region 5] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6250. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Oklahoma; General SIP Updates [EPA-R06-OAR-2018-0350; FRL-9982-47-Region 6] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6251. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Interstate Transport Prongs 1 and 2 for the 2010 Sulfur Dioxide (SO₂) Standard for Colorado, Montana, North Dakota, South Dakota and Wyoming [EPA-R08-OAR-2018-0109; FRL-9982-81-Region 8] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6252. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to persons undermining democratic processes or institutions in Zimbabwe that was declared in Executive Order 13288 of March 6, 2003, and Executive Order 13313 of July 31, 2003, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6253. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Ukraine that was declared in Executive Order 13660 of March 6, 2014, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6254. A letter from the Assistant Legal Advisor, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

6255. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a report on the value of sales of defense equipment for the third quarter of Fiscal Year 2018, April 1 — June 30, 2018, pursuant to Secs. 36(a) and 26(b) of the Arms Export Control Act, the March 24, 1979, Report by the Committee on Foreign Affairs (H. Rept. 96-70), and the July 31, 1981, Seventh Report by the Committee on Government Operations (H. Rept. 97-214); to the Committee on Foreign Affairs.

6256. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-453, "Birth-to-Three for All DC Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6257. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-451, "Youth Rehabilitation Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6258. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-450, "East End Certificate of Need Maximum Fee Establishment Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6259. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 22-443, "Fiscal Year 2018 Revised Local Budget Temporary Adjustment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6260. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-449, "Traffic and Parking Ticket Penalty Amendment Act of 2018", pursuant to

Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6261. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-442, "Fiscal Year 2019 Budget Support Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6262. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 22-444, "Anacostia River Toxins Remediation Temporary Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6263. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-440, "Redevelopment of the Center Leg Freeway (Interstate 395) Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6264. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 22-445, "Credit Protection Fee Waiver Temporary Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6265. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-439, "Omnibus Alcoholic Beverage Regulation Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6266. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-438, "Vital Records Modernization Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6267. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 22-446, "At-Risk Tenant Protection Clarifying Temporary Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6268. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 22-447, "Southwest Waterfront Park Bus Prohibition Temporary Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6269. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 22-448, "Southwest Waterfront Parking Enforcement Temporary Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6270. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. ACT 22-452, "Campaign Finance Reform and Transparency Temporary Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6271. A letter from the Chairman, Council of the District of Columbia, transmitting DC Act 22-441, "Homeless Shelter Replacement Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6272. A letter from the Deputy White House Liaison, Department of Education, transmitting a notification of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6273. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report detailing the progress and the status of compliance with

privatization requirements, pursuant to Public Law 105-33, Sec. 11201(c)(2)(B); (111 Stat. 734); to the Committee on the Judiciary.

6274. A letter from the Shareholder, Elliott Davis, LLC, transmitting the annual financial report for CY 2017 of the Congressional Medal of Honor Society of the United States of America, pursuant to Public Law 88-504 and 36 U.S.C. 1101; to the Committee on the Judiciary.

6275. A letter from the Chief Justice, Supreme Court, transmitting notification that the Supreme Court will open the October 2018 term on Monday, October 1, 2018 at 10:00 a.m. and will continue until all matters before the Court ready for argument have been disposed of or decided; to the Committee on the Judiciary.

6276. A letter from the Chief Counsel, Regulatory Coordination Division, U.S. Citizenship and Immigration Services, Department of Homeland Security, transmitting the Department's final rule — Adjustment to Premium Processing Fee [CIS No.: 2620-18; DHS Docket No: USCIS-2018-0003] (RIN: 1615-ZB73) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

6277. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Qualifying Relative and the Exemption Amount (Notice 2018-70) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6278. A letter from the Acting Commissioner, Social Security Administration, transmitting a report on Supplemental Security Income (SSI) Non-medical Redeterminations for FY 2014; to the Committee on Ways and Means.

6279. A letter from the Chairman, U.S. International Trade Commission, transmitting the Commission's report titled, "The Year in Trade 2017", pursuant to 19 U.S.C. 2213(c); Public Law 93-618, Sec. 163(c) (as amended by Public Law 100-418, Sec. 1641); (102 Stat. 1271); to the Committee on Ways and Means.

¶130.4 ENROLLED BILLS SIGNED

The SPEAKER pro tempore, Mr. HARRIS, announced that, pursuant to clause 4 of rule I, the Speaker signed the following enrolled bills on Friday, September 14, 2018:

H.R. 589. An Act to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes.

H.R. 1109. An Act to amend section 203 of the Federal Power Act.

H.R. 5895. An Act making consolidated appropriations for Energy and Water Development, the Legislative Branch, Military Construction, Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes.

¶130.5 COMMUNICATION FROM THE

CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,

U.S. HOUSE OF REPRESENTATIVES,

Washington, DC, September 17, 2018.

Hon. PAUL D. RYAN,

The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 17, 2018, at 10:10 a.m.:

That the Senate passed S. 1050.
That the Senate passed S. 3029.
With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶130.6 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1050. An Act to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II; to the Committee on Financial Services; in addition, to the Committee on House Administration for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 3029. An Act to revise and extend the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (PREEMIE Act); to the Committee on Energy and Commerce.

And then,

¶130.7 ADJOURNMENT

The SPEAKER pro tempore, Mr. HARRIS, pursuant to section 3(b) of House Resolution 1059, at 1 o'clock and 3 minutes p.m., declared the House adjourned until 9:30 a.m. on Thursday, September 20, 2018.

¶130.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. O'HALLERAN:

H.R. 6830. A bill to provide temporary impact aid construction grants to eligible local educational agencies, and for other purposes; to the Committee on Education and the Workforce.

By Mr. POLIS (for himself, Mr. PERLMUTTER, Mr. TIPTON, Mr. LAMBORN, Ms. DEGETTE, Mr. BUCK, and Mr. COFFMAN):

H.R. 6831. A bill to designate the facility of the United States Postal Service located at 35 West Main Street in Frisco, Colorado, as the "Patrick E. Mahany, Jr., Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. POLIS (for himself and Mr. PERLMUTTER):

H.R. 6832. A bill to amend the Internal Revenue Code of 1986 to provide for a credit against tax for improving the safety of fuel systems in emergency medical rotorcraft; to the Committee on Ways and Means.

By Mr. MCNERNEY (for himself, Ms. JAYAPAL, Mr. MCGOVERN, Mr. CARTWRIGHT, Mr. PETERS, Mrs. DAVIS of California, Ms. BARRAGÁN, Ms. LOFGREN, Mr. HUFFMAN, Mr. SOTO, Mr. TAKANO, Mr. GRIJALVA, Mr. LARSEN of Washington, Ms. NORTON, Mr. RUSH, Mr. CONNOLLY, Ms. MOORE, Ms. LEE, Mr. KEATING, Ms. WILSON of Florida, Mr. HIGGINS of New York, Mr. TONKO, Ms. JACKSON LEE, and Mr. QUIGLEY):

H.R. 6833. A bill to provide support to develop career and technical education pro-

grams of study and facilities in the areas of renewable energy; to the Committee on Education and the Workforce.

By Ms. BORDALLO (for herself, Mrs. RADEWAGEN, Mr. GRIJALVA, and Ms. BONAMICI):

H.R. 6834. A bill to amend the Trafficking Victims Protection Act of 2000 to include the Secretary of Commerce on the Interagency Task Force to Monitor and Combat Trafficking, and for other purposes; to the Committee on Foreign Affairs.

By Mr. UPTON (for himself, Mrs. DINGELL, Mr. WALBERG, and Mr. KILDEE):

H.R. 6835. A bill to encourage Federal agencies to enter into or amend cooperative agreements with States for removal and remedial actions to address PFAS contamination in drinking water, surface water, ground water, sediment, and soil, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILIRAKIS (for himself and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 6836. A bill to amend title XIX of the Social Security Act to promote access to life-saving therapies for Medicaid enrollees by ensuring coverage of routine patient costs for items and services furnished in connection with participation in qualifying clinical trials, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BILIRAKIS:

H.R. 6837. A bill to establish the Commission on Sustaining Medicare and Social Security, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COMER:

H.R. 6838. A bill to designate the facility of the United States Postal Service located at 128 East Carlisle Street in Marion, Kentucky, as the "Ollie M. James Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. HIGGINS of Louisiana:

H.R. 6839. A bill to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the "Douglas Fournet Department of Veterans Affairs Clinic"; to the Committee on Veterans' Affairs.

By Mr. TED LIEU of California (for himself, Mr. SMITH of Washington, Mr. BLUMENAUER, and Mr. GARAMENDI):

H.R. 6840. A bill to prohibit the research and development, production, and deployment of the Trident D5 low-yield nuclear warhead, and for other purposes; to the Committee on Armed Services.

By Mr. REED:

H.R. 6841. A bill to amend the Internal Revenue Code of 1986 to provide a credit for owning certain disaster resilient property; to the Committee on Ways and Means.

By Mr. RICE of South Carolina:

H.R. 6842. A bill to amend the Internal Revenue Code of 1986 to provide an automatic 60-day delay for certain internal revenue requirements in the case of taxpayers in an area with respect to which a federally declared disaster is requested; to the Committee on Ways and Means.

By Mr. SUOZZI (for himself, Mr. KING of New York, Mr. WITTMAN, Mr. COURTNEY, Mr. KILMER, Miss RICE of New York, Mr. BACON, Ms. STEFANIK, Mr. GARAMENDI, Mr. BYRNE, Mr. AUSTIN SCOTT of Georgia, Mr. MEEKS, Mr. ZELDIN, Ms. MENG, and Mr. ROSS):

H. Res. 1070. A resolution recognizing the 75th anniversary of the United States Merchant Marine Academy; to the Committee on Armed Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶130.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 93: Mr. SUOZZI.

H.R. 120: Mr. BABIN.

H.R. 303: Mr. PAYNE.

H.R. 1102: Ms. JACKSON LEE.

H.R. 1300: Mr. MCEACHIN, Mr. TAKANO, Mr. THOMPSON of California, Mr. RASKIN, and Mr. GONZALEZ of Texas.

H.R. 1318: Mr. MCNERNEY and Ms. FRANKEL of Florida.

H.R. 1447: Mr. TONKO, Mrs. BEATTY, Mr. DEFAZIO, Ms. JAYAPAL, Ms. DELBENE, Ms. LOFGREN, and Ms. BROWNLEY of California.

H.R. 1515: Mrs. BEATTY, Mr. TONKO, Ms. LOFGREN, Ms. DELBENE, and Mr. BEYER.

H.R. 1552: Mr. MEADOWS.

H.R. 1661: Ms. FUDGE, Mrs. DEMINGS, Mr. LYNCH, and Mr. WENSTRUP.

H.R. 1957: Mr. CARSON of Indiana, Mrs. BEATTY, Mr. DOGGETT, Mr. TONKO, Mr. GARAMENDI, Mr. CASTRO of Texas, Ms. LOFGREN, Mr. SARBANES, Mr. HOYER, Mr. GOMEZ, Mr. WELCH, Ms. ADAMS, and Ms. JAYAPAL.

H.R. 2051: Mr. JOYCE of Ohio.

H.R. 2092: Mr. COMER.

H.R. 2119: Mr. CARSON of Indiana, Mr. SHERMAN, Mr. GARAMENDI, Mr. CASTRO of Texas, Ms. FUDGE, Mr. DOGGETT, Mr. HOYER, Mr. BERA, Mr. DEFAZIO, Mr. PERLMUTTER, and Mr. O'HALLERAN.

H.R. 2315: Mr. SENSENBRENNER, Mr. YODER, and Mr. DUNCAN of Tennessee.

H.R. 2495: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 2556: Mr. RUPPERSBERGER.

H.R. 2895: Mr. TED LIEU of California.

H.R. 2953: Mr. YODER.

H.R. 3222: Mr. SHERMAN, Mr. GARAMENDI, Mr. CASTRO of Texas, Ms. FUDGE, Mr. KILDEE, and Mr. O'HALLERAN.

H.R. 3325: Mrs. BROOKS of Indiana, Ms. JENKINS of Kansas, and Mr. CALVERT.

H.R. 3711: Mr. SMITH of New Jersey.

H.R. 3919: Mrs. WALORSKI.

H.R. 3988: Mr. CULBERSON.

H.R. 4107: Mr. CULBERSON, Mr. BRADY of Pennsylvania, Ms. SHEA-PORTER, Mr. SIRES, Mr. TURNER, and Ms. DELBENE.

H.R. 4253: Mr. SMITH of New Jersey.

H.R. 4320: Mr. KATKO and Mr. SUOZZI.

H.R. 4321: Mr. KATKO and Mr. SUOZZI.

H.R. 4691: Ms. ESTY of Connecticut, Mr. HASTINGS, Mr. BROWN of Maryland, Ms. NORTON, Mr. SMITH of Washington, Ms. WASSERMAN SCHULTZ, and Ms. BORDALLO.

H.R. 5220: Mr. POE of Texas.

H.R. 5374: Mrs. BEATTY.

H.R. 5383: Mr. PETERS.

H.R. 5463: Ms. JACKSON LEE.

H.R. 5507: Mr. HURD.

H.R. 5595: Mr. BARR.

H.R. 5627: Mr. KHANNA.

H.R. 5780: Mr. COHEN.

H.R. 5819: Ms. BROWNLEY of California.

H.R. 5913: Mr. HULTGREN and Mr. KATKO.

H.R. 5924: Ms. TENNEY.

H.R. 6004: Mrs. MCMORRIS RODGERS.

H.R. 6016: Ms. FRANKEL of Florida.

H.R. 6033: Ms. BONAMICI, Mr. RUPPERSBERGER, Mr. LARSEN of Washington, Ms. BROWNLEY of California, Mr. CARSON of Indiana, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. DOGGETT, Mrs. BEATTY, Mr. GARAMENDI, Ms. KUSTER of New Hampshire, Mr. BERA,

Ms. FUDGE, Mr. HOYER, Ms. ADAMS, Mr. DEFAZIO, and Mr. O'HALLERAN.
 H.R. 6093: Ms. JACKSON LEE.
 H.R. 6105: Mr. MACARTHUR.
 H.R. 6326: Mr. BLUMENAUER and Mr. TAKANO.
 H.R. 6355: Mr. GUTHRIE, Mr. HUNTER, and Mr. MARSHALL.
 H.R. 6358: Mr. CARTWRIGHT.
 H.R. 6455: Ms. JACKSON LEE.
 H.R. 6506: Mr. POE of Texas and Mr. FITZPATRICK.
 H.R. 6507: Mr. SHUSTER, Mr. ROTHFUS, and Mr. BARLETTA.
 H.R. 6510: Mrs. TORRES, Mr. BARLETTA, Mr. LONG, Mr. SCHWEIKERT, Mr. CAPUANO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. RASKIN, Ms. SCHAKOWSKY, Mr. RUIZ, Mr. PASCRELL, and Mr. LOEBSACK.
 H.R. 6512: Miss GONZÁLEZ-COLÓN of Puerto Rico.
 H.R. 6580: Mr. KING of New York and Mr. MACARTHUR.
 H.R. 6582: Mr. TIPTON and Mr. KING of New York.
 H.R. 6589: Mr. BLUMENAUER and Mr. CURBELO of Florida.
 H.R. 6609: Mr. RASKIN and Ms. JACKSON LEE.
 H.R. 6626: Mr. GOTTHEIMER.
 H.R. 6689: Miss RICE of New York.
 H.R. 6733: Mr. HILL.
 H.R. 6734: Mr. CURBELO of Florida, Mr. RYAN of Ohio, Mr. COLE, Mr. MESSER, Mr. JONES, Mr. VELA, Mr. BILIRAKIS, Mr. ELLISON, Mr. CALVERT, Mr. PANETTA, Ms. KUSTER of New Hampshire, Mr. LONG, and Mr. TROTT.
 H.R. 6756: Mrs. BLACKBURN, Mr. MITCHELL, and Mr. ESTES of Kansas.
 H.R. 6757: Mrs. BLACKBURN, Mrs. COMSTOCK, Mr. HILL, and Mr. ESTES of Kansas.
 H.R. 6760: Mrs. BLACKBURN, Mr. MITCHELL, Mr. SESSIONS, Mr. ESTES of Kansas, Mr. ABRAHAM, Mr. MARSHALL, Mr. KINZINGER, Mr. BANKS of Indiana, Mr. CHABOT, Mr. STIVERS, Mr. GUTHRIE, Mr. ARRINGTON, Mr. ALLEN, and Mr. GIANFORTE.
 H.R. 6774: Mr. KELLY of Pennsylvania and Mr. COOK.
 H.R. 6805: Ms. WASSERMAN SCHULTZ, Ms. PLASKETT, Mr. NADLER, Mr. JOHNSON of Georgia, Mr. DESAULNIER, Mr. MCGOVERN, Mr. LOWENTHAL, Mr. CARSON of Indiana, Mr. TAKANO, Mr. ELLISON, Mr. GOMEZ, Mr. ESPAILLAT, Mr. EVANS, Mr. GENE GREEN of Texas, Mr. HASTINGS, Mr. HIGGINS of New York, Mr. CUMMINGS, Mr. CORREA, Mr. KHANNA, Mr. MCNERNEY, Mr. BLUMENAUER, Mr. COHEN, Mr. THOMPSON of Mississippi, and Mr. BRADY of Pennsylvania.
 H.R. 6821: Ms. STEFANIK.
 H. Con. Res. 72: Mr. DEUTCH and Ms. SCHAKOWSKY.
 H. Res. 69: Mr. STIVERS and Mr. RASKIN.
 H. Res. 199: Mr. WITTMAN.
 H. Res. 768: Mrs. DINGELL and Mr. SIRES.
 H. Res. 993: Mr. LAWSON of Florida, Mr. PETERSON, Mr. GROTHMAN, Mr. YODER, Mr. GOMEZ, and Mr. COHEN.
 H. Res. 1031: Ms. DELBENE and Mr. KILDEE.
 H. Res. 1057: Ms. SCHAKOWSKY and Ms. NORTON.
 H. Res. 1060: Ms. MOORE, Ms. SCHAKOWSKY, Mr. SEAN PATRICK MALONEY of New York, Mr. MEEKS, Ms. JACKSON LEE, and Mr. RASKIN.
 H. Res. 1065: Mrs. BLACK.

THURSDAY, SEPTEMBER 20, 2018 (131)

¶131.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MESSER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
September 20, 2018.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶131.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to section 3(a) of House Resolution 1059, the Journal of the proceedings of Monday, September 17, 2018, was approved.

¶131.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6280. A letter from the USDA/FSA Regulatory Review Group, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's Major final rule — Market Facilitation Program (RIN: 0560-AI42) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6281. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's interim final rule — Summaries of Rights Under the Fair Credit Reporting Act (Regulation V) [Docket No.: CFPB-2018-0025] (RIN: 3170-AA82) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6282. A letter from the Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's interpretive and procedural rule — Partial Exemptions From the Requirements of the Home Mortgage Disclosure Act Under the Economic Growth, Regulatory Relief, and Consumer Protection Act (Regulation C) (RIN: 3170-AA81) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6283. A letter from the Acting Executive Director, Consumer Product Safety Commission, transmitting the Commission's Annual Report for FY 2017, pursuant to 15 U.S.C. 2076(j); Public Law 92-573, Sec. 27(j) (as amended by Public Law 110-314, Sec. 209(a)); (122 Stat. 3046); to the Committee on Energy and Commerce.

6284. A letter from the Chief, Market Disputes Resolution Division, Enforcement Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Procedural Rules Governing Formal Complaint Proceedings Delegated to the Enforcement Bureau [EB Docket No.: 17-245] received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6285. A letter from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System [PS Docket No.: 15-94]; Wireless Emergency Alerts [PS Docket No.: 15-91] received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6286. A communication from the President of the United States, transmitting a notification that the national emergency declared with respect to persons who commit, threat-

en to commit, or support terrorism, declared in Executive Order 13224 of September 23, 2001, is to continue in effect beyond September 23, 2018, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—154); to the Committee on Foreign Affairs and ordered to be printed.

6287. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Addition of Certain Entities to the Entity List, Revisions of Entries on the Entity List and Removal of Certain Entities from the Entity List [Docket No.: 180718671-8671-01] (RIN: 0694-AH57) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6288. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-32, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6289. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-139, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6290. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-024, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6291. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Roanoke River, Plymouth, NC [Docket No.: USCG-2018-0771] (RIN: 1625-AA08) received September 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6292. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Removal of Dispute Resolution Pilot Program for Public Assistance Appeals [Docket ID: FEMA-2018-0015] (RIN: 1660-AA94) received September 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6293. A letter from the Chief, Trade and Commercial Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Extension of Import Restrictions Imposed on Archaeological Material from Cambodia [CBP Dec. 18-11] (RIN: 1515-AE40) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6294. A letter from the Acting Commissioner, Social Security Administration, transmitting a report on Supplemental Security Income (SSI) Non-medical Redeterminations for FY 2013, pursuant to Public Law 112-74; to the Committee on Ways and Means.

¶131.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 18, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 18, 2018, at 11:11 a.m.:

That the Senate passed S. 2554.

That the Senate passed with an amendment H.R. 6.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶131.5 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 18, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 18, 2018, at 3:10 p.m.:

That the Senate agrees to the report of the committee of the conference H.R. 6157.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶131.6 COMMUNICATION FROM THE
MINORITY LEADER—APPOINTMENT—
ELECTION ASSISTANCE COMMISSION
BOARD OF ADVISORS

The SPEAKER pro tempore, Mr. MESSER, laid before the House the following communication, which was read as follows:

SEPTEMBER 19, 2018.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, U.S. Capitol, Washington, DC.

DEAR MR. SPEAKER: Pursuant to Section 214(a) of the Help America Vote Act of 2002 (52 U.S.C. 20944), I hereby reappoint Dr. Philip B. Stark of Berkeley, CA to the U.S. Election Assistance Commission Board of Advisors.

Thank you for your attention to his appointment.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶131.7 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 97. An Act to enable civilian research and development of advanced nuclear energy technologies by private and public institutions, to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science, and for other purposes.

S. 2946. An Act to amend title 18, United States Code, to clarify the meaning of the terms “act of war” and “blocked asset”, and for other purposes.

And then,

¶131.8 ADJOURNMENT

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 3(b) of House Resolution 1059, at 9 o'clock and 34 minutes a.m., declared the House adjourned until 10:30 a.m. on Monday, September 24, 2018.

¶131.9 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3744. A bill to provide that an Indian group may receive Federal acknowledgment as an Indian tribe only by an Act of Congress; with an amendment (Rept. 115-953). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5556. A bill to provide for transparency and reporting related to direct and indirect costs incurred by the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration, and the Southeastern Power Administration related to compliance with any Federal environmental laws impacting the conservation of fish and wildlife, and for other purposes; with an amendment (Rept. 115-954). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6106. A bill to amend the Energy Policy Act of 2005 to clarify the authorized categorical exclusions and authorize additional categorical exclusions to streamline the oil and gas permitting process, and for other purposes; with an amendment (Rept. 115-955). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT. Committee on Small Business. H.R. 6368. A bill to encourage R&D small business set-asides, to encourage SBIR and STTR participants to serve as mentors under the Small Business Administration's mentor-protégé program, to promote the use of interagency contracts, and for other purposes (Rept. 115-956, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶131.10 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Oversight and Government Reform and Science, Space, and Technology discharged from further consideration. H.R. 6368 referred to the Committee of the Whole House on the state of the Union.

¶131.11 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BISHOP of Utah:

H.R. 6843. A bill to provide for increased recreation, conservation, economic use, and sound balanced management of lands in northern Utah; to the Committee on Natural Resources.

By Mrs. BLACKBURN:

H.R. 6844. A bill to amend title 18, United States Code, to prohibit awarding credit toward service of sentences for satisfactory behavior for certain drug offenses; to the Committee on the Judiciary.

By Mr. GOWDY (for himself and Mr. GOODLATTE):

H.R. 6845. A bill to amend title 18, United States Code, to provide for assistance for victims of child pornography, and for other purposes; to the Committee on the Judiciary.

By Mr. DIAZ-BALART:

H.R. 6846. A bill to require the United States Postal Service to establish new ZIP codes, and for other purposes; to the Committee on Oversight and Government Reform.

By Mrs. ROBY:

H.R. 6847. A bill to amend title 18, United States Code, to expand and strengthen Federal sex offenses, to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006, and for other purposes; to the Committee on the Judiciary.

By Mr. BISHOP of Michigan (for himself and Mr. COFFMAN):

H.R. 6848. A bill to direct the Secretary of Veterans Affairs to ensure that certain Department of Veterans Affairs medical centers have physical locations for the disposal of controlled substances medications; to the Committee on Veterans' Affairs.

By Mr. BUDD:

H.R. 6849. A bill to amend title 31, United States Code, to encourage the use of technological innovations, and for other purposes; to the Committee on Financial Services.

By Mr. LOUDERMILK:

H.R. 6850. A bill to update thresholds for certain currency transaction reports and suspicious activity reports, and for other purposes; to the Committee on Financial Services.

By Mr. EMMER:

H.R. 6851. A bill to direct the Attorney General to assess the usefulness of Bank Secrecy Act reporting, and for other purposes; to the Committee on Financial Services.

By Mrs. COMSTOCK:

H.R. 6852. A bill to amend the Authorization for Capital and Preventive Maintenance Projects for the Washington Metropolitan Area Transit Authority and the National Capital Area Interest Arbitration Standards Act of 1995, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. HILL:

H.R. 6853. A bill to amend title 31, United States Code, with respect to sharing of suspicious activity reports within a financial group, and for other purposes; to the Committee on Financial Services.

By Mr. HOLDING (for himself, Mr. ROUZER, and Mr. RICE of South Carolina):

H.R. 6854. A bill to provide tax relief for the victims of Hurricane Florence, and for other purposes; to the Committee on Ways and Means.

By Mr. MACARTHUR (for himself, Mr. NORCROSS, Mr. PASCRELL, Mr. LOBIONDO, Mr. PAYNE, Mr. LANCE, Mr. FRELINGHUYSEN, Mr. SIREN, Mrs. WATSON COLEMAN, Mr. SMITH of New Jersey, Mr. GOTTHEIMER, and Mr. FALLONE):

H.R. 6855. A bill to amend title XVIII of the Social Security Act to codify and permanently extend the Medicare hospital wage index imputed rural floor; to the Committee on Ways and Means.

By Ms. MCCOLLUM:

H.R. 6856. A bill to extend certain authorities relating to United States efforts to combat HIV/AIDS, tuberculosis, and malaria globally, and for other purposes; to the Committee on Foreign Affairs.

By Ms. NORTON:

H.R. 6857. A bill to amend the Public Health Service Act to increase the maximum limit on the number of special masters allowed in the United States Court of Federal

Claims, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PEARCE:

H.R. 6858. A bill to require the Treasury to take a more prominent role in coordinating AML/CFT policy and examinations across the Government, and for other purposes; to the Committee on Financial Services.

By Mr. SERRANO (for himself, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. VELÁZQUEZ, and Mr. SOTO):

H.R. 6859. A bill to alter the Federal share of certain disaster assistance provided with respect to Puerto Rico in connection with Hurricanes Irma and Maria, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. TAYLOR (for himself and Mr. PANETTA):

H.R. 6860. A bill to amend title 38, United States Code, to extend the period in which members of the uniformed services may transfer entitlement to educational assistance under Post-9/11 Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ZELDIN:

H.R. 6861. A bill to amend title 31, United States Code, with respect to FinCEN no-action letters, and for other purposes; to the Committee on Financial Services.

By Mr. MCCARTHY:

H. Res. 1071. A resolution recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens; to the Committee on the Judiciary.

By Mr. PAULSEN (for himself and Mr. COHEN):

H. Res. 1072. A resolution expressing support for the designation of September 2018 as "Pulmonary Fibrosis Awareness Month"; to the Committee on Energy and Commerce.

By Mr. JOHNSON of Georgia (for himself, Ms. JAYAPAL, Mr. MCGOVERN, Ms. NORTON, Ms. SCHAKOWSKY, Mr. CARSON of Indiana, Mr. COHEN, Mr. LARSEN of Washington, Ms. JACKSON LEE, Mr. HASTINGS, Mr. ESPAILLAT, Mr. KHANNA, Mr. ELLISON, Ms. MOORE, Mr. DANNY K. DAVIS of Illinois, Mr. RASKIN, Ms. LEE, Ms. WASSERMAN SCHULTZ, Ms. VELÁZQUEZ, Mr. GUTIERREZ, Mr. BEYER, Mr. POCAN, Mr. SMITH of Washington, Mr. DESAULNIER, Mrs. WATSON COLEMAN, Ms. BASS, Mr. MEEKS, Ms. CLARKE of New York, Mr. GRIJALVA, Mr. BROWN of Maryland, Mr. PALLONE, Mr. CARBAJAL, Mrs. DINGELL, Ms. BARRAGÁN, Ms. ESHOO, Mr. GALLEGO, Mr. PANETTA, Mr. BLUMENAUER, Ms. MCCOLLUM, Mr. SIREN, Mr. CORREA, Mr. CICILLINE, Mr. BEN RAY LUJÁN of New Mexico, Mr. VARGAS, Mr. WELCH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. KILDEE, Mr. KEATING, Ms. DEGETTE, Ms. ROYBAL-ALLARD, Ms. HANABUSA, and Mr. DOGGETT):

H. Res. 1073. A resolution expressing the sense of the House of Representatives that the Presidential Determination of the annual refugee admissions limit in fiscal year 2019 shall be no less than 110,000 and that President Trump and his administration must operate the United States Refugee Admissions Program (USRAP) in good faith; to the Committee on the Judiciary.

By Ms. NORTON:

H. Res. 1074. A resolution recognizing the historic abolitionist events surrounding the Pearl, and honoring its legacy in American history; to the Committee on Oversight and Government Reform.

By Mr. SMITH of New Jersey (for himself and Ms. JENKINS of Kansas):

H. Res. 1075. A resolution expressing support for designation of the week of Sep-

tember 23 through September 29, 2018, as "Gold Star Families Remembrance Week"; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

131.12 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 159: Mr. COHEN.
H.R. 564: Mr. THORNBERRY.
H.R. 592: Mr. ARRINGTON.
H.R. 754: Mr. MARSHALL.
H.R. 762: Mr. DIAZ-BALART and Mr. HASTINGS.
H.R. 930: Mr. GOMEZ.
H.R. 947: Mr. HIMES.
H.R. 1102: Ms. BASS.
H.R. 1247: Mr. COOPER.
H.R. 1291: Mrs. BUSTOS, Mr. VELA, and Mr. PANETTA.
H.R. 1300: Ms. KUSTER of New Hampshire and Ms. ESTY of Connecticut.
H.R. 1318: Mrs. TORRES.
H.R. 1439: Ms. WASSERMAN SCHULTZ.
H.R. 1447: Ms. ADAMS, Mr. GOTTHEIMER, Mr. THOMPSON of Mississippi, Ms. GABBARD, Mr. LAMB, and Mr. SIREN.
H.R. 1515: Ms. JAYAPAL, Mr. DEFazio, Mr. GOTTHEIMER, and Ms. ADAMS.
H.R. 1516: Mr. HIMES.
H.R. 1552: Mr. KING of Iowa.
H.R. 1683: Mr. CLEAVER.
H.R. 1734: Mr. VALADAO.
H.R. 1874: Mr. GALLEGO.
H.R. 1890: Mr. SCHWEIKERT.
H.R. 1957: Mr. DEFazio, Mr. PERLMUTTER, Mr. SUOZZI, Mr. JEFFRIES, Mr. NEAL, Ms. HANABUSA, Ms. GABBARD, Mr. CROWLEY, Mr. ELLISON, Mr. SIREN, Mr. VELA, Ms. DELAULO, Mr. LAMB, and Mr. THOMPSON of Mississippi.
H.R. 1960: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 1987: Mr. LOWENTHAL.
H.R. 2092: Mr. NORMAN.
H.R. 2119: Ms. SHEA-PORTER, Mr. SUOZZI, Mr. GOTTHEIMER, Ms. HANABUSA, Mr. NEAL, Mr. JEFFRIES, Mrs. DINGELL, Mr. CROWLEY, Mr. VELA, Ms. DELAULO, Mr. SIREN, Mr. JOHNSON of Georgia, Mr. LAMB, Mr. VEASEY, Mr. THOMPSON of Mississippi, and Ms. GABBARD.
H.R. 2315: Mr. PITTINGER and Mr. HOLLINGSWORTH.
H.R. 2472: Mr. SESSIONS.
H.R. 2498: Mr. MOULTON, Mrs. BEATTY, Mr. TONKO, Ms. LOFGREN, Ms. JAYAPAL, Ms. GABBARD, and Mr. THOMPSON of Mississippi.
H.R. 2978: Mr. GOTTHEIMER, Ms. BORDALLO, and Ms. GABBARD.
H.R. 3222: Mr. GOTTHEIMER, Mr. SUOZZI, Mr. NEAL, Mr. NADLER, Mrs. DINGELL, Mr. VELA, Mr. CROWLEY, Mr. LAMB, Mr. THOMPSON of Mississippi, and Ms. GABBARD.
H.R. 3395: Mr. SMUCKER.
H.R. 3520: Mr. ESPAILLAT, Mrs. BEATTY, Mr. SCHNEIDER, Ms. BROWNLEY of California, Mr. GOTTHEIMER, Ms. ADAMS, and Mr. SIREN.
H.R. 3773: Mr. HECK and Mr. DOGGETT.
H.R. 4099: Mr. JOHNSON of Ohio, Mr. PITTINGER, Ms. GRANGER, Mr. CONNOLLY, and Mr. ROUZER.
H.R. 4106: Ms. NORTON.
H.R. 4107: Mr. COHEN, Mr. BISHOP of Utah, Mr. COOK, Mr. BROOKS of Alabama, and Mr. PRICE of North Carolina.
H.R. 4253: Mr. NADLER.
H.R. 4256: Mr. ROE of Tennessee, Mr. SCHRADER, Mr. TAYLOR, and Mr. BISHOP of Georgia.
H.R. 4548: Ms. BASS.
H.R. 4556: Mr. GUTIERREZ and Mr. REED.
H.R. 4732: Mr. LOEBSACK, Mr. THOMPSON of California, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Ms. JENKINS of Kansas.

H.R. 4944: Mr. POLIS.
H.R. 4953: Mr. CURELO of Florida.
H.R. 5090: Ms. TITUS.
H.R. 5141: Mr. RUTHERFORD.
H.R. 5145: Mr. YARMUTH.
H.R. 5306: Mr. CARSON of Indiana.
H.R. 5374: Mr. THOMPSON of Mississippi, Ms. GABBARD, Mrs. DEMINGS, Ms. ADAMS, Mr. GOTTHEIMER, and Mr. LAMB.
H.R. 5761: Mr. MCNERNEY.
H.R. 5902: Mr. TED LIEU of California.
H.R. 5903: Mr. CULBERSON.
H.R. 5913: Mrs. MIMI WALTERS of California.
H.R. 6033: Mr. JEFFRIES, Mr. SUOZZI, Mr. GOTTHEIMER, Ms. HANABUSA, Mr. NEAL, Mr. SCHRADER, Ms. KAPTUR, Mr. CASTRO of Texas, Mr. PASCRELL, Mr. SIREN, Ms. DELAULO, Mr. ELLISON, and Mr. THOMPSON of Mississippi.
H.R. 6048: Mr. NADLER, Mr. LOWENTHAL, Mr. BEN RAY LUJÁN of New Mexico, Ms. BONAMICI, Ms. LEE, Mr. MEEKS, Mr. MOULTON, Ms. MICHELLE LUJAN GRISHAM of New Mexico, and Ms. MENG.
H.R. 6060: Mr. LOWENTHAL.
H.R. 6080: Ms. BASS, Mr. GRIJALVA, and Miss RICE of New York.
H.R. 6093: Mr. O'ROURKE.
H.R. 6105: Mr. WITTMAN.
H.R. 6145: Mr. CÁRDENAS.
H.R. 6207: Ms. BROWNLEY of California and Mr. FITZPATRICK.
H.R. 6252: Mr. RYAN of Ohio, Mr. MCNERNEY, and Mr. ENGEL.
H.R. 6268: Mr. FRANCIS ROONEY of Florida.
H.R. 6409: Mr. PANETTA.
H.R. 6410: Mrs. LAWRENCE.
H.R. 6421: Mr. WALBERG.
H.R. 6469: Mr. TAKANO.
H.R. 6471: Mr. SMITH of Missouri.
H.R. 6495: Mr. KHANNA.
H.R. 6506: Mr. OLSON.
H.R. 6510: Mr. CASTRO of Texas, Mr. KILDEE, and Mr. PRICE of North Carolina.
H.R. 6517: Mr. TONKO, Ms. JACKSON LEE, and Mr. TED LIEU of California.
H.R. 6527: Mr. CICILLINE.
H.R. 6580: Mr. FORTENBERRY.
H.R. 6582: Ms. BONAMICI.
H.R. 6606: Mr. SMUCKER.
H.R. 6609: Mr. MEEKS.
H.R. 6618: Mr. PETERS.
H.R. 6626: Mrs. WATSON COLEMAN.
H.R. 6631: Ms. LEE.
H.R. 6664: Mr. SMITH of Texas.
H.R. 6683: Mr. POSEY.
H.R. 6684: Ms. JACKSON LEE.
H.R. 6692: Mr. TAKANO, Mr. MCGOVERN, and Mr. COHEN.
H.R. 6698: Ms. KELLY of Illinois.
H.R. 6703: Mr. GOODLATTE.
H.R. 6728: Mr. CRAMER.
H.R. 6734: Mr. SEAN PATRICK MALONEY of New York, Mr. AUSTIN SCOTT of Georgia, Mr. RUSSELL, Mr. YOUNG of Alaska, Mr. THOMAS J. ROONEY of Florida, Mr. TAYLOR, Mr. KING of Iowa, Mr. NUNES, Mr. MOONEY of West Virginia, Mr. THOMPSON of Pennsylvania, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. RUPERSBERGER, Mr. JOHNSON of Georgia, Mr. GAETZ, Ms. JAYAPAL, Mr. TAKANO, Mr. RUSH, Mr. GALLEGO, Mr. VALADAO, and Mr. GIANFORTE.
H.R. 6747: Mr. RODNEY DAVIS of Illinois and Mr. UPTON.
H.J. Res. 48: Ms. JACKSON LEE, Mr. CARSON of Indiana, Ms. ESTY of Connecticut, and Ms. BARRAGÁN.
H. Res. 274: Mr. RUTHERFORD, Mr. SHIMKUS, and Ms. MATSUI.
H. Res. 586: Mr. SIREN.
H. Res. 757: Mr. CRIST.
H. Res. 931: Mrs. WAGNER, Mr. DANNY K. DAVIS of Illinois, and Mr. CHABOT.
H. Res. 993: Mr. BERA, Mr. MCNERNEY, Mr. TAKANO, Ms. SÁNCHEZ, Mr. HIMES, and Ms. SPEIER.
H. Res. 1031: Ms. LEE and Ms. JACKSON LEE.
H. Res. 1035: Mrs. HARTZLER.
H. Res. 1043: Ms. GABBARD, Ms. ESHOO, Mr. CARBAJAL, Mr. SARBANES, Ms. SCHAKOWSKY,

Mr. DESAULNIER, Ms. SINEMA, Mr. SMITH of Washington, Mr. LOWENTHAL, Mr. BERA, Mr. KIND, and Mr. COFFMAN.

H. Res. 1057: Ms. JACKSON LEE.

MONDAY, SEPTEMBER 24, 2018 (132)

¶132.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BUCSHON, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

September 24, 2018.

I hereby appoint the Honorable LARRY BUCSHON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶132.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BUCSHON, announced that, pursuant to section 3(a) of House Resolution 1059, the Journal of the proceedings of Thursday, September 20, 2018, was approved.

¶132.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6295. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Colorado; Increased Assessment Rate for Area No. 2 [Doc. No.: AMS-SC-18-0022; SC18-948-1 FR] September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6296. A letter from the Acting Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Establishing a Performance Standard for Authorizing the Importation and Interstate Movement of Fruits and Vegetables [Docket No.: APHIS-2010-0082] (RIN: 0579-AD71) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6297. A letter from the Director, Office of Management and Budget, transmitting a request for additional fiscal year 2019 funding in the amount of \$13 million for the Department of the Treasury's Departmental Offices (H. Doc. No. 115—156); to the Committee on Appropriations and ordered to be printed.

6298. A communication from the President of the United States, transmitting designation for Overseas Contingency Operations/Global War on Terrorism all funding so designated by the Congress, in accordance with Section 401 of Division C of the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019 (H.R. 5895) (H. Doc. No. 115—157); to the Committee on Appropriations and ordered to be printed.

6299. A letter from the Program Analyst, Office of Managing Director, Federal Communications Commission, transmitting the Commission's final rule — Assessment and Collection of Regulatory Fees for Fiscal Year 2018 [MD Docket No.: 18-175] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6300. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Rural Call Completion [WC Docket No.: 13-39] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6301. A letter from the Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting the Commission's management directive — The Rule Making Process [MD 6.3] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6302. A letter from the Principle Deputy Assistant Secretary — Water and Science, National Park Service, Department of the Interior, transmitting the Department's final rule — Transporting Bows and Crossbows Across National Park System Units [Docket ID.: NPS-2018-0003; NPS-WASO-25595; PPWOVPADU/PPMPRL1Y.Y00000] (RIN: 1024-AE44) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6303. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Section 965 Inclusions and RIC Excise Taxes (Rev. Proc. 2018-47) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6304. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2018 Section 43 Inflation Adjustment (Notice 2018-49) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6305. A communication from the President of the United States, transmitting notification of an Executive Order that takes additional steps with respect to the national emergency declared with respect to Executive Order 13660 of March 6, 2014, as expanded in scope and relied upon for additional steps taken in subsequent Executive Orders, and Executive Order 13694 of April 1, 2015, as relied upon for additional steps taken in Executive Order 13757 of December 28, 2016, pursuant to 50 U.S.C. 1703(b); Public Law 95-223 Sec. 204(b); (91 Stat. 1627) (H. Doc. No. 115—155); jointly to the Committees on Foreign Affairs, Financial Services, and the Judiciary and ordered to be printed.

¶132.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BUCSHON, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 20, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 20, 2018, at 2:21 p.m.:

That the Senate passed S. 3479.

That the Senate agreed to S. Con Res. 47.

That the Senate passed without amendment H.R. 698.

That the Senate passed with an amendment H.R. 46.

That the Senate passed with an amendment H.R. 1551.

Appointment:
Public Safety Officer Medal of Valor Review Board

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶132.5 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 18, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 1109. An Act to amend section 203 of the Federal Power Act.

H.R. 5895. An Act making consolidated appropriation for Energy and Water Development, the Legislative Branch, Military Construction, Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes.

H.R. 589. An Act to establish Department of Energy policy science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes.

And then,

¶132.6 ADJOURNMENT

The SPEAKER pro tempore, Mr. BUCSHON, pursuant to section 3(b) of House Resolution 1059, at 10 o'clock and 33 minutes a.m., declared the House adjourned until noon on Tuesday, September 25, 2018.

¶132.7 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 6756. A bill to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes; with an amendment (Rept. 115—957). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 6760. A bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses; with an amendment (Rept. 115—958). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 6757. A bill to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; with an amendment (Rept. 115—959, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

¶132.8 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Education and the Workforce discharged from further consideration. H.R. 6757 referred to the Committee of the Whole House on the state of the Union.

¶132.9 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BRAT (for himself and Mr. DeSAULNIER):

H.R. 6862. A bill to reauthorize the Congressional Award Act; to the Committee on Education and the Workforce.

By Mr. PEARCE:

H.R. 6863. A bill to name the Department of Veterans Affairs community-based outpatient clinic in Las Cruces, New Mexico, as the "Las Cruces Bataan Memorial Clinic"; to the Committee on Veterans' Affairs.

By Ms. DELBENE (for herself and Mr. JEFFRIES):

H.R. 6864. A bill to require the Federal Trade Commission to promulgate regulations related to sensitive personal information or behavioral data, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KUSTOFF of Tennessee:

H.R. 6865. A bill to direct the Comptroller General of the United States to conduct certain studies, and for other purposes; to the Committee on Financial Services.

By Mr. LAHOOD (for himself and Mrs. BUSTOS):

H.R. 6866. A bill to clarify exclusions from the definition of a deposit broker; to the Committee on Financial Services.

¶132.10 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 99: Mr. DeFAZIO.

H.R. 377: Mr. MASSIE.

H.R. 392: Mrs. BLACK.

H.R. 721: Mr. CROWLEY.

H.R. 1300: Mr. MCNERNEY and Ms. KAPTUR.

H.R. 1318: Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. LARSEN of Washington, and Ms. MCCOLLUM.

H.R. 1447: Mr. LAWSON of Florida.

H.R. 1515: Mr. LAMB, Ms. GABBARD, and Mr. THOMPSON of Mississippi.

H.R. 1957: Ms. TSONGAS, Mr. LAWSON of Florida, Ms. KELLY of Illinois, Mrs. BUSTOS, and Mr. VEASEY.

H.R. 2276: Mr. ROSS, Mr. GOSAR, and Mr. LARSON of Connecticut.

H.R. 2472: Mr. CARBAJAL.

H.R. 2832: Mr. CLOUD.

H.R. 3325: Mr. KINZINGER, Mr. HIMES, and Mr. BOST.

H.R. 3520: Mr. THOMPSON of Mississippi.

H.R. 3913: Mr. JOHNSON of Georgia.

H.R. 3988: Mr. POE of Texas.

H.R. 4691: Mr. ESPAILLAT, Mr. BLUMENAUER, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mrs. NAPOLITANO, Mr. HIGGINS of New York, Mr. SIRE, Mr. SWALWELL of California, Ms. ROYBAL-ALLARD, Mr. CICILLINE, Mr. DEUTCH, Ms. GABBARD, Mr. CLAY, Mrs. DAVIS of California, Mr. AGUILAR, Mr. COFFMAN, Mr. BUCHANAN, Mr. RASKIN, Mr. TED LIEU of California, and Mr. NADLER.

H.R. 4693: Mr. TED LIEU of California.

H.R. 4843: Mrs. BEATTY.

H.R. 5034: Mr. AGUILAR, Mr. POLIS, Mr. PERLMUTTER, and Mr. SUOZZI.

H.R. 5153: Mr. UPTON.

H.R. 5282: Mr. VALADAO, Mr. DUNCAN of South Carolina, Mr. CALVERT, and Mr. BARTON.

H.R. 5856: Mr. WESTERMAN.

H.R. 5858: Mr. CRIST.

H.R. 6410: Mr. SCHIFF.

H.R. 6525: Mr. RASKIN, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. WELCH, Mr. MEEKS, Ms. LOFGREN, and Mr. NADLER.

H.R. 6626: Mr. SMITH of New Jersey.

H.R. 6840: Mr. DeFAZIO.

H.R. 6846: Mr. ZELDIN and Ms. MENG.

H.R. 6859: Mr. GUTIERREZ.

H. Con. Res. 72: Ms. SINEMA and Ms. ROSELEHTINEN.

H. Res. 750: Mr. PRICE of North Carolina.

H. Res. 931: Mr. TED LIEU of California.

H. Res. 951: Mr. BANKS of Indiana.

H. Res. 993: Ms. JACKSON LEE.

H. Res. 1036: Ms. JACKSON LEE.

H. Res. 1057: Mr. RASKIN, Ms. EDDIE BEN-NICE JOHNSON of Texas, Mr. POCAN, and Mrs. DINGELL.

TUESDAY, SEPTEMBER 25, 2018 (133)

¶133.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. DENHAM, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
September 25, 2018.

I hereby appoint the Honorable JEFF DENHAM to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶133.2 RECESS—12:04 P.M.

The SPEAKER pro tempore, Mr. DENHAM, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 4 minutes p.m., until 2 p.m.

¶133.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. DESJARLAIS, called the House to order.

¶133.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. DESJARLAIS, announced he had examined and approved the Journal of the proceedings of Monday, September 24, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶133.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6306. A letter from the Secretary, Department of Veterans Affairs, transmitting a report of a violation of the Antideficiency Act, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

6307. A letter from the Doctrine Analyst, U.S. Army School of Music, JBLC-FS, Department of the Army, Department of Defense, transmitting the Department's final rule — Competition With Civilian Bands [Docket ID: USA-2017-HQ-0010] (RIN: 0702-AA83) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6308. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; New Jersey: Brigantine, City of, Atlantic County [Docket ID: FEMA-2018-0002; Internal Agency Docket No.: FEMA-8543] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6309. A letter from the Regulatory Specialist, LRA, Office of the Comptroller of the

Currency, Department of the Treasury, transmitting the Department's joint interim final rules — Expanded Examination Cycle for Certain Small Insured Depository Institutions and U.S. Branches and Agencies of Foreign Banks [Docket ID: OCC-2018-0014] (RIN: 1557-AE37) received September 21, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6310. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the NURSE Corps Loan Repayment and Scholarship Programs Report to Congress for FY 2017, pursuant to 42 U.S.C. 297n(h); July 1, 1944, ch. 373, title VIII, Sec. 846(h) (as amended by Public Law 107-205, Sec. 103(d)); (116 Stat. 814); to the Committee on Energy and Commerce.

6311. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the National Health Service Corps Report to Congress for the Year 2017, pursuant to 42 U.S.C. 254i; July 1, 1944, ch. 373, title III, Sec. 336A (as amended by Public Law 107-251, Sec. 307(b)); (116 Stat. 1649); to the Committee on Energy and Commerce.

6312. A letter from the Secretary, Department of Health and Human Services, transmitting a Declaration of a Public Health Emergency and Waiver and/or Modification of Certain HIPAA, and Medicare, Medicaid, and Children's Health Insurance Program Requirements (Hurricane Florence), pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630) and 42 U.S.C. 1320b-5(d); Aug. 14, 1935, ch. 531, title XI, Sec. 1135(d) (as added by Public Law 107-188, Sec. 143(a)); (116 Stat. 628); to the Committee on Energy and Commerce.

6313. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the 2017 National Healthcare Quality and Disparities Report, pursuant to 42 U.S.C. 299b-2(b)(2); Public Law 106-129, Sec. 2(a); (113 Stat. 1658); to the Committee on Energy and Commerce.

6314. A letter from the Assistant General Counsel for Regulatory Affairs, Office of General Counsel, Consumer Product Safety Commission, transmitting the Commission's direct final rule — Safety Standard for Automatic Residential Garage Door Operators [Docket No.: CPSC-2015-0025] received September 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6315. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Office of Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's final rule — Energy Conservation Program: Test Procedures for Integrated Light-Emitting Diode Lamps [EERE-2016-BT-TP-0037] (RIN: 1904-AD74) received September 21, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6316. A letter from the Deputy Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Current Good Manufacturing Practice, Hazard Analysis, and Risk-Based Preventive Controls for Human Food [Docket No.: FDA-2011-N-0920] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6317. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995, pursuant to 50 U.S.C. 1641(c); Public Law 94-

412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6318. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Venezuela that was declared in Executive Order 13692 of March 8, 2015, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6319. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's interim final rule — Revisions to the Requirements for Submissions of Exclusion Requests and Objections to Submitted Requests for Steel and Aluminum [Docket No.: 180227217-8217-02] (RIN: 0694-AH55) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6320. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Revisions to the Export Administration Regulations Based on the 2017 Missile Technology Control Regime Plenary Agreements [Docket No.: 170906871-7871-01] (RIN: 0694-AH46) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6321. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the text of the ILO Recommendation concerning "Employment and Decent Work for Peace and Resilience" (No. 205), adopted June 16, 2017, by the 106th Session of the International Labor Conference in Geneva, Switzerland; to the Committee on Foreign Affairs.

6322. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's Country Reports on Terrorism 2017, pursuant to Sec. 140 of the Foreign Relations Authorization Act for FY 1988 and 1989, as amended (22 U.S.C. 2656f); to the Committee on Foreign Affairs.

6323. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting two notifications of designation of acting officer, and nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6324. A letter from the Archivist of the United States, National Archives and Records Administration, transmitting the Administration's Commercial and Inherently Governmental Activities Inventory for FY 2018, pursuant to 31 U.S.C. 501 note; Public Law 105-270, Sec. 2(c)(1)(A); (112 Stat. 2382); to the Committee on Oversight and Government Reform.

6325. A letter from the Acting Deputy Chief, National Forest System, Department of Agriculture, transmitting the final map and perimeter boundary description for the Black Butte Wild and Scenic River, in California, added to the National Wild and Scenic Rivers System by Public Law 109-362, October 17, 2006, pursuant to 16 U.S.C. 1274(b); Public Law 90-542, Sec. 3(b) (as amended by Public Law 100-534, Sec. 501); (102 Stat. 2708); to the Committee on Natural Resources.

6326. A letter from the Principal Deputy Assistant Secretary — Water and Science, National Park Service, Department of the Interior, transmitting the Department's final rule — Special Regulations, Areas of the National Park System, Pea Ridge Na-

tional Military Park; Bicycles [Docket ID: NPS-2018-0004; NPS-PERI-25774; PPMWPERIS0 PPMSPDIZ.YM0000] (RIN: 1024-AE41) received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6327. A letter from the Acting Administrator, Environmental Protection Agency, transmitting a report titled, "Implementing the BEACH Act of 2000: 2018 Report to Congress", pursuant to 33 U.S.C. 1375a(a); Public Law 106-284, Sec. 7(a); (114 Stat. 876); to the Committee on Transportation and Infrastructure.

6328. A letter from the Director, Policy, Training, and Pricing Division, Office of Procurement, National Aeronautics and Space Administration, transmitting the Administration's direct final rule — NASA Federal Acquisition Regulation Supplement: Removal of Definitions (NFS Case 2018-N017) (RIN: 2700-AE46) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

6329. A letter from the Director, Policy, Training, and Pricing Division, Office of Procurement, National Aeronautics and Space Administration, transmitting the Administration's direct final rule — NASA Federal Acquisition Regulation Supplement: Removal of Reference to the Supplemental Rights in Data Special Works Policy and Associated Clause (NFS Case 2018-N016) (RIN: 2700-AE45) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

6330. A letter from the Director, Policy, Training, and Pricing Division, Office of Procurement, National Aeronautics and Space Administration, transmitting the Administration's direct final rule — NASA Federal Acquisition Regulation Supplement: Removal of Reference to the Shared Savings Policy and Associated Clause (NFS Case 2018-N008) (RIN: 2700-AE44) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Science, Space, and Technology.

6331. A letter from the Reg. Dev. Coord, Office of Regulation Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — Authority of Health Care Providers To Practice Telehealth (RIN: 2900-AQ06) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6332. A letter from the Reg. Dev. Coord, Office of Regulation Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — VA Acquisition Regulation: Contract Cost Principles and Procedures; Protests, Disputes and Appeals (RIN: 2900-AQ02) received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6333. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — REIT Foreign Income Inclusions (Revenue Procedure 2018-48) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6334. A letter from the Secretary, Department of Energy, transmitting a report titled, "Department of Energy Activities Relating to the Defense Nuclear Facilities Safety Board, Fiscal Year 2017", pursuant to Sec. 316(b) of the Atomic Energy Act of 1954, as amended; jointly to the Committees on Energy and Commerce and Armed Services.

6335. A letter from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting a legislative proposal, styled the, "National Priorities Security Grant Program Act"; jointly to the Committees on Homeland Security and Transportation and Infrastructure.

¶133.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. DESJARLAIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 25, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 25, 2018, at 11:49 a.m.:

That the Senate passed without amendment H.R. 2259.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶133.7 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENTS—CYBERSPACE SOLARIUM COMMISSION

The SPEAKER pro tempore, Mr. DESJARLAIS, laid before the House the following communication, which was read as follows:

SEPTEMBER 24, 2018.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives, U.S. Capitol, Washington, DC.

DEAR SPEAKER RYAN: Pursuant to Section 1652(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Pub. L. 115-232), I am pleased to appoint the following Member to serve as a Commissioner to the Cyberspace Solarium Commission:

The Honorable James Langevin of Rhode Island

And from private life:

The Honorable Patrick Murphy of Bristol, Pennsylvania

Thank you for your attention to these recommendations.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶133.8 VULNERABILITY DISCLOSURE POLICY FOR DHS

Mr. MCCAUL moved to suspend the rules and pass the bill (H.R. 6735) to direct the Secretary of Homeland Security to establish a vulnerability disclosure policy for Department of Homeland Security internet websites, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. DESJARLAIS, recognized Mr. MCCAUL and Mr. RICHMOND, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DESJARLAIS, announced that two-

thirds of the Members present had voted in the affirmative.

Mr. McCAUL objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. DESJARLAIS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶133.9 BORDER TUNNEL TASK FORCE

Mr. McCAUL moved to suspend the rules and pass the bill (H.R. 6740) to amend the Homeland Security Act of 2002 to establish Border Tunnel Task Forces, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. DESJARLAIS, recognized Mr. McCAUL and Mr. RICHMOND, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DESJARLAIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.10 PROTECTING CRITICAL INFRASTRUCTURE AGAINST DRONES AND EMERGING THREATS

Mr. McCAUL moved to suspend the rules and pass the bill (H.R. 6620) to require the Department of Homeland Security to prepare a threat assessment relating to unmanned aircraft systems, and for other purposes.

The SPEAKER pro tempore, Mr. DESJARLAIS, recognized Mr. McCAUL and Mr. RICHMOND, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. DESJARLAIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.11 SECURE BORDER COMMUNICATIONS

Mr. McCAUL moved to suspend the rules and pass the bill (H.R. 6742) to

amend the Homeland Security Act of 2002 to ensure that appropriate officers and agents of U.S. Customs and Border Protection are equipped with secure radios or other two-way communication devices, supported by system interoperability, and for other purposes.

The SPEAKER pro tempore, Mr. DESJARLAIS, recognized Mr. McCAUL and Mr. RICHMOND, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. DESJARLAIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.12 SERGEANT JOHN TOOMBS RESIDENTIAL REHABILITATION TREATMENT FACILITY

On motion of Mr. DESJARLAIS, by unanimous consent, the Committee on Veterans' Affairs was discharged from further consideration of the bill (H.R. 2634) to designate the Mental Health Residential Rehabilitation Treatment Facility Expansion of the Department of Veterans Affairs Alvin C. York Medical Center in Murfreesboro, Tennessee, as the "Sergeant John Toombs Residential Rehabilitation Treatment Facility".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.13 DEPARTMENT OF VETERANS AFFAIRS EXPIRING AUTHORITIES

Mr. ARRINGTON moved to suspend the rules and pass the bill of the Senate (S. 3479) to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

The SPEAKER pro tempore, Mr. DESJARLAIS, recognized Mr. ARRINGTON and Mr. TAKANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. MITCHELL, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶133.14 PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION

Mrs. BROOKS of Indiana, moved to suspend the rules and pass the bill (H.R. 6378) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MITCHELL, recognized Mrs. BROOKS of Indiana, and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MITCHELL, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to reauthorize certain programs under the Pandemic and All-Hazards Preparedness Reauthorization Act.".

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.15 NUCLEAR UTILIZATION OF KEYNOTE ENERGY

Mr. OLSON moved to suspend the rules and pass the bill (H.R. 1320) to amend the Omnibus Budget Reconciliation Act of 1990 related to Nuclear Regulatory Commission user fees and annual charges, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MITCHELL, recognized Mr. OLSON and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BROOKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.16 STRATEGIC PETROLEUM RESERVE REFORM

Mr. BARTON moved to suspend the rules and pass the bill (H.R. 6511) to authorize the Secretary of Energy to carry out a program to lease underutilized Strategic Petroleum Reserve facilities, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. BROOKS of Indiana, recognized Mr. BARTON and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BROOKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.17 WEST VALLEY DEMONSTRATION PROJECT

Mr. MCKINLEY moved to suspend the rules and pass the bill (H.R. 2389) to reauthorize the West Valley demonstration project, and for other purposes; as amended.

The SPEAKER pro tempore, Mrs. BROOKS of Indiana, recognized Mr. MCKINLEY and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mrs. BROOKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.18 PATIENT RIGHT TO KNOW DRUG PRICES

Mr. CARTER of Georgia, moved to suspend the rules and pass the bill of the Senate (S. 2554) to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

The SPEAKER pro tempore, Mrs. BROOKS of Indiana, recognized Mr. CARTER of Georgia, and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mrs. BROOKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶133.19 KNOW THE LOWEST PRICE

Mr. BURGESS moved to suspend the rules and pass the bill of the Senate (S. 2553) to amend title XVIII of the Social Security Act to prohibit health plans and pharmacy benefit managers from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.

The SPEAKER pro tempore, Mrs. BROOKS of Indiana, recognized Mr. BURGESS and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. RUTHERFORD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶133.20 RESPONSIBLE DISPOSAL

Mr. MCKINLEY moved to suspend the rules and pass the bill (H.R. 2278) to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado; as amended.

The SPEAKER pro tempore, Mr. RUTHERFORD, recognized Mr. MCKINLEY and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. RUTHERFORD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to extend the authorization of the Uranium Mill Tailings Radiation Control Act of 1978 relating to the disposal site in Mesa County, Colorado."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.21 SMALL BUSINESS ACCESS TO CAPITAL AND EFFICIENCY

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 6348) to adjust the real estate appraisal thresholds under the section 504 program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

The SPEAKER pro tempore, Mr. RUTHERFORD, recognized Mr. CHABOT and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. RUTHERFORD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.22 7(A) REAL ESTATE APPRAISAL HARMONIZATION

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 6347) to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

The SPEAKER pro tempore, Mr. RUTHERFORD, recognized Mr. CHABOT and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. EMMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.23 SMALL BUSINESS ADVOCACY IMPROVEMENTS

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 6316) to clarify the primary functions and duties of the Office of Advocacy of the Small Business Administration, and for other purposes.

The SPEAKER pro tempore, Mr. EMMER, recognized Mr. CHABOT and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. EMMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.24 SMALL BUSINESS RUNWAY EXTENSION

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 6330) to amend the Small Business Act to modify the method for prescribing size standards for business concerns.

The SPEAKER pro tempore, Mr. EMMER, recognized Mr. CHABOT and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. EMMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.25 INCENTIVIZING FAIRNESS IN SUBCONTRACTING

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 6367) to amend the Small Business Act to specify what credit is given for certain subcontractors and to provide a dispute process for non-payment to subcontractors, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. EMMER, recognized Mr. CHABOT and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PALMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was,

by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.26 ENCOURAGING SMALL BUSINESS INNOVATORS

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 6368) to encourage R&D small business set-asides, to encourage SBIR and STTR participants to serve as mentors under the Small Business Administration's mentor-protégé program, to promote the use of interagency contracts, and for other purposes.

The SPEAKER pro tempore, Mr. PALMER, recognized Mr. CHABOT and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PALMER, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CHABOT objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PALMER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶133.27 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 48. A concurrent resolution directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 1551.

¶133.28 EXPANDING CONTRACTING OPPORTUNITIES FOR SMALL BUSINESSES

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 6369) to amend the Small Business Act to eliminate the inclusion of option years in the award price for sole source contracts, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PALMER, recognized Mr. CHABOT and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PALMER, announced that two-thirds of the Members present had voted in the affirmative.

Mr. CHABOT objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PALMER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶133.29 CLARITY ON SMALL BUSINESS PARTICIPATION IN CATEGORY MANAGEMENT

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 6382) to amend the Small Business Act to require the Administrator of the Small Business Administration to report certain information to the Congress and to the President, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PALMER, recognized Mr. CHABOT and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PALMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.30 SMALL BUSINESS INNOVATION PROTECTION

Mr. CHABOT moved to suspend the rules and pass the bill of the Senate (S. 791) to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes.

The SPEAKER pro tempore, Mr. PALMER, recognized Mr. CHABOT and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PALMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶133.31 STUDY OF UNDERREPRESENTED CLASSES CHASING ENGINEERING AND SCIENCE SUCCESS

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 6758) to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the par-

participation of women and minorities in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office's authority to set the amounts for the fees it charges, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PALMER, recognized Mr. CHABOT and Mr. JOHNSON of Georgia, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PALMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women, minorities, and veterans in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office's authority to set the amounts for the fees it charges, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

133.32 ASHANTI ALERT COMMUNICATIONS NETWORK

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 5075) to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PALMER, recognized Mr. CHABOT and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PALMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

133.33 H.R. 6368—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PALMER, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6368) to encourage R&D small business set-asides, to encourage SBIR and STTR participants to serve as mentors under the Small Business Administration's mentor-protégé program, to promote the use of interagency contracts, and for other purposes.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. PALMER, announced that two-thirds of those present had voted in the affirmative.

Mr. THOMPSON of Pennsylvania, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 389
affirmative } Nays 6

133.34 [Roll No. 400]

YEAS—389

Abraham	Clyburn	Foster
Adams	Coffman	Fox
Aderholt	Cohen	Frankel (FL)
Aguiar	Cole	Frelinghuysen
Amodei	Collins (GA)	Fudge
Arrington	Collins (NY)	Gabbard
Babin	Comer	Gallagher
Bacon	Comstock	Galleo
Balderson	Conaway	Garamendi
Banks (IN)	Connolly	Garrett
Barr	Cook	Gianforte
Barragán	Cooper	Gibbs
Barton	Correa	Gohmert
Bass	Costa	Gomez
Beatty	Costello (PA)	Gonzalez (TX)
Bera	Courtney	Goodlatte
Bergman	Cramer	Gosar
Beyer	Crawford	Gottheimer
Bilirakis	Crist	Granger
Bishop (GA)	Crowley	Graves (GA)
Bishop (MI)	Cuellar	Graves (LA)
Black	Culberson	Graves (MO)
Blum	Curbelo (FL)	Green, Al
Blumenauer	Curtis	Green, Gene
Blunt Rochester	Davidson	Griffith
Bonamici	Davis (CA)	Grijalva
Bost	Davis, Rodney	Guthrie
Boyle, Brendan	DeFazio	Hanabusa
F.	DeGette	Handel
Brady (TX)	Delaney	Harper
Brat	DeLauro	Harris
Brooks (AL)	DelBene	Hartzer
Brooks (IN)	Demings	Hastings
Brown (MD)	Denham	Heck
Brownley (CA)	DeSaulnier	Hensarling
Buchanan	DesJarlais	Herrera Beutler
Buck	Diaz-Balart	Hice, Jody B.
Bucshon	Doggett	Higgins (LA)
Budd	Donovan	Higgins (NY)
Bustos	Doyle, Michael	Hill
Butterfield	F.	Himes
Byrne	Duffy	Holding
Calvert	Duncan (SC)	Hollingsworth
Carbajal	Duncan (TN)	Hoyer
Cárdenas	Dunn	Hudson
Carson (IN)	Emmer	Huffman
Carter (GA)	Engel	Huizenga
Carter (TX)	Españillat	Hultgren
Castor (FL)	Estes (KS)	Hunter
Chabot	Esty (CT)	Hurd
Cheney	Evans	Issa
Chu, Judy	Faso	Jackson Lee
Ciulline	Ferguson	Jayapal
Clark (MA)	Fitzpatrick	Jeffries
Clarke (NY)	Fleischmann	Jenkins (KS)
Cleaver	Flores	Johnson (GA)
Cloud	Fortenberry	Johnson (LA)

Johnson (OH)	Meadows	Schweikert
Johnson, E. B.	Meng	Scott (VA)
Johnson, Sam	Messer	Scott, Austin
Jones	Mitchell	Scott, David
Joyce (OH)	Moolenaar	Sensenbrenner
Kaptur	Mooney (WV)	Serrano
Katko	Moore	Sessions
Keating	Moulton	Sewell (AL)
Kelly (IL)	Mullin	Shea-Porter
Kelly (MS)	Murphy (FL)	Sherman
Kelly (PA)	Nadler	Shimkus
Kennedy	Napolitano	Shuster
Khanna	Neal	Simpson
Kihuen	Newhouse	Sinema
Kildee	Noem	Sires
Kilmer	Norcross	Smith (MO)
Kind	Norman	Smith (NE)
King (IA)	Nunes	Smith (TX)
King (NY)	O'Halleran	Smith (WA)
Kinzinger	Olson	Smucker
Knight	Palazzo	Soto
Krishnamoorthi	Pallone	Speier
Kuster (NH)	Palmer	Stefanik
Kustoff (TN)	Panetta	Stivers
LaHood	Pascarell	Suozzi
LaMalfa	Paulsen	Swalwell (CA)
Lamb	Payne	Takano
Lamborn	Pearce	Taylor
Lance	Pelosi	Tenney
Langevin	Perlmutter	Thompson (CA)
Larsen (WA)	Perry	Thompson (MS)
Larson (CT)	Peters	Thompson (PA)
Latta	Peterson	Thornberry
Lawrence	Pingree	Tipton
Lawson (FL)	Pittenger	Titus
Lee	Pocan	Tonko
Lesko	Poe (TX)	Torres
Levin	Poliquin	Trott
Lewis (GA)	Polis	Tsongas
Lewis (MN)	Posey	Turner
Lieu, Ted	Price (NC)	Upton
Lipinski	Quigley	Valadao
LoBiondo	Raskin	Vargas
Loebach	Reed	Veasey
Lofgren	Reichert	Vela
Long	Rice (NY)	Velázquez
Loudermilk	Rice (SC)	Visclosky
Love	Richmond	Wagner
Lowenthal	Roby	Walberg
Lowe	Roe (TN)	Walden
Lucas	Rogers (AL)	Walker
Luetkemeyer	Rogers (KY)	Walorski
Lujan, Ben Ray	Rokita	Walters, Mimi
Lynch	Rooney, Francis	Wasserman
MacArthur	Ros-Lehtinen	Schultz
Maloney,	Rosen	Waters, Maxine
Carolyn B.	Roskam	Watson Coleman
Maloney, Sean	Ross	Weber (TX)
Marchant	Rothfus	Webster (FL)
Marino	Rouzer	Welch
Marshall	Roybal-Allard	Wenstrup
Mast	Royce (CA)	Westerman
Matsui	Ruiz	Williams
McCarthy	Ruppersberger	Wilson (SC)
McCaul	Rush	Wittman
McClintock	Russell	Womack
McCollum	Rutherford	Woodall
McEachin	Ryan (OH)	Yarmuth
McGovern	Sánchez	Yoder
McHenry	Sarbanes	Yoho
McKinley	Scalise	Young (AK)
McMorris	Schakowsky	Young (IA)
Rodgers	Schiff	Zeldin
McNerney	Schneider	
McSally	Schrader	

NAYS—6

Amash	Burgess	Massie
Biggs	Grothman	Sanford

NOT VOTING—33

Allen	Dingell	Nolan
Barletta	Ellison	O'Rourke
Bishop (UT)	Eshoo	Ratcliffe
Blackburn	Gaetz	Renacci
Brady (PA)	Gowdy	Rohrabacher
Capuano	Gutiérrez	Rooney, Thomas
Cartwright	Jenkins (WV)	J.
Castro (TX)	Jordan	Smith (NJ)
Clay	Labrador	Stewart
Cummings	Lujan Grisham,	Walz
Davis, Danny	M.	Wilson (FL)
Deutch	Meeks	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.35 H.R. 6369—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. MARSHALL, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6369) to amend the Small Business Act to eliminate the inclusion of option years in the award price for sole source contracts, and for other purposes; as amended.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MARSHALL, announced that two-thirds of those present had voted in the affirmative.

Mr. HUIZENGA demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 392
affirmative Nays 5

¶133.36 [Roll No. 401]

YEAS—392

Abraham	Chabot	Dunn
Adams	Cheney	Emmer
Aderholt	Chu, Judy	Engel
Aguilar	Cicilline	Espallat
Allen	Clark (MA)	Estes (KS)
Amodei	Clarke (NY)	Esty (CT)
Arrington	Cleaver	Evans
Babin	Cloud	Faso
Bacon	Clyburn	Ferguson
Balderson	Coffman	Fitzpatrick
Banks (IN)	Cohen	Fleischmann
Barr	Cole	Flores
Barragán	Collins (GA)	Fortenberry
Barton	Collins (NY)	Foster
Bass	Comer	Fox
Beatty	Comstock	Frankel (FL)
Bera	Conaway	Frelinghuysen
Bergman	Connolly	Fudge
Beyer	Cook	Gabbard
Bilirakis	Cooper	Gallagher
Bishop (GA)	Correa	Galleo
Bishop (MI)	Costa	Garamendi
Black	Costello (PA)	Garrett
Blum	Courtney	Gianforte
Blumenauer	Cramer	Gibbs
Blunt Rochester	Crawford	Gohmert
Bonamici	Crist	Gomez
Bost	Crowley	Gonzalez (TX)
Boyle, Brendan	Cuellar	Goodlatte
F.	Culberson	Gosar
Brady (TX)	Curbelo (FL)	Gottheimer
Brat	Curtis	Granger
Brooks (AL)	Davidson	Graves (GA)
Brooks (IN)	Davis (CA)	Graves (LA)
Brown (MD)	Davis, Rodney	Graves (MO)
Brownley (CA)	DeFazio	Green, Al
Buchanan	DeGette	Green, Gene
Buck	Delaney	Griffith
Bucshon	DeLauro	Grijalva
Budd	DelBene	Grothman
Burgess	Demings	Guthrie
Bustos	Denham	Hanabusa
Butterfield	DeSaulnier	Handel
Byrne	DesJarlais	Harper
Calvert	Diaz-Balart	Harris
Capuano	Doggett	Hartzler
Carbajal	Donovan	Hastings
Cárdenas	Doyle, Michael	Heck
Carson (IN)	F.	Hensarling
Carter (GA)	Duffy	Herrera Beutler
Carter (TX)	Duncan (SC)	Hice, Jody B.
Castor (FL)	Duncan (TN)	Higgins (LA)

Higgins (NY)	McCarthy	Sarbanes
Hill	McCaul	Scalise
Himes	McClintock	Schakowsky
Holding	McCollum	Schiff
Hollingsworth	McEachin	Schneider
Hoyer	McGovern	Schrader
Hudson	McHenry	Schweikert
Huffman	McKinley	Scott (VA)
Huizenga	McMorris	Scott, Austin
Hultgren	Rodgers	Scott, David
Hunter	McNerney	Sensenbrenner
Hurd	McSally	Serrano
Jackson Lee	Meadows	Sessions
Jayapal	Meng	Sewell (AL)
Jeffries	Messer	Shea-Porter
Jenkins (KS)	Mitchell	Sherman
Johnson (GA)	Moolenaar	Shimkus
Johnson (LA)	Mooney (WV)	Shuster
Johnson (OH)	Moore	Simpson
Johnson, E. B.	Moulton	Sinema
Johnson, Sam	Mullin	Sires
Jones	Murphy (FL)	Smith (MO)
Jordan	Nadler	Smith (NE)
Joyce (OH)	Napolitano	Smith (NJ)
Kaptur	Neal	Smith (WA)
Katko	Newhouse	Smucker
Keating	Noem	Soto
Kelly (IL)	Norcross	Speier
Kelly (MS)	Norman	Stefanik
Kelly (PA)	Nunes	Stivers
Kennedy	O'Halleran	Suozzi
Khanna	Olson	Swalwell (CA)
Kihuen	Palazzo	Takano
Kildee	Pallone	Taylor
Kilmer	Palmer	Tenney
Kind	Panetta	Thompson (CA)
King (NY)	Pascarell	Thompson (MS)
Kinziger	Paulsen	Thompson (PA)
Knight	Payne	Thornberry
Krishnamoorthi	Pearce	Tipton
Kuster (NH)	Pelosi	Titus
Kustoff (TN)	Perlmutter	Tonko
LaHood	Perry	Torres
LaMalfa	Peters	Trott
Lamb	Peterson	Tsongas
Lamborn	Pingree	Turner
Lance	Pittenger	Upton
Langevin	Pocan	Valadao
Larsen (WA)	Poe (TX)	Vargas
Larson (CT)	Poliquin	Veasey
Latta	Polis	Vela
Lawrence	Posey	Velázquez
Lawson (FL)	Price (NC)	Visclosky
Lee	Quigley	Wagner
Lesko	Raskin	Walberg
Levin	Reed	Walden
Lewis (GA)	Reichert	Walker
Lewis (MN)	Rice (NY)	Walorski
Lieu, Ted	Rice (SC)	Walters, Mimi
Lipinski	Richmond	Wasserman
LoBiondo	Roby	Schultz
Loeb sack	Roe (TN)	Waters, Maxine
Lofgren	Rogers (AL)	Watson Coleman
Long	Rogers (KY)	Weber (TX)
Loudermilk	Rokita	Webster (FL)
Love	Rooney, Francis	Welch
Lowenthal	Ros-Lehtinen	Wenstrup
Lowe	Rosen	Westerman
Lucas	Roskam	Williams
Luetkemeyer	Ross	Wilson (SC)
Luján, Ben Ray	Rothfus	Wittman
Lynch	Rouzer	Womack
MacArthur	Roybal-Allard	Woodall
Maloney	Royce (CA)	Yarmuth
Carolyn B.	Ruiz	Yoder
Maloney, Sean	Ruppersberger	Yoho
Marchant	Rush	Young (AK)
Marino	Russell	Young (IA)
Marshall	Rutherford	Zeldin
Mast	Ryan (OH)	
Matsui	Sánchez	

NAYS—5

Amash	King (IA)	Sanford
Biggs	Massie	

NOT VOTING—31

Barletta	Ellison	Nolan
Bishop (UT)	Eshoo	O'Rourke
Blackburn	Gaetz	Ratcliffe
Brady (PA)	Gowdy	Renacci
Cartwright	Gutiérrez	Rohrabacher
Castro (TX)	Issa	Rooney, Thomas
Clay	Jenkins (WV)	J.
Cummings	Labrador	Smith (TX)
Davis, Danny	Lujan Grisham,	Stewart
Deutch	M.	Walz
Dingell	Meeks	Wilson (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.37 H.R. 6735—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. MARSHALL, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6735) to direct the Secretary of Homeland Security to establish a vulnerability disclosure policy for Department of Homeland Security internet websites, and for other purposes; as amended.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MARSHALL, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.38 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO H.R. 6157, H. RES. 1071, AND MOTIONS TO SUSPEND THE RULES

Mr. COLLINS of Georgia, by direction of the Committee on Rules, reported (Rept. No. 115-976) the resolution (H. Res. 1077) providing for consideration of the conference report to accompany the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens; and providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶133.39 AMENDMENT OF THE SENATE TO H.R. 1551

On motion of Mr. COLLINS of Georgia, by unanimous consent, the bill (H.R. 1551) to amend the Internal Revenue Code of 1986 to modify the credit for production from advanced nuclear power facilities; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the “Orrin G. Hatch Music Modernization Act”.

(b) *TABLE OF CONTENTS*.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Customs user fees.

**TITLE I—MUSIC LICENSING
MODERNIZATION**

Sec. 101. Short title.

Sec. 102. Blanket license for digital uses and mechanical licensing collective.

Sec. 103. Amendments to section 114.

Sec. 104. Random assignment of rate court proceedings.

Sec. 105. Performing rights society consent decrees.

Sec. 106. Effective date.

**TITLE II—CLASSICS PROTECTION AND
ACCESS**

Sec. 201. Short title.

Sec. 202. Unauthorized use of pre-1972 sound recordings.

**TITLE III—ALLOCATION FOR MUSIC
PRODUCERS**

Sec. 301. Short title.

Sec. 302. Payment of statutory performance royalties.

Sec. 303. Effective date.

TITLE IV—SEVERABILITY

Sec. 401. Severability.

SEC. 2. CUSTOMS USER FEES.

Section 13031(j)(3)(A) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(j)(3)(A)) is amended by striking “October 13, 2027” and inserting “October 20, 2027”.

**TITLE I—MUSIC LICENSING
MODERNIZATION**

SEC. 101. SHORT TITLE.

This title may be cited as the “Musical Works Modernization Act”.

**SEC. 102. BLANKET LICENSE FOR DIGITAL USES
AND MECHANICAL LICENSING COL-
LECTIVE.**

(a) *AMENDMENT*.—Section 115 of title 17, United States Code, is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “IN GENERAL” after “AVAILABILITY AND SCOPE OF COMPULSORY LICENSE”;

(B) by striking paragraph (1) and inserting the following:

“(1) *ELIGIBILITY FOR COMPULSORY LICENSE*.—

“(A) *CONDITIONS FOR COMPULSORY LICENSE*.—A person may by complying with the provisions of this section obtain a compulsory license to make and distribute phonorecords of a nondramatic musical work, including by means of digital phonorecord delivery. A person may obtain a compulsory license only if the primary purpose in making phonorecords of the musical work is to distribute them to the public for private use, including by means of digital phonorecord delivery, and—

“(i) phonorecords of such musical work have previously been distributed to the public in the United States under the authority of the copyright owner of the work, including by means of digital phonorecord delivery; or

“(ii) in the case of a digital music provider seeking to make and distribute digital phonorecord deliveries of a sound recording embodying a musical work under a compulsory license for which clause (i) does not apply—

“(I) the first fixation of such sound recording was made under the authority of the musical work copyright owner, and the sound recording copyright owner has the authority of the musical work copyright owner to make and distribute digital phonorecord deliveries embodying such work to the public in the United States; and

“(II) the sound recording copyright owner, or the authorized distributor of the sound recording copyright owner, has authorized the digital

music provider to make and distribute digital phonorecord deliveries of the sound recording to the public in the United States.

“(B) *DUPLICATION OF SOUND RECORDING*.—A person may not obtain a compulsory license for the use of the work in the making of phonorecords duplicating a sound recording fixed by another, including by means of digital phonorecord delivery, unless—

“(i) such sound recording was fixed lawfully; and

“(ii) the making of the phonorecords was authorized by the owner of the copyright in the sound recording or, if the sound recording was fixed before February 15, 1972, by any person who fixed the sound recording pursuant to an express license from the owner of the copyright in the musical work or pursuant to a valid compulsory license for use of such work in a sound recording.”; and

(C) in paragraph (2), by striking “A compulsory license” and inserting “MUSICAL ARRANGEMENT.—A compulsory license”;

(2) by striking subsection (b) and inserting the following:

“(b) *PROCEDURES TO OBTAIN A COMPULSORY LICENSE*.—

“(1) *PHONORECORDS OTHER THAN DIGITAL PHONORECORD DELIVERIES*.—A person who seeks to obtain a compulsory license under subsection (a) to make and distribute phonorecords of a musical work other than by means of digital phonorecord delivery shall, before, or not later than 30 calendar days after, making, and before distributing, any phonorecord of the work, serve notice of intention to do so on the copyright owner. If the registration or other public records of the Copyright Office do not identify the copyright owner and include an address at which notice can be served, it shall be sufficient to file the notice of intention with the Copyright Office. The notice shall comply, in form, content, and manner of service, with requirements that the Register of Copyrights shall prescribe by regulation.

“(2) *DIGITAL PHONORECORD DELIVERIES*.—A person who seeks to obtain a compulsory license under subsection (a) to make and distribute phonorecords of a musical work by means of digital phonorecord delivery—

“(A) prior to the license availability date, shall, before, or not later than 30 calendar days after, first making any such digital phonorecord delivery, serve a notice of intention to do so on the copyright owner (but may not file the notice with the Copyright Office, even if the public records of the Office do not identify the owner or the owner’s address), and such notice shall comply, in form, content, and manner of service, with requirements that the Register of Copyrights shall prescribe by regulation; or

“(B) on or after the license availability date, shall, before making any such digital phonorecord delivery, follow the procedure described in subsection (d)(2), except as provided in paragraph (3).

“(3) *RECORD COMPANY INDIVIDUAL DOWNLOAD LICENSES*.—Notwithstanding paragraph (2)(B), a record company may, on or after the license availability date, obtain an individual download license in accordance with the notice requirements described in paragraph (2)(A) (except for the requirement that notice occur prior to the license availability date). A record company that obtains an individual download license as permitted under this paragraph shall provide statements of account and pay royalties as provided in subsection (c)(2)(I).

“(4) *FAILURE TO OBTAIN LICENSE*.—

“(A) *PHONORECORDS OTHER THAN DIGITAL PHONORECORD DELIVERIES*.—In the case of phonorecords made and distributed other than by means of digital phonorecord delivery, the failure to serve or file the notice of intention required by paragraph (1) forecloses the possibility of a compulsory license under paragraph (1). In the absence of a voluntary license, the failure to obtain a compulsory license renders the making and distribution of phonorecords ac-

tionable as acts of infringement under section 501 and subject to the remedies provided by sections 502 through 506.

“(B) *DIGITAL PHONORECORD DELIVERIES*.—

“(i) *IN GENERAL*.—In the case of phonorecords made and distributed by means of digital phonorecord delivery:

“(I) The failure to serve the notice of intention required by paragraph (2)(A) or paragraph (3), as applicable, forecloses the possibility of a compulsory license under such paragraph.

“(II) The failure to comply with paragraph (2)(B) forecloses the possibility of a blanket license for a period of 3 years after the last calendar day on which the notice of license was required to be submitted to the mechanical licensing collective under such paragraph.

“(ii) *EFFECT OF FAILURE*.—In either case described in subclause (I) or (II) of clause (i), in the absence of a voluntary license, the failure to obtain a compulsory license renders the making and distribution of phonorecords by means of digital phonorecord delivery actionable as acts of infringement under section 501 and subject to the remedies provided by sections 502 through 506.”;

(3) by amending subsection (c) to read as follows:

“(c) *GENERAL CONDITIONS APPLICABLE TO COMPULSORY LICENSE*.—

“(1) *ROYALTY PAYABLE UNDER COMPULSORY LICENSE*.—

“(A) *IDENTIFICATION REQUIREMENT*.—To be entitled to receive royalties under a compulsory license obtained under subsection (b)(1) the copyright owner must be identified in the registration or other public records of the Copyright Office. The owner is entitled to royalties for phonorecords made and distributed after being so identified, but is not entitled to recover for any phonorecords previously made and distributed.

“(B) *ROYALTY FOR PHONORECORDS OTHER THAN DIGITAL PHONORECORD DELIVERIES*.—Except as provided by subparagraph (A), for every phonorecord made and distributed under a compulsory license under subsection (a) other than by means of digital phonorecord delivery, with respect to each work embodied in the phonorecord, the royalty shall be the royalty prescribed under subparagraphs (D) through (F), paragraph (2)(A), and chapter 8. For purposes of this subparagraph, a phonorecord is considered “distributed” if the person exercising the compulsory license has voluntarily and permanently parted with its possession.

“(C) *ROYALTY FOR DIGITAL PHONORECORD DELIVERIES*.—For every digital phonorecord delivery of a musical work made under a compulsory license under this section, the royalty payable shall be the royalty prescribed under subparagraphs (D) through (F), paragraph (2)(A), and chapter 8.

“(D) *AUTHORITY TO NEGOTIATE*.—Notwithstanding any provision of the antitrust laws, any copyright owners of nondramatic musical works and any persons entitled to obtain a compulsory license under subsection (a) may negotiate and agree upon the terms and rates of royalty payments under this section and the proportionate division of fees paid among copyright owners, and may designate common agents on a nonexclusive basis to negotiate, agree to, pay or receive such royalty payments. Such authority to negotiate the terms and rates of royalty payments includes, but is not limited to, the authority to negotiate the year during which the royalty rates prescribed under this subparagraph, subparagraphs (E) and (F), paragraph (2)(A), and chapter 8 shall next be determined.

“(E) *DETERMINATION OF REASONABLE RATES AND TERMS*.—Proceedings under chapter 8 shall determine reasonable rates and terms of royalty payments for the activities specified by this section during the period beginning with the effective date of such rates and terms, but not earlier than January 1 of the second year following the year in which the petition requesting the proceeding is filed, and ending on the effective date

of successor rates and terms, or such other period as the parties may agree. Any copyright owners of nondramatic musical works and any persons entitled to obtain a compulsory license under subsection (a) may submit to the Copyright Royalty Judges licenses covering such activities. The parties to each proceeding shall bear their own costs.

“(F) SCHEDULE OF REASONABLE RATES.—The schedule of reasonable rates and terms determined by the Copyright Royalty Judges shall, subject to paragraph (2)(A), be binding on all copyright owners of nondramatic musical works and persons entitled to obtain a compulsory license under subsection (a) during the period specified in subparagraph (E), such other period as may be determined pursuant to subparagraphs (D) and (E), or such other period as the parties may agree. The Copyright Royalty Judges shall establish rates and terms that most clearly represent the rates and terms that would have been negotiated in the marketplace between a willing buyer and a willing seller. In determining such rates and terms for digital phonorecord deliveries, the Copyright Royalty Judges shall base their decision on economic, competitive, and programming information presented by the parties, including—

“(i) whether use of the compulsory licensee’s service may substitute for or may promote the sales of phonorecords or otherwise may interfere with or may enhance the musical work copyright owner’s other streams of revenue from its musical works; and

“(ii) the relative roles of the copyright owner and the compulsory licensee in the copyrighted work and the service made available to the public with respect to the relative creative contribution, technological contribution, capital investment, cost, and risk.

“(2) ADDITIONAL TERMS AND CONDITIONS.—

“(A) VOLUNTARY LICENSES AND CONTRACTUAL ROYALTY RATES.—

“(i) IN GENERAL.—License agreements voluntarily negotiated at any time between one or more copyright owners of nondramatic musical works and one or more persons entitled to obtain a compulsory license under subsection (a) shall be given effect in lieu of any determination by the Copyright Royalty Judges. Subject to clause (ii), the royalty rates determined pursuant to subparagraphs (E) and (F) of paragraph (1) shall be given effect as to digital phonorecord deliveries in lieu of any contrary royalty rates specified in a contract pursuant to which a recording artist who is the author of a nondramatic musical work grants a license under that person’s exclusive rights in the musical work under paragraphs (1) and (3) of section 106 or commits another person to grant a license in that musical work under paragraphs (1) and (3) of section 106, to a person desiring to fix in a tangible medium of expression a sound recording embodying the musical work.

“(ii) APPLICABILITY.—The second sentence of clause (i) shall not apply to—

“(I) a contract entered into on or before June 22, 1995, and not modified thereafter for the purpose of reducing the royalty rates determined pursuant to subparagraphs (E) and (F) of paragraph (1) or of increasing the number of musical works within the scope of the contract covered by the reduced rates, except if a contract entered into on or before June 22, 1995, is modified thereafter for the purpose of increasing the number of musical works within the scope of the contract, any contrary royalty rates specified in the contract shall be given effect in lieu of royalty rates determined pursuant to subparagraphs (E) and (F) of paragraph (1) for the number of musical works within the scope of the contract as of June 22, 1995; and

“(II) a contract entered into after the date that the sound recording is fixed in a tangible medium of expression substantially in a form intended for commercial release, if at the time the contract is entered into, the recording artist retains the right to grant licenses as to the musical work under paragraphs (1) and (3) of section 106.

“(B) SOUND RECORDING INFORMATION.—Except as provided in section 1002(e), a digital phonorecord delivery licensed under this paragraph shall be accompanied by the information encoded in the sound recording, if any, by or under the authority of the copyright owner of that sound recording, that identifies the title of the sound recording, the featured recording artist who performs on the sound recording, and related information, including information concerning the underlying musical work and its writer.

“(C) INFRINGEMENT REMEDIES.—

“(i) IN GENERAL.—A digital phonorecord delivery of a sound recording is actionable as an act of infringement under section 501, and is fully subject to the remedies provided by sections 502 through 506, unless—

“(I) the digital phonorecord delivery has been authorized by the sound recording copyright owner; and

“(II) the entity making the digital phonorecord delivery has obtained a compulsory license under subsection (a) or has otherwise been authorized by the musical work copyright owner, or by a record company pursuant to an individual download license, to make and distribute phonorecords of each musical work embodied in the sound recording by means of digital phonorecord delivery.

“(ii) OTHER REMEDIES.—Any cause of action under this subparagraph shall be in addition to those available to the owner of the copyright in the nondramatic musical work under subparagraph (J) and section 106(4) and the owner of the copyright in the sound recording under section 106(6).

“(D) LIABILITY OF SOUND RECORDING OWNERS.—The liability of the copyright owner of a sound recording for infringement of the copyright in a nondramatic musical work embodied in the sound recording shall be determined in accordance with applicable law, except that the owner of a copyright in a sound recording shall not be liable for a digital phonorecord delivery by a third party if the owner of the copyright in the sound recording does not license the distribution of a phonorecord of the nondramatic musical work.

“(E) RECORDING DEVICES AND MEDIA.—Nothing in section 1008 shall be construed to prevent the exercise of the rights and remedies allowed by this paragraph, subparagraph (J), and chapter 5 in the event of a digital phonorecord delivery, except that no action alleging infringement of copyright may be brought under this title against a manufacturer, importer or distributor of a digital audio recording device, a digital audio recording medium, an analog recording device, or an analog recording medium, or against a consumer, based on the actions described in such section.

“(F) PRESERVATION OF RIGHTS.—Nothing in this section annuls or limits—

“(i) the exclusive right to publicly perform a sound recording or the musical work embodied therein, including by means of a digital transmission, under paragraphs (4) and (6) of section 106;

“(ii) except for compulsory licensing under the conditions specified by this section, the exclusive rights to reproduce and distribute the sound recording and the musical work embodied therein under paragraphs (1) and (3) of section 106, including by means of a digital phonorecord delivery; or

“(iii) any other rights under any other provision of section 106, or remedies available under this title, as such rights or remedies exist before, on, or after the date of enactment of the Digital Performance Right in Sound Recordings Act of 1995.

“(G) EXEMPT TRANSMISSIONS AND RETRANSMISSIONS.—The provisions of this section concerning digital phonorecord deliveries shall not apply to any exempt transmissions or retransmissions under section 114(d)(1). The exemptions created in section 114(d)(1) do not expand or reduce the rights of copyright owners under para-

graphs (1) through (5) of section 106 with respect to such transmissions and retransmissions.

“(H) DISTRIBUTION BY RENTAL, LEASE, OR LENDING.—A compulsory license obtained under subsection (b)(1) to make and distribute phonorecords includes the right of the maker of such a phonorecord to distribute or authorize distribution of such phonorecord, other than by means of a digital phonorecord delivery, by rental, lease, or lending (or by acts or practices in the nature of rental, lease, or lending). With respect to each nondramatic musical work embodied in the phonorecord, the royalty shall be a proportion of the revenue received by the compulsory licensee from every such act of distribution of the phonorecord under this clause equal to the proportion of the revenue received by the compulsory licensee from distribution of the phonorecord under subsection (a)(1)(A)(ii)(II) that is payable by a compulsory licensee under that clause and under chapter 8. The Register of Copyrights shall issue regulations to carry out the purpose of this subparagraph.

“(I) PAYMENT OF ROYALTIES AND STATEMENTS OF ACCOUNT.—Except as provided in paragraphs (4)(A)(i) and (10)(B) of subsection (d), royalty payments shall be made on or before the twentieth day of each month and shall include all royalties for the month next preceding. Each monthly payment shall be made under oath and shall comply with requirements that the Register of Copyrights shall prescribe by regulation. The Register shall also prescribe regulations under which detailed cumulative annual statements of account, certified by a certified public accountant, shall be filed for every compulsory license under subsection (a). The regulations covering both the monthly and the annual statements of account shall prescribe the form, content, and manner of certification with respect to the number of records made and the number of records distributed.

“(J) NOTICE OF DEFAULT AND TERMINATION OF COMPULSORY LICENSE.—In the case of a license obtained under paragraph (1), (2)(A), or (3) of subsection (b), if the copyright owner does not receive the monthly payment and the monthly and annual statements of account when due, the owner may give written notice to the licensee that, unless the default is remedied not later than 30 days after the date on which the notice is sent, the compulsory license will be automatically terminated. Such termination renders either the making or the distribution, or both, of all phonorecords for which the royalty has not been paid, actionable as acts of infringement under section 501 and fully subject to the remedies provided by sections 502 through 506. In the case of a license obtained under subsection (b)(2)(B), license authority under the compulsory license may be terminated as provided in subsection (d)(4)(E).”.

(4) by amending subsection (d) to read as follows:

“(d) BLANKET LICENSE FOR DIGITAL USES, MECHANICAL LICENSING COLLECTIVE, AND DIGITAL LICENSEE COORDINATOR.—

“(1) BLANKET LICENSE FOR DIGITAL USES.—

“(A) IN GENERAL.—A digital music provider that qualifies for a compulsory license under subsection (a) may, by complying with the terms and conditions of this subsection, obtain a blanket license from copyright owners through the mechanical licensing collective to make and distribute digital phonorecord deliveries of musical works through one or more covered activities.

“(B) INCLUDED ACTIVITIES.—A blanket license—

“(i) covers all musical works (or shares of such works) available for compulsory licensing under this section for purposes of engaging in covered activities, except as provided in subparagraph (C);

“(ii) includes the making and distribution of server, intermediate, archival, and incidental reproductions of musical works that are reasonable and necessary for the digital music provider to engage in covered activities licensed under this subsection, solely for the purpose of engaging in such covered activities; and

“(iii) does not cover or include any rights or uses other than those described in clauses (i) and (ii).

“(C) OTHER LICENSES.—A voluntary license for covered activities entered into by or under the authority of 1 or more copyright owners and 1 or more digital music providers, or authority to make and distribute permanent downloads of a musical work obtained by a digital music provider from a sound recording copyright owner pursuant to an individual download license, shall be given effect in lieu of a blanket license under this subsection with respect to the musical works (or shares thereof) covered by such voluntary license or individual download authority and the following conditions apply:

“(i) Where a voluntary license or individual download license applies, the license authority provided under the blanket license shall exclude any musical works (or shares thereof) subject to the voluntary license or individual download license.

“(ii) An entity engaged in covered activities under a voluntary license or authority obtained pursuant to an individual download license that is a significant nonblanket licensee shall comply with paragraph (6)(A).

“(iii) The rates and terms of any voluntary license shall be subject to the second sentence of clause (i) and clause (ii) of subsection (c)(2)(A) and paragraph (9)(C), as applicable.

“(D) PROTECTION AGAINST INFRINGEMENT ACTIONS.—A digital music provider that obtains and complies with the terms of a valid blanket license under this subsection shall not be subject to an action for infringement of the exclusive rights provided by paragraphs (1) and (3) of section 106 under this title arising from use of a musical work (or share thereof) to engage in covered activities authorized by such license, subject to paragraph (4)(E).

“(E) OTHER REQUIREMENTS AND CONDITIONS APPLY.—Except as expressly provided in this subsection, each requirement, limitation, condition, privilege, right, and remedy otherwise applicable to compulsory licenses under this section shall apply to compulsory blanket licenses under this subsection.

“(2) AVAILABILITY OF BLANKET LICENSE.—

“(A) PROCEDURE FOR OBTAINING LICENSE.—A digital music provider may obtain a blanket license by submitting a notice of license to the mechanical licensing collective that specifies the particular covered activities in which the digital music provider seeks to engage, as follows:

“(i) The notice of license shall comply in form and substance with requirements that the Register of Copyrights shall establish by regulation.

“(ii) Unless rejected in writing by the mechanical licensing collective not later than 30 calendar days after the date on which the mechanical licensing collective receives the notice, the blanket license shall be effective as of the date on which the notice of license was sent by the digital music provider, as shown by a physical or electronic record.

“(iii) A notice of license may only be rejected by the mechanical licensing collective if—

“(I) the digital music provider or notice of license does not meet the requirements of this section or applicable regulations, in which case the requirements at issue shall be specified with reasonable particularity in the notice of rejection; or

“(II) the digital music provider has had a blanket license terminated by the mechanical licensing collective during the 3-year period preceding the date on which the mechanical licensing collective receives the notice pursuant to paragraph (4)(E).

“(iv) If a notice of license is rejected under clause (iii)(I), the digital music provider shall have 30 calendar days after receipt of the notice of rejection to cure any deficiency and submit an amended notice of license to the mechanical licensing collective. If the deficiency has been cured, the mechanical licensing collective shall so confirm in writing, and the license shall be effective as of the date that the original notice

of license was provided by the digital music provider.

“(v) A digital music provider that believes a notice of license was improperly rejected by the mechanical licensing collective may seek review of such rejection in an appropriate district court of the United States. The district court shall determine the matter de novo based on the record before the mechanical licensing collective and any additional evidence presented by the parties.

“(B) BLANKET LICENSE EFFECTIVE DATE.—Blanket licenses shall be made available by the mechanical licensing collective on and after the license availability date. No such license shall be effective prior to the license availability date.

“(3) MECHANICAL LICENSING COLLECTIVE.—

“(A) IN GENERAL.—The mechanical licensing collective shall be a single entity that—

“(i) is a nonprofit entity, not owned by any other entity, that is created by copyright owners to carry out responsibilities under this subsection;

“(ii) is endorsed by, and enjoys substantial support from, musical work copyright owners that together represent the greatest percentage of the licensor market for uses of such works in covered activities, as measured over the preceding 3 full calendar years;

“(iii) is able to demonstrate to the Register of Copyrights that the entity has, or will have prior to the license availability date, the administrative and technological capabilities to perform the required functions of the mechanical licensing collective under this subsection and that is governed by a board of directors in accordance with subparagraph (D)(i); and

“(iv) has been designated by the Register of Copyrights, with the approval of the Librarian of Congress pursuant to section 702, in accordance with subparagraph (B).

“(B) DESIGNATION OF MECHANICAL LICENSING COLLECTIVE.—

“(i) INITIAL DESIGNATION.—Not later than 270 days after the enactment date, the Register of Copyrights shall initially designate the mechanical licensing collective as follows:

“(I) Not later than 90 calendar days after the enactment date, the Register shall publish notice in the Federal Register soliciting information to assist in identifying the appropriate entity to serve as the mechanical licensing collective, including the name and affiliation of each member of the board of directors described under subparagraph (D)(i) and each committee established pursuant to clauses (iii), (iv), and (v) of subparagraph (D).

“(II) After reviewing the information requested under subclause (I) and making a designation, the Register shall publish notice in the Federal Register setting forth—

“(aa) the identity of and contact information for the mechanical licensing collective; and

“(bb) the reasons for the designation.

“(ii) PERIODIC REVIEW OF DESIGNATION.—Following the initial designation of the mechanical licensing collective, the Register shall, every 5 years, beginning with the fifth full calendar year to commence after the initial designation, publish notice in the Federal Register in the month of January soliciting information concerning whether the existing designation should be continued, or a different entity meeting the criteria described in clauses (i) through (iii) of subparagraph (A) shall be designated. Following publication of such notice, the Register shall—

“(I) after reviewing the information submitted and conducting additional proceedings as appropriate, publish notice in the Federal Register of a continuing designation or new designation of the mechanical licensing collective, as the case may be, and the reasons for such a designation, with any new designation to be effective as of the first day of a month that is not less than 6 months and not longer than 9 months after the date on which the Register publishes the notice, as specified by the Register; and

“(II) if a new entity is designated as the mechanical licensing collective, adopt regulations to govern the transfer of licenses, funds, records, data, and administrative responsibilities from the existing mechanical licensing collective to the new entity.

“(iii) CLOSEST ALTERNATIVE DESIGNATION.—If the Register is unable to identify an entity that fulfills each of the qualifications set forth in clauses (i) through (iii) of subparagraph (A), the Register shall designate the entity that most nearly fulfills such qualifications for purposes of carrying out the responsibilities of the mechanical licensing collective.

“(C) AUTHORITIES AND FUNCTIONS.—

“(i) IN GENERAL.—The mechanical licensing collective is authorized to perform the following functions, subject to more particular requirements as described in this subsection:

“(I) Offer and administer blanket licenses, including receipt of notices of license and reports of usage from digital music providers.

“(II) Collect and distribute royalties from digital music providers for covered activities.

“(III) Engage in efforts to identify musical works (and shares of such works) embodied in particular sound recordings, and to identify and locate the copyright owners of such musical works (and shares of such works).

“(IV) Maintain the musical works database and other information relevant to the administration of licensing activities under this section.

“(V) Administer a process by which copyright owners can claim ownership of musical works (and shares of such works), and a process by which royalties for works for which the owner is not identified or located are equitably distributed to known copyright owners.

“(VI) Administer collections of the administrative assessment from digital music providers and significant nonblanket licensees, including receipt of notices of nonblanket activity.

“(VII) Invest in relevant resources, and arrange for services of outside vendors and others, to support the activities of the mechanical licensing collective.

“(VIII) Engage in legal and other efforts to enforce rights and obligations under this subsection, including by filing bankruptcy proofs of claims for amounts owed under licenses, and acting in coordination with the digital licensee coordinator.

“(IX) Initiate and participate in proceedings before the Copyright Royalty Judges to establish the administrative assessment under this subsection.

“(X) Initiate and participate in proceedings before the Copyright Office with respect to activities under this subsection.

“(XI) Gather and provide documentation for use in proceedings before the Copyright Royalty Judges to set rates and terms under this section.

“(XII) Maintain records of the activities of the mechanical licensing collective and engage in and respond to audits described in this subsection.

“(XIII) Engage in such other activities as may be necessary or appropriate to fulfill the responsibilities of the mechanical licensing collective under this subsection.

“(ii) RESTRICTIONS CONCERNING LICENSING AND ADMINISTRATIVE ACTIVITIES.—With respect to the administration of licenses, except as provided in clauses (i) and (iii) and subparagraph (E)(v), the mechanical licensing collective may only—

“(I) issue blanket licenses pursuant to subsection (d)(1); and

“(II) administer blanket licenses for reproduction or distribution rights in musical works for covered activities, including collecting and distributing royalties, pursuant to blanket licenses.

“(iii) ADDITIONAL ADMINISTRATIVE ACTIVITIES.—Subject to paragraph (11)(C), the mechanical licensing collective may also administer, including by collecting and distributing royalties, voluntary licenses issued by, or individual download licenses obtained from, copyright owners only for reproduction or distribu-

tion rights in musical works for covered activities, for which the mechanical licensing collective shall charge reasonable fees for such services.

“(iv) **RESTRICTION ON LOBBYING.**—The mechanical licensing collective may not engage in government lobbying activities, but may engage in the activities described in subclauses (IX), (X), and (XI) of clause (i).

“(D) **GOVERNANCE.**—

“(i) **BOARD OF DIRECTORS.**—The mechanical licensing collective shall have a board of directors consisting of 14 voting members and 3 nonvoting members, as follows:

“(I) Ten voting members shall be representatives of music publishers—

“(aa) to which songwriters have assigned exclusive rights of reproduction and distribution of musical works with respect to covered activities; and

“(bb) none of which may be owned by, or under common control with, any other board member.

“(II) Four voting members shall be professional songwriters who have retained and exercise exclusive rights of reproduction and distribution with respect to covered activities with respect to musical works they have authored.

“(III) One nonvoting member shall be a representative of the nonprofit trade association of music publishers that represents the greatest percentage of the licensor market for uses of musical works in covered activities, as measured for the 3-year period preceding the date on which the member is appointed.

“(IV) One nonvoting member shall be a representative of the digital licensee coordinator, provided that a digital licensee coordinator has been designated pursuant to paragraph (5)(B). Otherwise, the nonvoting member shall be the nonprofit trade association of digital licensees that represents the greatest percentage of the licensee market for uses of musical works in covered activities, as measured over the preceding 3 full calendar years.

“(V) One nonvoting member shall be a representative of a nationally recognized nonprofit trade association whose primary mission is advocacy on behalf of songwriters in the United States.

“(ii) **BYLAWS.**—

“(I) **ESTABLISHMENT.**—Not later than 1 year after the date on which the mechanical licensing collective is initially designated by the Register of Copyrights under subparagraph (B)(i), the collective shall establish bylaws to determine issues relating to the governance of the collective, including, but not limited to—

“(aa) the length of the term for each member of the board of directors;

“(bb) the staggering of the terms of the members of the board of directors;

“(cc) a process for filling a seat on the board of directors that is vacated before the end of the term with respect to that seat;

“(dd) a process for electing a member to the board of directors; and

“(ee) a management structure for daily operation of the collective.

“(II) **PUBLIC AVAILABILITY.**—The mechanical licensing collective shall make the bylaws established under subclause (I) available to the public.

“(iii) **BOARD MEETINGS.**—The board of directors shall meet not less frequently than biannually and discuss matters pertinent to the operations of the mechanical licensing collective, including the mechanical licensing collective budget.

“(iv) **OPERATIONS ADVISORY COMMITTEE.**—The board of directors of the mechanical licensing collective shall establish an operations advisory committee consisting of not fewer than 6 members to make recommendations to the board of directors concerning the operations of the mechanical licensing collective, including the efficient investment in and deployment of information technology and data resources. Such committee shall have an equal number of members of the committee who are—

“(I) musical work copyright owners who are appointed by the board of directors of the mechanical licensing collective; and

“(II) representatives of digital music providers who are appointed by the digital licensee coordinator.

“(v) **UNCLAIMED ROYALTIES OVERSIGHT COMMITTEE.**—The board of directors of the mechanical licensing collective shall establish and appoint an unclaimed royalties oversight committee consisting of 10 members, 5 of which shall be musical work copyright owners and 5 of which shall be professional songwriters whose works are used in covered activities.

“(vi) **DISPUTE RESOLUTION COMMITTEE.**—The board of directors of the mechanical licensing collective shall establish and appoint a dispute resolution committee that shall—

“(I) consist of not fewer than 6 members; and

“(II) include an equal number of representatives of musical work copyright owners and professional songwriters.

“(vii) **MECHANICAL LICENSING COLLECTIVE ANNUAL REPORT.**—

“(I) **IN GENERAL.**—Not later than June 30 of each year commencing after the license availability date, the mechanical licensing collective shall post, and make available online for a period of not less than 3 years, an annual report that sets forth information regarding—

“(aa) the operational and licensing practices of the collective;

“(bb) how royalties are collected and distributed;

“(cc) budgeting and expenditures;

“(dd) the collective total costs for the preceding calendar year;

“(ee) the projected annual mechanical licensing collective budget;

“(ff) aggregated royalty receipts and payments;

“(gg) expenses that are more than 10 percent of the annual mechanical licensing collective budget; and

“(hh) the efforts of the collective to locate and identify copyright owners of unmatched musical works (and shares of works).

“(II) **SUBMISSION.**—On the date on which the mechanical licensing collective posts each report required under subclause (I), the collective shall provide a copy of the report to the Register of Copyrights.

“(viii) **INDEPENDENT OFFICERS.**—An individual serving as an officer of the mechanical licensing collective may not, at the same time, also be an employee or agent of any member of the board of directors of the collective or any entity represented by a member of the board of directors, as described in clause (i).

“(ix) **OVERSIGHT AND ACCOUNTABILITY.**—

“(I) **IN GENERAL.**—The mechanical licensing collective shall—

“(aa) ensure that the policies and practices of the collective are transparent and accountable;

“(bb) identify a point of contact for publisher inquiries and complaints with timely redress; and

“(cc) establish an anti-comingling policy for funds not collected under this section and royalties collected under this section.

“(II) **AUDITS.**—

“(aa) **IN GENERAL.**—Beginning in the fourth full calendar year that begins after the initial designation of the mechanical licensing collective by the Register of Copyrights under subparagraph (B)(i), and in every fifth calendar year thereafter, the collective shall retain a qualified auditor that shall—

“(AA) examine the books, records, and operations of the collective;

“(BB) prepare a report for the board of directors of the collective with respect to the matters described in item (bb); and

“(CC) not later than December 31 of the year in which the qualified auditor is retained, deliver the report described in subitem (BB) to the board of directors of the collective.

“(bb) **MATTERS ADDRESSED.**—Each report prepared under item (aa) shall address the imple-

mentation and efficacy of procedures of the mechanical licensing collective—

“(AA) for the receipt, handling, and distribution of royalty funds, including any amounts held as unclaimed royalties;

“(BB) to guard against fraud, abuse, waste, and the unreasonable use of funds; and

“(CC) to protect the confidentiality of financial, proprietary, and other sensitive information.

“(cc) **PUBLIC AVAILABILITY.**—With respect to each report prepared under item (aa), the mechanical licensing collective shall—

“(AA) submit the report to the Register of Copyrights; and

“(BB) make the report available to the public.

“(E) **MUSICAL WORKS DATABASE.**—

“(i) **ESTABLISHMENT AND MAINTENANCE OF DATABASE.**—The mechanical licensing collective shall establish and maintain a database containing information relating to musical works (and shares of such works) and, to the extent known, the identity and location of the copyright owners of such works (and shares thereof) and the sound recordings in which the musical works are embodied. In furtherance of maintaining such database, the mechanical licensing collective shall engage in efforts to identify the musical works embodied in particular sound recordings, as well as to identify and locate the copyright owners of such works (and shares thereof), and update such data as appropriate.

“(ii) **MATCHED WORKS.**—With respect to musical works (and shares thereof) that have been matched to copyright owners, the musical works database shall include—

“(I) the title of the musical work;

“(II) the copyright owner of the work (or share thereof), and the ownership percentage of that owner;

“(III) contact information for such copyright owner;

“(IV) to the extent reasonably available to the mechanical licensing collective—

“(aa) the international standard musical work code for the work; and

“(bb) identifying information for sound recordings in which the musical work is embodied, including the name of the sound recording, featured artist, sound recording copyright owner, producer, international standard recording code, and other information commonly used to assist in associating sound recordings with musical works; and

“(V) such other information as the Register of Copyrights may prescribe by regulation.

“(iii) **UNMATCHED WORKS.**—With respect to unmatched musical works (and shares of works) in the database, the musical works database shall include—

“(I) to the extent reasonably available to the mechanical licensing collective—

“(aa) the title of the musical work;

“(bb) the ownership percentage for which an owner has not been identified;

“(cc) if a copyright owner has been identified but not located, the identity of such owner and the ownership percentage of that owner;

“(dd) identifying information for sound recordings in which the work is embodied, including sound recording name, featured artist, sound recording copyright owner, producer, international standard recording code, and other information commonly used to assist in associating sound recordings with musical works; and

“(ee) any additional information reported to the mechanical licensing collective that may assist in identifying the work; and

“(II) such other information relating to the identity and ownership of musical works (and shares of such works) as the Register of Copyrights may prescribe by regulation.

“(iv) **SOUND RECORDING INFORMATION.**—Each musical work copyright owner with any musical work listed in the musical works database shall engage in commercially reasonable efforts to deliver to the mechanical licensing collective, including for use in the musical works database,

to the extent such information is not then available in the database, information regarding the names of the sound recordings in which that copyright owner's musical works (or shares thereof) are embodied, to the extent practicable.

“(v) **ACCESSIBILITY OF DATABASE.**—The musical works database shall be made available to members of the public in a searchable, online format, free of charge. The mechanical licensing collective shall make such database available in a bulk, machine-readable format, through a widely available software application, to the following entities:

“(I) Digital music providers operating under the authority of valid notices of license, free of charge.

“(II) Significant nonblanket licensees in compliance with their obligations under paragraph (6), free of charge.

“(III) Authorized vendors of the entities described in subclauses (I) and (II), free of charge.

“(IV) The Register of Copyrights, free of charge (but the Register shall not treat such database or any information therein as a Government record).

“(V) Any other person or entity for a fee not to exceed the marginal cost to the mechanical licensing collective of providing the database to such person or entity.

“(vi) **ADDITIONAL REQUIREMENTS.**—The Register of Copyrights shall establish requirements by regulations to ensure the usability, interoperability, and usage restrictions of the musical works database.

“(F) **NOTICES OF LICENSE AND NONBLANKET ACTIVITY.**—

“(i) **NOTICES OF LICENSES.**—The mechanical licensing collective shall receive, review, and confirm or reject notices of license from digital music providers, as provided in paragraph (2)(A). The collective shall maintain a current, publicly accessible list of blanket licenses that includes contact information for the licensees and the effective dates of such licenses.

“(ii) **NOTICES OF NONBLANKET ACTIVITY.**—The mechanical licensing collective shall receive notices of nonblanket activity from significant nonblanket licensees, as provided in paragraph (6)(A). The collective shall maintain a current, publicly accessible list of notices of nonblanket activity that includes contact information for significant nonblanket licensees and the dates of receipt of such notices.

“(G) **COLLECTION AND DISTRIBUTION OF ROYALTIES.**—

“(i) **IN GENERAL.**—Upon receiving reports of usage and payments of royalties from digital music providers for covered activities, the mechanical licensing collective shall—

“(I) engage in efforts to—

“(aa) identify the musical works embodied in sound recordings reflected in such reports, and the copyright owners of such musical works (and shares thereof);

“(bb) confirm uses of musical works subject to voluntary licenses and individual download licenses, and the corresponding pro rata amounts to be deducted from royalties that would otherwise be due under the blanket license; and

“(cc) confirm proper payment of royalties due;

“(II) distribute royalties to copyright owners in accordance with the usage and other information contained in such reports, as well as the ownership and other information contained in the records of the collective; and

“(III) deposit into an interest-bearing account, as provided in subparagraph (H)(ii), royalties that cannot be distributed due to—

“(aa) an inability to identify or locate a copyright owner of a musical work (or share thereof); or

“(bb) a pending dispute before the dispute resolution committee of the mechanical licensing collective.

“(ii) **OTHER COLLECTION EFFORTS.**—Any royalties recovered by the mechanical licensing collective as a result of efforts to enforce rights or obligations under a blanket license, including through a bankruptcy proceeding or other legal

action, shall be distributed to copyright owners based on available usage information and in accordance with the procedures described in subclauses (I) and (II) of clause (i), on a pro rata basis in proportion to the overall percentage recovery of the total royalties owed, with any pro rata share of royalties that cannot be distributed deposited in an interest-bearing account as provided in subparagraph (H)(ii).

“(H) **HOLDING OF ACCRUED ROYALTIES.**—

“(i) **HOLDING PERIOD.**—The mechanical licensing collective shall hold accrued royalties associated with particular musical works (and shares of works) that remain unmatched for a period of not less than 3 years after the date on which the funds were received by the mechanical licensing collective, or not less than 3 years after the date on which the funds were accrued by a digital music provider that subsequently transferred such funds to the mechanical licensing collective pursuant to paragraph (10)(B), whichever period expires sooner.

“(ii) **INTEREST-BEARING ACCOUNT.**—Accrued royalties for unmatched works (and shares thereof) shall be maintained by the mechanical licensing collective in an interest-bearing account that earns monthly interest—

“(I) at the Federal, short-term rate; and

“(II) that accrues for the benefit of copyright owners entitled to payment of such accrued royalties.

“(I) **MUSICAL WORKS CLAIMING PROCESS.**—When a copyright owner of an unmatched work (or share of a work) has been identified and located in accordance with the procedures of the mechanical licensing collective, the collective shall—

“(i) update the musical works database and the other records of the collective accordingly; and

“(ii) provided that accrued royalties for the musical work (or share thereof) have not yet been included in a distribution pursuant to subparagraph (J)(i), pay such accrued royalties and a proportionate amount of accrued interest associated with that work (or share thereof) to the copyright owner, accompanied by a cumulative statement of account reflecting usage of such work and accrued royalties based on information provided by digital music providers to the mechanical licensing collective.

“(J) **DISTRIBUTION OF UNCLAIMED ACCRUED ROYALTIES.**—

“(i) **DISTRIBUTION PROCEDURES.**—After the expiration of the prescribed holding period for accrued royalties provided in subparagraph (H)(i), the mechanical licensing collective shall distribute such accrued royalties, along with a proportionate share of accrued interest, to copyright owners identified in the records of the collective, subject to the following requirements, and in accordance with the policies and procedures established under clause (ii):

“(I) The first such distribution shall occur on or after January 1 of the second full calendar year to commence after the license availability date, with not less than 1 such distribution to take place during each calendar year thereafter.

“(II) Copyright owners' payment shares for unclaimed accrued royalties for particular reporting periods shall be determined in a transparent and equitable manner based on data indicating the relative market shares of such copyright owners as reflected in reports of usage provided by digital music providers for covered activities for the periods in question, including, in addition to usage data provided to the mechanical licensing collective, usage data provided to copyright owners under voluntary licenses and individual download licenses for covered activities, to the extent such information is available to the mechanical licensing collective. In furtherance of the determination of equitable market shares under this subparagraph—

“(aa) the mechanical licensing collective may require copyright owners seeking distributions of unclaimed accrued royalties to provide, or direct the provision of, information concerning the usage of musical works under voluntary licenses

and individual download licenses for covered activities; and

“(bb) the mechanical licensing collective shall take appropriate steps to safeguard the confidentiality and security of usage, financial, and other sensitive data used to compute market shares in accordance with the confidentiality provisions prescribed by the Register of Copyrights under paragraph (12)(C).

“(ii) **ESTABLISHMENT OF DISTRIBUTION POLICIES.**—The unclaimed royalties oversight committee established under subparagraph (D)(v) shall establish policies and procedures for the distribution of unclaimed accrued royalties and accrued interest in accordance with this subparagraph, including the provision of usage data to copyright owners to allocate payments and credits to songwriters pursuant to clause (iv), subject to the approval of the board of directors of the mechanical licensing collective.

“(iii) **PUBLIC NOTICE OF UNCLAIMED ACCRUED ROYALTIES.**—The mechanical licensing collective shall—

“(I) maintain a publicly accessible online facility with contact information for the collective that lists unmatched musical works (and shares of works), through which a copyright owner may assert an ownership claim with respect to such a work (and a share of such a work);

“(II) engage in diligent, good-faith efforts to publicize, throughout the music industry—

“(aa) the existence of the collective and the ability to claim unclaimed accrued royalties for unmatched musical works (and shares of such works) held by the collective;

“(bb) the procedures by which copyright owners may identify themselves and provide contact, ownership, and other relevant information to the collective in order to receive payments of accrued royalties;

“(cc) any transfer of accrued royalties for musical works under paragraph (10)(B), not later than 180 days after the date on which the transfer is received; and

“(dd) any pending distribution of unclaimed accrued royalties and accrued interest, not less than 90 days before the date on which the distribution is made; and

“(III) as appropriate, participate in music industry conferences and events for the purpose of publicizing the matters described in subclause (II).

“(iv) **SONGWRITER PAYMENTS.**—Copyright owners that receive a distribution of unclaimed accrued royalties and accrued interest shall pay or credit a portion to songwriters (or the authorized agents of songwriters) on whose behalf the copyright owners license or administer musical works for covered activities, in accordance with applicable contractual terms, but notwithstanding any agreement to the contrary—

“(I) such payments and credits to songwriters shall be allocated in proportion to reported usage of individual musical works by digital music providers during the reporting periods covered by the distribution from the mechanical licensing collective; and

“(II) in no case shall the payment or credit to an individual songwriter be less than 50 percent of the payment received by the copyright owner attributable to usage of musical works (or shares of works) of that songwriter.

“(K) **DISPUTE RESOLUTION.**—The dispute resolution committee established under subparagraph (D)(vi) shall establish policies and procedures—

“(i) for copyright owners to address in a timely and equitable manner disputes relating to ownership interests in musical works licensed under this section and allocation and distribution of royalties by the mechanical licensing collective, subject to the approval of the board of directors of the mechanical licensing collective;

“(ii) that shall include a mechanism to hold disputed funds in accordance with the requirements described in subparagraph (H)(ii) pending resolution of the dispute; and

“(iii) except as provided in paragraph (11)(D), that shall not affect any legal or equitable

rights or remedies available to any copyright owner or songwriter concerning ownership of, and entitlement to royalties for, a musical work.

“(L) VERIFICATION OF PAYMENTS BY MECHANICAL LICENSING COLLECTIVE.—

“(i) VERIFICATION PROCESS.—A copyright owner entitled to receive payments of royalties for covered activities from the mechanical licensing collective may, individually or with other copyright owners, conduct an audit of the mechanical licensing collective to verify the accuracy of royalty payments by the mechanical licensing collective to such copyright owner, as follows:

“(I) A copyright owner may audit the mechanical licensing collective only once in a year for any or all of the 3 calendar years preceding the year in which the audit is commenced, and may not audit records for any calendar year more than once.

“(II) The audit shall be conducted by a qualified auditor, who shall perform the audit during the ordinary course of business by examining the books, records, and data of the mechanical licensing collective, according to generally accepted auditing standards and subject to applicable confidentiality requirements prescribed by the Register of Copyrights under paragraph (12)(C).

“(III) The mechanical licensing collective shall make such books, records, and data available to the qualified auditor and respond to reasonable requests for relevant information, and shall use commercially reasonable efforts to facilitate access to relevant information maintained by third parties.

“(IV) To commence the audit, any copyright owner shall file with the Copyright Office a notice of intent to conduct an audit of the mechanical licensing collective, identifying the period of time to be audited, and shall simultaneously deliver a copy of such notice to the mechanical licensing collective. The Register of Copyrights shall cause the notice of audit to be published in the Federal Register not later than 45 calendar days after the date on which the notice is received.

“(V) The qualified auditor shall determine the accuracy of royalty payments, including whether an underpayment or overpayment of royalties was made by the mechanical licensing collective to each auditing copyright owner, except that, before providing a final audit report to any such copyright owner, the qualified auditor shall provide a tentative draft of the report to the mechanical licensing collective and allow the mechanical licensing collective a reasonable opportunity to respond to the findings, including by clarifying issues and correcting factual errors.

“(VI) The auditing copyright owner or owners shall bear the cost of the audit. In case of an underpayment to any copyright owner, the mechanical licensing collective shall pay the amounts of any such underpayment to such auditing copyright owner, as appropriate. In case of an overpayment by the mechanical licensing collective, the mechanical licensing collective may debit the account of the auditing copyright owner or owners for such overpaid amounts, or such owner or owners shall refund overpaid amounts to the mechanical licensing collective, as appropriate.

“(ii) ALTERNATIVE VERIFICATION PROCEDURES.—Nothing in this subparagraph shall preclude a copyright owner and the mechanical licensing collective from agreeing to audit procedures different from those described in this subparagraph, except that a notice of the audit shall be provided to and published by the Copyright Office as described in clause (i)(IV).

“(M) RECORDS OF MECHANICAL LICENSING COLLECTIVE.—

“(i) RECORDS MAINTENANCE.—The mechanical licensing collective shall ensure that all material records of the operations of the mechanical licensing collective, including those relating to notices of license, the administration of the claims process of the mechanical licensing collective, reports of usage, royalty payments, re-

ceipt and maintenance of accrued royalties, royalty distribution processes, and legal matters, are preserved and maintained in a secure and reliable manner, with appropriate commercially reasonable safeguards against unauthorized access, copying, and disclosure, and subject to the confidentiality requirements prescribed by the Register of Copyrights under paragraph (12)(C) for a period of not less than 7 years after the date of creation or receipt, whichever occurs later.

“(ii) RECORDS ACCESS.—The mechanical licensing collective shall provide prompt access to electronic and other records pertaining to the administration of a copyright owner's musical works upon reasonable written request of the owner or the authorized representative of the owner.

“(4) TERMS AND CONDITIONS OF BLANKET LICENSE.—A blanket license is subject to, and conditioned upon, the following requirements:

“(A) ROYALTY REPORTING AND PAYMENTS.—

“(i) MONTHLY REPORTS AND PAYMENT.—A digital music provider shall report and pay royalties to the mechanical licensing collective under the blanket license on a monthly basis in accordance with clause (ii) and subsection (c)(2)(I), except that the monthly reporting shall be due on the date that is 45 calendar days, rather than 20 calendar days, after the end of the monthly reporting period.

“(ii) DATA TO BE REPORTED.—In reporting usage of musical works to the mechanical licensing collective, a digital music provider shall provide usage data for musical works used under the blanket license and usage data for musical works used in covered activities under voluntary licenses and individual download licenses. In the report of usage, the digital music provider shall—

“(I) with respect to each sound recording embodying a musical work—

“(aa) provide identifying information for the sound recording, including sound recording name, featured artist, and, to the extent acquired by the digital music provider in connection with its use of sound recordings of musical works to engage in covered activities, including pursuant to subparagraph (B), sound recording copyright owner, producer, international standard recording code, and other information commonly used in the industry to identify sound recordings and match them to the musical works the sound recordings embody;

“(bb) to the extent acquired by the digital music provider in the metadata provided by sound recording copyright owners or other licensors of sound recordings in connection with the use of sound recordings of musical works to engage in covered activities, including pursuant to subparagraph (B), provide information concerning authorship and ownership of the applicable rights in the musical work embodied in the sound recording (including each songwriter, publisher name, and respective ownership share) and the international standard musical work code; and

“(cc) provide the number of digital phonorecord deliveries of the sound recording, including limited downloads and interactive streams;

“(II) identify and provide contact information for all musical work copyright owners for works embodied in sound recordings as to which a voluntary license, rather than the blanket license, is in effect with respect to the uses being reported; and

“(III) provide such other information as the Register of Copyrights shall require by regulation.

“(iii) FORMAT AND MAINTENANCE OF REPORTS.—Reports of usage provided by digital music providers to the mechanical licensing collective shall be in a machine-readable format that is compatible with the information technology systems of the mechanical licensing collective and meets the requirements of regulations adopted by the Register of Copyrights. The Register shall also adopt regulations setting forth requirements under which records of use

shall be maintained and made available to the mechanical licensing collective by digital music providers engaged in covered activities under a blanket license.

“(iv) ADOPTION OF REGULATIONS.—The Register of Copyrights shall adopt regulations—

“(I) setting forth requirements under which records of use shall be maintained and made available to the mechanical licensing collective by digital music providers engaged in covered activities under a blanket license; and

“(II) regarding adjustments to reports of usage by digital music providers, including mechanisms to account for overpayment and underpayment of royalties in prior periods.

“(B) COLLECTION OF SOUND RECORDING INFORMATION.—A digital music provider shall engage in good-faith, commercially reasonable efforts to obtain from sound recording copyright owners and other licensors of sound recordings made available through the service of such digital music provider information concerning—

“(i) sound recording copyright owners, producers, international standard recording codes, and other information commonly used in the industry to identify sound recordings and match them to the musical works the sound recordings embody; and

“(ii) the authorship and ownership of musical works, including songwriters, publisher names, ownership shares, and international standard musical work codes.

“(C) PAYMENT OF ADMINISTRATIVE ASSESSMENT.—A digital music provider and any significant nonblanket licensee shall pay the administrative assessment established under paragraph (7)(D) in accordance with this subsection and applicable regulations.

“(D) VERIFICATION OF PAYMENTS BY DIGITAL MUSIC PROVIDERS.—

“(i) VERIFICATION PROCESS.—The mechanical licensing collective may conduct an audit of a digital music provider operating under the blanket license to verify the accuracy of royalty payments by the digital music provider to the mechanical licensing collective as follows:

“(I) The mechanical licensing collective may commence an audit of a digital music provider not more frequently than once in any 3-calendar-year period to cover a verification period of not more than the 3 full calendar years preceding the date of commencement of the audit, and such audit may not audit records for any such 3-year verification period more than once.

“(II) The audit shall be conducted by a qualified auditor, who shall perform the audit during the ordinary course of business by examining the books, records, and data of the digital music provider, according to generally accepted auditing standards and subject to applicable confidentiality requirements prescribed by the Register of Copyrights under paragraph (12)(C).

“(III) The digital music provider shall make such books, records, and data available to the qualified auditor and respond to reasonable requests for relevant information, and shall use commercially reasonable efforts to provide access to relevant information maintained with respect to a digital music provider by third parties.

“(IV) To commence the audit, the mechanical licensing collective shall file with the Copyright Office a notice of intent to conduct an audit of the digital music provider, identifying the period of time to be audited, and shall simultaneously deliver a copy of such notice to the digital music provider. The Register of Copyrights shall cause the notice of audit to be published in the Federal Register not later than 45 calendar days after the date on which notice is received.

“(V) The qualified auditor shall determine the accuracy of royalty payments, including whether an underpayment or overpayment of royalties was made by the digital music provider to the mechanical licensing collective, except that, before providing a final audit report to the mechanical licensing collective, the qualified auditor shall provide a tentative draft of the report to the digital music provider and allow the dig-

ital music provider a reasonable opportunity to respond to the findings, including by clarifying issues and correcting factual errors.

“(VI) The mechanical licensing collective shall pay the cost of the audit, unless the qualified auditor determines that there was an underpayment by the digital music provider of not less than 10 percent, in which case the digital music provider shall bear the reasonable costs of the audit, in addition to paying the amount of any underpayment to the mechanical licensing collective. In case of an overpayment by the digital music provider, the mechanical licensing collective shall provide a credit to the account of the digital music provider.

“(VII) A digital music provider may not assert section 507 or any other Federal or State statute of limitations, doctrine of laches or estoppel, or similar provision as a defense to a legal action arising from an audit under this subparagraph if such legal action is commenced not more than 6 years after the commencement of the audit that is the basis for such action.

“(ii) ALTERNATIVE VERIFICATION PROCEDURES.—Nothing in this subparagraph shall preclude the mechanical licensing collective and a digital music provider from agreeing to audit procedures different from those described in this subparagraph, except that a notice of the audit shall be provided to and published by the Copyright Office as described in clause (i)(IV).

“(E) DEFAULT UNDER BLANKET LICENSE.—

“(i) CONDITIONS OF DEFAULT.—A digital music provider shall be in default under a blanket license if the digital music provider—

“(I) fails to provide 1 or more monthly reports of usage to the mechanical licensing collective when due;

“(II) fails to make a monthly royalty or late fee payment to the mechanical licensing collective when due, in all or material part;

“(III) provides 1 or more monthly reports of usage to the mechanical licensing collective that, on the whole, is or are materially deficient as a result of inaccurate, missing, or unreadable data, where the correct data was available to the digital music provider and required to be reported under this section and applicable regulations;

“(IV) fails to pay the administrative assessment as required under this subsection and applicable regulations; or

“(V) after being provided written notice by the mechanical licensing collective, refuses to comply with any other material term or condition of the blanket license under this section for a period of not less than 60 calendar days.

“(ii) NOTICE OF DEFAULT AND TERMINATION.—In case of a default by a digital music provider, the mechanical licensing collective may proceed to terminate the blanket license of the digital music provider as follows:

“(I) The mechanical licensing collective shall provide written notice to the digital music provider describing with reasonable particularity the default and advising that unless such default is cured not later than 60 calendar days after the date of the notice, the blanket license will automatically terminate at the end of that period.

“(II) If the digital music provider fails to remedy the default before the end of the 60-day period described in subclause (I), the license shall terminate without any further action on the part of the mechanical licensing collective. Such termination renders the making of all digital phonorecord deliveries of all musical works (and shares thereof) covered by the blanket license for which the royalty or administrative assessment has not been paid actionable as acts of infringement under section 501 and subject to the remedies provided by sections 502 through 506.

“(iii) NOTICE TO COPYRIGHT OWNERS.—The mechanical licensing collective shall provide written notice of any termination under this subparagraph to copyright owners of affected works.

“(iv) REVIEW BY FEDERAL DISTRICT COURT.—A digital music provider that believes a blanket li-

cense was improperly terminated by the mechanical licensing collective may seek review of such termination in an appropriate district court of the United States. The district court shall determine the matter de novo based on the record before the mechanical licensing collective and any additional supporting evidence presented by the parties.

“(5) DIGITAL LICENSEE COORDINATOR.—

“(A) IN GENERAL.—The digital licensee coordinator shall be a single entity that—

“(i) is a nonprofit, not owned by any other entity, that is created to carry out responsibilities under this subsection;

“(ii) is endorsed by and enjoys substantial support from digital music providers and significant nonblanket licensees that together represent the greatest percentage of the licensee market for uses of musical works in covered activities, as measured over the preceding 3 calendar years;

“(iii) is able to demonstrate that it has, or will have prior to the license availability date, the administrative capabilities to perform the required functions of the digital licensee coordinator under this subsection; and

“(iv) has been designated by the Register of Copyrights, with the approval of the Librarian of Congress pursuant to section 702, in accordance with subparagraph (B).

“(B) DESIGNATION OF DIGITAL LICENSEE COORDINATOR.—

“(i) INITIAL DESIGNATION.—The Register of Copyrights shall initially designate the digital licensee coordinator not later than 270 days after the enactment date, in accordance with the same procedure described for designation of the mechanical licensing collective in paragraph (3)(B)(i).

“(ii) PERIODIC REVIEW OF DESIGNATION.—Following the initial designation of the digital licensee coordinator, the Register of Copyrights shall, every 5 years, beginning with the fifth full calendar year to commence after the initial designation, determine whether the existing designation should be continued, or a different entity meeting the criteria described in clauses (i) through (iii) of subparagraph (A) should be designated, in accordance with the same procedure described for the mechanical licensing collective in paragraph (3)(B)(ii).

“(iii) INABILITY TO DESIGNATE.—If the Register of Copyrights is unable to identify an entity that fulfills each of the qualifications described in clauses (i) through (iii) of subparagraph (A) to serve as the digital licensee coordinator, the Register may decline to designate a digital licensee coordinator. The determination of the Register not to designate a digital licensee coordinator shall not negate or otherwise affect any provision of this subsection except to the limited extent that a provision references the digital licensee coordinator. In such case, the reference to the digital licensee coordinator shall be without effect unless and until a new digital licensee coordinator is designated.

“(C) AUTHORITIES AND FUNCTIONS.—

“(i) IN GENERAL.—The digital licensee coordinator is authorized to perform the following functions, subject to more particular requirements as described in this subsection:

“(I) Establish a governance structure, criteria for membership, and any dues to be paid by its members.

“(II) Engage in efforts to enforce notice and payment obligations with respect to the administrative assessment, including by receiving information from and coordinating with the mechanical licensing collective.

“(III) Initiate and participate in proceedings before the Copyright Royalty Judges to establish the administrative assessment under this subsection.

“(IV) Initiate and participate in proceedings before the Copyright Office with respect to activities under this subsection.

“(V) Gather and provide documentation for use in proceedings before the Copyright Royalty Judges to set rates and terms under this section.

“(VI) Maintain records of its activities.

“(VII) Assist in publicizing the existence of the mechanical licensing collective and the ability of copyright owners to claim royalties for unmatched musical works (and shares of works) through the collective.

“(VIII) Engage in such other activities as may be necessary or appropriate to fulfill its responsibilities under this subsection.

“(ii) RESTRICTION ON LOBBYING.—The digital licensee coordinator may not engage in government lobbying activities, but may engage in the activities described in subclauses (III), (IV), and (V) of clause (i).

“(iii) ASSISTANCE WITH PUBLICITY FOR UNCLAIMED ROYALTIES.—The digital licensee coordinator shall make reasonable, good-faith efforts to assist the mechanical licensing collective in the efforts of the collective to locate and identify copyright owners of unmatched musical works (and shares of such works) by encouraging digital music providers to publicize the existence of the collective and the ability of copyright owners to claim unclaimed accrued royalties, including by—

“(I) posting contact information for the collective at reasonably prominent locations on digital music provider websites and applications; and

“(II) conducting in-person outreach activities with songwriters.

“(6) REQUIREMENTS FOR SIGNIFICANT NONBLANKET LICENSEES.—

“(A) IN GENERAL.—

“(i) NOTICE OF ACTIVITY.—Not later than 45 calendar days after the license availability date, or 45 calendar days after the end of the first full calendar month in which an entity initially qualifies as a significant nonblanket licensee, whichever occurs later, a significant nonblanket licensee shall submit a notice of nonblanket activity to the mechanical licensing collective. The notice of nonblanket activity shall comply in form and substance with requirements that the Register of Copyrights shall establish by regulation, and a copy shall be made available to the digital licensee coordinator.

“(ii) REPORTING AND PAYMENT OBLIGATIONS.—The notice of nonblanket activity submitted to the mechanical licensing collective shall be accompanied by a report of usage that contains the information described in paragraph (4)(A)(ii), as well as any payment of the administrative assessment required under this subsection and applicable regulations. Thereafter, subject to clause (iii), a significant nonblanket licensee shall continue to provide monthly reports of usage, accompanied by any required payment of the administrative assessment, to the mechanical licensing collective. Such reports and payments shall be submitted not later than 45 calendar days after the end of the calendar month being reported.

“(iii) DISCONTINUATION OF OBLIGATIONS.—An entity that has submitted a notice of nonblanket activity to the mechanical licensing collective that has ceased to qualify as a significant nonblanket licensee may so notify the collective in writing. In such case, as of the calendar month in which such notice is provided, such entity shall no longer be required to provide reports of usage or pay the administrative assessment, but if such entity later qualifies as a significant nonblanket licensee, such entity shall again be required to comply with clauses (i) and (ii).

“(B) REPORTING BY MECHANICAL LICENSING COLLECTIVE TO DIGITAL LICENSEE COORDINATOR.—

“(i) MONTHLY REPORTS OF NONCOMPLIANT LICENSEES.—The mechanical licensing collective shall provide monthly reports to the digital licensee coordinator setting forth any significant nonblanket licensees of which the collective is aware that have failed to comply with subparagraph (A).

“(ii) TREATMENT OF CONFIDENTIAL INFORMATION.—The mechanical licensing collective and digital licensee coordinator shall take appropriate steps to safeguard the confidentiality and security of financial and other sensitive data

shared under this subparagraph, in accordance with the confidentiality requirements prescribed by the Register of Copyrights under paragraph (12)(C).

“(C) LEGAL ENFORCEMENT EFFORTS.—

“(i) FEDERAL COURT ACTION.—Should the mechanical licensing collective or digital licensee coordinator become aware that a significant nonblanket licensee has failed to comply with subparagraph (A), either may commence an action in an appropriate district court of the United States for damages and injunctive relief. If the significant nonblanket licensee is found liable, the court shall, absent a finding of excusable neglect, award damages in an amount equal to three times the total amount of the unpaid administrative assessment and, notwithstanding anything to the contrary in section 505, reasonable attorney’s fees and costs, as well as such other relief as the court determines appropriate. In all other cases, the court shall award relief as appropriate. Any recovery of damages shall be payable to the mechanical licensing collective as an offset to the collective total costs.

“(ii) STATUTE OF LIMITATIONS FOR ENFORCEMENT ACTION.—Any action described in this subparagraph shall be commenced within the time period described in section 507(b).

“(iii) OTHER RIGHTS AND REMEDIES PRESERVED.—The ability of the mechanical licensing collective or digital licensee coordinator to bring an action under this subparagraph shall in no way alter, limit or negate any other right or remedy that may be available to any party at law or in equity.

“(7) FUNDING OF MECHANICAL LICENSING COLLECTIVE.—

“(A) IN GENERAL.—The collective total costs shall be funded by—

“(i) an administrative assessment, as such assessment is established by the Copyright Royalty Judges pursuant to subparagraph (D) from time to time, to be paid by—

“(I) digital music providers that are engaged, in all or in part, in covered activities pursuant to a blanket license; and

“(II) significant nonblanket licensees; and

“(ii) voluntary contributions from digital music providers and significant nonblanket licensees as may be agreed with copyright owners.

“(B) VOLUNTARY CONTRIBUTIONS.—

“(i) AGREEMENTS CONCERNING CONTRIBUTIONS.—Except as provided in clause (ii), voluntary contributions by digital music providers and significant nonblanket licensees shall be determined by private negotiation and agreement, and the following conditions apply:

“(I) The date and amount of each voluntary contribution to the mechanical licensing collective shall be documented in a writing signed by an authorized agent of the mechanical licensing collective and the contributing party.

“(II) Such agreement shall be made available as required in proceedings before the Copyright Royalty Judges to establish or adjust the administrative assessment in accordance with applicable statutory and regulatory provisions and rulings of the Copyright Royalty Judges.

“(ii) TREATMENT OF CONTRIBUTIONS.—Each voluntary contribution described in clause (i) shall be treated for purposes of an administrative assessment proceeding as an offset to the collective total costs that would otherwise be recovered through the administrative assessment. Any allocation or reallocation of voluntary contributions between or among individual digital music providers or significant nonblanket licensees shall be a matter of private negotiation and agreement among such parties and outside the scope of the administrative assessment proceeding.

“(C) INTERIM APPLICATION OF ACCRUED ROYALTIES.—In the event that the administrative assessment, together with any funding from voluntary contributions as provided in subparagraphs (A) and (B), is inadequate to cover current collective total costs, the collective, with

approval of its board of directors, may apply unclaimed accrued royalties on an interim basis to defray such costs, subject to future reimbursement of such royalties from future collections of the assessment.

“(D) DETERMINATION OF ADMINISTRATIVE ASSESSMENT.—

“(i) ADMINISTRATIVE ASSESSMENT TO COVER COLLECTIVE TOTAL COSTS.—The administrative assessment shall be used solely and exclusively to fund the collective total costs.

“(ii) SEPARATE PROCEEDING BEFORE COPYRIGHT ROYALTY JUDGES.—The amount and terms of the administrative assessment shall be determined and established in a separate and independent proceeding before the Copyright Royalty Judges, according to the procedures described in clauses (iii) and (iv). The administrative assessment determined in such proceeding shall—

“(I) be wholly independent of royalty rates and terms applicable to digital music providers, which shall not be taken into consideration in any manner in establishing the administrative assessment;

“(II) be established by the Copyright Royalty Judges in an amount that is calculated to defray the reasonable collective total costs;

“(III) be assessed based on usage of musical works by digital music providers and significant nonblanket licensees in covered activities under both compulsory and nonblanket licenses;

“(IV) may be in the form of a percentage of royalties payable under this section for usage of musical works in covered activities (regardless of whether a different rate applies under a voluntary license), or any other usage-based metric reasonably calculated to equitably allocate the collective total costs across digital music providers and significant nonblanket licensees engaged in covered activities, and shall include as a component a minimum fee for all digital music providers and significant nonblanket licensees; and

“(V) take into consideration anticipated future collective total costs and collections of the administrative assessment, including, as applicable—

“(aa) any portion of past actual collective total costs of the mechanical licensing collective not funded by previous collections of the administrative assessment or voluntary contributions because such collections or contributions together were insufficient to fund such costs;

“(bb) any past collections of the administrative assessment and voluntary contributions that exceeded past actual collective total costs, resulting in a surplus; and

“(cc) the amount of any voluntary contributions by digital music providers or significant nonblanket licensees in relevant periods, described in subparagraphs (A) and (B) of paragraph (7).

“(iii) INITIAL ADMINISTRATIVE ASSESSMENT.—The procedure for establishing the initial administrative assessment shall be as follows:

“(I) Not later than 270 days after the enactment date, the Copyright Royalty Judges shall commence a proceeding to establish the initial administrative assessment by publishing a notice in the Federal Register seeking petitions to participate.

“(II) The mechanical licensing collective and digital licensee coordinator shall participate in the proceeding described in subclause (I), along with any interested copyright owners, digital music providers or significant nonblanket licensees that have notified the Copyright Royalty Judges of their desire to participate.

“(III) The Copyright Royalty Judges shall establish a schedule for submission by the parties of information that may be relevant to establishing the administrative assessment, including actual and anticipated collective total costs of the mechanical licensing collective, actual and anticipated collections from digital music providers and significant nonblanket licensees, and documentation of voluntary contributions, as well as a schedule for further proceedings,

which shall include a hearing, as the Copyright Royalty Judges determine appropriate.

“(IV) The initial administrative assessment shall be determined, and such determination shall be published in the Federal Register by the Copyright Royalty Judges, not later than 1 year after commencement of the proceeding described in this clause. The determination shall be supported by a written record. The initial administrative assessment shall be effective as of the license availability date, and shall continue in effect unless and until an adjusted administrative assessment is established pursuant to an adjustment proceeding under clause (iv).

“(iv) ADJUSTMENT OF ADMINISTRATIVE ASSESSMENT.—The administrative assessment may be adjusted by the Copyright Royalty Judges periodically, in accordance with the following procedures:

“(I) Not earlier than 1 year after the most recent publication of a determination of the administrative assessment by the Copyright Royalty Judges, the mechanical licensing collective, the digital licensee coordinator, or one or more interested copyright owners, digital music providers, or significant nonblanket licensees, may file a petition with the Copyright Royalty Judges in the month of May to commence a proceeding to adjust the administrative assessment.

“(II) Notice of the commencement of such proceeding shall be published in the Federal Register in the month of June following the filing of any petition, with a schedule of requested information and additional proceedings, as described in clause (iii)(II). The mechanical licensing collective and digital licensee coordinator shall participate in such proceeding, along with any interested copyright owners, digital music providers, or significant nonblanket licensees that have notified the Copyright Royalty Judges of their desire to participate.

“(III) The determination of the adjusted administrative assessment, which shall be supported by a written record, shall be published in the Federal Register during June of the calendar year following the commencement of the proceeding. The adjusted administrative assessment shall take effect January 1 of the year following such publication.

“(v) ADOPTION OF VOLUNTARY AGREEMENTS.—In lieu of reaching their own determination based on evaluation of relevant data, the Copyright Royalty Judges shall approve and adopt a negotiated agreement to establish the amount and terms of the administrative assessment that has been agreed to by the mechanical licensing collective and the digital licensee coordinator (or if none has been designated, interested digital music providers and significant nonblanket licensees representing more than half of the market for uses of musical works in covered activities), except that the Copyright Royalty Judges shall have the discretion to reject any such agreement for good cause shown. An administrative assessment adopted under this clause shall apply to all digital music providers and significant nonblanket licensees engaged in covered activities during the period the administrative assessment is in effect.

“(vi) CONTINUING AUTHORITY TO AMEND.—The Copyright Royalty Judges shall retain continuing authority to amend a determination of an administrative assessment to correct technical or clerical errors, or modify the terms of implementation, for good cause, with any such amendment to be published in the Federal Register.

“(vii) APPEAL OF ADMINISTRATIVE ASSESSMENT.—The determination of an administrative assessment by the Copyright Royalty Judges shall be appealable, not later than 30 calendar days after publication in the Federal Register, to the Court of Appeals for the District of Columbia Circuit by any party that fully participated in the proceeding. The administrative assessment as established by the Copyright Royalty Judges shall remain in effect pending the final outcome of any such appeal, and the mechanical licensing collective, digital licensee co-

ordinator, digital music providers, and significant nonblanket licensees shall implement appropriate financial or other measures not later than 90 days after any modification of the assessment to reflect and account for such outcome.

“(viii) **REGULATIONS.**—The Copyright Royalty Judges may adopt regulations to govern the conduct of proceedings under this paragraph.

“(8) **ESTABLISHMENT OF RATES AND TERMS UNDER BLANKET LICENSE.**—

“(A) **RESTRICTIONS ON RATESETTING PARTICIPATION.**—Neither the mechanical licensing collective nor the digital licensee coordinator shall be a party to a proceeding described in subsection (c)(1)(E), except that the mechanical licensing collective or the digital licensee coordinator may gather and provide financial and other information for the use of a party to such a proceeding and comply with requests for information as required under applicable statutory and regulatory provisions and rulings of the Copyright Royalty Judges.

“(B) **APPLICATION OF LATE FEES.**—In any proceeding described in subparagraph (A) in which the Copyright Royalty Judges establish a late fee for late payment of royalties for uses of musical works under this section, such fee shall apply to covered activities under blanket licenses, as follows:

“(i) Late fees for past due royalty payments shall accrue from the due date for payment until payment is received by the mechanical licensing collective.

“(ii) The availability of late fees shall in no way prevent a copyright owner or the mechanical licensing collective from asserting any other rights or remedies to which such copyright owner or the mechanical licensing collective may be entitled under this title.

“(C) **INTERIM RATE AGREEMENTS IN GENERAL.**—For any covered activity for which no rate or terms have been established by the Copyright Royalty Judges, the mechanical licensing collective and any digital music provider may agree to an interim rate and terms for such activity under the blanket license, and any such rate and terms—

“(i) shall be treated as nonprecedential and not cited or relied upon in any ratesetting proceeding before the Copyright Royalty Judges or any other tribunal; and

“(ii) shall automatically expire upon the establishment of a rate and terms for such covered activity by the Copyright Royalty Judges, under subsection (c)(1)(E).

“(D) **ADJUSTMENTS FOR INTERIM RATES.**—The rate and terms established by the Copyright Royalty Judges for a covered activity to which an interim rate and terms have been agreed under subparagraph (C) shall supersede the interim rate and terms and apply retroactively to the inception of the activity under the blanket license. In such case, not later than 90 days after the effective date of the rate and terms established by the Copyright Royalty Judges—

“(i) if the rate established by the Copyright Royalty Judges exceeds the interim rate, the digital music provider shall pay to the mechanical licensing collective the amount of any underpayment of royalties due; or

“(ii) if the interim rate exceeds the rate established by the Copyright Royalty Judges, the mechanical licensing collective shall credit the account of the digital music provider for the amount of any overpayment of royalties due.

“(9) **TRANSITION TO BLANKET LICENSES.**—

“(A) **SUBSTITUTION OF BLANKET LICENSE.**—On the license availability date, a blanket license shall, without any interruption in license authority enjoyed by such digital music provider, be automatically substituted for and supersede any existing compulsory license previously obtained under this section by the digital music provider from a copyright owner to engage in 1 or more covered activities with respect to a musical work, except that such substitution shall not apply to any authority obtained from a record company pursuant to a compulsory license to

make and distribute permanent downloads unless and until such record company terminates such authority in writing to take effect at the end of a monthly reporting period, with a copy to the mechanical licensing collective.

“(B) **EXPIRATION OF EXISTING LICENSES.**—Except to the extent provided in subparagraph (A), on and after the license availability date, licenses other than individual download licenses obtained under this section for covered activities prior to the license availability date shall no longer continue in effect.

“(C) **TREATMENT OF VOLUNTARY LICENSES.**—A voluntary license for a covered activity in effect on the license availability date will remain in effect unless and until the voluntary license expires according to the terms of the voluntary license, or the parties agree to amend or terminate the voluntary license. In a case where a voluntary license for a covered activity entered into before the license availability date incorporates the terms of this section by reference, the terms so incorporated (but not the rates) shall be those in effect immediately prior to the license availability date, and those terms shall continue to apply unless and until such voluntary license is terminated or amended, or the parties enter into a new voluntary license.

“(D) **FURTHER ACCEPTANCE OF NOTICES FOR COVERED ACTIVITIES BY COPYRIGHT OFFICE.**—On and after the enactment date—

“(i) the Copyright Office shall no longer accept notices of intention with respect to covered activities; and

“(ii) notices of intention filed before the enactment date will no longer be effective or provide license authority with respect to covered activities, except that, before the license availability date, there shall be no liability under section 501 for the reproduction or distribution of a musical work (or share thereof) in covered activities if a valid notice of intention was filed for such work (or share) before the enactment date.

“(10) **PRIOR UNLICENSED USES.**—

“(A) **LIMITATION ON LIABILITY IN GENERAL.**—A copyright owner that commences an action under section 501 on or after January 1, 2018, against a digital music provider for the infringement of the exclusive rights provided by paragraph (1) or (3) of section 106 arising from the unauthorized reproduction or distribution of a musical work by such digital music provider in the course of engaging in covered activities prior to the license availability date, shall, as the copyright owner's sole and exclusive remedy against the digital music provider, be eligible to recover the royalty prescribed under subsection (c)(1)(C) and chapter 8, from the digital music provider, provided that such digital music provider can demonstrate compliance with the requirements of subparagraph (B), as applicable. In all other cases the limitation on liability under this subparagraph shall not apply.

“(B) **REQUIREMENTS FOR LIMITATION ON LIABILITY.**—The following requirements shall apply on the enactment date and through the end of the period that expires 90 days after the license availability date to digital music providers seeking to avail themselves of the limitation on liability described in subparagraph (A):

“(i) Not later than 30 calendar days after first making a particular sound recording of a musical work available through its service via one or more covered activities, or 30 calendar days after the enactment date, whichever occurs later, a digital music provider shall engage in good-faith, commercially reasonable efforts to identify and locate each copyright owner of such musical work (or share thereof). Such required matching efforts shall include the following:

“(I) Good-faith, commercially reasonable efforts to obtain from the owner of the corresponding sound recording made available through the digital music provider's service the following information:

“(aa) Sound recording name, featured artist, sound recording copyright owner, producer,

international standard recording code, and other information commonly used in the industry to identify sound recordings and match them to the musical works they embody.

“(bb) Any available musical work ownership information, including each songwriter and publisher name, percentage ownership share, and international standard musical work code.

“(II) Employment of 1 or more bulk electronic matching processes that are available to the digital music provider through a third-party vendor on commercially reasonable terms, except that a digital music provider may rely on its own bulk electronic matching process if that process has capabilities comparable to or better than those available from a third-party vendor on commercially reasonable terms.

“(ii) The required matching efforts shall be repeated by the digital music provider not less than once per month for so long as the copyright owner remains unidentified or has not been located.

“(iii) If the required matching efforts are successful in identifying and locating a copyright owner of a musical work (or share thereof) by the end of the calendar month in which the digital music provider first makes use of the work, the digital music provider shall provide statements of account and pay royalties to such copyright owner in accordance with this section and applicable regulations.

“(iv) If the copyright owner is not identified or located by the end of the calendar month in which the digital music provider first makes use of the work, the digital music provider shall accrue and hold royalties calculated under the applicable statutory rate in accordance with usage of the work, from initial use of the work until the accrued royalties can be paid to the copyright owner or are required to be transferred to the mechanical licensing collective, as follows:

“(I) Accrued royalties shall be maintained by the digital music provider in accordance with generally accepted accounting principles.

“(II) If a copyright owner of an unmatched musical work (or share thereof) is identified and located by or to the digital music provider before the license availability date, the digital music provider shall—

“(aa) not later than 45 calendar days after the end of the calendar month during which the copyright owner was identified and located, pay the copyright owner all accrued royalties, such payment to be accompanied by a cumulative statement of account that includes all of the information that would have been provided to the copyright owner had the digital music provider been providing monthly statements of account to the copyright owner from initial use of the work in accordance with this section and applicable regulations, including the requisite certification under subsection (c)(2)(I);

“(bb) beginning with the accounting period following the calendar month in which the copyright owner was identified and located, and for all other accounting periods prior to the license availability date, provide monthly statements of account and pay royalties to the copyright owner as required under this section and applicable regulations; and

“(cc) beginning with the monthly royalty reporting period commencing on the license availability date, report usage and pay royalties for such musical work (or share thereof) for such reporting period and reporting periods thereafter to the mechanical licensing collective, as required under this subsection and applicable regulations.

“(III) If a copyright owner of an unmatched musical work (or share thereof) is not identified and located by the license availability date, the digital music provider shall—

“(aa) not later than 45 calendar days after the license availability date, transfer all accrued royalties to the mechanical licensing collective, such payment to be accompanied by a cumulative statement of account that includes all of the information that would have been provided to the copyright owner had the digital music

provider been serving monthly statements of account on the copyright owner from initial use of the work in accordance with this section and applicable regulations, including the requisite certification under subsection (c)(2)(I), and accompanied by an additional certification by a duly authorized officer of the digital music provider that the digital music provider has fulfilled the requirements of clauses (i) and (ii) of subparagraph (B) but has not been successful in locating or identifying the copyright owner; and

“(bb) beginning with the monthly royalty reporting period commencing on the license availability date, report usage and pay royalties for such musical work (or share thereof) for such period and reporting periods thereafter to the mechanical licensing collective, as required under this subsection and applicable regulations.

“(v) A digital music provider that complies with the requirements of this subparagraph with respect to unmatched musical works (or shares of works) shall not be liable for or accrue late fees for late payments of royalties for such works until such time as the digital music provider is required to begin paying monthly royalties to the copyright owner or the mechanical licensing collective, as applicable.

“(C) ADJUSTED STATUTE OF LIMITATIONS.—Notwithstanding anything to the contrary in section 507(b), with respect to any claim of infringement of the exclusive rights provided by paragraphs (1) and (3) of section 106 against a digital music provider arising from the unauthorized reproduction or distribution of a musical work by such digital music provider in the course of engaging in covered activities that accrued not more than 3 years prior to the license availability date, such action may be commenced not later than the later of—

“(i) 3 years after the date on which the claim accrued; or

“(ii) 2 years after the license availability date.

“(D) OTHER RIGHTS AND REMEDIES PRESERVED.—Except as expressly provided in this paragraph, nothing in this paragraph shall be construed to alter, limit, or negate any right or remedy of a copyright owner with respect to unauthorized use of a musical work.

“(11) LEGAL PROTECTIONS FOR LICENSING ACTIVITIES.—

“(A) EXEMPTION FOR COMPULSORY LICENSE ACTIVITIES.—The antitrust exemption described in subsection (c)(1)(D) shall apply to negotiations and agreements between and among copyright owners and persons entitled to obtain a compulsory license for covered activities, and common agents acting on behalf of such copyright owners or persons, including with respect to the administrative assessment established under this subsection.

“(B) LIMITATION ON COMMON AGENT EXEMPTION.—Notwithstanding the antitrust exemption provided in subsection (c)(1)(D) and subparagraph (A) of this paragraph (except for the administrative assessment referenced in such subparagraph (A) and except as provided in paragraph (8)(C)), neither the mechanical licensing collective nor the digital licensee coordinator shall serve as a common agent with respect to the establishment of royalty rates or terms under this section.

“(C) ANTITRUST EXEMPTION FOR ADMINISTRATIVE ACTIVITIES.—Notwithstanding any provision of the antitrust laws, copyright owners and persons entitled to obtain a compulsory license under this section may designate the mechanical licensing collective to administer voluntary licenses for the reproduction or distribution of musical works in covered activities on behalf of such copyright owners and persons, subject to the following conditions:

“(i) Each copyright owner shall establish the royalty rates and material terms of any such voluntary license individually and not in agreement, combination, or concert with any other copyright owner.

“(ii) Each person entitled to obtain a compulsory license under this section shall establish

the royalty rates and material terms of any such voluntary license individually and not in agreement, combination, or concert with any other digital music provider.

“(iii) The mechanical licensing collective shall maintain the confidentiality of the voluntary licenses in accordance with the confidentiality provisions prescribed by the Register of Copyrights under paragraph (12)(C).

“(D) LIABILITY FOR GOOD-FAITH ACTIVITIES.—The mechanical licensing collective shall not be liable to any person or entity based on a claim arising from its good-faith administration of policies and procedures adopted and implemented to carry out the responsibilities described in subparagraphs (J) and (K) of paragraph (3), except to the extent of correcting an underpayment or overpayment of royalties as provided in paragraph (3)(L)(i)(VI), but the collective may participate in a legal proceeding as a stakeholder party if the collective is holding funds that are the subject of a dispute between copyright owners. For purposes of this subparagraph, the term ‘good-faith administration’ means administration in a manner that is not grossly negligent.

“(E) PREEMPTION OF STATE PROPERTY LAWS.—The holding and distribution of funds by the mechanical licensing collective in accordance with this subsection shall supersede and preempt any State law (including common law) concerning escheatment or abandoned property, or any analogous provision, that might otherwise apply.

“(F) RULE OF CONSTRUCTION.—Except as expressly provided in this subsection, nothing in this subsection shall negate or limit the ability of any person to pursue an action in Federal court against the mechanical licensing collective or any other person based upon a claim arising under this title or other applicable law.

“(12) REGULATIONS.—

“(A) ADOPTION BY REGISTER OF COPYRIGHTS AND COPYRIGHT ROYALTY JUDGES.—The Register of Copyrights may conduct such proceedings and adopt such regulations as may be necessary or appropriate to effectuate the provisions of this subsection, except for regulations concerning proceedings before the Copyright Royalty Judges to establish the administrative assessment, which shall be adopted by the Copyright Royalty Judges.

“(B) JUDICIAL REVIEW OF REGULATIONS.—Except as provided in paragraph (7)(D)(vii), regulations adopted under this subsection shall be subject to judicial review pursuant to chapter 7 of title 5.

“(C) PROTECTION OF CONFIDENTIAL INFORMATION.—The Register of Copyrights shall adopt regulations to provide for the appropriate procedures to ensure that confidential, private, proprietary, or privileged information contained in the records of the mechanical licensing collective and digital licensee coordinator is not improperly disclosed or used, including through any disclosure or use by the board of directors or personnel of either entity, and specifically including the unclaimed royalties oversight committee and the dispute resolution committee of the mechanical licensing collective.

“(13) SAVINGS CLAUSES.—

“(A) LIMITATION ON ACTIVITIES AND RIGHTS COVERED.—This subsection applies solely to uses of musical works subject to licensing under this section. The blanket license shall not be construed to extend or apply to activities other than covered activities or to rights other than the exclusive rights of reproduction and distribution licensed under this section, or serve or act as the basis to extend or expand the compulsory license under this section to activities and rights not covered by this section on the day before the enactment date.

“(B) RIGHTS OF PUBLIC PERFORMANCE NOT AFFECTED.—The rights, protections, and immunities granted under this subsection, the data concerning musical works collected and made available under this subsection, and the definitions under subsection (e) shall not extend to, limit,

or otherwise affect any right of public performance in a musical work.”; and

(5) by adding at the end the following:

“(e) DEFINITIONS.—As used in this section:

“(1) ACCRUED INTEREST.—The term ‘accrued interest’ means interest accrued on accrued royalties, as described in subsection (d)(3)(H)(ii).

“(2) ACCRUED ROYALTIES.—The term ‘accrued royalties’ means royalties accrued for the reproduction or distribution of a musical work (or share thereof) in a covered activity, calculated in accordance with the applicable royalty rate under this section.

“(3) ADMINISTRATIVE ASSESSMENT.—The term ‘administrative assessment’ means the fee established pursuant to subsection (d)(7)(D).

“(4) AUDIT.—The term ‘audit’ means a royalty compliance examination to verify the accuracy of royalty payments, or the conduct of such an examination, as applicable.

“(5) BLANKET LICENSE.—The term ‘blanket license’ means a compulsory license described in subsection (d)(1)(A) to engage in covered activities.

“(6) COLLECTIVE TOTAL COSTS.—The term ‘collective total costs’—

“(A) means the total costs of establishing, maintaining, and operating the mechanical licensing collective to fulfill its statutory functions, including—

“(i) startup costs;

“(ii) financing, legal, audit, and insurance costs;

“(iii) investments in information technology, infrastructure, and other long-term resources;

“(iv) outside vendor costs;

“(v) costs of licensing, royalty administration, and enforcement of rights;

“(vi) costs of bad debt; and

“(vii) costs of automated and manual efforts to identify and locate copyright owners of musical works (and shares of such musical works) and match sound recordings to the musical works the sound recordings embody; and

“(B) does not include any added costs incurred by the mechanical licensing collective to provide services under voluntary licenses.

“(7) COVERED ACTIVITY.—The term ‘covered activity’ means the activity of making a digital phonorecord delivery of a musical work, including in the form of a permanent download, limited download, or interactive stream, where such activity qualifies for a compulsory license under this section.

“(8) DIGITAL MUSIC PROVIDER.—The term ‘digital music provider’ means a person (or persons operating under the authority of that person) that, with respect to a service engaged in covered activities—

“(A) has a direct contractual, subscription, or other economic relationship with end users of the service, or, if no such relationship with end users exists, exercises direct control over the provision of the service to end users;

“(B) is able to fully report on any revenues and consideration generated by the service; and

“(C) is able to fully report on usage of sound recordings of musical works by the service (or procure such reporting).

“(9) DIGITAL LICENSEE COORDINATOR.—The term ‘digital licensee coordinator’ means the entity most recently designated pursuant to subsection (d)(5).

“(10) DIGITAL PHONORECORD DELIVERY.—The term ‘digital phonorecord delivery’ means each individual delivery of a phonorecord by digital transmission of a sound recording that results in a specifically identifiable reproduction by or for any transmission recipient of a phonorecord of that sound recording, regardless of whether the digital transmission is also a public performance of the sound recording or any musical work embodied therein, and includes a permanent download, a limited download, or an interactive stream. A digital phonorecord delivery does not result from a real-time, noninteractive subscription transmission of a sound recording where no reproduction of the sound recording or the musical work embodied therein is made from the in-

ception of the transmission through to its receipt by the transmission recipient in order to make the sound recording audible. A digital phonorecord delivery does not include the digital transmission of sounds accompanying a motion picture or other audiovisual work as defined in section 101.

“(11) **ENACTMENT DATE.**—The term ‘enactment date’ means the date of the enactment of the Musical Works Modernization Act.

“(12) **INDIVIDUAL DOWNLOAD LICENSE.**—The term ‘individual download license’ means a compulsory license obtained by a record company to make and distribute, or authorize the making and distribution of, permanent downloads embodying a specific individual musical work.

“(13) **INTERACTIVE STREAM.**—The term ‘interactive stream’ means a digital transmission of a sound recording of a musical work in the form of a stream, where the performance of the sound recording by means of such transmission is not exempt under section 114(d)(1) and does not in itself, or as a result of a program in which it is included, qualify for statutory licensing under section 114(d)(2). An interactive stream is a digital phonorecord delivery.

“(14) **INTERESTED.**—The term ‘interested’, as applied to a party seeking to participate in a proceeding under subsection (d)(7)(D), is a party as to which the Copyright Royalty Judges have not determined that the party lacks a significant interest in such proceeding.

“(15) **LICENSE AVAILABILITY DATE.**—The term ‘license availability date’ means January 1 following the expiration of the 2-year period beginning on the enactment date.

“(16) **LIMITED DOWNLOAD.**—The term ‘limited download’ means a digital transmission of a sound recording of a musical work in the form of a download, where such sound recording is accessible for listening only for a limited amount of time or specified number of times.

“(17) **MATCHED.**—The term ‘matched’, as applied to a musical work (or share thereof), means that the copyright owner of such work (or share thereof) has been identified and located.

“(18) **MECHANICAL LICENSING COLLECTIVE.**—The term ‘mechanical licensing collective’ means the entity most recently designated as such by the Register of Copyrights under subsection (d)(3).

“(19) **MECHANICAL LICENSING COLLECTIVE BUDGET.**—The term ‘mechanical licensing collective budget’ means a statement of the financial position of the mechanical licensing collective for a fiscal year or quarter thereof based on estimates of expenditures during the period and proposals for financing those expenditures, including a calculation of the collective total costs.

“(20) **MUSICAL WORKS DATABASE.**—The term ‘musical works database’ means the database described in subsection (d)(3)(E).

“(21) **NONPROFIT.**—The term ‘nonprofit’ means a nonprofit created or organized in a State.

“(22) **NOTICE OF LICENSE.**—The term ‘notice of license’ means a notice from a digital music provider provided under subsection (d)(2)(A) for purposes of obtaining a blanket license.

“(23) **NOTICE OF NONBLANKET ACTIVITY.**—The term ‘notice of nonblanket activity’ means a notice from a significant nonblanket licensee provided under subsection (d)(6)(A) for purposes of notifying the mechanical licensing collective that the licensee has been engaging in covered activities.

“(24) **PERMANENT DOWNLOAD.**—The term ‘permanent download’ means a digital transmission of a sound recording of a musical work in the form of a download, where such sound recording is accessible for listening without restriction as to the amount of time or number of times it may be accessed.

“(25) **QUALIFIED AUDITOR.**—The term ‘qualified auditor’ means an independent, certified public accountant with experience performing music royalty audits.

“(26) **RECORD COMPANY.**—The term ‘record company’ means an entity that invests in, produces, and markets sound recordings of musical works, and distributes such sound recordings for remuneration through multiple sales channels, including a corporate affiliate of such an entity engaged in distribution of sound recordings.

“(27) **REPORT OF USAGE.**—The term ‘report of usage’ means a report reflecting an entity’s usage of musical works in covered activities described in subsection (d)(4)(A).

“(28) **REQUIRED MATCHING EFFORTS.**—The term ‘required matching efforts’ means efforts to identify and locate copyright owners of musical works as described in subsection (d)(10)(B)(i).

“(29) **SERVICE.**—The term ‘service’, as used in relation to covered activities, means any site, facility, or offering by or through which sound recordings of musical works are digitally transmitted to members of the public.

“(30) **SHARE.**—The term ‘share’, as applied to a musical work, means a fractional ownership interest in such work.

“(31) **SIGNIFICANT NONBLANKET LICENSEE.**—The term ‘significant nonblanket licensee’—

“(A) means an entity, including a group of entities under common ownership or control that, acting under the authority of one or more voluntary licenses or individual download licenses, offers a service engaged in covered activities, and such entity or group of entities—

“(i) is not currently operating under a blanket license and is not obligated to provide reports of usage reflecting covered activities under subsection (d)(4)(A);

“(ii) has a direct contractual, subscription, or other economic relationship with end users of the service or, if no such relationship with end users exists, exercises direct control over the provision of the service to end users; and

“(iii) either—

“(I) on any day in a calendar month, makes more than 5,000 different sound recordings of musical works available through such service; or

“(II) derives revenue or other consideration in connection with such covered activities greater than \$50,000 in a calendar month, or total revenue or other consideration greater than \$500,000 during the preceding 12 calendar months; and

“(B) does not include—

“(i) an entity whose covered activity consists solely of free-to-the-user streams of segments of sound recordings of musical works that do not exceed 90 seconds in length, are offered only to facilitate a licensed use of musical works that is not a covered activity, and have no revenue directly attributable to such streams constituting the covered activity; or

“(ii) a ‘public broadcasting entity’ as defined in section 118(f).

“(32) **SONGWRITER.**—The term ‘songwriter’ means the author of all or part of a musical work, including a composer or lyricist.

“(33) **STATE.**—The term ‘State’ means each State of the United States, the District of Columbia, and each territory or possession of the United States.

“(34) **UNCLAIMED ACCRUED ROYALTIES.**—The term ‘unclaimed accrued royalties’ means accrued royalties eligible for distribution under subsection (d)(3)(J).

“(35) **UNMATCHED.**—The term ‘unmatched’, as applied to a musical work (or share thereof), means that the copyright owner of such work (or share thereof) has not been identified or located.

“(36) **VOLUNTARY LICENSE.**—The term ‘voluntary license’ means a license for use of a musical work (or share thereof) other than a compulsory license obtained under this section.”

(b) **TECHNICAL AND CONFORMING AMENDMENTS TO SECTION 801.**—Section 801(b) of title 17, United States Code, is amended—

(1) by redesignating paragraph (8) as paragraph (9); and

(2) by inserting after paragraph (7) the following:

“(8) To determine the administrative assessment to be paid by digital music providers under

section 115(d). The provisions of section 115(d) shall apply to the conduct of proceedings by the Copyright Royalty Judges under section 115(d) and not the procedures described in this section, or section 803, 804, or 805.”

(c) **EFFECTIVE DATE OF AMENDED RATE SETTING STANDARD.**—The amendments made by subsection (a)(3) and section 103(g)(2) shall apply to any proceeding before the Copyright Royalty Judges that is commenced on or after the date of the enactment of this Act.

(d) **TECHNICAL AND CONFORMING AMENDMENTS TO TITLE 37, PART 385 OF THE CODE OF FEDERAL REGULATIONS.**—Not later than 270 days after the date of enactment of this Act, the Copyright Royalty Judges shall amend the regulations for section 115 of title 17, United States Code, in part 385 of title 37, Code of Federal Regulations, to conform the definitions used in such part to the definitions of the same terms described in section 115(e) of title 17, United States Code, as added by subsection (a). In so doing, the Copyright Royalty Judges shall make adjustments to the language of the regulations as necessary to achieve the same purpose and effect as the original regulations with respect to the rates and terms previously adopted by the Copyright Royalty Judges.

(e) **COPYRIGHT OFFICE ACTIVITIES.**—The Register of Copyrights shall engage in public outreach and educational activities—

(1) regarding the amendments made by subsection (a) to section 115 of title 17, United States Code, including the responsibilities of the mechanical licensing collective designated under those amendments;

(2) which shall include educating songwriters and other interested parties with respect to the process established under section 115(d)(3)(C)(i)(V) of title 17, United States Code, as added by subsection (a), by which—

(A) a copyright owner may claim ownership of musical works (and shares of such works); and

(B) royalties for works for which the owner is not identified or located shall be equitably distributed to known copyright owners; and

(3) which the Register shall make available online.

(f) **UNCLAIMED ROYALTIES STUDY AND RECOMMENDATIONS.**—

(1) **IN GENERAL.**—Not later than 2 years after the date on which the Register of Copyrights initially designates the mechanical licensing collective under section 115(d)(3)(B)(i) of title 17, United States Code, as added by subsection (a)(4), the Register, in consultation with the Comptroller General of the United States, and after soliciting and reviewing comments and relevant information from music industry participants and other interested parties, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that recommends best practices that the collective may implement in order to—

(A) identify and locate musical work copyright owners with unclaimed accrued royalties held by the collective;

(B) encourage musical work copyright owners to claim the royalties of those owners; and

(C) reduce the incidence of unclaimed royalties.

(2) **CONSIDERATION OF RECOMMENDATIONS.**—The mechanical licensing collective shall carefully consider, and give substantial weight to, the recommendations submitted by the Register of Copyrights under paragraph (1) when establishing the procedures of the collective with respect to the—

(A) identification and location of musical work copyright owners; and

(B) distribution of unclaimed royalties.

SEC. 103. AMENDMENTS TO SECTION 114.

(a) **UNIFORM RATE STANDARD.**—Section 114(f) of title 17, United States Code, is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

“(1)(A) Proceedings under chapter 8 shall determine reasonable rates and terms of royalty

payments for transmissions subject to statutory licensing under subsection (d)(2) during the 5-year period beginning on January 1 of the second year following the year in which the proceedings are to be commenced pursuant to subparagraph (A) or (B) of section 804(b)(3), as the case may be, or such other period as the parties may agree. The parties to each proceeding shall bear their own costs.

“(B) The schedule of reasonable rates and terms determined by the Copyright Royalty Judges shall, subject to paragraph (2), be binding on all copyright owners of sound recordings and entities performing sound recordings affected by this paragraph during the 5-year period specified in subparagraph (A), or such other period as the parties may agree. Such rates and terms shall distinguish among the different types of services then in operation and shall include a minimum fee for each such type of service, such differences to be based on criteria including the quantity and nature of the use of sound recordings and the degree to which use of the service may substitute for or may promote the purchase of phonorecords by consumers. The Copyright Royalty Judges shall establish rates and terms that most clearly represent the rates and terms that would have been negotiated in the marketplace between a willing buyer and a willing seller. In determining such rates and terms, the Copyright Royalty Judges—

“(i) shall base their decision on economic, competitive, and programming information presented by the parties, including—

“(I) whether use of the service may substitute for or may promote the sales of phonorecords or otherwise may interfere with or may enhance the sound recording copyright owner's other streams of revenue from the copyright owner's sound recordings; and

“(II) the relative roles of the copyright owner and the transmitting entity in the copyrighted work and the service made available to the public with respect to relative creative contribution, technological contribution, capital investment, cost, and risk; and

“(ii) may consider the rates and terms for comparable types of audio transmission services and comparable circumstances under voluntary license agreements.

“(C) The procedures under subparagraphs (A) and (B) shall also be initiated pursuant to a petition filed by any sound recording copyright owner or any transmitting entity indicating that a new type of service on which sound recordings are performed is or is about to become operational, for the purpose of determining reasonable terms and rates of royalty payments with respect to such new type of service for the period beginning with the inception of such new type of service and ending on the date on which the royalty rates and terms for eligible non-subscription services and new subscription services, or preexisting satellite digital audio radio services, as the case may be, most recently determined under subparagraph (A) or (B) and chapter 8 expire, or such other period as the parties may agree.”; and

(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (2), (3), and (4), respectively.

(b) REPEAL.—Subsection (i) of section 114 of title 17, United States Code, is repealed.

(c) USE IN MUSICAL WORK PROCEEDINGS.—

(1) IN GENERAL.—License fees payable for the public performance of sound recordings under section 106(6) of title 17, United States Code, shall not be taken into account in any administrative, judicial, or other governmental proceeding to set or adjust the royalties payable to musical work copyright owners for the public performance of their works except in such a proceeding to set or adjust royalties for the public performance of musical works by means of a digital audio transmission other than a transmission by a broadcaster, and may be taken into account only with respect to such digital audio transmission.

(2) DEFINITIONS.—In this subsection:

(A) TRANSMISSION BY A BROADCASTER.—The term “transmission by a broadcaster” means a nonsubscription digital transmission made by a terrestrial broadcast station on its own behalf, or on the behalf of a terrestrial broadcast station under common ownership or control, that is not part of an interactive service or a music-intensive service comprising the transmission of sound recordings customized for or customizable by recipients or service users.

(B) TERRESTRIAL BROADCAST STATION.—The term “terrestrial broadcast station” means a terrestrial, over-the-air radio or television broadcast station, including an FM translator (as defined in section 74.1201 of title 47, Code of Federal Regulations, and licensed as such by the Federal Communications Commission) whose primary business activities are comprised of, and whose revenues are generated through, terrestrial, over-the-air broadcast transmissions, or the simultaneous or substantially-simultaneous digital retransmission by the terrestrial, over-the-air broadcast station of its over-the-air broadcast transmissions.

(d) RULE OF CONSTRUCTION.—Subsection (c)(2) shall not be given effect in interpreting provisions of title 17, United States Code.

(e) USE IN SOUND RECORDING PROCEEDINGS.—The repeal of section 114(i) of title 17, United States Code, by subsection (b) shall not be taken into account in any proceeding to set or adjust the rates and fees payable for the use of sound recordings under section 112(e) or 114(f) of such title that is pending on, or commenced on or after, the date of enactment of this Act.

(f) DECISIONS AND PRECEDENTS NOT AFFECTED.—The repeal of section 114(i) of title 17, United States Code, by subsection (b) shall not have any effect upon the decisions, or the precedents established or relied upon, in any proceeding to set or adjust the rates and fees payable for the use of sound recordings under section 112(e) or 114(f) of such title before the date of enactment of this Act.

(g) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 114.—Section 114(f) of title 17, United States Code, as amended by subsection (a), is further amended in paragraph (4)(C), as so redesignated, in the first sentence, by striking “under paragraph (4)” and inserting “under paragraph (3)”.

(2) SECTION 801.—Section 801(b) of title 17, United States Code, is amended—

(A) in paragraph (1), by striking “The rates applicable” and all that follows through “prevailing industry practices.”; and

(B) in paragraph (7)(B), by striking “114(f)(3)” and inserting “114(f)(2)”.

(3) SECTION 803.—Section 803(c)(2)(E)(i)(II) of title 17, United States Code, is amended—

(A) by striking “or 114(f)(2)(C)”;

(B) by striking “114(f)(4)(B)” and inserting “114(f)(3)(B)”.

(4) SECTION 804.—Section 804(b)(3)(C) of title 17, United States Code, is amended—

(A) in clause (i), by striking “and 114(f)(2)(C)”;

(B) in clause (iii)(II), by striking “114(f)(4)(B)(ii)” and inserting “114(f)(3)(B)(ii)”;

(C) in clause (iv), by striking “or 114(f)(2)(C), as the case may be”.

(h) EFFECTIVE DATE OF AMENDED RATE SETTING STANDARD.—The amendments made by subsection (a)(1) shall apply to any proceeding before the Copyright Royalty Judges that is commenced on or after the date of the enactment of this Act.

(i) TIMING OF RATE DETERMINATIONS.—Section 804(b)(3)(B) of title 17, United States Code, is amended, in the third sentence, by inserting the following after “fifth calendar year”: “, except that—(i) with respect to preexisting subscription services, the terms and rates finally determined for the rate period ending on December 31, 2022, shall remain in effect through December 31, 2027, and there shall be no proceeding to determine terms and rates for preexisting sub-

scription services for the period beginning on January 1, 2023, and ending on December 31, 2027; and” “(ii) with respect to pre-existing satellite digital audio radio services, the terms and rates set forth by the Copyright Royalty Judges on December 14, 2017, in their initial determination for the rate period ending on December 31, 2022, shall be in effect through December 31, 2027, without any change based on a rehearing under section 803(c)(2) and without the possibility of appeal under section 803(d), and there shall be no proceeding to determine terms and rates for preexisting satellite digital audio radio services for the period beginning on January 1, 2023, and ending on December 31, 2027”.

SEC. 104. RANDOM ASSIGNMENT OF RATE COURT PROCEEDINGS.

Section 137 of title 28, United States Code, is amended—

(1) by striking “The business” and inserting “(a) IN GENERAL.—The business”; and

(2) by adding at the end the following:

“(b) RANDOM ASSIGNMENT OF RATE COURT PROCEEDINGS.—

“(1) IN GENERAL.—

“(A) DEFINITION.—In this paragraph, the term ‘performing rights society’ has the meaning given the term in section 101 of title 17.

“(B) DETERMINATION OF LICENSE FEE.—Except as provided in subparagraph (C), in the case of any performing rights society subject to a consent decree, any application for the determination of a license fee for the public performance of music in accordance with the applicable consent decree shall be made in the district court with jurisdiction over that consent decree and randomly assigned to a judge of that district court according to the rules of that court for the division of business among district judges, provided that any such application shall not be assigned to—

“(i) a judge to whom continuing jurisdiction over any performing rights society for any performing rights society consent decree is assigned or has previously been assigned; or

“(ii) a judge to whom another proceeding concerning an application for the determination of a reasonable license fee is assigned at the time of the filing of the application.

“(C) EXCEPTION.—Subparagraph (B) does not apply to an application to determine reasonable license fees made by individual proprietors under section 513 of title 17.

“(2) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall modify the rights of any party to a consent decree or to a proceeding to determine reasonable license fees, to make an application for the construction of any provision of the applicable consent decree. Such application shall be referred to the judge to whom continuing jurisdiction over the applicable consent decree is currently assigned. If any such application is made in connection with a rate proceeding, such rate proceeding shall be stayed until the final determination of the construction application. Disputes in connection with a rate proceeding about whether a licensee is similarly situated to another licensee shall not be subject to referral to the judge with continuing jurisdiction over the applicable consent decree.”.

SEC. 105. PERFORMING RIGHTS SOCIETY CONSENT DECREES.

(a) DEFINITION.—In this section, the term “performing rights society” has the meaning given the term in section 101 of title 17, United States Code.

(b) NOTIFICATION OF REVIEW.—

(1) IN GENERAL.—The Department of Justice shall provide timely briefings upon request of any Member of the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives regarding the status of a review in progress of a consent decree between the United States and a performing rights society.

(2) CONFIDENTIALITY AND DELIBERATIVE PROCESS.—In accordance with applicable rules relating to confidentiality and agency deliberative

process, the Department of Justice shall share with such Members of Congress detailed and timely information and pertinent documents related to the consent decree review.

(c) **ACTION BEFORE MOTION TO TERMINATE.**—(1) **IN GENERAL.**—Before filing with the appropriate district court of the United States a motion to terminate a consent decree between the United States and a performing rights society, including a motion to terminate a consent decree after the passage of a specified period of time, the Department of Justice shall—

(A) notify Members of Congress and committees of Congress described in subsection (b); and

(B) provide to such Members of Congress and committees information regarding the impact of the proposed termination on the market for licensing the public performance of musical works should the motion be granted.

(2) **NOTIFICATION.**—

(A) **IN GENERAL.**—During the notification described in paragraph (1), and not later than a reasonable time before the date on which the Department of Justice files with the appropriate district court of the United States a motion to terminate a consent decree between the United States and a performing rights society, the Department of Justice should submit to the chairmen and ranking members of the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a written notification of the intent of the Department of Justice to file the motion.

(B) **CONTENTS.**—The notification provided in subparagraph (A) shall include a written report to the chairmen and ranking members of the Committee on the Judiciary of Senate and the Committee on the Judiciary of the House of Representatives setting forth—

(i) an explanation of the process used by the Department of Justice to review the consent decree;

(ii) a summary of the public comments received by the Department of Justice during the review by the Department; and

(iii) other information provided to Congress under paragraph (1)(B).

(d) **SCOPE.**—This section applies only to a consent decree between the United States and a performing rights society.

SEC. 106. EFFECTIVE DATE.

This title, and the amendments made by this title, shall take effect on the date of enactment of this Act.

TITLE II—CLASSICS PROTECTION AND ACCESS

SEC. 201. SHORT TITLE.

This title may be cited as the “Classics Protection and Access Act”.

SEC. 202. UNAUTHORIZED USE OF PRE-1972 SOUND RECORDINGS.

(a) **PREEMPTION OF STATE LAW RIGHTS; PROTECTION FOR UNAUTHORIZED USE.**—Title 17, United States Code, is amended—

(1) in section 301, by striking subsection (c) and inserting the following:

“(c) Notwithstanding the provisions of section 303, and in accordance with chapter 14, no sound recording fixed before February 15, 1972, shall be subject to copyright under this title. With respect to sound recordings fixed before February 15, 1972, the preemptive provisions of subsection (a) shall apply to activities that are commenced on and after the date of enactment of the Classics Protection and Access Act. Nothing in this subsection may be construed to affirm or negate the preemption of rights and remedies pertaining to any cause of action arising from the nonsubscription broadcast transmission of sound recordings under the common law or statutes of any State for activities that do not qualify as covered activities under chapter 14 undertaken during the period between the date of enactment of the Classics Protection and Access Act and the date on which the term of prohibition on unauthorized acts under section 1401(a)(2) expires for such sound recordings. Any potential preemption of rights and remedies

related to such activities undertaken during that period shall apply in all respects as it did the day before the date of enactment of the Classics Protection and Access Act.”; and

(2) by adding at the end the following:

“CHAPTER 14—UNAUTHORIZED USE OF PRE-1972 SOUND RECORDINGS

“Sec.

“1401. Unauthorized use of pre-1972 sound recordings.

“§1401. Unauthorized use of pre-1972 sound recordings

“(a) **IN GENERAL.**—

“(1) **UNAUTHORIZED ACTS.**—Anyone who, on or before the last day of the applicable transition period under paragraph (2), and without the consent of the rights owner, engages in covered activity with respect to a sound recording fixed before February 15, 1972, shall be subject to the remedies provided in sections 502 through 505 and 1203 to the same extent as an infringer of copyright or a person that engages in unauthorized activity under chapter 12.

“(2) **TERM OF PROHIBITION.**—

“(A) **IN GENERAL.**—The prohibition under paragraph (1)—

“(i) subject to clause (ii), shall apply to a sound recording described in that paragraph—

“(I) through December 31 of the year that is 95 years after the year of first publication; and

“(II) for a further transition period as prescribed under subparagraph (B) of this paragraph; and

“(ii) shall not apply to any sound recording after February 15, 2067.

“(B) **TRANSITION PERIODS.**—

“(i) **PRE-1923 RECORDINGS.**—In the case of a sound recording first published before January 1, 1923, the transition period described in subparagraph (A)(i)(II) shall end on December 31 of the year that is 3 years after the date of enactment of this section.

“(ii) **1923–1946 RECORDINGS.**—In the case of a sound recording first published during the period beginning on January 1, 1923, and ending on December 31, 1946, the transition period described in subparagraph (A)(i)(II) shall end on the date that is 5 years after the last day of the period described in subparagraph (A)(i)(I).

“(iii) **1947–1956 RECORDINGS.**—In the case of a sound recording first published during the period beginning on January 1, 1947, and ending on December 31, 1956, the transition period described in subparagraph (A)(i)(II) shall end on the date that is 15 years after the last day of the period described in subparagraph (A)(i)(I).

“(iv) **POST-1956 RECORDINGS.**—In the case of a sound recording fixed before February 15, 1972, that is not described in clause (i), (ii), or (iii), the transition period described in subparagraph (A)(i)(II) shall end on February 15, 2067.

“(3) **RULE OF CONSTRUCTION.**—For the purposes of this subsection, the term ‘anyone’ includes any State, any instrumentality of a State, and any officer or employee of a State or instrumentality of a State acting in the official capacity of the officer or employee, as applicable.

“(b) **CERTAIN AUTHORIZED TRANSMISSIONS AND REPRODUCTIONS.**—A public performance by means of a digital audio transmission of a sound recording fixed before February 15, 1972, or a reproduction in an ephemeral phonorecord or copy of a sound recording fixed before February 15, 1972, shall, for purposes of subsection (a), be considered to be authorized and made with the consent of the rights owner if—

“(1) the transmission or reproduction would satisfy the requirements for statutory licensing under section 112(e)(1) or section 114(d)(2), or would be exempt under section 114(d)(1), as the case may be, if the sound recording were fixed on or after February 15, 1972; and

“(2) the transmitting entity pays the statutory royalty for the transmission or reproduction pursuant to the rates and terms adopted under sections 112(e) and 114(f), and complies with other obligations, in the same manner as re-

quired by regulations adopted by the Copyright Royalty Judges under sections 112(e) and 114(f) for sound recordings that are fixed on or after February 15, 1972, except in the case of a transmission that would be exempt under section 114(d)(1).

“(c) **CERTAIN NONCOMMERCIAL USES OF SOUND RECORDINGS THAT ARE NOT BEING COMMERCIALY EXPLOITED.**—

“(1) **IN GENERAL.**—Noncommercial use of a sound recording fixed before February 15, 1972, that is not being commercially exploited by or under the authority of the rights owner shall not violate subsection (a) if—

“(A) the person engaging in the noncommercial use, in order to determine whether the sound recording is being commercially exploited by or under the authority of the rights owner, makes a good faith, reasonable search for, but does not find, the sound recording—

“(i) in the records of schedules filed in the Copyright Office as described in subsection (f)(5)(A); and

“(ii) on services offering a comprehensive set of sound recordings for sale or streaming;

“(B) the person engaging in the noncommercial use files a notice identifying the sound recording and the nature of the use in the Copyright Office in accordance with the regulations issued under paragraph (3)(B); and

“(C) during the 90-day period beginning on the date on which the notice described in subparagraph (B) is indexed into the public records of the Copyright Office, the rights owner of the sound recording does not, in its discretion, opt out of the noncommercial use by filing notice thereof in the Copyright Office in accordance with the regulations issued under paragraph (5).

“(2) **RULES OF CONSTRUCTION.**—For purposes of this subsection—

“(A) merely recovering costs of production and distribution of a sound recording resulting from a use otherwise permitted under this subsection does not itself necessarily constitute a commercial use of the sound recording;

“(B) the fact that a person engaging in the use of a sound recording also engages in commercial activities does not itself necessarily render the use commercial; and

“(C) the fact that a person files notice of a noncommercial use of a sound recording in accordance with the regulations issued under paragraph (3)(B) does not itself affect any limitation on the exclusive rights of a copyright owner described in section 107, 108, 109, 110, or 112(f) as applied to a claim under subsection (a) of this section pursuant to subsection (f)(1)(A) of this section.

“(3) **NOTICE OF COVERED ACTIVITY.**—Not later than 180 days after the date of enactment of this section, the Register of Copyrights shall issue regulations that—

“(A) provide specific, reasonable steps that, if taken by a filer, are sufficient to constitute a good faith, reasonable search under paragraph (1)(A) to determine whether a recording is being commercially exploited, including the services that satisfy the good faith, reasonable search requirement under paragraph (1)(A) for purposes of the safe harbor described in paragraph (4)(A); and

“(B) establish the form, content, and procedures for the filing of notices under paragraph (1)(B).

“(4) **SAFE HARBOR.**—

“(A) **IN GENERAL.**—A person engaging in a noncommercial use of a sound recording otherwise permitted under this subsection who establishes that the person made a good faith, reasonable search under paragraph (1)(A) without finding commercial exploitation of the sound recording by or under the authority of the rights owner shall not be found to be in violation of subsection (a).

“(B) **STEPS SUFFICIENT BUT NOT NECESSARY.**—Taking the specific, reasonable steps identified by the Register of Copyrights in the regulations issued under paragraph (3)(A) shall be suffi-

cient, but not necessary, for a filer to satisfy the requirement to conduct a good faith, reasonable search under paragraph (1)(A) for purposes of subparagraph (A) of this paragraph.

“(5) OPTING OUT OF COVERED ACTIVITY.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Register of Copyrights shall issue regulations establishing the form, content, and procedures for the rights owner of a sound recording that is the subject of a notice under paragraph (1)(B) to, in its discretion, file notice opting out of the covered activity described in the notice under paragraph (1)(B) during the 90-day period beginning on the date on which the notice under paragraph (1)(B) is indexed into the public records of the Copyright Office.

“(B) RULE OF CONSTRUCTION.—The fact that a rights holder opts out of a noncommercial use of a sound recording by filing notice thereof in the Copyright Office in accordance with the regulations issued under subparagraph (A) does not itself enlarge or diminish any limitation on the exclusive rights of a copyright owner described in section 107, 108, 109, 110, or 112(f) as applied to a claim under subsection (a) of this section pursuant to subsection (f)(1)(A) of this section.

“(6) CIVIL PENALTIES FOR CERTAIN ACTS.—

“(A) FILING OF NOTICES OF NONCOMMERCIAL USE.—Any person who willfully engages in a pattern or practice of filing a notice of noncommercial use of a sound recording as described in paragraph (1)(B) fraudulently describing the use proposed, or knowing that the use proposed is not permitted under this subsection, shall be assessed a civil penalty in an amount that is not less than \$250, and not more than \$1,000, for each such notice, in addition to any other remedies that may be available under this title based on the actual use made.

“(B) FILING OF OPT-OUT NOTICES.—

“(I) IN GENERAL.—Any person who files an opt-out notice as described in paragraph (1)(C), knowing that the person is not the rights owner or authorized to act on behalf of the rights owner of the sound recording to which the notice pertains, shall be assessed a civil penalty in an amount not less than \$250, and not more than \$1,000, for each such notice.

“(ii) PATTERN OR PRACTICE.—Any person who engages in a pattern or practice of making filings as described in clause (i) shall be assessed a civil penalty in an amount not less than \$10,000 for each such filing.

“(C) DEFINITION.—For purposes of this paragraph, the term ‘knowing’—

“(i) does not require specific intent to defraud; and

“(ii) with respect to information about ownership of the sound recording in question, means that the person—

“(I) has actual knowledge of the information;

“(II) acts in deliberate ignorance of the truth or falsity of the information; or

“(III) acts in grossly negligent disregard of the truth or falsity of the information.

“(d) PAYMENT OF ROYALTIES FOR TRANSMISSIONS OF PERFORMANCES BY DIRECT LICENSING OF STATUTORY SERVICES.—

“(1) IN GENERAL.—A public performance by means of a digital audio transmission of a sound recording fixed before February 15, 1972, shall, for purposes of subsection (a), be considered to be authorized and made with the consent of the rights owner if the transmission is made pursuant to a license agreement voluntarily negotiated at any time between the rights owner and the entity performing the sound recording.

“(2) PAYMENT OF ROYALTIES TO NONPROFIT COLLECTIVE UNDER CERTAIN LICENSE AGREEMENTS.—

“(A) LICENSES ENTERED INTO ON OR AFTER DATE OF ENACTMENT.—To the extent that a license agreement described in paragraph (1) entered into on or after the date of enactment of this section extends to a public performance by means of a digital audio transmission of a sound recording fixed before February 15, 1972, that meets the conditions of subsection (b)—

“(i) the licensee shall, with respect to such transmission, pay to the collective designated to distribute receipts from the licensing of transmissions in accordance with section 114(f), 50 percent of the performance royalties for that transmission due under the license; and

“(ii) the royalties paid under clause (i) shall be fully credited as payments due under the license.

“(B) CERTAIN AGREEMENTS ENTERED INTO BEFORE ENACTMENT.—To the extent that a license agreement described in paragraph (1), entered into during the period beginning on January 1 of the year in which this section is enacted and ending on the day before the date of enactment of this section, or a settlement agreement with a preexisting satellite digital audio radio service (as defined in section 114(j)) entered into during the period beginning on January 1, 2015, and ending on the day before the date of enactment of this section, extends to a public performance by means of a digital audio transmission of a sound recording fixed before February 15, 1972, that meets the conditions of subsection (b)—

“(i) the rights owner shall, with respect to such transmission, pay to the collective designated to distribute receipts from the licensing of transmissions in accordance with section 114(f) an amount that is equal to the difference between—

“(I) 50 percent of the difference between—

“(aa) the rights owner’s total gross performance royalty fee receipts or settlement monies received for all such transmissions covered under the license or settlement agreement, as applicable; and

“(bb) the rights owner’s total payments for outside legal expenses, including any payments of third-party claims, that are directly attributable to the license or settlement agreement, as applicable; and

“(II) the amount of any royalty receipts or settlement monies under the agreement that are distributed by the rights owner to featured and nonfeatured artists before the date of enactment of this section; and

“(ii) the royalties paid under clause (i) shall be fully credited as payments due under the license or settlement agreement, as applicable.

“(3) DISTRIBUTION OF ROYALTIES AND SETTLEMENT MONIES BY COLLECTIVE.—The collective described in paragraph (2) shall, in accordance with subparagraphs (B) through (D) of section 114(g)(2), and paragraphs (5) and (6) of section 114(g), distribute the royalties or settlement monies received under paragraph (2) under a license or settlement described in paragraph (2), which shall be the only payments to which featured and nonfeatured artists are entitled by virtue of the transmissions described in paragraph (2), except for settlement monies described in paragraph (2) that are distributed by the rights owner to featured and nonfeatured artists before the date of enactment of this section.

“(4) PAYMENT OF ROYALTIES UNDER LICENSE AGREEMENTS ENTERED BEFORE ENACTMENT OR NOT OTHERWISE DESCRIBED IN PARAGRAPH (2).—

“(A) IN GENERAL.—To the extent that a license agreement described in paragraph (1) entered into before the date of enactment of this section, or any other license agreement not as described in paragraph (2), extends to a public performance by means of a digital audio transmission of a sound recording fixed before February 15, 1972, that meets the conditions of subsection (b), the payments made by the licensee pursuant to the license shall be made in accordance with the agreement.

“(B) ADDITIONAL PAYMENTS NOT REQUIRED.—To the extent that a licensee has made, or will make in the future, payments pursuant to a license as described in subparagraph (A), the provisions of paragraphs (2) and (3) shall not require any additional payments from, or additional financial obligations on the part of, the licensee.

“(C) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to prohibit the collective designated to distribute receipts from the

licensing of transmissions in accordance with section 114(f) from administering royalty payments under any license not described in paragraph (2).

“(e) PREEMPTION WITH RESPECT TO CERTAIN PAST ACTS.—

“(1) IN GENERAL.—This section preempts any claim of common law copyright or equivalent right under the laws of any State arising from a digital audio transmission or reproduction that is made before the date of enactment of this section of a sound recording fixed before February 15, 1972, if—

“(A) the digital audio transmission would have satisfied the requirements for statutory licensing under section 114(d)(2) or been exempt under section 114(d)(1), or the reproduction would have satisfied the requirements of section 112(e)(1), as the case may be, if the sound recording were fixed on or after February 15, 1972; and

“(B) either—

“(i) except in the case of a transmission that would have been exempt under section 114(d)(1), not later than 270 days after the date of enactment of this section, the transmitting entity pays statutory royalties and provides notice of the use of the relevant sound recordings in the same manner as required by regulations adopted by the Copyright Royalty Judges for sound recordings that are fixed on or after February 15, 1972, for all the digital audio transmissions and reproductions satisfying the requirements for statutory licensing under sections 112(e)(1) and 114(d)(2) during the 3 years before that date of enactment; or

“(ii) an agreement voluntarily negotiated between the rights owner and the entity performing the sound recording (including a litigation settlement agreement entered into before the date of enactment of this section) authorizes or waives liability for any such transmission or reproduction and the transmitting entity has paid for and reported such digital audio transmission under that agreement.

“(2) RULE OF CONSTRUCTION FOR COMMON LAW COPYRIGHT.—For purposes of paragraph (1), a claim of common law copyright or equivalent right under the laws of any State includes a claim that characterizes conduct subject to that paragraph as an unlawful distribution, act of record piracy, or similar violation.

“(3) RULE OF CONSTRUCTION FOR PUBLIC PERFORMANCE RIGHTS.—Nothing in this section may be construed to recognize or negate the existence of public performance rights in sound recordings under the laws of any State.

“(f) LIMITATIONS ON REMEDIES.—

“(1) FAIR USE; USES BY LIBRARIES, ARCHIVES, AND EDUCATIONAL INSTITUTIONS.—

“(A) IN GENERAL.—The limitations on the exclusive rights of a copyright owner described in sections 107, 108, 109, 110, and 112(f) shall apply to a claim under subsection (a) with respect to a sound recording fixed before February 15, 1972.

“(B) RULE OF CONSTRUCTION FOR SECTION 108(H).—With respect to the application of section 108(h) to a claim under subsection (a) with respect to a sound recording fixed before February 15, 1972, the phrase ‘during the last 20 years of any term of copyright of a published work’ in such section 108(h) shall be construed to mean at any time after the date of enactment of this section.

“(2) ACTIONS.—The limitations on actions described in section 507 shall apply to a claim under subsection (a) with respect to a sound recording fixed before February 15, 1972.

“(3) MATERIAL ONLINE.—Section 512 shall apply to a claim under subsection (a) with respect to a sound recording fixed before February 15, 1972.

“(4) PRINCIPLES OF EQUITY.—Principles of equity apply to remedies for a violation of this section to the same extent as such principles apply to remedies for infringement of copyright.

“(5) FILING REQUIREMENT FOR STATUTORY DAMAGES AND ATTORNEYS’ FEES.—

“(A) FILING OF INFORMATION ON SOUND RECORDINGS.—

“(i) FILING REQUIREMENT.—Except in the case of a transmitting entity that has filed contact information for that transmitting entity under subparagraph (B), in any action under this section, an award of statutory damages or of attorneys’ fees under section 504 or 505 may be made with respect to an unauthorized use of a sound recording under subsection (a) only if—

“(I) the rights owner has filed with the Copyright Office a schedule that specifies the title, artist, and rights owner of the sound recording and contains such other information, as practicable, as the Register of Copyrights prescribes by regulation; and

“(II) the use occurs after the end of the 90-day period beginning on the date on which the information described in subclause (I) is indexed into the public records of the Copyright Office.

“(ii) REGULATIONS.—Not later than 180 days after the date of enactment of this section, the Register of Copyrights shall issue regulations that—

“(I) establish the form, content, and procedures for the filing of schedules under clause (i);

“(II) provide that a person may request that the person receive timely notification of a filing described in subclause (I); and

“(III) set forth the manner in which a person may make a request under subclause (II).

“(B) FILING OF CONTACT INFORMATION FOR TRANSMITTING ENTITIES.—

“(i) FILING REQUIREMENT.—Not later than 30 days after the date of enactment of this section, the Register of Copyrights shall issue regulations establishing the form, content, and procedures for the filing of contact information by any entity that, as of the date of enactment of this section, performs a sound recording fixed before February 15, 1972, by means of a digital audio transmission.

“(ii) TIME LIMIT ON FILINGS.—The Register of Copyrights may accept filings under clause (i) only until the 180th day after the date of enactment of this section.

“(iii) LIMITATION ON STATUTORY DAMAGES AND ATTORNEYS’ FEES.—

“(I) LIMITATION.—An award of statutory damages or of attorneys’ fees under section 504 or 505 may not be made against an entity that has filed contact information for that entity under clause (i) with respect to an unauthorized use by that entity of a sound recording under subsection (a) if the use occurs before the end of the 90-day period beginning on the date on which the entity receives a notice that—

“(aa) is sent by or on behalf of the rights owner of the sound recording;

“(bb) states that the entity is not legally authorized to use that sound recording under subsection (a); and

“(cc) identifies the sound recording in a schedule conforming to the requirements prescribed by the regulations issued under subparagraph (A)(ii).

“(II) UNDELIVERABLE NOTICES.—In any case in which a notice under subclause (I) is sent to an entity by mail or courier service and the notice is returned to the sender because the entity either is no longer located at the address provided in the contact information filed under clause (i) or has refused to accept delivery, or the notice is sent by electronic mail and is undeliverable, the 90-day period under subclause (I) shall begin on the date of the attempted delivery.

“(C) SECTION 412.—Section 412 shall not limit an award of statutory damages under section 504(c) or attorneys’ fees under section 505 with respect to a covered activity in violation of subsection (a).

“(6) APPLICABILITY OF OTHER PROVISIONS.—

“(A) IN GENERAL.—Subject to subparagraph (B), no provision of this title shall apply to or limit the remedies available under this section except as otherwise provided in this section.

“(B) APPLICABILITY OF DEFINITIONS.—Any term used in this section that is defined in sec-

tion 101 shall have the meaning given that term in section 101.

“(g) APPLICATION OF SECTION 230 SAFE HARBOR.—For purposes of section 230 of the Communications Act of 1934 (47 U.S.C. 230), subsection (a) shall be considered to be a ‘law pertaining to intellectual property’ under subsection (e)(2) of such section 230.

“(h) APPLICATION TO RIGHTS OWNERS.—

“(1) TRANSFERS.—With respect to a rights owner described in subsection (l)(2)(B)—

“(A) subsections (d) and (e) of section 201 and section 204 shall apply to a transfer described in subsection (l)(2)(B) to the same extent as with respect to a transfer of copyright ownership; and

“(B) notwithstanding section 411, that rights owner may institute an action with respect to a violation of this section to the same extent as the owner of an exclusive right under a copyright may institute an action under section 501(b).

“(2) APPLICATION OF OTHER PROVISIONS.—The following provisions shall apply to a rights owner under this section to the same extent as any copyright owner:

“(A) Section 112(e)(2).

“(B) Section 112(e)(7).

“(C) Section 114(e).

“(D) Section 114(h).

“(i) EPHEMERAL RECORDINGS.—An authorized reproduction made under this section shall be subject to section 112(g) to the same extent as a reproduction of a sound recording fixed on or after February 15, 1972.

“(j) RULE OF CONSTRUCTION.—A rights owner of, or featured recording artist who performs on, a sound recording under this chapter shall be deemed to be an interested copyright party, as defined in section 1001, to the same extent as a copyright owner or featured recording artist under chapter 10.

“(k) TREATMENT OF STATES AND STATE INSTRUMENTALITIES, OFFICERS, AND EMPLOYEES.—Any State, and any instrumentality, officer, or employee described in subsection (a)(3), shall be subject to the provisions of this section in the same manner and to the same extent as any nongovernmental entity.

“(l) DEFINITIONS.—In this section:

“(1) COVERED ACTIVITY.—The term ‘covered activity’ means any activity that the copyright owner of a sound recording would have the exclusive right to do or authorize under section 106 or 602, or that would violate section 1201 or 1202, if the sound recording were fixed on or after February 15, 1972.

“(2) RIGHTS OWNER.—The term ‘rights owner’ means—

“(A) the person that has the exclusive right to reproduce a sound recording under the laws of any State, as of the day before the date of enactment of this section; or

“(B) any person to which a right to enforce a violation of this section may be transferred, in whole or in part, after the date of enactment of this section, under—

“(i) subsections (d) and (e) of section 201; and

“(ii) section 204.”

(b) CONFORMING AMENDMENT.—The table of chapters for title 17, United States Code, is amended by adding at the end the following:

“14. Unauthorized use of pre-1972 sound recordings 1401”.

TITLE III—ALLOCATION FOR MUSIC PRODUCERS

SEC. 301. SHORT TITLE.

This title may be cited as the “Allocation for Music Producers Act” or the “AMP Act”.

SEC. 302. PAYMENT OF STATUTORY PERFORMANCE ROYALTIES.

(a) LETTER OF DIRECTION.—Section 114(g) of title 17, United States Code, is amended by adding at the end the following:

“(5) LETTER OF DIRECTION.—

“(A) IN GENERAL.—A nonprofit collective designated by the Copyright Royalty Judges to distribute receipts from the licensing of trans-

missions in accordance with subsection (f) shall adopt and reasonably implement a policy that provides, in circumstances determined by the collective to be appropriate, for acceptance of instructions from a payee identified under subparagraph (A) or (D) of paragraph (2) to distribute, to a producer, mixer, or sound engineer who was part of the creative process that created a sound recording, a portion of the payments to which the payee would otherwise be entitled from the licensing of transmissions of the sound recording. In this section, such instructions shall be referred to as a ‘letter of direction’.

“(B) ACCEPTANCE OF LETTER.—To the extent that a collective described in subparagraph (A) accepts a letter of direction under that subparagraph, the person entitled to payment pursuant to the letter of direction shall, during the period in which the letter of direction is in effect and carried out by the collective, be treated for all purposes as the owner of the right to receive such payment, and the payee providing the letter of direction to the collective shall be treated as having no interest in such payment.

“(C) AUTHORITY OF COLLECTIVE.—This paragraph shall not be construed in such a manner so that the collective is not authorized to accept or act upon payment instructions in circumstances other than those to which this paragraph applies.”

(b) ADDITIONAL PROVISIONS FOR RECORDINGS FIXED BEFORE NOVEMBER 1, 1995.—Section 114(g) of title 17, United States Code, as amended by subsection (a), is further amended by adding at the end the following:

“(6) SOUND RECORDINGS FIXED BEFORE NOVEMBER 1, 1995.—

“(A) PAYMENT ABSENT LETTER OF DIRECTION.—A nonprofit collective designated by the Copyright Royalty Judges to distribute receipts from the licensing of transmissions in accordance with subsection (f) (in this paragraph referred to as the ‘collective’) shall adopt and reasonably implement a policy that provides, in circumstances determined by the collective to be appropriate, for the deduction of 2 percent of all the receipts that are collected from the licensing of transmissions of a sound recording fixed before November 1, 1995, but which is withdrawn from the amount otherwise payable under paragraph (2)(D) to the recording artist or artists featured on the sound recording (or the persons conveying rights in the artists’ performance in the sound recording), and the distribution of such amount to 1 or more persons described in subparagraph (B) of this paragraph, after deduction of costs described in paragraph (3) or (4), as applicable, if each of the following requirements is met:

“(i) CERTIFICATION OF ATTEMPT TO OBTAIN A LETTER OF DIRECTION.—The person described in subparagraph (B) who is to receive the distribution has certified to the collective, under penalty of perjury, that—

“(I) for a period of not less than 120 days, that person made reasonable efforts to contact the artist payee for such sound recording to request and obtain a letter of direction instructing the collective to pay to that person a portion of the royalties payable to the featured recording artist or artists; and

“(II) during the period beginning on the date on which that person began the reasonable efforts described in subclause (I) and ending on the date of that person’s certification to the collective, the artist payee did not affirm or deny in writing the request for a letter of direction.

“(ii) COLLECTIVE ATTEMPT TO CONTACT ARTIST.—After receipt of the certification described in clause (i) and for a period of not less than 120 days before the first distribution by the collective to the person described in subparagraph (B), the collective attempts, in a reasonable manner as determined by the collective, to notify the artist payee of the certification made by the person described in subparagraph (B).

“(iii) NO OBJECTION RECEIVED.—The artist payee does not, as of the date that was 10 busi-

ness days before the date on which the first distribution is made, submit to the collective in writing an objection to the distribution.

“(B) **ELIGIBILITY FOR PAYMENT.**—A person shall be eligible for payment under subparagraph (A) if the person—

“(i) is a producer, mixer, or sound engineer of the sound recording;

“(ii) has entered into a written contract with a record company involved in the creation or lawful exploitation of the sound recording, or with the recording artist or artists featured on the sound recording (or the persons conveying rights in the artists’ performance in the sound recording), under which the person seeking payment is entitled to participate in royalty payments that are based on the exploitation of the sound recording and are payable from royalties otherwise payable to the recording artist or artists featured on the sound recording (or the persons conveying rights in the artists’ performance in the sound recording);

“(iii) made a creative contribution to the creation of the sound recording; and

“(iv) submits to the collective—

“(I) a written certification stating, under penalty of perjury, that the person meets the requirements in clauses (i) through (iii); and

“(II) a true copy of the contract described in clause (ii).

“(C) **MULTIPLE CERTIFICATIONS.**—Subject to subparagraph (D), in a case in which more than 1 person described in subparagraph (B) has met the requirements for a distribution under subparagraph (A) with respect to a sound recording as of the date that is 10 business days before the date on which the distribution is made, the collective shall divide the 2 percent distribution equally among all such persons.

“(D) **OBJECTION TO PAYMENT.**—Not later than 10 business days after the date on which the collective receives from the artist payee a written objection to a distribution made pursuant to subparagraph (A), the collective shall cease making any further payment relating to such distribution. In any case in which the collective has made 1 or more distributions pursuant to subparagraph (A) to a person described in subparagraph (B) before the date that is 10 business days after the date on which the collective receives from the artist payee an objection to such distribution, the objection shall not affect that person’s entitlement to any distribution made before the collective ceases such distribution under this subparagraph.

“(E) **OWNERSHIP OF THE RIGHT TO RECEIVE PAYMENTS.**—To the extent that the collective determines that a distribution will be made under subparagraph (A) to a person described in subparagraph (B), such person shall, during the period covered by such distribution, be treated for all purposes as the owner of the right to receive such payments, and the artist payee to whom such payments would otherwise be payable shall be treated as having no interest in such payments.

“(F) **ARTIST PAYEE DEFINED.**—In this paragraph, the term ‘artist payee’ means a person, other than a person described in subparagraph (B), who owns the right to receive all or part of the receipts payable under paragraph (2)(D) with respect to a sound recording. In a case in which there are multiple artist payees with respect to a sound recording, an objection by 1 such payee shall apply only to that payee’s share of the receipts payable under paragraph (2)(D), and shall not preclude payment under subparagraph (A) from the share of an artist payee that does not so object.”

(c) **TECHNICAL AND CONFORMING AMENDMENTS.**—Section 114(g) of title 17, United States Code, as amended by subsections (a) and (b), is further amended—

(1) in paragraph (2), by striking “An agent designated” and inserting “Except as provided for in paragraph (6), a nonprofit collective designated by the Copyright Royalty Judges”;

(2) in paragraph (3)—

(A) by striking “nonprofit agent designated” and inserting “nonprofit collective designated by the Copyright Royalty Judges”;

(B) by striking “another designated agent” and inserting “another designated nonprofit collective”; and

(C) by striking “agent” and inserting “collective” each subsequent place it appears;

(3) in paragraph (4)—

(A) by striking “designated agent” and inserting “nonprofit collective”; and

(B) by striking “agent” and inserting “collective” each subsequent place it appears; and

(4) by adding at the end the following:

“(7) **PREEMPTION OF STATE PROPERTY LAWS.**—The holding and distribution of receipts under section 112 and this section by a nonprofit collective designated by the Copyright Royalty Judges in accordance with this subsection and regulations adopted by the Copyright Royalty Judges, or by an independent administrator pursuant to subparagraphs (B) and (C) of section 114(g)(2), shall supersede and preempt any State law (including common law) concerning escheatment or abandoned property, or any analogous provision, that might otherwise apply.”

SEC. 303. EFFECTIVE DATE.

(a) **IN GENERAL.**—Except as provided in subsection (b), this title and the amendments made by this title shall take effect on the date of enactment of this Act.

(b) **DELAYED EFFECTIVE DATE.**—Paragraphs (5)(B) and (6)(E) of section 114(g) of title 17, United States Code, as added by section 302, shall take effect on January 1, 2020.

TITLE IV—SEVERABILITY

SEC. 401. SEVERABILITY.

If any provision of this Act or any amendment made by this Act, or any application of such provision or amendment to any person or circumstance, is held to be unconstitutional, the remainder of the provisions of this Act and the amendments made by this Act, and the application of the provision or amendment to any other person or circumstance, shall not be affected.

On motion of Mr. COLLINS of Georgia, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶133.40 CLERK TO CORRECT ENROLLMENT OF H.R. 1551

On motion of Mr. COLLINS of Georgia, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker’s table (S. Con. Res. 48):

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill H.R. 1551, the Clerk of the House of Representatives shall make the following corrections:

(1) Amend the long title so as to read: “An Act to modernize copyright law, and for other purposes.”

(2) In section 1(a), strike “Orrin G. Hatch” and insert “Orrin G. Hatch–Bob Goodlatte”.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶133.41 MARRAKESH TREATY IMPLEMENTATION

On motion of Mr. GOODLATTE, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 2559) to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶133.42 FIRST SPONSOR CHANGE—H.R. 2327

Mr. STIVERS, by unanimous consent, was authorized to be considered as the first sponsor of the bill (H.R. 2327) to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe post-traumatic stress disorder, and for other purposes (a bill originally introduced by the former Representative DeSantis); for the purposes of adding cosponsors and requesting reprintings, pursuant to clause 7(b)(4) of rule XII.

¶133.43 PREVENTING CHILD EXPLOITATION

Mrs. ROBY moved to suspend the rules and pass the bill (H.R. 6847) to amend title 18, United States Code, to expand and strengthen Federal sex offenses, to reauthorize certain programs established by the Adam Walsh Child Protection and Safety Act of 2006, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. MARSHALL, recognized Mrs. ROBY and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. MARSHALL, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.44 CHILD SAFETY IN CUSTODY AND VISITATION ADJUDICATIONS

Mr. RUTHERFORD moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 72); as amended:

Whereas approximately 15 million children are exposed each year to domestic violence and/or child abuse, which are often linked;

Whereas child sexual abuse is significantly under-documented, and under-addressed in the legal system;

Whereas child abuse is a major public health issue in the United States, with total lifetime estimated financial costs associated with just one year of confirmed cases of child maltreatment (including physical abuse, sexual abuse, psychological abuse and neglect) amounting to approximately \$124 billion;

Whereas according to the Centers for Disease Control and Prevention, federally launched, funded and tracked longitudinal research into "adverse childhood experiences" (the ACEs study) has shown that "children who experience abuse and neglect are also at increased risk for adverse health effects and certain chronic diseases as adults, including heart disease, cancer, chronic lung disease, liver disease, obesity, high blood pressure, high cholesterol, and high levels of C-reactive protein";

Whereas research confirms that allegations of domestic violence, child abuse, and child sexual abuse are often discounted when raised in child custody litigation;

Whereas research shows that abusive parents are often granted custody or unprotected parenting time by courts, placing children at ongoing risk;

Whereas research confirms that a child's risk of abuse increases after a perpetrator of domestic violence separates from a domestic partner, even when the perpetrator has not previously abused the child;

Whereas researchers have documented a minimum of 653 children murdered in the United States since 2008 by a parent involved in a divorce, separation, custody, visitation, or child support proceeding, often after access was provided by family courts over the objections of a protective parent;

Whereas scientifically unsound theories are frequently applied to reject parents' and children's reports of abuse;

Whereas in cases involving allegations of family violence courts should rely on the assistance of third-party professionals only when they possess the proper experience or expertise for assessing family violence and trauma, and apply scientifically sound and evidence-based theories;

Whereas most States lack standards defining required expertise and experience for court-affiliated or appointed fee-paid professionals in custody litigation or the required contents of custody-related expert reports; and

Whereas custody litigation involving abuse allegations is sometimes prohibitively expensive, resulting in parental bankruptcy, as a result of court-mandated payments to appointed fee-paid professionals, in addition to attorneys' fees: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that—

(1) child safety is the first priority of custody and parenting adjudications, and courts should resolve safety risks and claims of family violence first, as a fundamental consideration, before assessing other best interest factors;

(2) all evidence admitted in custody and parenting adjudications should be subject to evidentiary admissibility standards;

(3) evidence from court-affiliated or appointed fee-paid professionals regarding adult or child abuse allegations in custody cases should be admitted only when the professional possesses documented expertise and experience in the relevant types of abuse, trauma, and the behaviors of victims and perpetrators;

(4) States should define required standards of expertise and experience for appointed fee-paid professionals who provide evidence to the court on abuse, trauma and behaviors of victims and perpetrators, should specify re-

quirements for the contents of such professional reports, and should require courts to find that any appointed professionals meet those standards;

(5) States should consider models under which court-appointed professionals are paid directly by the courts, with potential reimbursement by the parties after due consideration of the parties' financial circumstances; and

(6) Congress should schedule hearings on family courts' practices with regard to the objective, fair, and unbiased adjudication of children's safety and civil rights.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. RUTHERFORD and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said concurrent resolution, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶133.45 KERRIE OROZCO FIRST RESPONDERS FAMILY SUPPORT

Mr. RUTHERFORD moved to suspend the rules and pass the bill (H.R. 6580) to amend the Immigration and Nationality Act to provide for expedited naturalization processes for the alien spouses of first responders who die as a result of their employment, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. RUTHERFORD and Ms. JAYAPAL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend the Immigration and Nationality Act to provide for naturalization processes for the immediate relatives of first responders who die as a result of their employment, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.46 RECIPROCAL ACCESS TO TIBET

Mr. RUTHERFORD moved to suspend the rules and pass the bill (H.R. 1872) to promote access for United States officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. RUTHERFORD and Ms. JAYAPAL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to promote access for United States diplomats and other officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.47 MIGRATORY BIRD FRAMEWORK AND HUNTING OPPORTUNITIES FOR VETERANS

Mr. MCCLINTOCK moved to suspend the rules and pass the bill (H.R. 6013) to amend the Migratory Bird Treaty Act to establish January 31 of each year as the Federal closing date for duck hunting season and to establish special duck hunting days for youths, veterans, and active military personnel, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. MCCLINTOCK and Mr. HUFFMAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend the Migratory Bird Treaty Act to establish January 31 of each year as the Federal framework closing date for the duck hunting season and to establish special duck hunting days for youths, veterans, and active military personnel, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.48 NEVADA LANDS BILL TECHNICAL CORRECTIONS

Mr. McCLINTOCK moved to suspend the rules and pass the bill (H.R. 6299) to modify the process of the Secretary of the Interior for examining certain mining claims on Federal lands in Storey County, Nevada, to facilitate certain pinyon-juniper-related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, to fully implement the White Pine County Conservation, Recreation, and Development Act, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. McCLINTOCK and Mr. HUFFMAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.49 POINT REYES NATIONAL SEASHORE

Mr. McCLINTOCK moved to suspend the rules and pass the bill (H.R. 6687) to direct the Secretary of the Interior to manage the Point Reyes National Seashore in the State of California consistent with Congress' longstanding intent to maintain working dairies and ranches on agricultural property as part of the seashore's unique historic, cultural, scenic and natural values, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. McCLINTOCK and Mr. HUFFMAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to di-

rect the Secretary of the Interior to manage the Point Reyes National Seashore in the State of California consistently with Congress' long-standing intent to continue to authorize working dairies and ranches on agricultural property as part of the seashore's unique historic, cultural, scenic and natural values, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.50 FDR HISTORIC PRESERVATION

Mr. McCLINTOCK moved to suspend the rules and pass the bill (H.R. 5420) to authorize the acquisition of land for addition to the Home of Franklin D. Roosevelt National Historic Site in the State of New York, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. McCLINTOCK and Mr. HUFFMAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

Mr. McCLINTOCK objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BUDD, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, September 26, 2018.

The point of no quorum was considered as withdrawn.

¶133.51 NATIONAL PARK SERVICE LIMITED APPOINTMENT REGULATIONS

Mr. McCLINTOCK moved to suspend the rules and pass the bill (H.R. 6599) to modify the application of temporary limited appointment regulations to the National Park Service, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. McCLINTOCK and Mr. HUFFMAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.52 CAPE COD NATIONAL SEASHORE ADVISORY COMMISSION

Mr. McCLINTOCK moved to suspend the rules and pass the bill (H.R. 5585) to extend the authorization for the Cape Cod National Seashore Advisory Commission.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. McCLINTOCK and Mr. HUFFMAN, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.53 AMENDMENT OF THE SENATE TO H.R. 46

On motion of Mr. McCLINTOCK, by unanimous consent, the bill (H.R. 46) to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fort Ontario Study Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term "Secretary" means the Secretary of the Interior.

(2) STUDY AREA.—The term "study area" means Fort Ontario in Oswego, New York.

SEC. 3. FORT ONTARIO SPECIAL RESOURCE STUDY.

(a) IN GENERAL.—The Secretary shall conduct a special resource study of the study area.

(b) CONTENTS.—In conducting the study under subsection (a), the Secretary shall—

(1) evaluate the national significance of the study area;

(2) determine the suitability and feasibility of designating the study area as a unit of the National Park System;

(3) consider other alternatives for preservation, protection, and interpretation of the study area by the Federal Government, State or local government entities, or private and nonprofit organizations;

(4) consult with interested Federal agencies, State or local governmental entities, private and nonprofit organizations, or any other interested individuals; and

(5) identify cost estimates for any Federal acquisition, development, interpretation, operation, and maintenance associated with the alternatives.

(c) APPLICABLE LAW.—The study required under subsection (a) shall be conducted in accordance with section 100507 of title 54, United States Code.

(d) REPORT.—Not later than 3 years after the date on which funds are first made available to carry out the study under subsection (a), the

Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes—

- (1) the results of the study; and
- (2) any conclusions and recommendations of the Secretary.

On motion of Mr. McCLINTOCK, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶133.54 RIB MOUNTAIN

On motion of Mr. McCLINTOCK, by unanimous consent, the Committee on Natural Resources was discharged from further consideration of the following resolution (H. Res. 418):

Whereas Paul Bunyan is a larger-than-life folk hero who embodies the frontier spirit, might, the willingness to work hard, and the resolve to overcome all obstacles;

Whereas reliable documentation establishes that the earliest story about Paul Bunyan was told north of Tomahawk, Wisconsin;

Whereas this evidence suggests that Wisconsin's claim that it is the birthplace of Paul Bunyan is superior to claims from other States;

Whereas Paul Bunyan has been the subject of countless literary compositions, musical pieces, commercial works, and theatrical productions;

Whereas local legend states that the "ribs" in Rib Mountain, Wisconsin, denote that the mountain is the burial site of Paul Bunyan;

Whereas Rib Mountain is nearly 4 miles long and peaks at 1,924 feet above sea level and 670 feet above the local terrain, making it the highest natural feature in North Central Wisconsin and one of the highest points in the entire State of Wisconsin;

Whereas Rib Mountain is home to the Granite Peak Ski Area, one of the first ski areas in North America, where thousands of visitors come annually to ski or snowboard;

Whereas Rib Mountain State Park, situated on Rib Mountain, is over 1,500 acres and boasts a well-maintained network of hiking and nature trails with breathtaking views; and

Whereas Rib Mountain State Park attracts visitors from the local community as well as from across the State and the country: Now, therefore, be it

Resolved, That the House of Representatives—

(1) affirms the importance of Rib Mountain to the culture and economy of Wisconsin;

(2) recognizes the legend of Paul Bunyan as the embodiment of the frontier spirit; and

(3) requests that the Secretary of the Interior recognize the legendary burial site of Paul Bunyan by adding Rib Mountain to the National Register of Historic Places.

When said resolution was considered.

Mr. McCLINTOCK submitted the following amendment which was agreed to:

Page 2, line 1, strike "That the House of Representatives—" and all that follows through page 3, line 2, and insert the following: "That the House of Representatives requests that the Secretary of the Interior recognize the legendary burial site of Paul Bunyan by adding Rib Mountain to the National Register of Historic Places."

The resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶133.55 LUMBERJACK BOWL

On motion of Mr. McCLINTOCK, by unanimous consent, the Committee on Natural Resources was discharged from further consideration of the following resolution (H. Res. 460):

Whereas the Lumberjack World Championships began in 1960 as a tribute to the rich history of the logging industry across the United States, and particularly in Wisconsin;

Whereas the Lumberjack World Championships occur annually in Hayward, Wisconsin, the biggest small town in America, which is renowned for its history and beauty;

Whereas the Lumberjack Bowl has hosted the Lumberjack World Championships for decades, thereby drawing economic activity in the Hayward area;

Whereas hundreds of volunteers from Sawyer County work tirelessly to make the competition a world class event for thousands of spectators every July;

Whereas this year's competition will showcase over 100 athletes across 21 unique events that demonstrate the skills, abilities, and grit of the old-time lumberjacks;

Whereas lumberjack sports continue to increase in popularity, with loyal fans and competitors from across the globe;

Whereas many universities across the United States have woodsmen or lumberjack teams that compete at the collegiate level;

Whereas the Lumberjack Bowl was formerly a holding pond for the North Wisconsin Lumber Company;

Whereas the North Wisconsin Lumber Company Office in Hayward, Wisconsin, was added to the National Register of Historic Places on May 7, 1980;

Whereas listing on the National Register of Historic Places drives tourism to communities and further denotes the cultural significance of a structure; and

Whereas the Lumberjack Bowl still hosts all the events for the Lumberjack World Championships, including men's and women's logrolling, chopping, pole climbing, boom running, and sawing: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes the importance of lumberjack sports to the culture and economy of Wisconsin;

(2) supports the growth of lumberjack sports around the United States; and

(3) requests that the Secretary of the Interior add the Lumberjack Bowl, the site of the Lumberjack World Championships, to the National Register of Historic Places.

When said resolution was considered.

Mr. McCLINTOCK submitted the following amendment which was agreed to:

Page 2, line 1, strike "That the House of Representatives—" and all that follows through page 3, line 4, and insert the following: "That the House of Representatives requests that the Secretary of the Interior add the Lumberjack Bowl, the site of the Lumberjack World Championships, to the National Register of Historic Places."

The resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶133.56 INNOVATIONS IN MENTORING, TRAINING, AND APPRENTICESHIPS

Mr. SMITH of Texas, moved to suspend the rules and pass the bill (H.R. 5509) to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. SMITH of Texas, and Mr. LIPINSKI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.57 NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

Mrs. COMSTOCK moved to suspend the rules and pass the bill (H.R. 6229) to authorize the programs of the National Institute of Standards and Technology, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Mrs. COMSTOCK and Mr. LIPINSKI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.58 DEPARTMENT OF ENERGY VETERANS' HEALTH INITIATIVE

Mr. NORMAN moved to suspend the rules and pass the bill (H.R. 6398) to authorize the Department of Energy to conduct collaborative research with the Department of Veterans Affairs in order to improve healthcare services for veterans in the United States, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Mr. NORMAN and Mr. LIPINSKI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.59 ADVERSE REPORT ON H. RES. 1017

Ms. ROS-LEHTINEN, by direction of the Committee on Foreign Affairs, submitted an adverse privileged report (Rept. No. 115-978) on the resolution (H. Res. 1017) requesting the President, and directing the Secretary of State, to transmit to the House of Representatives copies of all documents, records, communications, transcripts, summaries, notes, memoranda, and read-aheads in their possession referring or relating to certain communications between President Donald Trump and President Vladimir Putin; referred to the House Calendar and ordered printed.

¶133.60 HIZBALLAH INTERNATIONAL FINANCING PREVENTION

Ms. ROS-LEHTINEN moved to suspend the rules and pass the bill of the Senate (S. 1595) to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Ms. ROS-LEHTINEN and Mr. ENGEL, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶133.61 HACK YOUR STATE DEPARTMENT

Ms. ROS-LEHTINEN moved to suspend the rules and pass the bill (H.R. 5433) to require the Secretary of State to design and establish a Vulnerability Disclosure Program (VDP) to improve Department of State cybersecurity and a bug bounty program to identify and report vulnerabilities of internet-facing information technology of the De-

partment of State, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BUDD, recognized Ms. ROS-LEHTINEN and Mr. ENGEL, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BUDD, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶133.62 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 698. An Act to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes.

¶133.63 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted—

To Mr. Danny K. DAVIS of Illinois, for today; and

To Mr. ROKITA, for the afternoon of September 26 and 28.

And then,

¶133.64 ADJOURNMENT

On motion of Mr. ROTHFUS, at 10 o'clock and 53 minutes p.m., the House adjourned.

¶133.65 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCAUL: Committee on Homeland Security. H.R. 6620. A bill to require the Department of Homeland Security to prepare a threat assessment relating to unmanned aircraft systems, and for other purposes (Rept. 115-960, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCAUL: Committee on Homeland Security. H.R. 6735. A bill to direct the Secretary of Homeland Security to establish a vulnerability disclosure policy for Department of Homeland Security internet websites, and for other purposes; with an amendment (Rept. 115-961). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCAUL: Committee on Homeland Security. H.R. 6740. A bill to amend the Homeland Security Act of 2002 to establish Border Tunnel Task Forces, and for other purposes; with an amendment (Rept. 115-962). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCAUL: Committee on Homeland Security. H.R. 6742. A bill to amend the Homeland Security Act of 2002 to ensure that appropriate officers and agents of U.S. Customs and Border Protection are equipped with secure radios or other two-way communication devices, supported by system interoperability, and for other purposes (Rept. 115-963, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCAUL: Committee on Homeland Security. S. 1281. An act to establish a bug bounty pilot program within the Department of Homeland Security, and for other purposes; with an amendment (Rept. 115-964). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 6511. A bill to authorize the Secretary of Energy to carry out a program to lease underutilized Strategic Petroleum Reserve facilities, and for other purposes; with an amendment (Rept. 115-965). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. H.R. 6758. A bill to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women and minorities in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office's authority to set the amounts for the fees it charges, and for other purposes; with amendments (Rept. 115-966). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6599. A bill to modify the application of temporary limited appointment regulations to the National Park Service, and for other purposes (Rept. 115-967). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6687. A bill to direct the Secretary of the Interior to manage the Point Reyes National Seashore in the State of California consistent with Congress' long-standing intent to maintain working dairies and ranches on agricultural property as part of the seashore's unique historic, cultural, scenic and natural values, and for other purposes; with amendments (Rept. 115-968). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6013. A bill to amend the Migratory Bird Treaty Act to establish January 31 of each year as the Federal closing date for duck hunting season and to establish special duck hunting days for youths, veterans, and active military personnel, and for other purposes; with amendments (Rept. 115-969). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5420. A bill to authorize the acquisition of land for addition to the Home of Franklin D. Roosevelt National Historic Site in the State of New York, and for other purposes; with an amendment (Rept. 115-970). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6299. A bill to modify the process of the Secretary of the Interior for examining certain mining claims on Federal lands in Storey County, Nevada, to facilitate certain pinyon-juniper-related projects in Lincoln County, Nevada, to modify the boundaries of certain wilderness areas in the State of Nevada, to fully implement the White Pine County Conservation, Recreation, and Development Act, and for

other purposes; with an amendment (Rept. 115-971, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 4809. A bill to increase access to agency guidance documents; with an amendment (Rept. 115-972). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 5896. A bill to amend title 5, United States Code, to modify the authority for pay and work schedules of border patrol agents, and for other purposes; with amendments (Rept. 115-973). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 6398. A bill to authorize the Department of Energy to conduct collaborative research with the Department of Veterans Affairs in order to improve healthcare services for veterans in the United States, and for other purposes; with an amendment (Rept. 115-974, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 5509. A bill to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes; with an amendment (Rept. 115-975). Referred to the Committee of the Whole House on the state of the Union.

Mr. COLE: Committee on Rules. House Resolution 1077. Resolution providing for consideration of the conference report to accompany the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens; and providing for consideration of motions to suspend the rules (Rept. 115-976). Referred to the House Calendar.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 6229. A bill to authorize the programs of the National Institute of Standards and Technology, and for other purposes; with an amendment (Rept. 115-977). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROYCE of California: Committee on Foreign Affairs. House Resolution 1017. Resolution requesting the President, and directing the Secretary of State, to transmit to the House of Representatives copies of all documents, records, communications, transcripts, summaries, notes, memoranda, and read-aheads in their possession referring or relating to certain communications between President Donald Trump and President Vladimir Putin; adversely (Rept. 115-978). Referred to the House Calendar.

133.66 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 6299 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Veterans' Affairs discharged from further consideration. H.R. 6398 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 6620 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Ways and Means discharged from

further consideration. H.R. 6742 referred to the Committee of the Whole House on the state of the Union.

133.67 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KILMER (for himself, Ms. KUSTER of New Hampshire, and Mr. COFFMAN):

H.R. 6867. A bill to improve the leasing projects of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. NADLER (for himself and Mr. COLLINS of Georgia):

H.R. 6868. A bill to amend title 17, United States Code, to secure the rights of visual artists to copyright, to provide for resale royalties, and for other purposes; to the Committee on the Judiciary.

By Ms. VELAZQUEZ (for herself, Mr. COFFMAN, Ms. CLARKE of New York, Mr. MEEKS, Mr. SERRANO, Mr. SEAN PATRICK MALONEY of New York, Mr. ENGEL, Mr. SUOZZI, Mrs. RADEWAGEN, Ms. JUDY CHU of California, Ms. ROYBAL-ALLARD, Mr. COHEN, Ms. WILSON of Florida, Mr. DESAULNIER, Mr. PAYNE, Mr. HASTINGS, Mr. JONES, Mr. THOMPSON of Mississippi, Ms. HANABUSA, Mr. KHANNA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. NORTON, Mr. SIRES, Mrs. TORRES, Mr. MCGOVERN, Mr. VELA, Ms. MCCOLLUM, Mr. TAKANO, Ms. MOORE, Ms. SPEIER, Ms. JAYAPAL, Ms. BROWNLEY of California, Mr. PALLONE, Ms. LOFGREN, Ms. SHEA-PORTER, Mrs. DINGELL, Ms. BORDALLO, Ms. WASSERMAN SCHULTZ, Ms. JACKSON LEE, Mrs. DEMINGS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MCEACHIN, Mr. KILMER, Mr. MCNERNEY, Mrs. NAPOLITANO, Mr. SOTO, Mr. ESPAILLAT, Mr. CARBAJAL, Mr. SABLAN, Mrs. CAROLYN B. MALONEY of New York, Mr. RICHMOND, Mr. VARGAS, Ms. MATSUI, Mr. CARTWRIGHT, Ms. GABBARD, Mr. RASKIN, Mrs. WATSON COLEMAN, Ms. KUSTER of New Hampshire, Mr. QUIGLEY, Ms. PINGREE, Mr. BISHOP of Georgia, Mr. JEFFRIES, Mr. TONKO, Mr. PANETTA, Mr. GUTIERREZ, Mr. MOULTON, Mr. CROWLEY, Ms. SANCHEZ, Mr. YARMUTH, Ms. ESTY of Connecticut, Ms. DELBENE, Mr. TED LIEU of California, Mr. BROWN of Maryland, Ms. MENG, Ms. ROSEN, Mr. RUPPERSBERGER, Mr. CARSON of Indiana, and Mr. CORREA):

H.R. 6869. A bill to require the Secretary of Veterans Affairs to improve the provision of services and benefits from the Department of Veterans Affairs for veterans who experience domestic violence or sexual assault, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TONKO:

H.R. 6870. A bill to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter; to the Committee on Oversight and Government Reform, and in addition to the Committees on Financial Services, Agriculture, House Administration, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARINO (for himself, Mr. ABRAHAM, Mr. BARLETTA, Mr. BERGMAN, and Mr. GOSAR):

H.R. 6871. A bill to amend the Internal Revenue Code of 1986 to allow for a credit

against tax for placing in service qualified broadband property to expand the level of broadband service in a qualified rural census tract; to the Committee on Ways and Means.

By Ms. MOORE (for herself, Mr.

PEARCE, Mr. BARR, and Mr. FOSTER): H.R. 6872. A bill to support the capacity of the International Monetary Fund to prevent money laundering and financing of terrorism; to the Committee on Financial Services.

By Mrs. WATSON COLEMAN (for herself, Mr. KHANNA, Mr. RYAN of Ohio, Mr. GRIJALVA, Ms. NORTON, Mr. SOTO, Ms. CLARKE of New York, Ms. JACKSON LEE, Ms. BASS, Ms. BARRAGÁN, Mr. LAWSON of Florida, Ms. JAYAPAL, Mr. THOMPSON of Mississippi, and Mr. RASKIN):

H.R. 6873. A bill to amend the Internal Revenue Code of 1986 to extend the earned income tax credit to all taxpayers with dependents and to qualifying students, and for other purposes; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BEYER, Mr. DELANEY, Ms. ADAMS, Mr. TAKANO, Mr. MEEKS, Ms. SCHAKOWSKY, Mr. FOSTER, Ms. CLARKE of New York, Ms. WASSERMAN SCHULTZ, Ms. JACKSON LEE, Mrs. DINGELL, Ms. NORTON, Mr. KHANNA, Mr. CRIST, Mr. VEASEY, Mr. BLUMENAUER, Mr. SMITH of Washington, and Mr. LEVIN):

H.R. 6874. A bill to require the Bureau of Economic Analysis of the Department of Commerce to provide estimates relating to the distribution of aggregate economic growth across specific percentile groups of income; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE:

H.R. 6875. A bill to reauthorize the Department of Defense mentor-protégé program; to the Committee on Armed Services.

By Ms. ADAMS (for herself, Mr. HASTINGS, Ms. NORTON, Mrs. NAPOLITANO, Mr. VEASEY, Ms. WILSON of Florida, Ms. BORDALLO, Mr. VELA, Mr. PANETTA, Ms. JAYAPAL, Mr. NADLER, Mr. BISHOP of Georgia, Ms. BASS, Mr. RYAN of Ohio, Mr. SEAN PATRICK MALONEY of New York, Mr. SCOTT of Virginia, Ms. LEE, Ms. BARRAGÁN, Mr. MCEACHIN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GENE GREEN of Texas, Ms. JACKSON LEE, Mr. RASKIN, Ms. ROSEN, Ms. ROYBAL-ALLARD, Mr. SABLAN, Mr. LEWIS of Georgia, Mr. KHANNA, Ms. FUDGE, Mrs. DAVIS of California, Mr. CARSON of Indiana, Ms. TITUS, and Mr. PRICE of North Carolina):

H.R. 6876. A bill to permanently reauthorize mandatory funding programs for historically Black colleges and universities and other minority-serving institutions; to the Committee on Education and the Workforce.

By Ms. CHENEY:

H.R. 6877. A bill to direct the Secretary of the Interior to reissue a final rule relating to removing the Greater Yellowstone ecosystem population of grizzly bears from the Federal list of endangered and threatened wildlife; to the Committee on Natural Resources.

By Mr. DEUTCH:

H.R. 6878. A bill to amend title 18, United States Code, to establish criminal penalties for unlawful payments for referrals to recovery homes, clinical treatment facilities, and laboratories; to the Committee on the Judiciary.

By Mr. DUNCAN of Tennessee:

H.R. 6879. A bill to provide for the administration and operation of the infrastructure and the public visitation program of Midway Atoll by the private sector at minimal cost

to the Federal Government by terminating the exclusive jurisdiction of the United States Fish and Wildlife Service over the Midway Atoll and vesting such jurisdiction in a Board of Governors of the Midway Atoll, and for other purposes; to the Committee on Natural Resources.

By Ms. ESHOO (for herself, Mr. MCEACHIN, Ms. NORTON, Mr. GUTIERREZ, Mr. RASKIN, Mr. DELANEY, Mr. BLUMENAUER, Mr. JOHNSON of Georgia, Mr. EVANS, Mr. HASTINGS, Mrs. NAPOLITANO, Mr. CARSON of Indiana, Ms. CLARKE of New York, Mr. COHEN, Mr. VEASEY, Ms. SHEA-PORTER, Mr. KHANNA, Ms. VELÁZQUEZ, Mr. MOULTON, Mr. PAYNE, Mr. DESAULNIER, Mr. TED LIEU of California, Mrs. BEATTY, and Mr. BROWN of Maryland):

H.R. 6880. A bill to treat the Tuesday next after the first Monday in November in the same manner as any legal public holiday for purposes of Federal employment, and for other purposes; to the Committee on Oversight and Government Reform.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 6881. A bill to designate the José Celso Barbosa Birthplace Home National Historic Landmark; to the Committee on Natural Resources.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 6882. A bill to designate the Luis Muñoz Rivera Home National Historic Landmark; to the Committee on Natural Resources.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 6883. A bill to designate the Cabezas de San Juan Lighthouse National Historic Landmark; to the Committee on Natural Resources.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 6884. A bill to designate the Hacienda Buena Vista National Historic Landmark; to the Committee on Natural Resources.

By Mr. GRIJALVA (for himself, Mr. LYNCH, Ms. SPEIER, Mr. MOULTON, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. ROYBAL-ALLARD, Mrs. NAPOLITANO, Mr. QUIGLEY, Mr. BLUMENAUER, Ms. DELBENE, Ms. TSONGAS, Mr. LOWENTHAL, Mr. CARTWRIGHT, Ms. CLARK of Massachusetts, Ms. LOFGREN, Mr. GUTIERREZ, Mr. TED LIEU of California, Ms. BROWNLEY of California, Mrs. DAVIS of California, Mr. POCAN, Mr. BEYER, and Mr. HECK):

H.R. 6885. A bill to amend the Endangered Species Act of 1973 to prohibit import and export of any species listed or proposed to be listed under such Act as a threatened species or endangered species, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Foreign Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas (for himself, Mr. LARSON of Connecticut, Mr. BUCSHON, and Mr. RUSH):

H.R. 6886. A bill to amend title 10, United States Code, to modify the requirement for certain former members of the Armed Forces to enroll in Medicare Part B to be eligible for TRICARE for Life, and to amend title XVIII of the Social Security Act to provide for coverage of certain DNA specimen provenance assay tests under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of

such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself and Mr. FASO):

H.R. 6887. A bill to improve the removal of lead from drinking water in public housing; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY:

H.R. 6888. A bill to develop a long-term strategic vision and a comprehensive, multifaceted, and principled United States policy for the Indo-Pacific region, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, Intelligence (Permanent Select), Ways and Means, the Judiciary, Financial Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself, Mr. LAMALFA, Mr. GIBBS, Ms. CHENEY, and Mr. GIANFORTE):

H.R. 6889. A bill to amend the Federal Water Pollution Control Act to make changes with respect to water quality certification, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MEADOWS:

H.R. 6890. A bill to amend the Internal Revenue Code of 1986 to provide for designation of qualified opportunity zones every 10 years; to the Committee on Ways and Means.

By Mr. MITCHELL:

H.R. 6891. A bill to strengthen and enhance the authority to discipline officers and employees of the Federal Government for violating the Anti-Deficiency Act, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. ROTHFUS:

H.R. 6892. A bill to streamline requirements for currency transaction reports and suspicious activity reports, and for other purposes; to the Committee on Financial Services.

By Mr. RUSSELL (for himself, Mr. KATKO, and Mrs. WATSON COLEMAN):

H.R. 6893. A bill to amend the Overtime Pay for Protective Services Act of 2016 to extend the Secret Service overtime pay exception through 2019, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SCHNEIDER (for himself and Mr. MEADOWS):

H.R. 6894. A bill to require a report on Saudi Arabia obtaining nuclear fuel enrichment capabilities; to the Committee on Foreign Affairs.

By Mr. RASKIN:

H. Con. Res. 137. Concurrent resolution expressing the sense of Congress that the United States is committed to ensuring a safe and healthy climate for future generations, and to creating solutions for restoring the climate; to the Committee on Energy and Commerce.

By Ms. JUDY CHU of California (for herself, Mr. DEUTCH, and Mrs. NAPOLITANO):

H. Res. 1076. A resolution encouraging the House of Representatives to pass laws to prevent gun violence; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LYNCH (for himself, Mr. NEAL, Mr. MCGOVERN, Ms. TSONGAS, Mr. KENNEDY, Ms. CLARK of Massachusetts, Mr. MOULTON, Mr. CAPUANO, and Mr. KEATING):

H. Res. 1078. A resolution recognizing the Lawyers' Committee for Civil Rights and Economic Justice on its 50th anniversary; to the Committee on the Judiciary.

By Ms. NORTON:

H. Res. 1079. A resolution expressing support for the designation of September as Peace Month and calling on Congress to take action to promote peace; to the Committee on Oversight and Government Reform.

By Mrs. TORRES (for herself and Mr. WEBER of Texas):

H. Res. 1080. A resolution recognizing the important role of chefs in responding to natural disasters; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WILSON of Florida (for herself, Mr. DEFAZIO, Mr. CAPUANO, Ms. JACKSON LEE, Mr. LARSEN of Washington, Mr. KILMER, Mr. SIREN, Mr. BLUMENAUER, Mr. HASTINGS, Mr. LIPINSKI, Ms. BASS, Mrs. NAPOLITANO, Mr. CARSON of Indiana, Mr. SEAN PATRICK MALONEY of New York, Ms. NORTON, and Mr. PAYNE):

H. Res. 1081. A resolution expressing support for the designation of the week of September 23 through September 29, 2018, as Rail Safety Week in the United States, and supporting the goals and ideals of Rail Safety Week to reduce rail-related accidents, fatalities, and injuries; to the Committee on Transportation and Infrastructure.

133.68 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. SOTO introduced a bill (H.R. 6895) to authorize the President to award the Purple Heart to Louis Boria, Jr., for injuries incurred during World War II and the Korean War while a member of the Marine Corps; which was referred to the Committee on Armed Services.

133.69 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 12: Mr. RUPPERSBERGER.
H.R. 174: Mr. SCALISE.
H.R. 305: Ms. BASS.
H.R. 502: Mr. MARINO.
H.R. 544: Mr. GUTIERREZ.
H.R. 559: Mr. HIGGINS of Louisiana.
H.R. 592: Mr. BANKS of Indiana.
H.R. 632: Mr. MCCLINTOCK.
H.R. 762: Mr. PERRY and Mrs. DAVIS of California.
H.R. 817: Ms. KUSTER of New Hampshire.
H.R. 930: Mr. CALVERT.
H.R. 1017: Mr. GALLEGGO, Mr. GROTHMAN, and Ms. ROYBAL-ALLARD.
H.R. 1044: Mr. DESAULNIER and Ms. LOFGREN.
H.R. 1098: Mr. BISHOP of Georgia and Ms. KUSTER of New Hampshire.
H.R. 1111: Ms. CLARKE of New York.
H.R. 1171: Mr. HOLDING.
H.R. 1205: Ms. WASSERMAN SCHULTZ and Mrs. HARTZLER.
H.R. 1243: Ms. BASS.
H.R. 1291: Mr. SIREN.
H.R. 1298: Mr. KILDEE.
H.R. 1300: Ms. MOORE, Mr. LIPINSKI, and Mr. VELA.

H.R. 1384: Mr. SUOZZI.
H.R. 1409: Mr. RUTHERFORD and Mr. DEUTCH.
H.R. 1439: Mr. COOPER and Mr. LOWENTHAL.
H.R. 1456: Mr. RUSH, Mr. NADLER, Mr. HASTINGS, Mr. GUTHRIE, and Mr. RYAN of Ohio.
H.R. 1515: Mr. CARBAJAL and Mr. CURBELO of Florida.
H.R. 1542: Mr. PETERSON and Mr. KILMER.
H.R. 1602: Mr. YOUNG of Iowa and Ms. ROSEN.
H.R. 1615: Mr. LOWENTHAL, Ms. JACKSON LEE, Ms. SHEA-PORTER, and Ms. WASSERMAN SCHULTZ.
H.R. 1651: Mr. LOWENTHAL, Ms. DELBENE, and Ms. BASS.
H.R. 1683: Ms. ROSEN.
H.R. 1759: Ms. WASSERMAN SCHULTZ and Mrs. BEATTY.
H.R. 1818: Ms. BASS.
H.R. 1825: Mrs. DINGELL and Mr. CONNOLLY.
H.R. 1898: Mrs. BLACK, Mr. SHUSTER, Mr. RODNEY DAVIS of Illinois, and Ms. TITUS.
H.R. 1904: Mr. VALADAO.
H.R. 1957: Mr. JOHNSON of Georgia, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. O'HALLERAN, Mrs. NAPOLITANO, Mrs. DINGELL, Mr. CONNOLLY, Mr. RASKIN, and Mr. EVANS.
H.R. 2077: Mr. CARBAJAL.
H.R. 2092: Mrs. HARTZLER and Mr. ADERHOLT.
H.R. 2119: Ms. KELLY of Illinois.
H.R. 2358: Mr. BROWN of Maryland, Mr. BERA, Ms. CLARKE of New York, Mr. CICILLINE, Mr. VELA, Mr. LARSON of Connecticut, and Mr. COHEN.
H.R. 2416: Mr. WELCH and Ms. BONAMICI.
H.R. 2434: Mr. KIND.
H.R. 2472: Mrs. WATSON COLEMAN.
H.R. 2556: Mr. POLIQUIN.
H.R. 2587: Mrs. COMSTOCK and Mr. KENNEDY.
H.R. 2639: Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2640: Mr. SERRANO, Ms. CLARKE of New York, Mr. JOHNSON of Georgia, Ms. BROWNLEY of California, Ms. CLARK of Massachusetts, Ms. LEE, Ms. WILSON of Florida, Ms. JAYAPAL, and Mr. DEUTCH.
H.R. 2790: Mr. NADLER, Mr. O'HALLERAN, and Mrs. BEATTY.
H.R. 2913: Mrs. LAWRENCE.
H.R. 2918: Mr. JOHNSON of Louisiana.
H.R. 3026: Mr. RYAN of Ohio.
H.R. 3113: Ms. SHEA-PORTER, Mr. KHANNA, and Mr. MEEKS.
H.R. 3148: Mr. RODNEY DAVIS of Illinois and Mr. PETERSON.
H.R. 3197: Mr. SEAN PATRICK MALONEY of New York and Mr. ENGEL.
H.R. 3222: Mr. LAWSON of Florida, Mrs. BUSTOS, and Mr. LOEBSACK.
H.R. 3272: Ms. EDDIE BERNICE JOHNSON of Texas and Ms. SANCHEZ.
H.R. 3307: Mr. CRIST.
H.R. 3338: Mr. SHERMAN.
H.R. 3349: Mr. TONKO.
H.R. 3580: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 3605: Mr. GROTHMAN.
H.R. 3671: Mr. DEUTCH.
H.R. 3730: Mr. LONG and Mr. POLIQUIN.
H.R. 3773: Mr. LARSEN of Washington.
H.R. 3834: Mr. CRIST and Mr. RUTHERFORD.
H.R. 3877: Mr. COHEN.
H.R. 3923: Mr. CRIST and Mr. BEN RAY LUJAN of New Mexico.
H.R. 3931: Mrs. MIMI WALTERS of California and Mr. MACARTHUR.
H.R. 4016: Mr. SOTO.
H.R. 4022: Mr. MCKINLEY.
H.R. 4086: Ms. BARRAGAN and Mr. LOWENTHAL.
H.R. 4099: Mr. STEWART, Mr. SWALWELL of California, Mr. KING of Iowa, Mr. CHABOT, and Mr. GUTHRIE.
H.R. 4107: Mr. VELA and Mr. BILIRAKIS.
H.R. 4206: Ms. ESHOO.

H.R. 4256: Mr. BACON and Ms. ESTY of Connecticut.
H.R. 4320: Mr. COLE.
H.R. 4444: Mr. HUFFMAN.
H.R. 4518: Mrs. LAWRENCE.
H.R. 4591: Mr. SHERMAN.
H.R. 4691: Mr. VARGAS, Mr. TONKO, Mr. GRIJALVA, Mrs. LOWEY, Mr. AL GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BARRAGAN, Ms. JAYAPAL, Mr. BRADY of Pennsylvania, Mr. RUSH, Ms. JACKSON LEE, Mr. SUOZZI, Mr. MCGOVERN, Mr. LANGEVIN, Mr. CROWLEY, Mr. CAPUANO, Mr. ROYCE of California, Mr. YARMUTH, Mr. NOLAN, Mr. RYAN of Ohio, Mr. SABLAN, Ms. BASS, Mr. SEAN PATRICK MALONEY of New York, Mr. KHANNA, Mr. REICHERT, and Mr. GALLEGGO.
H.R. 4693: Mr. REICHERT.
H.R. 4732: Mr. PERLMUTTER and Mr. GONZALEZ of Texas.
H.R. 4765: Mr. MEEKS.
H.R. 4846: Mr. DONOVAN and Mr. CONNOLLY.
H.R. 4897: Ms. WASSERMAN SCHULTZ and Mr. PERLMUTTER.
H.R. 5011: Ms. HANABUSA.
H.R. 5060: Ms. TENNEY.
H.R. 5062: Ms. BASS and Mr. DEFazio.
H.R. 5115: Mr. SUOZZI and Mr. DEFazio.
H.R. 5141: Mr. TIPTON.
H.R. 5160: Mr. YARMUTH.
H.R. 5266: Mr. MESSER, Mr. EMMER, and Mr. HUIZENGA.
H.R. 5270: Mrs. WALORSKI.
H.R. 5273: Mr. TED LIEU of California, Mr. CARTWRIGHT, Mr. SENSENBRENNER, Ms. BASS, Mr. FRANCIS ROONEY of Florida, Mr. BERA, Mrs. WAGNER, Mr. CICILLINE, and Mr. SHERMAN.
H.R. 5282: Mr. PERLMUTTER.
H.R. 5306: Mrs. BROOKS of Indiana, Mr. THOMPSON of California, and Mr. CRAMER.
H.R. 5374: Mr. LAWSON of Florida and Mr. VEASEY.
H.R. 5509: Mr. BALDERSON.
H.R. 5533: Mr. DEFazio, Mr. BEYER, Mr. MOULTON, Ms. PINGREE, Ms. VELÁZQUEZ, and Mr. SMITH of Washington.
H.R. 5609: Ms. BASS, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. HASTINGS.
H.R. 5671: Ms. JACKSON LEE.
H.R. 5701: Mr. JOYCE of Ohio and Mr. CARTWRIGHT.
H.R. 5780: Ms. CASTOR of Florida.
H.R. 5833: Mrs. LAWRENCE.
H.R. 5879: Mr. OLSON, Mr. BROWN of Maryland, Mr. LARSEN of Washington, Mr. CALVERT, Mr. NEAL, Ms. JACKSON LEE, Mr. THOMAS J. ROONEY of Florida, Mr. CARBAJAL, Mr. BERA, and Mr. GOSAR.
H.R. 5896: Mr. O'HALLERAN and Ms. SINEMA.
H.R. 5924: Mr. WEBER of Texas and Mr. SUOZZI.
H.R. 5945: Mr. KILMER.
H.R. 5962: Ms. JACKSON LEE.
H.R. 6016: Ms. BLUNT ROCHESTER.
H.R. 6018: Mr. SCHIFF and Mr. SHERMAN.
H.R. 6033: Mr. LAWSON of Florida, Mr. AGUILAR, Ms. KELLY of Illinois, Ms. CASTOR of Florida, Ms. BLUNT ROCHESTER, Mr. LOEBSACK, Mr. BRENDAN F. BOYLE of Pennsylvania, and Mr. EVANS.
H.R. 6034: Mr. WEBER of Texas.
H.R. 6048: Ms. DEGETTE.
H.R. 6060: Ms. CASTOR of Florida, Mr. PRICE of North Carolina, and Mr. GENE GREEN of Texas.
H.R. 6071: Mr. PAYNE.
H.R. 6079: Mr. THOMPSON of Pennsylvania, Mr. SOTO, and Mr. GAETZ.
H.R. 6080: Ms. MCCOLLUM and Ms. JACKSON LEE.
H.R. 6093: Mr. RASKIN.
H.R. 6103: Mr. HIMES.
H.R. 6114: Mr. YOUNG of Iowa, Mr. LOWENTHAL, Mr. HASTINGS, Ms. JUDY CHU of California, Mr. GARAMENDI, Mr. BLUM, Mr. REED, Mr. RASKIN, Ms. ROSEN, Mr. LOEBSACK, Mr. GRIJALVA, Mr. YARMUTH, and Mr. COSTELLO of Pennsylvania.

H.R. 6125: Mr. ZELDIN, Mr. NADLER, Mr. SEAN PATRICK MALONEY of New York, Mr. FASO, Ms. STEFANIK, and Mr. KATKO.
H.R. 6137: Mr. CRIST.
H.R. 6158: Mr. ZELDIN.
H.R. 6178: Mr. BACON.
H.R. 6220: Ms. ROYBAL-ALLARD and Mr. KIHUEN.
H.R. 6224: Mr. FRANCIS ROONEY of Florida.
H.R. 6229: Mr. BALDERSON.
H.R. 6249: Mr. LYNCH and Mr. QUIGLEY.
H.R. 6267: Ms. JACKSON LEE and Ms. CASTOR of Florida.
H.R. 6340: Mr. LANGEVIN.
H.R. 6344: Mr. LATTA.
H.R. 6398: Mr. BILIRAKIS, Mr. GALLAGHER, Ms. ROSEN, Mr. JOHNSON of Ohio, and Mr. JONES.
H.R. 6410: Ms. PINGREE.
H.R. 6421: Mr. QUIGLEY and Ms. ESHOO.
H.R. 6471: Mr. LUETKEMEYER.
H.R. 6482: Mr. GIBBS.
H.R. 6501: Ms. KAPTUR.
H.R. 6540: Ms. JACKSON LEE.
H.R. 6543: Mr. CICILLINE.
H.R. 6545: Mr. CONNOLLY, Mrs. WATSON COLEMAN, Ms. SANCHEZ, Mr. POLIS, Mr. VARGAS, Mr. SHERMAN, Mr. RUIZ, and Mr. ELLISON.
H.R. 6563: Mr. BEN RAY LUJAN of New Mexico and Mrs. DINGELL.
H.R. 6566: Mr. THOMAS J. ROONEY of Florida.
H.R. 6580: Mr. NEWHOUSE.
H.R. 6589: Ms. NORTON and Mr. GAETZ.
H.R. 6609: Mr. LOWENTHAL and Mr. QUIGLEY.
H.R. 6622: Mr. LAWSON of Florida, Mr. SOTO, and Mr. BUCHANAN.
H.R. 6631: Mr. COHEN and Ms. GABBARD.
H.R. 6636: Mr. COHEN and Mr. BUDD.
H.R. 6649: Ms. JUDY CHU of California, Mr. HIMES, Ms. SHEA-PORTER, and Ms. PINGREE.
H.R. 6651: Mr. FITZPATRICK.
H.R. 6685: Ms. JACKSON LEE.
H.R. 6692: Ms. JACKSON LEE, Mr. SOTO, and Ms. PINGREE.
H.R. 6708: Mr. WEBER of Texas.
H.R. 6731: Mr. SMITH of Nebraska, Mr. MARSHALL, and Mr. LOEBSACK.
H.R. 6733: Mr. RODNEY DAVIS of Illinois, Mr. GOSAR, Mr. RENACCI, and Mrs. BROOKS of Indiana.
H.R. 6734: Mr. SUOZZI, Mr. HIGGINS of New York, Mr. STEWART, Ms. ROSEN, Ms. ESHOO, Ms. SHEA-PORTER, Mr. COHEN, Mr. PEARCE, Mr. RUTHERFORD, and Mr. QUIGLEY.
H.R. 6735: Mr. KHANNA.
H.R. 6740: Ms. SINEMA.
H.R. 6765: Ms. JAYAPAL.
H.R. 6768: Ms. WASSERMAN SCHULTZ and Mr. GRIJALVA.
H.R. 6772: Ms. ADAMS, Mr. MEEKS, and Mr. SCOTT of Virginia.
H.R. 6774: Mr. BURGESS, Mr. ROKITA, Mr. BOST, Mr. BUDD, and Mr. RUTHERFORD.
H.R. 6793: Mr. MESSER, Mr. BANKS of Indiana, Mr. HOLLINGSWORTH, Mr. CARSON of Indiana, Mrs. WALORSKI, Mr. ROKITA, Mr. RODNEY DAVIS of Illinois, Mrs. BROOKS of Indiana, and Mr. VISCLOSKEY.
H.R. 6795: Mr. LIPINSKI, Mrs. DINGELL, Mr. MCNERNEY, Ms. JACKSON LEE, Mr. CARSON of Indiana, Ms. WILSON of Florida, Ms. HANABUSA, Ms. ROSEN, and Mrs. DEMINGS.
H.R. 6810: Mr. BURGESS.
H.R. 6821: Mr. FERGUSON.
H.R. 6838: Mr. MASSIE, Mr. GUTHRIE, Mr. YARMUTH, Mr. ROGERS of Kentucky, and Mr. BARR.
H.R. 6840: Ms. LEE.
H.R. 6847: Mr. SENSENBRENNER.
H.R. 6855: Mr. LANGEVIN.
H.J. Res. 140: Mr. ENGEL, Mr. BEN RAY LUJAN of New Mexico, Mr. TONKO, Mrs. DINGELL, Mr. KENNEDY, Ms. SCHAKOWSKY, Ms. JACKSON LEE, Ms. NORTON, Mr. HASTINGS, Ms. WASSERMAN SCHULTZ, Mr. RUSH, Ms. MATSUI, Mr. CÁRDENAS, Ms. JAYAPAL, Mr. MEEKS, Mr.

LAWSON of Florida, Ms. HANABUSA, Mr. NADLER, Mr. SOTO, Mr. RASKIN, Mr. YARMUTH, Ms. ESHOO, Ms. CLARKE of New York, Mr. COHEN, and Mr. VISCLOSKEY.

H. Con. Res. 10: Mr. LEVIN and Mr. HIGGINS of New York.

H. Con. Res. 72: Mr. GUTIÉRREZ, Mr. CURBELO of Florida, Mr. THOMPSON of Mississippi, and Mr. ZELDIN.

H. Res. 15: Mr. POLIQUIN.

H. Res. 69: Mr. LANGEVIN.

H. Res. 274: Mr. CARTWRIGHT and Mr. CROWLEY.

H. Res. 342: Mr. PRICE of North Carolina and Ms. JACKSON LEE.

H. Res. 349: Mr. COFFMAN.

H. Res. 757: Mr. CARSON of Indiana.

H. Res. 776: Mr. QUIGLEY and Mr. KENNEDY.

H. Res. 792: Miss GONZÁLEZ-COLÓN of Puerto Rico.

H. Res. 864: Mr. SCHIFF and Mr. CONNOLLY.

H. Res. 910: Mr. ROSKAM and Mr. CHABOT.

H. Res. 993: Mr. COOPER, Mr. MARSHALL, Mrs. WATSON COLEMAN, Mr. JOHNSON of Georgia, Mr. COFFMAN, Mr. PRICE of North Carolina, and Ms. CASTOR of Florida.

H. Res. 1006: Mrs. McMORRIS RODGERS, Mr. FRANCIS ROONEY of Florida, Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. DEUTCH, Mr. CICILLINE, Mr. MCCAUL, Mr. CURBELO of Florida, Mr. WEBER of Texas, Mr. VALADAO, Mr. AUSTIN SCOTT of Georgia, Mr. CHABOT, Ms. FRANKEL of Florida, Mr. COFFMAN, Mr. BABIN, Mr. GARAMENDI, and Mr. MEEKS.

H. Res. 1026: Mr. KELLY of Pennsylvania.

H. Res. 1035: Mr. MCCAUL and Mr. GALLEGGO.

H. Res. 1056: Mr. COSTA and Ms. JUDY CHU of California.

H. Res. 1062: Mr. RASKIN and Mr. SUOZZI.

H. Res. 1066: Mr. CRAMER and Mrs. WAGNER.

H. Res. 1071: Mr. DUNCAN of South Carolina.

H. Res. 1073: Mr. CUMMINGS, Mr. QUIGLEY, Mr. GOMEZ, Mrs. BEATTY, Mr. SOTO, Ms. MATSUI, and Mr. KILMER.

WEDNESDAY, SEPTEMBER 26, 2018 (134)

¶134.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. NORMAN, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

September 26, 2018.

I hereby appoint the Honorable RALPH NORMAN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶134.2 RECESS—10:45 A.M.

The SPEAKER pro tempore, Mr. NORMAN, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 45 minutes a.m., until noon.

¶134.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶134.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, September 25, 2018.

Mr. WILSON of South Carolina, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. WILSON of South Carolina, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶134.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6336. A letter from the Team Lead, Regulations Management Team, Rural Development Innovation Center, Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule — Announcement Process for Rural Utilities Service Grant Programs (RIN: 0572-AC39) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6337. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Carlton D. Everhart II, United States Air Force, and his advancement to the grade of general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6338. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Kenneth R. Dahl, United States Army, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6339. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral John N. Christenson, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6340. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General John W. Nicholson, Jr., United States Army, and his advancement to the grade of general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6341. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Jack Weinstein, United States Air Force, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6342. A letter from the Acting Assistant Secretary of the Army, Manpower and Reserve Affairs, U.S. Army, Department of De-

fense, transmitting a notice to Congress of the anticipated use of Selected Reserve units that will be ordered to active duty, pursuant to 10 U.S.C. 12304b(d); Public Law 112-81, Sec. 516(a)(1); (125 Stat. 1396); to the Committee on Armed Services.

6343. A letter from the Secretary, Department of Health and Human Services, transmitting a Declaration of a Public Health Emergency and Waiver and/or Modification of Certain HIPAA, and Medicare, Medicaid, and Children's Health Insurance Program Requirements (Hurricane Florence on the States North Carolina and South Carolina), pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630); to the Committee on Energy and Commerce.

6344. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Fiscal Year 2017 Annual Progress Report on the C.W. Bill Young Cell Transplantation Program and National Cord Blood Inventory Program, pursuant to 42 U.S.C. 274k(a)(6); July 1, 1944, ch. 373, title III, Sec. 379 (as amended by Public Law 109-129, Sec. 3(a)); (119 Stat. 2554); to the Committee on Energy and Commerce.

6345. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2018-0567; FRL-9983-14] (RIN: 2070-AB27) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6346. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to New Mexico [EPA-R06-OAR-2016-0091; FRL-9982-62-Region 6] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6347. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pepino Mosaic Virus, strain CH2, isolate 1906; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0525; FRL-9983-31] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6348. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — National Oil and Hazardous Substances Pollution Contingency Plan National Priorities List: Partial Deletion of the Beloit Corporation Superfund Site [EPA-HQ-SFUND-1990-0011; FRL-9983-84-Region 5] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6349. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Old Southington Landfill Superfund Site [EPA-HQ-SFUND-2005-0011; FRL-9983-63-Region 1] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6350. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Recticon/Allied Steel Superfund Site [EPA-HQ-SFUND-1989-0011; FRL-9983-74-Region 3] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6351. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Priorities List [EPA-HQ-SFUND-2015-0575, EPA-HQ-OLEM-2017-0605, 0608 and 0610, EPA-HQ-OLEM-2018-0252 and 0254; FRL-9983-69-OLEM] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6352. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Washington; Interstate Transport Requirements for the 2015 Ozone NAAQS [EPA-R10-OAR-2018-0061; FRL-9983-83-Region 10] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6353. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Wisconsin; Particulate Matter Standard [EPA-R05-OAR-2018-0008; FRL-9982-61-Region 5] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6354. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacteriophage Active Against *Erwinia amylovora*; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0702; FRL-9983-18] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6355. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bacteriophage Active Against *Xanthomonas citri* subsp. *citri*; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0703; FRL-9983-10] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6356. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Tennessee; Knox County NSR Reform [EPA-R04-OAR-2017-0542; FRL-9983-75-Region 4] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6357. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Oregon; Interstate Transport Requirements for the 2012 PM_{2.5} NAAQS [EPA-R10-OAR-2018-0505; FRL-9983-95-Region 10] received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6358. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Afdopyropen; Pesticide Tolerances [EPA-HQ-OPP-2016-0416; FRL-9976-65] received September 18, 2018, pursuant

to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6359. A letter from the Associate General Counsel for General Law, U.S. Citizenship and Immigration Services, Department of Homeland Security, transmitting a notification of a nomination and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6360. A letter from the Secretary, Department of Labor, transmitting a report titled, "The Department of Labor's 2017 Findings on the Worst Forms of Child Labor", pursuant to 19 U.S.C. 2464; Public Law 93-618, Sec. 504 (as amended by Public Law 99-514, Sec. 1887(a)(6)) (100 Stat. 2923); to the Committee on Ways and Means.

6361. A letter from the Chair, Federal Election Commission, transmitting the Commission's Fiscal Year 2020 budget request, pursuant to 52 U.S.C. 30107(d)(1); Public Law 92-225, Sec. 307 (as added by Public Law 93-443, Sec. 208(a)); (88 Stat. 1283); jointly to the Committees on House Administration, Appropriations, and Oversight and Government Reform.

¶134.6 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO H.R. 6157, H. RES. 1071, AND MOTIONS TO SUSPEND THE RULES

Mr. COLE, by direction of the Committee on Rules, called up the following resolution (H. Res. 1077):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

SEC. 2. Upon adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

SEC. 3. It shall be in order at any time on the legislative day of September 27, 2018, or September 28, 2018, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

When said resolution was considered.

After debate,

Mr. COLE moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. DONOVAN, announced that the ayes had it.

Mrs. TORRES demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DONOVAN, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶134.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. DONOVAN, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 26, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 26, 2018, at 11:55 a.m.:

That the Senate passed S. 3139.

That the Senate passed S. 3389.

That the Senate passed without amendment H.R. 4958.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶134.8 RECESS—1:09 P.M.

The SPEAKER pro tempore, Mr. DONOVAN, pursuant to clause 12(a) of rule I, declared the House in recess at 1 o'clock and 9 minutes p.m., for a period of less than 15 minutes.

¶134.9 AFTER RECESS—1:15 P.M.

The SPEAKER pro tempore, Mr. DONOVAN, called the House to order.

¶134.10 H. RES. 1077—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DONOVAN, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on ordering the previous question on the resolution (H. Res. 1077) providing for consideration of the conference report to accompany the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes; providing for consideration of the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens; and providing for consideration of motions to suspend the rules.

The question being put,

Will the House now order the previous question?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 230
Nays 188

134.11 [Roll No. 402]

YEAS—230

Abraham	Gowdy	Palazzo
Aderholt	Granger	Palmer
Allen	Graves (GA)	Paulsen
Amash	Graves (LA)	Pearce
Amodei	Graves (MO)	Perry
Arrington	Griffith	Pittenger
Babin	Grothman	Poe (TX)
Bacon	Guthrie	Poliquin
Balderson	Handel	Posey
Banks (IN)	Harper	Ratcliffe
Barr	Harris	Reed
Barton	Hartzler	Reichert
Bergman	Hensarling	Renacci
Biggs	Herrera Beutler	Rice (SC)
Bilirakis	Hice, Jody B.	Roby
Bishop (MI)	Higgins (LA)	Roe (TN)
Bishop (UT)	Hill	Rogers (AL)
Black	Holding	Rogers (KY)
Blum	Hollingsworth	Rohrabacher
Bost	Hudson	Rokita
Brady (TX)	Huizenga	Rooney, Francis
Brat	Hultgren	Rooney, Thomas
Brooks (AL)	Hunter	J.
Brooks (IN)	Hurd	Roskam
Buchanan	Jenkins (KS)	Ross
Buck	Johnson (LA)	Rothfus
Bucshon	Johnson (OH)	Rouzer
Budd	Johnson, Sam	Royce (CA)
Burgess	Jones	Russell
Byrne	Jordan	Rutherford
Calvert	Joyce (OH)	Sanford
Carter (GA)	Katko	Scalise
Carter (TX)	Kelly (MS)	Schweikert
Chabot	Kelly (PA)	Scott, Austin
Cheney	King (IA)	Sensenbrenner
Cloud	King (NY)	Sessions
Coffman	Kinzinger	Shimkus
Cole	Knight	Shuster
Collins (GA)	Kustoff (TN)	Simpson
Collins (NY)	Labrador	Smith (MO)
Comer	LaHood	Smith (NE)
Comstock	LaMalfa	Smith (NJ)
Conaway	Lamborn	Smith (TX)
Cook	Lance	
Costello (PA)	Latta	
Cramer	Lesko	
Crawford	Lewis (MN)	
Culberson	LoBiondo	
Curbelo (FL)	Long	
Curtis	Loudermilk	
Davidson	Love	
Davis, Rodney	Lucas	
Denham	Luetkemeyer	
DesJarlais	MacArthur	
Diaz-Balart	Marchant	
Donovan	Marino	
Duffy	Marshall	
Duncan (SC)	Massie	
Duncan (TN)	Mast	
Dunn	McCarthy	
Emmer	McCaul	
Estes (KS)	McClintock	
Faso	McHenry	
Ferguson	McKinley	
Fitzpatrick	McMorris	
Fleischmann	Rodgers	
Flores	McSally	
Fortenberry	Meadows	
Fox	Messer	
Frelinghuysen	Mitchell	
Gaetz	Moolenaar	
Gallagher	Mooney (WV)	
Garrett	Mullin	
Gianforte	Newhouse	
Gibbs	Noem	
Gohmert	Norman	
Goodlatte	Nunes	
Gosar	Olson	

NAYS—188

Adams	Brady (PA)	Clark (MA)
Aguilar	Brown (MD)	Clarke (NY)
Barragán	Brownley (CA)	Clay
Bass	Bustos	Cleaver
Beatty	Butterfield	Clyburn
Bera	Capuano	Cohen
Beyer	Carbajal	Connolly
Bishop (GA)	Cárdenas	Cooper
Blumenauer	Carson (IN)	Correa
Blunt Rochester	Cartwright	Costa
Bonamici	Bastro (TX)	Courtney
Boyle, Brendan	Chu, Judy	Crist
F.	Cicilline	Crowley

Cuellar	Kildee	Polis
Cummings	Kilmer	Price (NC)
Davis (CA)	Kind	Quigley
Davis, Danny	Krishnamoorthi	Raskin
DeFazio	Kuster (NH)	Rice (NY)
DeGette	Lamb	Richmond
Delaney	Langevin	Rosen
DeLauro	Larsen (WA)	Roybal-Allard
DelBene	Larson (CT)	Ruiz
Demings	Lawrence	Ruppersberger
DeSaulnier	Lawson (FL)	Rush
Deutch	Lee	Ryan (OH)
Dingell	Levin	Sanchez
Doggett	Lewis (GA)	Sarbanes
Doyle, Michael	Lieu, Ted	Schakowsky
F.	Lipinski	Schiff
Engel	Loebach	Schneider
Espallat	Lofgren	Schrader
Esty (CT)	Lowenthal	Scott (VA)
Evans	Lowey	Scott, David
Foster	Lujan, Ben Ray	Serrano
Frankel (FL)	Lynch	Sewell (AL)
Fudge	Maloney,	Shea-Porter
Gabbard	Carolyn B.	Sherman
Gallego	Maloney, Sean	Sinema
Garamendi	Matsui	Sires
Gomez	McCollum	Smith (WA)
Gonzalez (TX)	McEachin	Soto
Gottheimer	McGovern	Speier
Green, Al	McNerney	Suozi
Green, Gene	Meeks	Swalwell (CA)
Grijalva	Meng	Takano
Gutiérrez	Moore	Thompson (CA)
Hanabusa	Moulton	Thompson (MS)
Hastings	Murphy (FL)	Titus
Heck	Nadler	Tonko
Higgins (NY)	Napolitano	Torres
Himes	Neal	Tsongas
Hoyer	Norcross	Vargas
Huffman	O'Halleran	Veasey
Jackson Lee	O'Rourke	Vela
Jayapal	Pallone	Velázquez
Jeffries	Panetta	Visclosky
Johnson (GA)	Pascrell	Walz
Johnson, E. B.	Payne	Wasserman
Kaptur	Pelosi	Schultz
Keating	Perlmutter	Waters, Maxine
Kelly (IL)	Peters	Watson Coleman
Kennedy	Peterson	Welch
Khanna	Pingree	Wilson (FL)
Kihuen	Pocan	Yarmuth

NOT VOTING—10

Barletta	Eshoo	Lujan Grisham,
Blackburn	Issa	M.
Castor (FL)	Jenkins (WV)	Nolan
Ellison		Ros-Lehtinen

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. DONOVAN, announced that the ayes had it.

Mr. HASTINGS demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Ayes 230
Noes 188

134.12 [Roll No. 403]

AYES—230

Abraham	Blum	Cloud
Aderholt	Bost	Coffman
Allen	Brady (TX)	Cole
Amodei	Brat	Collins (GA)
Arrington	Brooks (AL)	Collins (NY)
Babin	Brooks (IN)	Comer
Bacon	Buchanan	Comstock
Balderson	Buck	Conaway
Banks (IN)	Bucshon	Cook
Barr	Budd	Costello (PA)
Barton	Burgess	Cramer
Bergman	Byrne	Crawford
Biggs	Calvert	Crist
Bilirakis	Carter (GA)	Culberson
Bishop (MI)	Carter (TX)	Curbelo (FL)
Bishop (UT)	Chabot	Curtis
Black	Cheney	Davidson

Davis, Rodney	Kinzinger	Rokita
Denham	Knight	Rooney, Francis
DesJarlais	Kustoff (TN)	Rooney, Thomas
Diaz-Balart	Labrador	J.
Donovan	LaHood	Roskam
Duffy	LaMalfa	Ross
Duncan (SC)	Lamb	Rothfus
Duncan (TN)	Lamborn	Rouzer
Dunn	Lance	Royce (CA)
Emmer	Latta	Russell
Estes (KS)	Lesko	Rutherford
Faso	Lewis (MN)	Sanford
Ferguson	LoBiondo	Scalise
Fitzpatrick	Long	Schweikert
Fleischmann	Loudermilk	Scott, Austin
Flores	Love	Sensenbrenner
Fortenberry	Lucas	Sessions
Fox	Luetkemeyer	Shimkus
Frelinghuysen	MacArthur	Shuster
Gaetz	Marchant	Simpson
Gallagher	Marino	Sinema
Garrett	Marshall	Smith (MO)
Gianforte	Mast	Smith (NE)
Gibbs	McCarthy	Smith (NJ)
Goodlatte	McCaul	Smith (TX)
Gottheimer	McClintock	
Gowdy	McHenry	Smucker
Granger	McKinley	Stefanik
Graves (GA)	McMorris	Stewart
Graves (LA)	Rodgers	Stivers
Graves (MO)	McSally	Suozi
Grothman	Messer	Taylor
Guthrie	Mitchell	Tenney
Handel	Moolenaar	Thompson (PA)
Harper	Mullin	Thornberry
Harris	Murphy (FL)	Tipton
Hartzler	Newhouse	Trott
Hensarling	Noem	Turner
Herrera Beutler	Norman	Upton
Hice, Jody B.	Nunes	Valadao
Higgins (LA)	O'Halleran	Wagner
Hill	Olson	Walberg
Holding	Palazzo	Walden
Hollingsworth	Palmer	Walker
Hudson	Paulsen	Walorski
Huizenga	Pearce	Walters, Mimi
Hultgren	Perry	Weber (TX)
Hunter	Pittenger	Webster (FL)
Hurd	Poe (TX)	Wenstrup
Issa	Poliquin	Westerman
Jenkins (KS)	Posey	Williams
Johnson (LA)	Ratcliffe	Wilson (SC)
Johnson (OH)	Reed	Wittman
Johnson, Sam	Reichert	Womack
Jordan	Renacci	Woodall
Joyce (OH)	Rice (SC)	Yoder
Katko	Roby	Yoho
Kelly (MS)	Roe (TN)	Young (AK)
Kelly (PA)	Rogers (AL)	Young (IA)
King (IA)	Rogers (KY)	Zeldin
King (NY)	Rohrabacher	

NOES—188

Adams	Courtney	Hastings
Aguilar	Crowley	Heck
Amash	Cuellar	Higgins (NY)
Barragán	Cummings	Himes
Bass	Davis (CA)	Hoyer
Beatty	Davis, Danny	Huffman
Bera	DeFazio	Jackson Lee
Beyer	Delaney	Jayapal
Bishop (GA)	DeLauro	Jeffries
Blumenauer	DelBene	Johnson (GA)
Blunt Rochester	Demings	Johnson, E. B.
Bonamici	DeSaulnier	Jones
Boyle, Brendan	Deutch	Kaptur
F.	Dingell	Keating
Brady (PA)	Doggett	Kelly (IL)
Brown (MD)	Doyle, Michael	Kennedy
Brownley (CA)	F.	Khanna
Bustos	Engel	Kihuen
Butterfield	Espallat	Kildee
Capuano	Esty (CT)	Kilmer
Carbajal	Evans	Kind
Cárdenas	Foster	Krishnamoorthi
Carson (IN)	Frankel (FL)	Kuster (NH)
Cartwright	Fudge	Langevin
Castro (TX)	Gabbard	Larsen (WA)
Chu, Judy	Gallego	Larson (CT)
Cicilline	Garamendi	Lawrence
Clark (MA)	Gohmert	Lawson (FL)
Clarke (NY)	Gomez	Lee
Clay	Gonzalez (TX)	Levin
Cleaver	Gosar	Lewis (GA)
Clyburn	Green, Al	Lieu, Ted
Cohen	Green, Gene	Lipinski
Connolly	Griffith	Loebach
Cooper	Grijalva	Lofgren
Correa	Gutiérrez	Lowenthal
Costa	Hanabusa	Lowey

Luján, Ben Ray	Perlmutter	Shea-Porter	Cicilline	Higgins (LA)	Moulton	Tenney	Vela	Webster (FL)
Lynch	Peters	Sherman	Clark (MA)	Higgins (NY)	Mullin	Thompson (CA)	Velázquez	Welch
Maloney,	Peterson	Sires	Clarke (NY)	Hill	Murphy (FL)	Thompson (MS)	Visclosky	Wenstrup
Carolyn B.	Pingree	Smith (WA)	Clay	Himes	Nadler	Thompson (PA)	Wagner	Westerman
Maloney, Sean	Pocan	Soto	Cleaver	Holding	Neal	Thornberry	Walberg	Williams
Massie	Polis	Speier	Cloud	Hollingsworth	Newhouse	Tipton	Walden	Wilson (FL)
Matsui	Price (NC)	Swalwell (CA)	Clyburn	Hoyer	Noem	Titus	Walker	Wilson (SC)
McCollum	Quigley	Takano	Coffman	Hudson	Norcross	Tonko	Walorski	Wittman
McEachin	Raskin	Thompson (CA)	Cohen	Huffman	Norman	Torres	Walters, Mimi	Womack
McGovern	Rice (NY)	Thompson (MS)	Cole	Huizenga	Nunes	Trott	Walz	Woodall
McNerney	Richmond	Titus	Collins (GA)	Hultgren	O'Halleran	Tsongas	Wasserman	Yoder
Meadows	Rosen	Tonko	Collins (NY)	Hunter	O'Rourke	Turner	Schultz	Young (IA)
Meeks	Roybal-Allard	Torres	Comer	Hurd	Olson	Upton	Waters, Maxine	Zeldin
Meng	Ruiz	Tsongas	Comstock	Issa	Palazzo	Valadao	Watson Coleman	
Mooney (WV)	Ruppersberger	Vargas	Conaway	Jayapal	Pallone	Veasey	Weber (TX)	
Moore	Rush	Veasey	Connolly	Jeffries	Palmer			
Moulton	Ryan (OH)	Vela	Cook	Jenkins (KS)	Panetta			
Nadler	Sánchez	Velázquez	Cooper	Johnson (GA)	Pascarell			
Napolitano	Sarbanes	Visclosky	Correa	Johnson (LA)	Paulsen			
Neal	Schakowsky	Walz	Costa	Johnson (OH)	Payne			
Norcross	Schiff	Wasserman	Costello (PA)	Johnson, E. B.	Pearce			
O'Rourke	Schneider	Schultz	Courtney	Johnson, Sam	Pelosi			
Pallone	Schrader	Waters, Maxine	Cramer	Joyce (OH)	Perlmutter			
Panetta	Scott (VA)	Watson Coleman	Crawford	Kaptur	Peters			
Pascarell	Scott, David	Welch	Crowley	Katko	Peterson			
Payne	Serrano	Wilson (FL)	Cuellar	Keating	Pingree			
Pelosi	Sewell (AL)	Yarmuth	Culberson	Kelly (IL)	Pittenger			
			Cummings	Kelly (MS)	Pocan			
			Curbelo (FL)	Kelly (PA)	Poe (TX)			
			Curtis	Kennedy	Poliquin			
			Davis (CA)	Khanna	Polis			
			Davis, Danny	Kihuen	Posey			
			Davis, Rodney	Kildee	Price (NC)			
			DeFazio	Kilmer	Quigley			
			DeGette	Kind	Raskin			
			Delaney	King (IA)	Ratcliffe			
			DelBene	King (NY)	Reed			
			Demings	Kinzinger	Reichert			
			Denham	Knight	Renacci			
			DeSaulnier	Krishnamoorthi	Rice (NY)			
			DesJarlais	Kuster (NH)	Rice (SC)			
			Deutch	Kustoff (TN)	Richmond			
			Diaz-Balart	Labrador	Roby			
			Dingell	LaHood	Roe (TN)			
			Doggett	LaMalfa	Rogers (AL)			
			Donovan	Lamb	Rogers (KY)			
			Doyle, Michael	Lamborn	Rohrabacher			
			F.	Lance	Rokita			
			Duffy	Langevin	Rooney, Francis			
			Dunn	Larsen (WA)	Rooney, Thomas			
			Emmer	Larson (CT)	J.			
			Engel	Latta	Rosen			
			Espallat	Lawrence	Roskam			
			Estes (KS)	Lawson (FL)	Ross			
			Esty (CT)	Lee	Rothfus			
			Evans	Lesko	Rouzer			
			Faso	Levin	Roybal-Allard			
			Ferguson	Lewis (GA)	Royce (CA)			
			Fitzpatrick	Lewis (MN)	Ruiz			
			Fleischmann	Lipinski	Ruppersberger			
			Flores	LoBiondo	Russell			
			Fortenberry	Loebbeck	Rutherford			
			Foster	Long	Ryan (OH)			
			Fox	Loudermilk	Sánchez			
			Frelinghuysen	Love	Sanford			
			Fudge	Lowenthal	Sarbanes			
			Gabbard	Lowe	Scalise			
			Gaetz	Lucas	Schakowsky			
			Gallagher	Luetkemeyer	Schiff			
			Gallego	Luján, Ben Ray	Schneider			
			Garamendi	Lynch	Schrader			
			Garrett	MacArthur	Schweikert			
			Gianforte	Maloney,	Scott (VA)			
			Gibbs	Carolyn B.	Scott, Austin			
			Gomez	Maloney, Sean	Scott, David			
			Gonzalez (TX)	Marchant	Sensenbrenner			
			Goodlatte	Marino	Serrano			
			Gottheimer	Marshall	Sessions			
			Gowdy	Mast	Sewell (AL)			
			Granger	Matsui	Shea-Porter			
			Graves (GA)	McCarthy	Sherman			
			Graves (LA)	McCaul	Shimkus			
			Graves (MO)	McClintock	Shuster			
			Green, Al	McCollum	Simpson			
			Green, Gene	McEachin	Sinema			
			Griffith	McGovern	Sires			
			Grijalva	McHenry	Smith (MO)			
			Grothman	McKinley	Smith (NE)			
			Guthrie	McMorris	Smith (NJ)			
			Gutiérrez	Rodgers	Smith (TX)			
			Hanabusa	McNerney	Smith (WA)			
			Handel	McSally	Smucker			
			Harper	Meadows	Soto			
			Hartzler	Meeks	Stefanik			
			Hastings	Meng	Stewart			
			Heck	Messer	Stivers			
			Hensarling	Mitchell	Suozi			
			Herrera Beutler	Moolenaar	Swalwell (CA)			
			Hice, Jody B.	Mooney (WV)	Takano			
				Moore	Taylor			

NOT VOTING—10

Barletta	Ellison	Lujan Grisham,
Blackburn	Eshoo	M.
Castor (FL)	Jenkins (WV)	Nolan
DeGette		Ros-Lehtinen

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶134.13 H.R. 5420—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5420) to authorize the acquisition of land for addition to the Home of Franklin D. Roosevelt National Historic Site in the State of New York, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of those present had voted in the affirmative.

Mr. REICHERT demanded a recorded vote on the motion to suspend the rules and pass said bill, as amended, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 394
affirmative } Noes 15

¶134.14 [Roll No. 404]

AYES—394

Abraham	Bilirakis	Buck
Adams	Bishop (GA)	Bucshon
Aderholt	Bishop (MI)	Budd
Aguilar	Bishop (UT)	Burgess
Allen	Black	Bustos
Amodei	Blum	Butterfield
Arrington	Blumenauer	Byrne
Babin	Blunt Rochester	Calvert
Bacon	Bonamici	Capuano
Balderson	Bost	Carbajal
Banks (IN)	Boyle, Brendan	Cárdenas
Barr	F.	Carson (IN)
Barragán	Brady (PA)	Carter (GA)
Barton	Brady (TX)	Carter (TX)
Bass	Brat	Cartwright
Beatty	Brooks (IN)	Castro (TX)
Bera	Brown (MD)	Chabot
Bergman	Brownley (CA)	Cheney
Beyer	Buchanan	Chu, Judy

NOES—15

Amash	Duncan (TN)	Jordan
Biggs	Gohmert	Massie
Brooks (AL)	Gosar	Perry
Davidson	Harris	Yoho
Duncan (SC)	Jones	Young (AK)

NOT VOTING—19

Barletta	Jackson Lee	Nolan
Blackburn	Jenkins (WV)	Ros-Lehtinen
Castor (FL)	Lieu, Ted	Rush
DeLauro	Lofgren	Speier
Ellison	Lujan Grisham,	Vargas
Eshoo	M.	Yarmuth
Frankel (FL)	Napolitano	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.15 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, September 25, 2018.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

So the Journal was approved.

¶134.16 REPORT ON H. RES. 1018

Mr. REICHERT, by direction of the Committee on Ways and Means, submitted a privileged report (Rept. No. 115-979) on the resolution (H. Res. 1018) requesting the President to transmit to the House of Representatives certain documents in the possession of the President relating to the determination to impose certain tariffs and to the strategy of the United States with respect to China; referred to the House Calendar and ordered printed.

¶134.17 AMENDMENT OF THE SENATE WITH AN AMENDMENT TO H.R. 302

Mr. SHUSTER moved to suspend the rules and agree to the following resolution (H. Res. 1082):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill, H.R. 302, with the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “FAA Reauthorization Act of 2018”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

**DIVISION A—SPORTS MEDICINE
LICENSURE**

Sec. 11. Short title.

Sec. 12. Protections for covered sports medicine professionals.

**DIVISION B—FAA REAUTHORIZATION
ACT OF 2018**

Sec. 101. Definition of appropriate committees of Congress.

TITLE I—AUTHORIZATIONS

Subtitle A—Funding of FAA Programs

Sec. 111. Airport planning and development and noise compatibility planning and programs.

Sec. 112. Facilities and equipment.

Sec. 113. FAA operations.

Sec. 114. Weather reporting programs.

Sec. 115. Adjustment to AIP program funding.

Sec. 116. Funding for aviation programs.

Sec. 117. Extension of expiring authorities.

Subtitle B—Passenger Facility Charges

Sec. 121. Passenger facility charge modernization.

Sec. 122. Future aviation infrastructure and financing study.

Sec. 123. Intermodal access projects.

**Subtitle C—Airport Improvement Program
Modifications**

Sec. 131. Grant assurances.

Sec. 132. Mothers' rooms.

Sec. 133. Contract Tower Program.

Sec. 134. Government share of project costs.

Sec. 135. Updated veterans' preference.

Sec. 136. Use of State highway specifications.

Sec. 137. Former military airports.

Sec. 138. Eligibility of CCTV projects for airport improvement program.

Sec. 139. State block grant program expansion.

Sec. 140. Non-movement area surveillance pilot program.

Sec. 141. Property conveyance releases.

Sec. 142. Study regarding technology usage at airports.

Sec. 143. Study on airport revenue diversion.

Sec. 144. GAO study on the effect of granting an exclusive right of aeronautical services to an airport sponsor.

Sec. 145. Sense of Congress on smart airports.

Sec. 146. Critical airfield markings.

Sec. 147. General facilities authority.

Sec. 148. Recycling plans; uncategorized small airports.

Sec. 149. Evaluation of airport master plans.

Sec. 150. Definition of small business concern.

Sec. 151. Small airport regulation relief.

Sec. 152. Construction of certain control towers.

Sec. 153. Nondiscrimination.

Sec. 154. Definition of airport development.

Sec. 155. General aviation airport expired funds.

Sec. 156. Priority review of construction projects in cold weather States.

Sec. 157. Minority and disadvantaged business participation.

Sec. 158. Supplemental discretionary funds.

Sec. 159. State taxation.

Sec. 160. Airport investment partnership program.

Sec. 161. Remote tower pilot program for rural and small communities.

Sec. 162. Airport access roads in remote locations.

Sec. 163. Limited regulation of non-federally sponsored property.

Sec. 164. Seasonal airports.

Sec. 165. Amendments to definitions.

Sec. 166. Pilot program sunsets.

Sec. 167. Buy America requirements.

**Subtitle D—Airport Noise and
Environmental Streamlining**

Sec. 171. Funding eligibility for airport energy efficiency assessments.

Sec. 172. Authorization of certain flights by stage 2 aircraft.

Sec. 173. Alternative airplane noise metric evaluation deadline.

Sec. 174. Updating airport noise exposure maps.

Sec. 175. Addressing community noise concerns.

Sec. 176. Community involvement in FAA NextGen projects located in metroplexes.

Sec. 177. Lead emissions.

Sec. 178. Terminal sequencing and spacing.

Sec. 179. Airport noise mitigation and safety study.

Sec. 180. Regional ombudsmen.

Sec. 181. FAA leadership on civil supersonic aircraft.

Sec. 182. Mandatory use of the New York North Shore Helicopter Route.

Sec. 183. State standards for airport pavements.

Sec. 184. Eligibility of pilot program airports.

Sec. 185. Grandfathering of certain deed agreements granting through-the-fence access to general aviation airports.

Sec. 186. Stage 3 aircraft study.

Sec. 187. Aircraft noise exposure.

Sec. 188. Study regarding day-night average sound levels.

Sec. 189. Study on potential health and economic impacts of overflight noise.

Sec. 190. Environmental mitigation pilot program.

Sec. 191. Extending aviation development streamlining.

Sec. 192. Zero-emission vehicles and technology.

**TITLE II—FAA SAFETY CERTIFICATION
REFORM**

Subtitle A—General Provisions

Sec. 201. Definitions.

Sec. 202. Safety Oversight and Certification Advisory Committee.

Subtitle B—Aircraft Certification Reform

Sec. 211. Aircraft certification performance objectives and metrics.

Sec. 212. Organization designation authorizations.

Sec. 213. ODA review.

Sec. 214. Type certification resolution process.

Sec. 215. Review of certification process for small general aviation airplanes.

Sec. 216. ODA staffing and oversight.

Subtitle C—Flight Standards Reform

Sec. 221. Flight standards performance objectives and metrics.

Sec. 222. FAA task force on flight standards reform.

Sec. 223. Centralized safety guidance database.

Sec. 224. Regulatory Consistency Communications Board.

Subtitle D—Safety Workforce

Sec. 231. Safety workforce training strategy.

Sec. 232. Workforce review.

Subtitle E—International Aviation

Sec. 241. Promotion of United States aerospace standards, products, and services abroad.

Sec. 242. Bilateral exchanges of safety oversight responsibilities.

Sec. 243. FAA leadership abroad.

Sec. 244. Registration, certification, and related fees.

TITLE III—SAFETY

Subtitle A—General Provisions

Sec. 301. Definitions.

Sec. 302. FAA technical training.

Sec. 303. Safety critical staffing.

Sec. 304. International efforts regarding tracking of civil aircraft.

Sec. 305. Aircraft data access and retrieval systems.

Sec. 306. Advanced cockpit displays.

Sec. 307. Emergency medical equipment on passenger aircraft.

Sec. 308. FAA and NTSB review of general aviation safety.

Sec. 309. Call to action airline engine safety review.

Sec. 310. Sense of Congress on access to air carrier flight decks.

Sec. 311. Part 135 accident and incident data.

Sec. 312. Sense of Congress; pilot in command authority.

Sec. 313. Report on conspicuity needs for surface vehicles operating on the airside of air carrier served airports.

Sec. 314. Helicopter air ambulance operations data and reports.

Sec. 315. Aviation rulemaking committee for part 135 pilot rest and duty rules.

Sec. 316. Report on obsolete test equipment.

Sec. 317. Helicopter fuel system safety.

Sec. 318. Applicability of medical certification standards to operators of air balloons.

Sec. 319. Designated pilot examiner reforms.

Sec. 320. Voluntary reports of operational or maintenance issues related to aviation safety.

Sec. 321. Evaluation regarding additional ground based transmitters.

Sec. 322. Improved safety in rural areas.

Sec. 323. Exit rows.

Sec. 324. Comptroller General report on FAA enforcement policy.

Sec. 325. Annual safety incident report.

Sec. 326. Aircraft air quality.

Sec. 327. Approach control radar.

Sec. 328. Report on airline and passenger safety.

Sec. 329. Performance-based standards.

Sec. 330. Report and recommendations on certain aviation safety risks.

Sec. 331. Review of FAA's Aviation Safety Information Analysis and Sharing System.

Sec. 332. Airport rescue and firefighting.

Sec. 333. Safe air transportation of lithium cells and batteries.

Sec. 334. Runway safety.

Sec. 335. Flight attendant duty period limitations and rest requirements.

Sec. 336. Secondary cockpit barriers.

Sec. 337. Aircraft cabin evacuation procedures.

Sec. 338. Sense of Congress.

Sec. 339. Civil penalties for interference.

Sec. 339A. National in-flight sexual misconduct task force.

Sec. 339B. Reporting process for sexual misconduct onboard aircraft.

Subtitle B—Unmanned Aircraft Systems

Sec. 341. Definitions; Integration of civil unmanned aircraft systems into national airspace system.

Sec. 342. Update of FAA comprehensive plan.

Sec. 343. Unmanned aircraft test ranges.

Sec. 344. Small unmanned aircraft in the Arctic.

Sec. 345. Small unmanned aircraft safety standards.

Sec. 346. Public unmanned aircraft systems.

Sec. 347. Special authority for certain unmanned aircraft systems.

Sec. 348. Carriage of property by small unmanned aircraft systems for compensation or hire.

Sec. 349. Exception for limited recreational operations of unmanned aircraft.

Sec. 350. Use of unmanned aircraft systems at institutions of higher education.

Sec. 351. Unmanned aircraft systems integration pilot program.

Sec. 352. Part 107 transparency and technology improvements.

Sec. 353. Emergency exemption process.

Sec. 354. Treatment of unmanned aircraft operating underground.

Sec. 355. Public UAS operations by Tribal governments.

Sec. 356. Authorization of appropriations for Know Before You Fly campaign.

Sec. 357. Unmanned aircraft systems privacy policy.

Sec. 358. UAS privacy review.

Sec. 359. Study on fire department and emergency service agency use of unmanned aircraft systems.

Sec. 360. Study on financing of unmanned aircraft services.

Sec. 361. Report on UAS and chemical aerial application.

Sec. 362. Sense of Congress regarding unmanned aircraft safety.

Sec. 363. Prohibition regarding weapons.

Sec. 364. U.S. Counter-UAS system review of interagency coordination processes.

Sec. 365. Cooperation related to certain counter-UAS technology.

Sec. 366. Strategy for responding to public safety threats and enforcement utility of unmanned aircraft systems.

Sec. 367. Incorporation of Federal Aviation Administration occupations relating to unmanned aircraft into veterans employment programs of the administration.

Sec. 368. Public UAS access to special use airspace.

Sec. 369. Applications for designation.

Sec. 370. Sense of Congress on additional rulemaking authority.

Sec. 371. Assessment of aircraft registration for small unmanned aircraft.

Sec. 372. Enforcement.

Sec. 373. Federal and local authorities.

Sec. 374. Spectrum.

Sec. 375. Federal Trade Commission authority.

Sec. 376. Plan for full operational capability of unmanned aircraft systems traffic management.

Sec. 377. Early implementation of certain UTM services.

Sec. 378. Sense of Congress.

Sec. 379. Commercial and governmental operators.

Sec. 380. Transition language.

Sec. 381. Unmanned aircraft systems in restricted buildings or grounds.

Sec. 382. Prohibition.

Sec. 383. Airport safety and airspace hazard mitigation and enforcement.

Sec. 384. Unsafe operation of unmanned aircraft.

Subtitle C—General Aviation Safety

Sec. 391. Short title.

Sec. 392. Expansion of Pilot's Bill of Rights.

Sec. 393. Notification of reexamination of certificate holders.

Sec. 394. Expediting updates to NOTAM Program.

Sec. 395. Accessibility of certain flight data.

Sec. 396. Authority for legal counsel to issue certain notices.

TITLE IV—AIR SERVICE IMPROVEMENTS

Subtitle A—Airline Customer Service Improvements

Sec. 401. Definitions.

Sec. 402. Reliable air service in American Samoa.

Sec. 403. Cell phone voice communication ban.

Sec. 404. Improved notification of insecticide use.

Sec. 405. Consumer complaints hotline.

Sec. 406. Consumer information on actual flight times.

Sec. 407. Training policies regarding racial, ethnic, and religious non-discrimination.

Sec. 408. Training on human trafficking for certain staff.

Sec. 409. Prohibitions against smoking on passenger flights.

Sec. 410. Report on baggage reporting requirements.

Sec. 411. Enforcement of aviation consumer protection rules.

Sec. 412. Strollers.

Sec. 413. Causes of airline delays or cancellations.

Sec. 414. Involuntary changes to itineraries.

Sec. 415. Extension of Advisory Committee for Aviation Consumer Protection.

Sec. 416. Online access to aviation consumer protection information.

Sec. 417. Protection of pets on airplanes.

Sec. 418. Advisory committee on air ambulance and patient billing.

Sec. 419. Air ambulance complaints to the Department of Transportation.

Sec. 420. Report to Congress on air ambulance oversight.

Sec. 421. Refunds for other fees that are not honored by a covered air carrier.

Sec. 422. Advance boarding during pregnancy.

Sec. 423. Consumer complaint process improvement.

Sec. 424. Aviation consumer advocate.

Sec. 425. TICKETS Act.

Sec. 426. Report on availability of lavatories on commercial aircraft.

Sec. 427. Consumer protection requirements relating to large ticket agents.

Sec. 428. Widespread disruptions.

Sec. 429. Passenger rights.

Subtitle B—Aviation Consumers With Disabilities

Sec. 431. Aviation consumers with disabilities study.

Sec. 432. Study on in-cabin wheelchair restraint systems.

Sec. 433. Improving wheelchair assistance for individuals with disabilities.

Sec. 434. Airline Passengers with Disabilities Bill of Rights.

Sec. 435. Sense of Congress regarding equal access for individuals with disabilities.

Sec. 436. Civil penalties relating to harm to passengers with disabilities.

Sec. 437. Harmonization of service animal standards.

Sec. 438. Review of practices for ticketing, pre-flight seat assignments, and stowing of assistive devices for passengers with disabilities.

Sec. 439. Advisory committee on the air travel needs of passengers with disabilities.

Sec. 440. Regulations ensuring assistance for passengers with disabilities in air transportation.

Sec. 441. Transparency for disabled passengers.

Subtitle C—Small Community Air Service

Sec. 451. Essential air service authorization.

Sec. 452. Study on essential air service reform.

Sec. 453. Air transportation to noneligible places.

Sec. 454. Inspector general review of service and oversight of unsubsidized carriers.

Sec. 455. Small community air service.

Sec. 456. Waivers.

Sec. 457. Extension of final order establishing mileage adjustment eligibility.

Sec. 458. Reduction in subsidy-per-passenger.

TITLE V—MISCELLANEOUS

Sec. 501. Definitions.

Sec. 502. Report on air traffic control modernization.

Sec. 503. Return on investment report.

Sec. 504. Air traffic control operational contingency plans.

Sec. 505. 2020 ADS-B Out mandate plan.

Sec. 506. Securing aircraft avionics systems.

Sec. 507. Human factors.

Sec. 508. Programmatic risk management.

Sec. 509. Review of FAA strategic cybersecurity plan.

Sec. 510. Consolidation and realignment of FAA services and facilities.

Sec. 511. FAA review and reform.

Sec. 512. Air shows.

Sec. 513. Part 91 review, reform, and streamlining.

Sec. 514. Aircraft leasing.

Sec. 515. Pilots sharing flight expenses with passengers.

Sec. 516. Terminal Aerodrome Forecast.

Sec. 517. Public aircraft eligible for logging flight times.

Sec. 518. Aircraft Registry Office.

Sec. 519. FAA data transparency.

Sec. 520. Intra-agency coordination.

Sec. 521. Administrative Services Franchise Fund.

Sec. 522. Automatic dependent surveillance-broadcast.

Sec. 523. Contract weather observers.

Sec. 524. Regions and centers.

Sec. 525. Geosynthetic materials.

Sec. 526. National Airmail Museum.

Sec. 527. Status of agreement between FAA and Little Rock Port Authority.

Sec. 528. Briefing on aircraft diversions from Los Angeles International Airport to Hawthorne Municipal Airport.

Sec. 529. TFR report.

Sec. 530. Air traffic services at aviation events.

Sec. 531. Application of veterans' preference to Federal Aviation Administration personnel management system.

Sec. 532. Clarification of requirements for living history flights.

Sec. 533. Review and reform of FAA performance management system.

Sec. 534. NextGen delivery study.

Sec. 535. Study on allergic reactions.

Sec. 536. Oxygen mask design study.

Sec. 537. Air cargo study.

Sec. 538. Sense of Congress on preventing the transportation of disease-carrying mosquitoes and other insects on commercial aircraft.

Sec. 539. Technical corrections.

Sec. 540. Report on illegal charter flights.

Sec. 541. Use of NASA's super guppy aircraft for commercial transport.

Sec. 542. Prohibited airspace assessment.

Sec. 543. Report on multiagency use of airspace and environmental review.

Sec. 544. Agency procurement reporting requirements.

Sec. 545. FAA organizational reform.

Sec. 546. FAA Civil Aviation Registry upgrade.

Sec. 547. Enhanced air traffic services.

Sec. 548. Sense of Congress on artificial intelligence in aviation.

Sec. 549. Study on cybersecurity workforce of FAA.

Sec. 550. Treatment of multiyear lessees of large and turbine-powered multiengine aircraft.

- Sec. 551. Employee Assault Prevention and Response Plans.
- Sec. 552. Study on training of customer-facing air carrier employees.
- Sec. 553. Automated weather observing systems policy.
- Sec. 554. Prioritizing and supporting the Human Intervention Motivation Study (HIMS) program and the Flight Attendant Drug and Alcohol Program (FADAP).
- Sec. 555. Cost-effectiveness analysis of equipment rental.
- Sec. 556. Aircraft registration.
- Sec. 557. Requirement to consult with stakeholders in defining scope and requirements for future flight service program.
- Sec. 558. Federal Aviation Administration performance measures and targets.
- Sec. 559. Report on plans for air traffic control facilities in the New York City and Newark region.
- Sec. 560. Work plan for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Project.
- Sec. 561. Annual report on inclusion of disabled veteran leave in personnel management system.
- Sec. 562. Enhanced surveillance capability.
- Sec. 563. Access of air carriers to information about applicants to be pilots from national driver register.
- Sec. 564. Regulatory reform.
- Sec. 565. Aviation fuel.
- Sec. 566. Right to privacy when using air traffic control system.
- Sec. 567. Federal Aviation Administration workforce review.
- Sec. 568. Review of approval process for use of large air tankers and very large air tankers for wildland firefighting.
- Sec. 569. FAA technical workforce.
- Sec. 570. Study on airport credit assistance.
- Sec. 571. Spectrum availability.
- Sec. 572. Special review relating to air space changes.
- Sec. 573. Reimbursement for immigration inspections.
- Sec. 574. FAA employees in Guam.
- Sec. 575. GAO study on airline computer network disruptions.
- Sec. 576. Tower marking.
- Sec. 577. Minimum dimensions for passenger seats.
- Sec. 578. Judicial review for proposed alternative environmental review and approval procedures.
- Sec. 579. Regulatory streamlining.
- Sec. 580. Spaceports.
- Sec. 581. Special rule for certain aircraft operations (space support vehicles).
- Sec. 582. Portability of repairman certificates.
- Sec. 583. Undeclared hazardous materials public awareness campaign.
- Sec. 584. Liability protection for volunteer pilots who fly for the public benefit.

TITLE VI—AVIATION WORKFORCE

Subtitle A—Youth in Aviation

- Sec. 601. Student outreach report.
- Sec. 602. Youth Access to American Jobs in Aviation Task Force.

Subtitle B—Women in Aviation

- Sec. 611. Sense of Congress regarding women in aviation.
- Sec. 612. Supporting women's involvement in the aviation field.

Subtitle C—Future of Aviation Workforce

- Sec. 621. Aviation and aerospace workforce of the future.
- Sec. 622. Aviation and aerospace workforce of the future study.

- Sec. 623. Sense of Congress on hiring veterans.
- Sec. 624. Aviation maintenance industry technical workforce.
- Sec. 625. Aviation workforce development programs.

Subtitle D—Unmanned Aircraft Systems Workforce

- Sec. 631. Community and technical college centers of excellence in small unmanned aircraft system technology training.
- Sec. 632. Collegiate training initiative program for unmanned aircraft systems.

TITLE VII—FLIGHT R&D ACT

Subtitle A—General Provisions

- Sec. 701. Short title.
- Sec. 702. Definitions.
- Sec. 703. Authorization of appropriations.

Subtitle B—FAA Research and Development Organization

- Sec. 711. Assistant Administrator for Research and Development.
- Sec. 712. Research advisory committee.

Subtitle C—Unmanned Aircraft Systems

- Sec. 721. Unmanned aircraft systems research and development roadmap.

Subtitle D—Cybersecurity and Responses to Other Threats

- Sec. 731. Cyber Testbed.
- Sec. 732. Study on the effect of extreme weather on air travel.

Subtitle E—FAA Research and Development Activities

- Sec. 741. Research plan for the certification of new technologies into the national airspace system.
- Sec. 742. Technology review.
- Sec. 743. CLEEN aircraft and engine technology partnership.
- Sec. 744. Research and deployment of certain airfield pavement technologies.

Subtitle F—Geospatial Data

- Sec. 751. Short title; findings.
- Sec. 752. Definitions.
- Sec. 753. Federal Geographic Data Committee.
- Sec. 754. National Geospatial Advisory Committee.
- Sec. 755. National Spatial Data Infrastructure.
- Sec. 756. National Geospatial Data Asset data themes.
- Sec. 757. Geospatial data standards.
- Sec. 758. GeoPlatform.
- Sec. 759. Covered agency responsibilities.
- Sec. 759A. Limitation on use of Federal funds.
- Sec. 759B. Savings provision.
- Sec. 759C. Private sector.

Subtitle G—Miscellaneous

- Sec. 761. NextGen research.
- Sec. 762. Advanced Materials Center of Excellence.

TITLE VIII—AVIATION REVENUE PROVISIONS

- Sec. 801. Expenditure authority from Airport and Airway Trust Fund.
- Sec. 802. Extension of taxes funding Airport and Airway Trust Fund.

DIVISION C—NATIONAL TRANSPORTATION SAFETY BOARD REAUTHORIZATION ACT OF 2018

- Sec. 1101. Short title.
- Sec. 1102. Definitions.
- Sec. 1103. Authorization of appropriations.
- Sec. 1104. Still images.
- Sec. 1105. Electronic records.
- Sec. 1106. Report on Most Wanted List methodology.

- Sec. 1107. Methodology.
- Sec. 1108. Multimodal accident database management system.
- Sec. 1109. Addressing the needs of families of individuals involved in accidents.
- Sec. 1110. Government Accountability Office report on investigation launch decision-making processes.
- Sec. 1111. Periodic review of safety recommendations.
- Sec. 1112. General organization.
- Sec. 1113. Technical and conforming amendments.

DIVISION D—DISASTER RECOVERY REFORM

- Sec. 1201. Short title.
- Sec. 1202. Applicability.
- Sec. 1203. Definitions.
- Sec. 1204. Wildfire prevention.
- Sec. 1205. Additional activities.
- Sec. 1206. Eligibility for code implementation and enforcement.
- Sec. 1207. Program improvements.
- Sec. 1208. Prioritization of facilities.
- Sec. 1209. Guidance on evacuation routes.
- Sec. 1210. Duplication of benefits.
- Sec. 1211. State administration of assistance for direct temporary housing and permanent housing construction.
- Sec. 1212. Assistance to individuals and households.
- Sec. 1213. Multifamily lease and repair assistance.
- Sec. 1214. Private nonprofit facility.
- Sec. 1215. Management costs.
- Sec. 1216. Flexibility.
- Sec. 1217. Additional disaster assistance.
- Sec. 1218. National veterinary emergency teams.
- Sec. 1219. Right of arbitration.
- Sec. 1220. Unified Federal environmental and historic preservation review.
- Sec. 1221. Closeout incentives.
- Sec. 1222. Performance of services.
- Sec. 1223. Study to streamline and consolidate information collection.
- Sec. 1224. Agency accountability.
- Sec. 1225. Audit of contracts.
- Sec. 1226. Inspector general audit of FEMA contracts for tarps and plastic sheeting.
- Sec. 1227. Relief organizations.
- Sec. 1228. Guidance on inundated and submerged roads.
- Sec. 1229. Extension of assistance.
- Sec. 1230. Guidance and recommendations.
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- Sec. 1237. Certain recoupment prohibited.
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- Sec. 1239. Cost of assistance estimates.
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- Sec. 1243. FEMA report on duplication in non-natural disaster preparedness grant programs.
- Sec. 1244. Study and report.
- Sec. 1245. Review of assistance for damaged underground water infrastructure.
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- Sec. 1301. Short title.
- Sec. 1302. Declaration of policy.
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DIVISION G—SYRIA STUDY GROUP

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- Sec. 1601. Short title.
- Sec. 1602. Protection of certain facilities and assets from unmanned aircraft.
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DIVISION I—SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF, 2018

- Sec. 1701. Budgetary effects.

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- Sec. 1801. Short title.
- Sec. 1802. Definitions.
- Sec. 1803. Coordination with TSA on maritime facilities.
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- Sec. 1808. Evaluation of Coast Guard deployable specialized forces.
- Sec. 1809. Repeal of interagency operational centers for port security and secure systems of transportation.
- Sec. 1810. Duplication of efforts in the maritime domain.
- Sec. 1811. Maritime security capabilities assessments.
- Sec. 1812. Container Security Initiative.
- Sec. 1813. Maritime border security review.
- Sec. 1814. Maritime border security cooperation.
- Sec. 1815. Transportation worker identification credential appeals process.
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TITLE I—TRANSPORTATION SECURITY

- Sec. 1901. Short title; references.
- Sec. 1902. Definitions.
- Subtitle A—Organization and Authorizations
- Sec. 1903. Authorization of appropriations.
- Sec. 1904. Administrator of the Transportation Security Administration; 5-year term.
- Sec. 1905. Transportation Security Administration organization.
- Sec. 1906. Transportation Security Administration efficiency.
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- Sec. 1910. Transmittals to Congress.

Subtitle B—Security Technology

- Sec. 1911. Third party testing and verification of screening technology.
- Sec. 1912. Transportation security administration systems integration facility.
- Sec. 1913. Opportunities to pursue expanded networks for business.
- Sec. 1914. Reciprocal recognition of security standards.
- Sec. 1915. Transportation Security Laboratory.
- Sec. 1916. Innovation Task Force.
- Sec. 1917. 5-Year technology investment plan update.
- Sec. 1918. Maintenance of security-related technology.
- Sec. 1919. Biometrics expansion.
- Sec. 1920. Pilot program for automated exit lane technology.

- Sec. 1921. Authorization of appropriations; exit lane security.
- Sec. 1922. Real-time security checkpoint wait times.
- Sec. 1923. GAO report on deployment of screening technologies across airports.
- Sec. 1924. Screening technology review and performance objectives.
- Sec. 1925. Computed tomography pilot programs.

Subtitle C—Public Area Security

- Sec. 1926. Definitions.
- Sec. 1927. Explosives detection canine capacity building.
- Sec. 1928. Third party domestic canines.
- Sec. 1929. Tracking and monitoring of canine training and testing.
- Sec. 1930. VIPR team statistics.
- Sec. 1931. Public area security working group.
- Sec. 1932. Public area best practices.
- Sec. 1933. Airport worker access controls cost and feasibility study.
- Sec. 1934. Securing airport worker access points.
- Sec. 1935. Law Enforcement Officer Reimbursement Program.
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Subtitle D—Passenger and Cargo Security

- Sec. 1937. PreCheck Program.
- Sec. 1938. PreCheck expedited screening.
- Sec. 1939. Trusted traveler programs; collaboration.
- Sec. 1940. Passenger security fee.
- Sec. 1941. Third party canine teams for air cargo security.
- Sec. 1942. Known Shipper Program review.
- Sec. 1943. Establishment of air cargo security division.
- Sec. 1944. Air cargo regulation review.
- Sec. 1945. GAO review.
- Sec. 1946. Screening partnership program updates.
- Sec. 1947. Screening performance assessments.
- Sec. 1948. Transportation security training programs.
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- Sec. 1950. Improvements for screening of passengers with disabilities.
- Sec. 1951. Air cargo advance screening program.
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Subtitle E—Foreign Airport Security

- Sec. 1953. Last point of departure airports; security directives.
- Sec. 1954. Last point of departure airport assessment.
- Sec. 1955. Tracking security screening equipment from last point of departure airports.
- Sec. 1956. International security standards.
- Sec. 1957. Aviation security in Cuba.
- Sec. 1958. Report on airports used by Mahan Air.

Subtitle F—Cockpit and Cabin Security

- Sec. 1959. Federal air marshal service updates.
- Sec. 1960. Crew member self-defense training.
- Sec. 1961. Flight deck safety and security.
- Sec. 1962. Carriage of weapons, explosives, and incendiaries by individuals.
- Sec. 1963. Federal flight deck officer program improvements.

Subtitle G—Surface Transportation Security

- Sec. 1964. Surface transportation security assessment and implementation of risk-based strategy.
- Sec. 1965. Risk-based budgeting and resource allocation.
- Sec. 1966. Surface transportation security management and interagency coordination review.

Sec. 1967. Transparency.
 Sec. 1968. TSA counterterrorism asset deployment.
 Sec. 1969. Surface Transportation Security Advisory Committee.
 Sec. 1970. Review of the explosives detection canine team program.
 Sec. 1971. Expansion of national explosives detection canine team program.
 Sec. 1972. Study on security standards and best practices for passenger transportation systems.
 Sec. 1973. Amtrak security upgrades.
 Sec. 1974. Passenger rail vetting.
 Sec. 1975. Study on surface transportation inspectors.
 Sec. 1976. Security awareness program.
 Sec. 1977. Voluntary use of credentialing.
 Sec. 1978. Background records checks for issuance of hazmat licenses.
 Sec. 1979. Cargo container scanning technology review.
 Sec. 1980. Pipeline security study.
 Sec. 1981. Feasibility assessment.
 Sec. 1982. Best practices to secure against vehicle-based attacks.
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Subtitle H—Transportation Security

Sec. 1985. National strategy for transportation security review.
 Sec. 1986. Risk scenarios.
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Subtitle I—Conforming and Miscellaneous Amendments

Sec. 1991. Title 49 amendments.
 Sec. 1992. Table of contents of chapter 449.
 Sec. 1993. Other laws; Intelligence Reform and Terrorism Prevention Act of 2004.
 Sec. 1994. Savings provisions.

DIVISION A—SPORTS MEDICINE LICENSURE

SEC. 11. SHORT TITLE.

This division may be cited as the “Sports Medicine Licensure Clarity Act of 2018”.

SEC. 12. PROTECTIONS FOR COVERED SPORTS MEDICINE PROFESSIONALS.

(a) IN GENERAL.—In the case of a covered sports medicine professional who has in effect medical professional liability insurance coverage and provides in a secondary State covered medical services that are within the scope of practice of such professional in the primary State to an athlete or an athletic team (or a staff member of such an athlete or athletic team) pursuant to an agreement described in subsection (c)(4) with respect to such athlete or athletic team—

(1) such medical professional liability insurance coverage shall cover (subject to any related premium adjustments) such professional with respect to such covered medical services provided by the professional in the secondary State to such an individual or team as if such services were provided by such professional in the primary State to such an individual or team; and

(2) to the extent such professional is licensed under the requirements of the primary State to provide such services to such an individual or team, the professional shall be treated as satisfying any licensure requirements of the secondary State to provide such services to such an individual or team to the extent the licensure requirements of the secondary State are substantially similar to the licensure requirements of the primary State.

(b) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to allow a covered sports medicine professional to provide medical services in the secondary State that exceed the scope of that professional’s license in the primary State;

(2) to allow a covered sports medicine professional to provide medical services in the secondary State that exceed the scope of a substantially similar sports medicine professional license in the secondary State;

(3) to supersede any reciprocity agreement in effect between the two States regarding such services or such professionals;

(4) to supersede any interstate compact agreement entered into by the two States regarding such services or such professionals; or

(5) to supersede a licensure exemption the secondary State provides for sports medicine professionals licensed in the primary State.

(c) DEFINITIONS.—In this division, the following definitions apply:

(1) ATHLETE.—The term “athlete” means—

(A) an individual participating in a sporting event or activity for which the individual may be paid;

(B) an individual participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) an individual for whom a high school or institution of higher education provides a covered sports medicine professional.

(2) ATHLETIC TEAM.—The term “athletic team” means a sports team—

(A) composed of individuals who are paid to participate on the team;

(B) composed of individuals who are participating in a sporting event or activity sponsored or sanctioned by a national governing body; or

(C) for which a high school or an institution of higher education provides a covered sports medicine professional.

(3) COVERED MEDICAL SERVICES.—The term “covered medical services” means general medical care, emergency medical care, athletic training, or physical therapy services. Such term does not include care provided by a covered sports medicine professional—

(A) at a health care facility; or

(B) while a health care provider licensed to practice in the secondary State is transporting the injured individual to a health care facility.

(4) COVERED SPORTS MEDICINE PROFESSIONAL.—The term “covered sports medicine professional” means a physician, athletic trainer, or other health care professional who—

(A) is licensed to practice in the primary State;

(B) provides covered medical services, pursuant to a written agreement with an athlete, an athletic team, a national governing body, a high school, or an institution of higher education; and

(C) prior to providing the covered medical services described in subparagraph (B), has disclosed the nature and extent of such services to the entity that provides the professional with liability insurance in the primary State.

(5) HEALTH CARE FACILITY.—The term “health care facility” means a facility in which medical care, diagnosis, or treatment is provided on an inpatient or outpatient basis. Such term does not include facilities at an arena, stadium, or practice facility, or temporary facilities existing for events where athletes or athletic teams may compete.

(6) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) LICENSE.—The term “license” or “licensure”, as applied with respect to a covered sports medicine professional, means a professional that has met the requirements and is approved to provide covered medical services in accordance with State laws and regulations in the primary State. Such term may include the registration or certification, or any other form of special recognition, of an individual as such a professional, as applicable.

(8) NATIONAL GOVERNING BODY.—The term “national governing body” has the meaning given such term in section 220501 of title 36, United States Code.

(9) PRIMARY STATE.—The term “primary State” means, with respect to a covered sports medicine professional, the State in which—

(A) the covered sports medicine professional is licensed to practice; and

(B) the majority of the covered sports medicine professional’s practice is underwritten for medical professional liability insurance coverage.

(10) SECONDARY STATE.—The term “secondary State” means, with respect to a covered sports medicine professional, any State that is not the primary State.

(11) STATE.—The term “State” means each of the several States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

(12) SUBSTANTIALLY SIMILAR.—The term “substantially similar”, with respect to the licensure by primary and secondary States of a sports medicine professional, means that both the primary and secondary States have in place a form of licensure for such professionals that permits such professionals to provide covered medical services.

DIVISION B—FAA REAUTHORIZATION ACT OF 2018

SEC. 101. DEFINITION OF APPROPRIATE COMMITTEES OF CONGRESS.

In this division, the term “appropriate committees of Congress” means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE I—AUTHORIZATIONS

Subtitle A—Funding of FAA Programs

SEC. 111. AIRPORT PLANNING AND DEVELOPMENT AND NOISE COMPATIBILITY PLANNING AND PROGRAMS.

(a) AUTHORIZATION.—Section 48103(a) of title 49, United States Code, is amended by striking “section 47504(c)” and all that follows through the period at the end and inserting the following: “section 47504(c)—

“(1) \$3,350,000,000 for fiscal year 2018;

“(2) \$3,350,000,000 for fiscal year 2019;

“(3) \$3,350,000,000 for fiscal year 2020;

“(4) \$3,350,000,000 for fiscal year 2021;

“(5) \$3,350,000,000 for fiscal year 2022; and

“(6) \$3,350,000,000 for fiscal year 2023.”.

(b) OBLIGATION AUTHORITY.—Section 47104(c) of title 49, United States Code, is amended in the matter preceding paragraph (1) by striking “2018,” and inserting “2023,”.

SEC. 112. FACILITIES AND EQUIPMENT.

(a) AUTHORIZATION OF APPROPRIATIONS FROM AIRPORT AND AIRWAY TRUST FUND.—Section 48101(a) of title 49, United States Code, is amended by striking paragraphs (1) through (5) and inserting the following:

“(1) \$3,330,000,000 for fiscal year 2018.

“(2) \$3,398,000,000 for fiscal year 2019.

“(3) \$3,469,000,000 for fiscal year 2020.

“(4) \$3,547,000,000 for fiscal year 2021.

“(5) \$3,624,000,000 for fiscal year 2022.

“(6) \$3,701,000,000 for fiscal year 2023.”.

(b) AUTHORIZED EXPENDITURES.—Section 48101(c) of title 49, United States Code, is amended—

(1) in the subsection heading by striking “Automated Surface Observation System/

Automated Weather Observing System Upgrade” and inserting “Authorized Expenditures”; and

(2) by striking “may be used for the implementation” and all that follows through the period at the end and inserting the following: “may be used for the following:

“(1) The implementation and use of upgrades to the current automated surface observation system/automated weather observing system, if the upgrade is successfully demonstrated.

“(2) The acquisition and construction of remote towers (as defined in section 161 of the FAA Reauthorization Act of 2018).

“(3) The remediation and elimination of identified cybersecurity vulnerabilities in the air traffic control system.

“(4) The construction of facilities dedicated to improving the cybersecurity of the National Airspace System.

“(5) Systems associated with the Data Communications program.

“(6) The infrastructure, sustainment, and the elimination of the deferred maintenance backlog of air navigation facilities and other facilities for which the Federal Aviation Administration is responsible.

“(7) The modernization and digitization of the Civil Aviation Registry.

“(8) The construction of necessary Priority 1 National Airspace System facilities.

“(9) Cost-beneficial construction, rehabilitation, or retrofitting programs designed to reduce Federal Aviation Administration facility operating costs.”.

SEC. 113. FAA OPERATIONS.

(a) IN GENERAL.—Section 106(k)(1) of title 49, United States Code, is amended by striking subparagraphs (A) through (F) and inserting the following:

“(A) \$10,247,000,000 for fiscal year 2018;

“(B) \$10,486,000,000 for fiscal year 2019;

“(C) \$10,732,000,000 for fiscal year 2020;

“(D) \$11,000,000,000 for fiscal year 2021;

“(E) \$11,269,000,000 for fiscal year 2022; and

“(F) \$11,537,000,000 for fiscal year 2023.”.

(b) AUTHORIZED EXPENDITURES.—Section 106(k)(2) of title 49, United States Code, is amended by adding at the end the following:

“(D) Not more than the following amounts for commercial space transportation activities:

“(i) \$22,587,000 for fiscal year 2018.

“(ii) \$33,038,000 for fiscal year 2019.

“(iii) \$43,500,000 for fiscal year 2020.

“(iv) \$54,970,000 for fiscal year 2021.

“(v) \$64,449,000 for fiscal year 2022.

“(vi) \$75,938,000 for fiscal year 2023.”.

(c) AUTHORITY TO TRANSFER FUNDS.—Section 106(k)(3) of title 49, United States Code, is amended by striking “fiscal years 2012 through 2018,” and inserting “fiscal years 2018 through 2023.”.

SEC. 114. WEATHER REPORTING PROGRAMS.

Section 48105 of title 49, United States Code, is amended—

(1) by striking “To reimburse the” and all that follows through “the Secretary of Transportation” and inserting “To sustain the aviation weather reporting programs of the Federal Aviation Administration, the Secretary of Transportation”; and

(2) by adding at the end the following:

“(4) \$39,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 115. ADJUSTMENT TO AIP PROGRAM FUNDING.

Section 48112 of title 49, United States Code, and the item relating to such section in the analysis for chapter 481 of such title, are repealed.

SEC. 116. FUNDING FOR AVIATION PROGRAMS.

Section 48114(a)(1)(A)(ii) of title 49, United States Code, is amended by striking “in fiscal year 2014 and each fiscal year thereafter” and inserting “in fiscal years 2014 through 2018”.

SEC. 117. EXTENSION OF EXPIRING AUTHORITIES.

(a) MARSHALL ISLANDS, MICRONESIA, AND PALAU.—Section 47115 of title 49, United States Code, is amended—

(1) by striking subsection (i);

(2) by redesignating subsection (j) as subsection (i); and

(3) in subsection (i) (as so redesignated), by striking “fiscal years 2012 through 2018” and inserting “fiscal years 2018 through 2023”.

(b) EXTENSION OF COMPATIBLE LAND USE PLANNING AND PROJECTS BY STATE AND LOCAL GOVERNMENTS.—Section 47141(f) of title 49, United States Code, is amended by striking “September 30, 2018” and inserting “September 30, 2023”.

(c) MIDWAY ISLAND AIRPORT.—Section 186(d) of the Vision 100—Century of Aviation Reauthorization Act (Public Law 108–176; 117 Stat. 2518) is amended by striking “for fiscal years 2012 through 2018” and inserting “for fiscal years 2018 through 2023”.

(d) EXTENSION OF PILOT PROGRAM FOR REDEVELOPMENT OF AIRPORT PROPERTIES.—Section 822(k) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47141 note) is amended by striking “September 30, 2018” and inserting “September 30, 2023”.

Subtitle B—Passenger Facility Charges

SEC. 121. PASSENGER FACILITY CHARGE MODERNIZATION.

(a) PASSENGER FACILITY CHARGES; GENERAL AUTHORITY.—Section 40117(b)(4) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking “, if the Secretary finds—” and inserting a period; and

(2) by striking subparagraphs (A) and (B).

(b) PILOT PROGRAM FOR PASSENGER FACILITY CHARGE AUTHORIZATIONS AT NONHUB AIRPORTS.—Section 40117(l) of title 49, United States Code, is amended—

(1) in the heading, by striking “AT NONHUB AIRPORTS”;

(2) in paragraph (1), by striking “nonhub”; and

(3) in paragraph (6), by striking “Not later than 180 days after the date of enactment of this subsection, the” and inserting “The”.

SEC. 122. FUTURE AVIATION INFRASTRUCTURE AND FINANCING STUDY.

(a) FUTURE AVIATION INFRASTRUCTURE AND FINANCING STUDY.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation shall enter into an agreement with a qualified organization to conduct a study assessing the infrastructure needs of airports and existing financial resources for commercial service airports and make recommendations on the actions needed to upgrade the national aviation infrastructure system to meet the growing and shifting demands of the 21st century.

(b) CONSULTATION.—In carrying out the study, the qualified organization shall convene and consult with a panel of national experts, including representatives of—

(1) nonhub airports;

(2) small hub airports;

(3) medium hub airports;

(4) large hub airports;

(5) airports with international service;

(6) nonprimary airports;

(7) local elected officials;

(8) relevant labor organizations;

(9) passengers;

(10) air carriers;

(11) the tourism industry; and

(12) the business travel industry.

(c) CONSIDERATIONS.—In carrying out the study, the qualified organization shall consider—

(1) the ability of airport infrastructure to meet current and projected passenger volumes;

(2) the available financial tools and resources for airports of different sizes;

(3) the available financing tools and resources for airports in rural areas;

(4) the current debt held by airports, and its impact on future construction and capacity needs;

(5) the impact of capacity constraints on passengers and ticket prices;

(6) the purchasing power of the passenger facility charge from the last increase in 2000 to the year of enactment of this Act;

(7) the impact to passengers and airports of indexing the passenger facility charge for inflation;

(8) how long airports are constrained with current passenger facility charge collections;

(9) the impact of passenger facility charges on promoting competition;

(10) the additional resources or options to fund terminal construction projects;

(11) the resources eligible for use toward noise reduction and emission reduction projects;

(12) the gap between the cost of projects eligible for the airport improvement program and the annual Federal funding provided;

(13) the impact of regulatory requirements on airport infrastructure financing needs;

(14) airline competition;

(15) airline ancillary fees and their impact on ticket pricing and taxable revenue; and

(16) the ability of airports to finance necessary safety, security, capacity, and environmental projects identified in capital improvement plans.

(d) LARGE HUB AIRPORTS.—The study shall, to the extent not considered under subsection (c), separately evaluate the infrastructure requirements of the large hub airports identified in the National Plan of Integrated Airport Systems (NPIAS). The evaluation shall—

(1) analyze the current and future capacity constraints of large hub airports;

(2) quantify large hub airports’ infrastructure requirements, including terminal, landside, and airside infrastructure;

(3) quantify the percentage growth in infrastructure requirements of the large hub airports relative to other commercial service airports;

(4) analyze how much funding from the airport improvement program (AIP) has gone to meet the requirements of large hub airports over the past 10 years; and

(5) project how much AIP funding would be available to meet the requirements of large hub airports in the next 5 years if funding levels are held constant.

(e) REPORT.—Not later than 15 months after the date of enactment of this Act, the qualified organization shall submit to the Secretary and the appropriate committees of Congress a report on the results of the study described in subsection (a), including its findings and recommendations related to each item in subsections (c) and (d).

(f) DEFINITION OF QUALIFIED ORGANIZATION.—In this section, the term “qualified organization” means an independent nonprofit organization that recommends solutions to public policy challenges through objective analysis.

SEC. 123. INTERMODAL ACCESS PROJECTS.

Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall, after consideration of all public comments, publish in the Federal Register a final policy amendment consistent with the notice published in the Federal Register on May 3, 2016 (81 Fed. Reg. 26611).

Subtitle C—Airport Improvement Program Modifications

SEC. 131. GRANT ASSURANCES.

Section 47107 of title 49, United States Code, is amended—

(1) in subsection (a)(17), by striking “each contract” and inserting “if any phase of such

project has received funds under this subchapter, each contract”;

(2) in subsection (r)(3), by striking “2018” and inserting “2023”; and

(3) by adding at the end the following:

“(u) CONSTRUCTION OF RECREATIONAL AIRCRAFT.—

“(1) IN GENERAL.—The construction of a covered aircraft shall be treated as an aeronautical activity for purposes of—

“(A) determining an airport’s compliance with a grant assurance made under this section or any other provision of law; and

“(B) the receipt of Federal financial assistance for airport development.

“(2) COVERED AIRCRAFT DEFINED.—In this subsection, the term ‘covered aircraft’ means an aircraft—

“(A) used or intended to be used exclusively for recreational purposes; and

“(B) constructed or under construction by a private individual at a general aviation airport.

“(v) COMMUNITY USE OF AIRPORT LAND.—

“(1) IN GENERAL.—Notwithstanding subsection (a)(13), and subject to paragraph (2), the sponsor of a public-use airport shall not be considered to be in violation of this subtitle, or to be found in violation of a grant assurance made under this section, or under any other provision of law, as a condition for the receipt of Federal financial assistance for airport development, solely because the sponsor has entered into an agreement, including a revised agreement, with a local government providing for the use of airport property for an interim compatible recreational purpose at below fair market value.

“(2) RESTRICTIONS.—This subsection shall apply only—

“(A) to an agreement regarding airport property that was initially entered into before the publication of the Federal Aviation Administration’s Policy and Procedures Concerning the Use of Airport Revenue, dated February 16, 1999;

“(B) if the agreement between the sponsor and the local government is subordinate to any existing or future agreements between the sponsor and the Secretary, including agreements related to a grant assurance under this section;

“(C) to airport property that was acquired under a Federal airport development grant program;

“(D) if the airport sponsor has provided a written statement to the Administrator that the property made available for a recreational purpose will not be needed for any aeronautical purpose during the next 10 years;

“(E) if the agreement includes a term of not more than 2 years to prepare the airport property for the interim compatible recreational purpose and not more than 10 years of use for that purpose;

“(F) if the recreational purpose will not impact the aeronautical use of the airport;

“(G) if the airport sponsor provides a certification that the sponsor is not responsible for preparation, start-up, operations, maintenance, or any other costs associated with the recreational purpose; and

“(H) if the recreational purpose is consistent with Federal land use compatibility criteria under section 47502.

“(3) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed as permitting a diversion of airport revenue for the capital or operating costs associated with the community use of airport land.”.

SEC. 132. MOTHERS’ ROOMS.

(a) GRANT ASSURANCES.—Section 47107 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(w) MOTHERS’ ROOMS.—

“(1) IN GENERAL.—In fiscal year 2021 and each fiscal year thereafter, the Secretary of Transportation may approve an application under this subchapter for an airport development project grant only if the Secretary receives written assurances that the airport owner or operator will maintain—

“(A) a lactation area in the sterile area of each passenger terminal building of the airport; and

“(B) a baby changing table in one men’s and one women’s restroom in each passenger terminal building of the airport.

“(2) APPLICABILITY.—

“(A) AIRPORT SIZE.—The requirement in paragraph (1) shall only apply to applications submitted by the airport sponsor of a medium or large hub airport.

“(B) PREEXISTING FACILITIES.—On application by an airport sponsor, the Secretary may determine that a lactation area in existence on the date of enactment of this Act complies with the requirement in paragraph (1), notwithstanding the absence of one of the facilities or characteristics referred to in the definition of the term ‘lactation area’ in this subsection.

“(C) SPECIAL RULE.—The requirement in paragraph (1) shall not apply with respect to a project grant application for a period of time, determined by the Secretary, if the Secretary determines that construction or maintenance activities make it impracticable or unsafe for the lactation area to be located in the sterile area of the building.

“(3) DEFINITION.—In this section, the term—

“(A) ‘lactation area’ means a room or similar accommodation that—

“(i) provides a location for members of the public to express breast milk that is shielded from view and free from intrusion from the public;

“(ii) has a door that can be locked;

“(iii) includes a place to sit, a table or other flat surface, a sink or sanitizing equipment, and an electrical outlet;

“(iv) is readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs; and

“(v) is not located in a restroom; and

“(B) ‘sterile area’ has the same meaning given that term in section 1540.5 of title 49, Code of Federal Regulations.”.

(b) TERMINAL DEVELOPMENT COSTS.—Section 47119(a) of title 49, United States Code, is amended by adding at the end the following:

“(3) LACTATION AREAS.—In addition to the projects described in paragraph (1), the Secretary may approve a project for terminal development for the construction or installation of a lactation area (as defined in section 47107(w)) at a commercial service airport.”.

SEC. 133. CONTRACT TOWER PROGRAM.

(a) AIR TRAFFIC CONTROL CONTRACT PROGRAM.—

(1) SPECIAL RULE.—Section 47124(b)(1)(B) of title 49, United States Code, is amended—

(A) by striking “under the program continued under this paragraph” and inserting “under the Contract Tower Program”; and

(B) by striking “exceeds the benefit for a period of 18 months after such determination is made” and inserting the following: “exceeds the benefit—

“(i) for the 1-year period after such determination is made; or

“(ii) if an appeal of such determination is requested, for the 1-year period described in subsection (d)(4)(D).”.

(2) EXEMPTION.—Section 47124(b)(3)(D) of title 49, United States Code, is amended—

(A) by striking “under the program” and inserting “under the Cost-share Program”; and

(B) by adding at the end the following: “Airports with air service provided under

part 121 of title 14, Code of Federal Regulations, and more than 25,000 passenger enplanements in calendar year 2014 shall be exempt from any cost-share requirement under this paragraph.”.

(3) CONSTRUCTION OF AIR TRAFFIC CONTROL TOWERS.—

(A) GRANTS.—Section 47124(b)(4)(A) of title 49, United States Code, is amended in each of clauses (i)(III) and (ii)(III) by inserting “, including remote air traffic control tower equipment certified by the Federal Aviation Administration” after “1996”.

(B) ELIGIBILITY.—Section 47124(b)(4)(B)(i)(I) of title 49, United States Code, is amended by striking “contract tower program established under subsection (a) and continued under paragraph (1) or the pilot program established under paragraph (3)” and inserting “Contract Tower Program or the Cost-share Program”.

(C) LIMITATION ON FEDERAL SHARE.—Section 47124(b)(4) of title 49, United States Code, is amended by striking subparagraph (C).

(4) BENEFIT-TO-COST CALCULATION FOR PROGRAM APPLICANTS.—Section 47124(b)(3) of title 49, United States Code, is amended by adding at the end the following:

“(G) BENEFIT-TO-COST CALCULATION.—Not later than 90 days after receiving an application to the Contract Tower Program, the Secretary shall calculate a benefit-to-cost ratio (as described in subsection (d)) for the applicable air traffic control tower for purposes of selecting towers for participation in the Contract Tower Program.”.

(b) CRITERIA TO EVALUATE PARTICIPANTS.—Section 47124 of title 49, United States Code, is amended by adding at the end the following:

“(d) CRITERIA TO EVALUATE PARTICIPANTS.—

“(1) TIMING OF EVALUATIONS.—

“(A) TOWERS PARTICIPATING IN COST-SHARE PROGRAM.—In the case of an air traffic control tower that is operated under the Cost-share Program, the Secretary shall annually calculate a benefit-to-cost ratio with respect to the tower.

“(B) TOWERS PARTICIPATING IN CONTRACT TOWER PROGRAM.—In the case of an air traffic control tower that is operated under the Contract Tower Program, the Secretary shall not calculate a benefit-to-cost ratio after the date of enactment of this subsection with respect to the tower unless the Secretary determines that the annual aircraft traffic at the airport where the tower is located has decreased—

“(i) by more than 25 percent from the previous year; or

“(ii) by more than 55 percent cumulatively in the preceding 3-year period.

“(2) COSTS TO BE CONSIDERED.—In establishing a benefit-to-cost ratio under this section with respect to an air traffic control tower, the Secretary shall consider only the following costs:

“(A) The Federal Aviation Administration’s actual cost of wages and benefits of personnel working at the tower.

“(B) The Federal Aviation Administration’s actual telecommunications costs directly associated with the tower.

“(C) The Federal Aviation Administration’s costs of purchasing and installing any air traffic control equipment that would not have been purchased or installed except as a result of the operation of the tower.

“(D) The Federal Aviation Administration’s actual travel costs associated with maintaining air traffic control equipment that is owned by the Administration and would not be maintained except as a result of the operation of the tower.

“(E) Other actual costs of the Federal Aviation Administration directly associated with the tower that would not be incurred

except as a result of the operation of the tower (excluding costs for noncontract tower-related personnel and equipment, even if the personnel or equipment is located in the contract tower building).

“(3) OTHER CRITERIA TO BE CONSIDERED.—In establishing a benefit-to-cost ratio under this section with respect to an air traffic control tower, the Secretary shall add a 10 percentage point margin of error to the benefit-to-cost ratio determination to acknowledge and account for the direct and indirect economic and other benefits that are not included in the criteria the Secretary used in calculating that ratio.

“(4) REVIEW OF COST-BENEFIT DETERMINATIONS.—In issuing a benefit-to-cost ratio determination under this section with respect to an air traffic control tower located at an airport, the Secretary shall implement the following procedures:

“(A) The Secretary shall provide the airport (or the State or local government having jurisdiction over the airport) at least 90 days following the date of receipt of the determination to submit to the Secretary a request for an appeal of the determination, together with updated or additional data in support of the appeal.

“(B) Upon receipt of a request for an appeal submitted pursuant to subparagraph (A), the Secretary shall—

“(i) transmit to the Administrator of the Federal Aviation Administration any updated or additional data submitted in support of the appeal; and

“(ii) provide the Administrator not more than 90 days to review the data and provide a response to the Secretary based on the review.

“(C) After receiving a response from the Administrator pursuant to subparagraph (B), the Secretary shall—

“(i) provide the airport, State, or local government that requested the appeal at least 30 days to review the response; and

“(ii) withhold from taking further action in connection with the appeal during that 30-day period.

“(D) If, after completion of the appeal procedures with respect to the determination, the Secretary requires the tower to transition into the Cost-share Program, the Secretary shall not require a cost-share payment from the airport, State, or local government for 1 year following the last day of the 30-day period described in subparagraph (C).

“(e) DEFINITIONS.—In this section:

“(1) CONTRACT TOWER PROGRAM.—The term ‘Contract Tower Program’ means the level I air traffic control tower contract program established under subsection (a) and continued under subsection (b)(1).

“(2) COST-SHARE PROGRAM.—The term ‘Cost-share Program’ means the cost-share program established under subsection (b)(3).”

(c) CONFORMING AMENDMENTS.—Section 47124(b) of title 49, United States Code, is amended—

(1) in paragraph (1)(C), by striking “the program established under paragraph (3)” and inserting “the Cost-share Program”;

(2) in paragraph (3)—

(A) in the heading, by striking “CONTRACT AIR TRAFFIC CONTROL TOWER PROGRAM” and inserting “COST-SHARE PROGRAM”;

(B) in subparagraph (A), by striking “contract tower program established under subsection (a) and continued under paragraph (1) (in this paragraph referred to as the ‘Contract Tower Program’)” and inserting “Contract Tower Program”;

(C) in subparagraph (B), by striking “In carrying out the program” and inserting “In carrying out the Cost-share Program”;

(D) in subparagraph (C), by striking “participate in the program” and inserting “participate in the Cost-share Program”; and

(E) in subparagraph (F), by striking “the program continued under paragraph (1)” and inserting “the Contract Tower Program”.

(d) APPROVAL OF CERTAIN APPLICATIONS FOR THE CONTRACT TOWER PROGRAM.—

(1) IN GENERAL.—If the Administrator of the Federal Aviation Administration has not implemented a revised cost-benefit methodology for purposes of determining eligibility for the Contract Tower Program before the date that is 30 days after the date of enactment of this Act, any airport with an application for participation in the Contract Tower Program pending as of January 1, 2017, shall be approved for participation in the Contract Tower Program if the Administrator determines the tower is eligible under the criteria set forth in the Federal Aviation Administration report entitled “Establishment and Discontinuance Criteria for Airport Traffic Control Towers”, and dated August 1990 (FAA-AP0-90-7).

(2) REQUESTS FOR ADDITIONAL AUTHORITY.—The Administrator shall respond not later than 60 days after the date the Administrator receives a formal request from an airport and air traffic control contractor for additional authority to expand contract tower operational hours and staff to accommodate flight traffic outside of current tower operational hours.

(3) DEFINITION OF CONTRACT TOWER PROGRAM.—In this section, the term “Contract Tower Program” has the meaning given the term in section 47124(e) of title 49, United States Code, as added by this Act.

SEC. 134. GOVERNMENT SHARE OF PROJECT COSTS.

Section 47109(a) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking “primary airport having at least .25 percent of the total number of passenger boardings each year at all commercial service airports;” and inserting “medium or large hub airport;”; and

(2) by striking paragraph (5) and inserting the following:

“(5) 95 percent for a project that—

“(A) the Administrator determines is a successive phase of a multiphase construction project for which the sponsor received a grant in fiscal year 2011; and

“(B) for which the United States Government’s share of allowable project costs would otherwise be capped at 90 percent under paragraph (2) or (3).”

SEC. 135. UPDATED VETERANS’ PREFERENCE.

Section 47112(c)(1)(C) of title 49, United States Code, is amended—

(1) by striking “or Operation New Dawn for more” and inserting “Operation New Dawn, Operation Inherent Resolve, Operation Freedom’s Sentinel, or any successor contingency operation to such operations for more”; and

(2) by striking “or Operation New Dawn (whichever is later)” and inserting “Operation New Dawn, Operation Inherent Resolve, Operation Freedom’s Sentinel, or any successor contingency operation to such operations (whichever is later)”.

SEC. 136. USE OF STATE HIGHWAY SPECIFICATIONS.

Section 47114(d)(5) of title 49, United States Code, is amended to read as follows:

“(5) USE OF STATE HIGHWAY SPECIFICATIONS.—The Secretary shall use the highway specifications of a State for airfield pavement construction and improvement using funds made available under this subsection at nonprimary airports serving aircraft that do not exceed 60,000 pounds gross weight if—

“(A) such State requests the use of such specifications; and

“(B) the Secretary determines that—

“(i) safety will not be negatively affected; and

“(ii) the life of the pavement, with necessary maintenance and upkeep, will not be shorter than it would be if constructed using Administration standards.”

SEC. 137. FORMER MILITARY AIRPORTS.

Section 47118(a) of title 49, United States Code, is amended—

(1) in paragraph (1)(C), by striking “or” at the end;

(2) in paragraph (2), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(3) the airport is—

“(A) a former military installation that, at any time after December 31, 1965, was owned and operated by the Department of Defense; and

“(B) a nonhub primary airport.”

SEC. 138. ELIGIBILITY OF CCTV PROJECTS FOR AIRPORT IMPROVEMENT PROGRAM.

Section 47119(a)(1)(B) is amended—

(1) by striking “; and” at the end and inserting “; or”; and

(2) by striking “directly related to moving passengers” and inserting the following: “directly related to—

“(i) moving passengers”; and

(3) by adding at the end the following:

“(ii) installing security cameras in the public area of the interior and exterior of the terminal; and”.

SEC. 139. STATE BLOCK GRANT PROGRAM EXPANSION.

Section 47128(a) of title 49, United States Code, is amended by striking “not more than 9 qualified States for fiscal years 2000 and 2001 and 10 qualified States for each fiscal year thereafter” and inserting “not more than 20 qualified States for each fiscal year”.

SEC. 140. NON-MOVEMENT AREA SURVEILLANCE PILOT PROGRAM.

(a) IN GENERAL.—Subchapter I of chapter 471 of title 49, United States Code, is amended by inserting after section 47142 the following:

“§ 47143. Non-movement area surveillance surface display systems pilot program

“(a) IN GENERAL.—The Administrator of the Federal Aviation Administration may carry out a pilot program to support non-Federal acquisition and installation of qualifying non-movement area surveillance surface display systems and sensors if—

“(1) the Administrator determines that such systems and sensors would improve safety or capacity in the National Airspace System; and

“(2) the non-movement area surveillance surface display systems and sensors supplement existing movement area systems and sensors at the selected airports established under other programs administered by the Administrator.

“(b) PROJECT GRANTS.—

“(1) IN GENERAL.—For purposes of carrying out the pilot program, the Administrator may make a project grant out of funds apportioned under paragraph (1) or paragraph (2) of section 47114(c) to not more than 5 eligible sponsors to acquire and install qualifying non-movement area surveillance surface display systems and sensors. The airports selected to participate in the pilot program shall have existing Administration movement area systems and airlines that are participants in Federal Aviation Administration’s airport collaborative decision-making process.

“(2) DATA EXCHANGE PROCESSES.—As part of the pilot program carried out under this section, the Administrator may establish data exchange processes to allow airport participation in the Administration’s airport collaborative decision-making process and fu-

sion of the non-movement surveillance data with the Administration's movement area systems.

“(c) SUNSET.—This section shall cease to be effective on October 1, 2023.

“(d) DEFINITIONS.—In this section:

“(1) NON-MOVEMENT AREA.—The term ‘non-movement area’ means the portion of the airfield surface that is not under the control of air traffic control.

“(2) NON-MOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEMS AND SENSORS.—The term ‘non-movement area surveillance surface display systems and sensors’ means a non-Federal surveillance system that uses on-airport sensors that track vehicles or aircraft that are equipped with transponders in the non-movement area.

“(3) QUALIFYING NON-MOVEMENT AREA SURVEILLANCE SURFACE DISPLAY SYSTEM AND SENSORS.—The term ‘qualifying non-movement area surveillance surface display system and sensors’ means a non-movement area surveillance surface display system that—

“(A) provides the required transmit and receive data formats consistent with the National Airspace System architecture at the appropriate service delivery point;

“(B) is on-airport; and

“(C) is airport operated.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents of chapter 471 of title 49, United States Code, is amended by inserting after the item relating to section 47142 the following:

“47143. Non-movement area surveillance surface display systems pilot program.”.

SEC. 141. PROPERTY CONVEYANCE RELEASES.

Section 817(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47125 note) is amended—

(1) by striking “or section 23” and inserting “, section 23”; and

(2) by inserting “, or section 47125 of title 49, United States Code” before the period at the end.

SEC. 142. STUDY REGARDING TECHNOLOGY USAGE AT AIRPORTS.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a study on—

(1) technology developed by international entities (including foreign nations and companies) that have been installed in American airports and aviation systems over the past decade, including the nation where the technology was developed and any airports utilizing the technology; and

(2) aviation safety-related technology developed and implemented by international entities with proven track records of success that may assist in establishing best practices to improve American aviation operations and safety.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the study.

SEC. 143. STUDY ON AIRPORT REVENUE DIVERSION.

(a) STUDY.—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study of—

(1) the legal and financial challenges related to repealing the exception in section 47107(b)(2) of title 49, United States Code, for those airports that the Federal Aviation Administration has identified are covered by the exception; and

(2) measures that may be taken to mitigate the impact of repealing the exception.

(b) CONTENTS.—The study required under subsection (a) shall address—

(1) the level of revenue diversion at the airports covered by the exception described in

subsection (a)(1) and the uses of the diverted revenue;

(2) the terms of any bonds or financial covenants an airport owner has issued relying on diverted airport revenue;

(3) applicable local laws or ordinances requiring use of airport revenue for nonairport purposes;

(4) whether repealing the exception would improve the long-term financial performance of impacted airports; and

(5) any other practical implications of repealing the exception for airports or the national aviation system.

(c) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study.

SEC. 144. GAO STUDY ON THE EFFECT OF GRANTING AN EXCLUSIVE RIGHT OF AERONAUTICAL SERVICES TO AN AIRPORT SPONSOR.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study to examine the cases in which an airport sponsor has exercised an exclusive right (commonly known as a proprietary exclusive right), as described in the Federal Aviation Advisory Circular 150/1590-6 issued on January 4, 2007.

(b) REPORT.—Upon completion of the study described under subsection (a), the Comptroller General shall submit to the appropriate committees of Congress a report on the findings of the study.

SEC. 145. SENSE OF CONGRESS ON SMART AIRPORTS.

It is the sense of Congress that the Administrator of the Federal Aviation Administration and the Secretary of Transportation should produce a smart airports initiative plan that focuses on creating a more consumer-friendly and digitally connected airport experience. The plan should include recommendations on modernizing technologies to provide more efficient check-ins, shortened security lines, Wi-Fi and GPS upgrades, as well as improvements of aircraft turnaround for on-time boarding and flights. The purpose of the initiative is to invest in technologies and infrastructure toward better-connected airports while providing appropriate national security and cybersecurity for travelers.

SEC. 146. CRITICAL AIRFIELD MARKINGS.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a request for proposal for a study that includes—

(1) an independent, third-party study to assess the durability of Type III and Type I glass beads applied to critical markings over a 2-year period at not fewer than 2 primary airports in varying weather conditions to measure the retroreflectivity levels of such markings on a quarterly basis; and

(2) a study at 2 other airports carried out by applying Type III glass beads on half of the centerline and Type I glass beads to the other half and providing for assessments from pilots through surveys administered by a third party as to the visibility and performance of the Type III glass beads as compared to the Type I glass beads over a 1-year period.

SEC. 147. GENERAL FACILITIES AUTHORITY.

Section 44502 of title 49, United States Code, is amended—

(1) by striking subsection (e) and inserting the following:

“(e) TRANSFERS OF AIR TRAFFIC SYSTEMS.—

“(1) IN GENERAL.—An airport may transfer, without consideration, to the Administrator of the Federal Aviation Administration, an eligible air traffic system or equipment that

conforms to performance specifications of the Administrator if a Government airport aid program, airport development aid program, or airport improvement project grant was used to assist in purchasing the system or equipment.

“(2) ACCEPTANCE.—The Administrator shall accept the eligible air traffic system or equipment and operate and maintain it under criteria of the Administrator.

“(3) DEFINITION.—In this subsection, the term ‘eligible air traffic system or equipment’ means—

“(A) an instrument landing system consisting of a glide slope and localizer (if the Administrator has determined that a satellite navigation system cannot provide a suitable approach to an airport);

“(B) an Automated Weather Observing System weather observation system; or

“(C) a Remote Communication Air/Ground and Remote Communication Outlet communications facility.”; and

(2) by adding at the end the following:

“(f) AIRPORT SPACE.—

“(1) RESTRICTION.—The Administrator may not require an airport owner or sponsor (as defined in section 47102) to provide to the Federal Aviation Administration without cost any of the following:

“(A) Building construction, maintenance, utilities, or expenses for services relating to air traffic control, air navigation, or weather reporting.

“(B) Space in a facility owned by the airport owner or sponsor for services relating to air traffic control, air navigation, or weather reporting.

“(2) RULE OF CONSTRUCTION.—Nothing in this subsection may be construed to affect—

“(A) any agreement the Secretary may have or make with an airport owner or sponsor for the airport owner or sponsor to provide any of the items described in paragraph (1)(A) or (1)(B) at below-market rates; or

“(B) any grant assurance that requires an airport owner or sponsor to provide land to the Administration without cost for an air traffic control facility.”.

SEC. 148. RECYCLING PLANS; UNCATEGORIZED SMALL AIRPORTS.

(a) PROJECT GRANT APPLICATION APPROVAL.—Section 47106(a) of title 49, United States Code, is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by inserting “that includes the project” before “, the master plan”; and

(3) in paragraph (6)(E), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(7) if the project is at an airport that is listed as having an unclassified status under the most recent national plan of integrated airport systems (as described in section 47103), the project will be funded with an amount appropriated under section 47114(d)(3)(B) and is—

“(A) for maintenance of the pavement of the primary runway;

“(B) for obstruction removal for the primary runway;

“(C) for the rehabilitation of the primary runway; or

“(D) for a project that the Secretary considers necessary for the safe operation of the airport.”.

(b) NONPRIMARY APPORTIONMENT.—Section 47114(d)(3) of title 49, United States Code, is amended by adding at the end the following:

“(C) During fiscal years 2019 and 2020—

“(i) an airport that accrued apportionment funds under subparagraph (A) in fiscal year 2013 that is listed as having an unclassified status under the most recent national plan of integrated airport systems shall continue to accrue apportionment funds under sub-

paragraph (A) at the same amount the airport accrued apportionment funds in fiscal year 2013, subject to the conditions of this paragraph;

“(i) notwithstanding the period of availability as described in section 47117(b), an amount apportioned to an airport under clause (i) shall be available to the airport only during the fiscal year in which the amount is apportioned; and

“(iii) notwithstanding the waiver permitted under section 47117(c)(2), an airport receiving apportionment funds under clause (i) may not waive its claim to any part of the apportioned funds in order to make the funds available for a grant for another public-use airport.

“(D) An airport that re-establishes its classified status shall be eligible to accrue apportionment funds pursuant to subparagraph (A) so long as such airport retains its classified status.”.

SEC. 149. EVALUATION OF AIRPORT MASTER PLANS.

Section 47106 of title 49, United States Code, is amended by adding at the end the following:

“(h) EVALUATION OF AIRPORT MASTER PLANS.—When evaluating the master plan of an airport for purposes of this subchapter, the Secretary shall take into account—

“(1) the role the airport plays with respect to medical emergencies and evacuations; and

“(2) the role the airport plays in emergency or disaster preparedness in the community served by the airport.”.

SEC. 150. DEFINITION OF SMALL BUSINESS CONCERN.

Section 47113(a)(1) of title 49, United States Code, is amended to read as follows:

“(1) ‘small business concern’—

“(A) has the meaning given the term in section 3 of the Small Business Act (15 U.S.C. 632); but

“(B) in the case of a concern in the construction industry, a concern shall be considered a small business concern if the concern meets the size standard for the North American Industry Classification System Code 237310, as adjusted by the Small Business Administration;”.

SEC. 151. SMALL AIRPORT REGULATION RELIEF.

Section 47114(c)(1) of title 49, United States Code, is amended by striking subparagraph (F) and inserting the following:

“(F) SPECIAL RULE FOR FISCAL YEARS 2018 THROUGH 2020.—Notwithstanding subparagraph (A) and subject to subparagraph (G), the Secretary shall apportion to a sponsor of an airport under that subparagraph for each of fiscal years 2018 through 2020 an amount based on the number of passenger boardings at the airport during calendar year 2012 if the airport—

“(i) had 10,000 or more passenger boardings during calendar year 2012;

“(ii) had fewer than 10,000 passenger boardings during the calendar year used to calculate the apportionment for fiscal year 2018, 2019, or 2020, as applicable, under subparagraph (A); and

“(iii) had scheduled air service at any point in the calendar year used to calculate the apportionment.

“(G) LIMITATIONS AND WAIVERS.—The authority to make apportionments in the manner prescribed in subparagraph (F) may be utilized no more than 3 years in a row. The Secretary may waive this limitation if the Secretary determines that an airport’s enplanements are substantially close to 10,000 enplanements and the airport sponsor or affected communities are taking reasonable steps to restore enplanements above 10,000.

“(H) MINIMUM APPORTIONMENT FOR COMMERCIAL SERVICE AIRPORTS WITH MORE THAN 8,000 PASSENGER BOARDINGS IN A CALENDAR YEAR.—

Not less than \$600,000 may be apportioned under subparagraph (A) for each fiscal year to each sponsor of a commercial service airport that had fewer than 10,000 passenger boardings, but at least 8,000 passenger boardings, during the prior calendar year.”.

SEC. 152. CONSTRUCTION OF CERTAIN CONTROL TOWERS.

Section 47116(d) of title 49, United States Code, is amended by adding at the end the following:

“(3) CONTROL TOWER CONSTRUCTION.—Notwithstanding section 47124(b)(4)(A), the Secretary may provide grants under this section to an airport sponsor participating in the contract tower program under section 47124 for the construction or improvement of a nonapproach control tower, as defined by the Secretary, and for the acquisition and installation of air traffic control, communications, and related equipment to be used in that tower. Such grants shall be subject to the distribution requirements of subsection (b) and the eligibility requirements of section 47124(b)(4)(B).”.

SEC. 153. NONDISCRIMINATION.

Section 47123 of title 49, United States Code, is amended—

(1) by striking “The Secretary of Transportation” and inserting the following:

“(a) IN GENERAL.—The Secretary of Transportation”; and

(2) by adding at the end the following:

“(b) INDIAN EMPLOYMENT.—

“(1) TRIBAL SPONSOR PREFERENCE.—Consistent with section 703(i) of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2(i)), nothing in this section shall preclude the preferential employment of Indians living on or near a reservation on a project or contract at—

“(A) an airport sponsored by an Indian tribal government; or

“(B) an airport located on an Indian reservation.

“(2) STATE PREFERENCE.—A State may implement a preference for employment of Indians on a project carried out under this subchapter near an Indian reservation.

“(3) IMPLEMENTATION.—The Secretary shall consult with Indian tribal governments and cooperate with the States to implement this subsection.

“(4) INDIAN TRIBAL GOVERNMENT DEFINED.—In this section, the term ‘Indian tribal government’ has the same meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).”.

SEC. 154. DEFINITION OF AIRPORT DEVELOPMENT.

Section 47116(d)(2) of title 49, United States Code, is amended to read as follows:

“(2) AIRPORT DEVELOPMENT FOR ELIGIBLE MOUNTAINTOP AIRPORTS.—In making grants to sponsors described in subsection (b), the Secretary shall give priority consideration to mass grading and associated structural support (including access road, duct banks, and other related infrastructure) at mountaintop airports, provided that the airport would not otherwise have sufficient surface area for—

“(A) eligible and justified airport development projects; or

“(B) additional hangar space.”.

SEC. 155. GENERAL AVIATION AIRPORT EXPIRED FUNDS.

Section 47117(b) of title 49, United States Code, is amended—

(1) by striking “An amount” and inserting “(1) IN GENERAL.—An amount”; and

(2) by striking “If the amount” and inserting “Except as provided in paragraph (2), if the amount”; and

(3) by adding at the end the following:

“(2) EXPIRED AMOUNTS APPORTIONED FOR GENERAL AVIATION AIRPORTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), if an amount apportioned

under section 47114(d) is not obligated within the time specified in paragraph (1), that amount shall be added to the discretionary fund under section 47115 of this title, provided that—

“(i) amounts made available under paragraph (2)(A) shall be used for grants for projects in accordance with section 47115(d)(2) at airports eligible to receive an apportionment under section 47114(d)(2) or (3)(A), whichever is applicable; and

“(ii) amounts made available under paragraph (2)(A) that are not obligated by July 1 of the fiscal year in which the funds will expire shall be made available for all projects in accordance with section 47115(d)(2).

“(B) STATE BLOCK GRANT PROGRAM.—If an amount apportioned to an airport under section 47114(d)(3)(A) is not obligated within the time specified in paragraph (1), and the airport is located in a State participating in the State block grant program under section 47128, the amount shall be made available to that State under the same conditions as if the State had been apportioned the amount under section 47114(d)(3)(B).”.

SEC. 156. PRIORITY REVIEW OF CONSTRUCTION PROJECTS IN COLD WEATHER STATES.

(a) IN GENERAL.—The Administrator of the Federal Aviation Administration, to the extent practicable, shall schedule the Administrator’s review of construction projects so that projects to be carried out in the States in which the weather during a typical calendar year prevents major construction projects from being carried out before May 1 are reviewed as early as possible.

(b) BRIEFING.—The Administrator shall provide a briefing to the appropriate committees of Congress annually on the effectiveness of the review and prioritization.

(c) TECHNICAL AMENDMENT.—Section 154 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47112 note) and the item relating to that section in the table of contents under section 1(b) of that Act (126 Stat. 13) are repealed.

SEC. 157. MINORITY AND DISADVANTAGED BUSINESS PARTICIPATION.

(a) FINDINGS.—Congress finds the following:

(1) While significant progress has occurred due to the establishment of the airport disadvantaged business enterprise program (sections 47107(e) and 47113 of title 49, United States Code), discrimination and related barriers continue to pose significant obstacles for minority- and women-owned businesses seeking to do business in airport-related markets across the Nation. These continuing barriers merit the continuation of the airport disadvantaged business enterprise program.

(2) Congress has received and reviewed testimony and documentation of race and gender discrimination from numerous sources, including congressional hearings and roundtables, scientific reports, reports issued by public and private agencies, news stories, reports of discrimination by organizations and individuals, and discrimination lawsuits. This testimony and documentation shows that race- and gender-neutral efforts alone are insufficient to address the problem.

(3) This testimony and documentation demonstrates that discrimination across the Nation poses a barrier to full and fair participation in airport-related businesses of women business owners and minority business owners in the racial groups detailed in parts 23 and 26 of title 49, Code of Federal Regulations, and has impacted firm development and many aspects of airport-related business in the public and private markets.

(4) This testimony and documentation provides a strong basis that there is a compelling need for the continuation of the airport

disadvantaged business enterprise program and the airport concessions disadvantaged business enterprise program to address race and gender discrimination in airport-related business.

(b) PROMPT PAYMENTS.—

(1) REPORTING OF COMPLAINTS.—Not later than 120 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall ensure that each airport that participates in the Program tracks, and reports to the Administrator, the number of covered complaints made in relation to activities at that airport.

(2) IMPROVING COMPLIANCE.—

(A) IN GENERAL.—The Administrator shall take actions to assess and improve compliance with prompt payment requirements under part 26 of title 49, Code of Federal Regulations.

(B) CONTENTS OF ASSESSMENT.—In carrying out subparagraph (A), the Administrator shall assess—

(i) whether requirements relating to the inclusion of prompt payment language in contracts are being satisfied;

(ii) whether and how airports are enforcing prompt payment requirements;

(iii) the processes by which covered complaints are received and resolved by airports;

(iv) whether improvements need to be made to—

(I) better track covered complaints received by airports; and

(II) assist the resolution of covered complaints in a timely manner;

(v) whether changes to prime contractor specifications need to be made to ensure prompt payments to subcontractors; and,

(vi) whether changes to prime contractor specifications need to be made to ensure prompt payment of retainage to subcontractors.

(C) REPORTING.—The Administrator shall make available to the public on an appropriate website operated by the Administrator a report describing the results of the assessment completed under this paragraph, including a plan to respond to such results.

(3) DEFINITIONS.—In this subsection, the following definitions apply:

(A) COVERED COMPLAINT.—The term “covered complaint” means a complaint relating to an alleged failure to satisfy a prompt payment requirement under part 26 of title 49, Code of Federal Regulations.

(B) PROGRAM.—The term “Program” means the airport disadvantaged business enterprise program referenced in subsection (a)(1) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 47113 note).

SEC. 158. SUPPLEMENTAL DISCRETIONARY FUNDS.

Section 47115 of title 49, United States Code, is further amended by adding at the end the following:

“(j) SUPPLEMENTAL DISCRETIONARY FUNDS.—

“(1) IN GENERAL.—The Secretary shall establish a program to provide grants, subject to the conditions of this subsection, for any purpose for which amounts are made available under section 48103 that the Secretary considers most appropriate to carry out this subchapter.

“(2) TREATMENT OF GRANTS.—

“(A) IN GENERAL.—A grant made under this subsection shall be treated as having been made pursuant to the Secretary’s authority under section 47104(a) and from the Secretary’s discretionary fund under subsection (a) of this section.

“(B) EXCEPTION.—Except as otherwise provided in this subsection, grants made under this subsection shall not be subject to subsection (c), section 47117(e), or any other apportionment formula, special apportionment

category, or minimum percentage set forth in this chapter.

“(3) ELIGIBILITY AND PRIORITIZATION.—

“(A) ELIGIBILITY.—The Secretary may provide grants under this subsection for an airport or terminal development project at any airport that is eligible to receive a grant from the discretionary fund under subsection (a) of this section.

“(B) PRIORITIZATION.—Not less than 50 percent of the amounts available under this subsection shall be used to provide grants at—

“(1) airports that are eligible for apportionment under section 47114(d)(3); and

“(ii) nonhub and small hub airports.

“(4) AUTHORIZATION.—

“(A) IN GENERAL.—There is authorized to be appropriated to the Secretary to carry out this subsection the following amounts:

“(i) \$1,020,000,000 for fiscal year 2019.

“(ii) \$1,041,000,000 for fiscal year 2020.

“(iii) \$1,064,000,000 for fiscal year 2021.

“(iv) \$1,087,000,000 for fiscal year 2022.

“(v) \$1,110,000,000 for fiscal year 2023.

“(B) AVAILABILITY.—Sums authorized to be appropriated under subparagraph (A) shall remain available for 2 fiscal years.”.

SEC. 159. STATE TAXATION.

(a) IN GENERAL.—Section 40116(d)(2)(A) of title 49, United States Code, is amended by adding at the end the following:

“(v) except as otherwise provided under section 47133, levy or collect a tax, fee, or charge, first taking effect after the date of enactment of this clause, upon any business located at a commercial service airport or operating as a permittee of such an airport that is not generally imposed on sales or services by that State, political subdivision, or authority unless wholly utilized for airport or aeronautical purposes.”.

(b) RULE OF CONSTRUCTION.—Nothing in this section or an amendment made by this section shall affect a change to a rate or other provision of a tax, fee, or charge under section 40116 of title 49, United States Code, that was enacted prior to the date of enactment of this Act. Such provision of a tax, fee, or charge shall continue to be subject to the requirements to which such provision was subject under that section as in effect on the day before the date of enactment of this Act.

SEC. 160. AIRPORT INVESTMENT PARTNERSHIP PROGRAM.

(a) IN GENERAL.—Section 47134 of title 49, United States Code, is amended—

(1) by striking the section heading and inserting “**Airport investment partnership program**”;

(2) in subsection (b), by striking “, with respect to not more than 10 airports.”;

(3) in subsection (b)(2), by striking “The Secretary may grant an exemption to a sponsor” and inserting “If the Secretary grants an exemption to a sponsor pursuant to paragraph (1), the Secretary shall grant an exemption to the sponsor”;

(4) in subsection (b)(3), by striking “The Secretary may grant an exemption to a purchaser or lessee” and inserting “If the Secretary grants an exemption to a sponsor pursuant to paragraph (1), the Secretary shall grant an exemption to the corresponding purchaser or lessee”;

(5) by amending subsection (d) to read as follows:

“(d) PROGRAM PARTICIPATION.—

“(1) MULTIPLE AIRPORTS.—The Secretary may consider applications under this section submitted by a public airport sponsor for multiple airports under the control of the sponsor if all airports under the control of the sponsor are located in the same State.

“(2) PARTIAL PRIVATIZATION.—A purchaser or lessee may be an entity in which a sponsor has an interest.”; and

(6) by striking subsections (l) and (m) and inserting the following:

“(1) PREDEVELOPMENT LIMITATION.—A grant to an airport sponsor under this subchapter for predevelopment planning costs relating to the preparation of an application or proposed application under this section may not exceed \$750,000 per application or proposed application.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 471 of title 49, United States Code, is amended by striking the item relating to section 47134 and inserting the following:

“47134. Airport investment partnership program.”.

SEC. 161. REMOTE TOWER PILOT PROGRAM FOR RURAL AND SMALL COMMUNITIES.

(a) PILOT PROGRAM.—

(1) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration shall establish—

(A) in consultation with airport operators and other aviation stakeholders, a pilot program at public-use airports to construct and operate remote towers in order to assess their operational benefits;

(B) a selection process for participation in the pilot program; and

(C) a clear process for the safety and operational certification of the remote towers.

(2) SAFETY CONSIDERATIONS.—

(A) SAFETY RISK MANAGEMENT PANEL.—Prior to the operational use of a remote tower under the pilot program established in subsection (a), the Administrator shall convene a safety risk management panel for the tower to address any safety issues with respect to the tower. The panels shall be created and utilized in a manner similar to that of the safety risk management panels previously convened for remote towers and shall take into account existing best practices and operational data from existing remote towers in the United States.

(B) CONSULTATION.—In establishing the pilot program, the Administrator shall consult with operators of remote towers in the United States and foreign countries to design the pilot program in a manner that leverages as many safety and airspace efficiency benefits as possible.

(3) APPLICATIONS.—The operator of an airport seeking to participate in the pilot program shall submit to the Administrator an application that is in such form and contains such information as the Administrator may require.

(4) PROGRAM DESIGN.—In designing the pilot program, the Administrator shall—

(A) to the maximum extent practicable, ensure that at least 2 different vendors of remote tower systems participate;

(B) identify which air traffic control information and data will assist the Administrator in evaluating the feasibility, safety, costs, and benefits of remote towers;

(C) implement processes necessary to collect the information and data identified in subparagraph (B);

(D) develop criteria, in addition to considering possible selection criteria in paragraph (5), for the selection of airports that will best assist the Administrator in evaluating the feasibility, safety, costs, and benefits of remote towers, including the amount and variety of air traffic at an airport; and

(E) prioritize the selection of airports that can best demonstrate the capabilities and benefits of remote towers, including applicants proposing to operate multiple remote towers from a single facility.

(5) SELECTION CRITERIA FOR CONSIDERATION.—In selecting airports for participation in the pilot program, the Administrator, after consultation with representatives of labor organizations representing operators and employees of the air traffic control system, shall consider for participation in the pilot program—

(A) 1 nonhub airport;
 (B) 3 airports that are not primary airports and that do not have existing air traffic control towers;

(C) 1 airport that participates in the Contract Tower Program; and

(D) 1 airport selected at the discretion of the Administrator.

(6) DATA.—The Administrator shall clearly identify and collect air traffic control information and data from participating airports that will assist the Administrator in evaluating the feasibility, safety, costs, and benefits of remote towers.

(7) REPORT.—Not later than 1 year after the date the first remote tower is operational, and annually thereafter, the Administrator shall submit to the appropriate committees of Congress a report—

(A) detailing any benefits, costs, or safety improvements associated with the use of the remote towers; and

(B) evaluating the feasibility of using remote towers, particularly in the Contract Tower Program, for airports without an air traffic control tower, to improve safety at airports with towers, or to reduce costs without impacting safety at airports with or without existing towers.

(8) DEADLINE.—Not later than 1 year after the date of enactment of this Act, the Administrator shall select airports for participation in the pilot program.

(9) DEFINITIONS.—In this subsection:

(A) CONTRACT TOWER PROGRAM.—The term “Contract Tower Program” has the meaning given the term in section 47124(e) of title 49, United States Code, as added by this Act.

(B) REMOTE TOWER.—The term “remote tower” means a remotely operated air navigation facility, including all necessary system components, that provides the functions and capabilities of an air traffic control tower whereby air traffic services are provided to operators at an airport from a location that may not be on or near the airport.

(C) OTHER DEFINITIONS.—The terms “nonhub airport”, “primary airport”, and “public-use airport” have the meanings given such terms in section 47102 of title 49, United States Code.

(10) SUNSET.—This subsection, including the report required under paragraph (8), shall not be in effect after September 30, 2023.

(b) REMOTE TOWER PROGRAM.—Concurrent with the establishment of the process for safety and operational certification of remote towers under subsection (a)(1)(C), the Administrator shall establish a process to authorize the construction and commissioning of additional remote towers that are certified under subsection (a)(1)(C) at other airports.

(c) AIP FUNDING ELIGIBILITY.—For purposes of the pilot program under subsection (a), and after certificated remote towers are available under subsection (b), constructing a remote tower or acquiring and installing air traffic control, communications, or related equipment specifically for a remote tower shall be considered airport development (as defined in section 47102 of title 49, United States Code) for purposes of subchapter I of chapter 471 of that title if the components are installed and used at the airport, except, as needed, for off-airport sensors installed on leased towers.

SEC. 162. AIRPORT ACCESS ROADS IN REMOTE LOCATIONS.

Notwithstanding section 47102 of title 49, United States Code, for fiscal years 2018 through 2023—

(1) the definition of the term “airport development” under that section includes the construction of a storage facility to shelter snow removal equipment or aircraft rescue and firefighting equipment that is owned by an airport sponsor and used exclusively to

maintain safe airfield operations, up to the facility size necessary to accommodate the types and quantities of equipment prescribed by the FAA, regardless of whether Federal funding was used to acquire the equipment;

(2) a storage facility to shelter snow removal equipment may exceed the facility size limitation described in paragraph (1) if the airport sponsor certifies to the Secretary that the following conditions are met:

(A) The storage facility to be constructed will be used to store snow removal equipment exclusively used for clearing airfield pavement of snow and ice following a weather event.

(B) The airport is categorized as a local general aviation airport in the Federal Aviation Administration’s 2017–2021 National Plan of Integrated Airport Systems (NPIAS) report.

(C) The 30-year annual snowfall normal of the nearest weather station based on the National Oceanic and Atmospheric Administration Summary of Monthly Normals 1981–2010 exceeds 26 inches.

(D) The airport serves as a base for a medical air ambulance transport aircraft.

(E) The airport master record (Form 5010–1) effective on September 14, 2017 for the airport indicates 45 based aircraft consisting of single engine, multiple engine, and jet engine aircraft.

(F) No funding under this section will be used for any portion of the storage facility designed to shelter maintenance and operations equipment that are not required for clearing airfield pavement of snow and ice.

(G) The airport sponsor will complete design of the storage building not later than September 30, 2019, and will initiate construction of the storage building not later than September 30, 2020.

(H) The area of the storage facility, or portion thereof, to be funded under this subsection does not exceed 6,000 square feet; and

(3) the definition of the term “terminal development” under that section includes the development of an airport access road that—

(A) is located in a noncontiguous State;

(B) is not more than 5 miles in length;

(C) connects to the nearest public roadways of not more than the 2 closest census designated places; and

(D) may provide incidental access to public or private property that is adjacent to the road and is not otherwise connected to a public road.

SEC. 163. LIMITED REGULATION OF NON-FEDERALLY SPONSORED PROPERTY.

(a) IN GENERAL.—Except as provided in subsection (b), the Secretary of Transportation may not directly or indirectly regulate—

(1) the acquisition, use, lease, encumbrance, transfer, or disposal of land by an airport owner or operator;

(2) any facility upon such land; or

(3) any portion of such land or facility.

(b) EXCEPTIONS.—Subsection (a) does not apply to—

(1) any regulation ensuring—

(A) the safe and efficient operation of aircraft or safety of people and property on the ground related to aircraft operations;

(B) that an airport owner or operator receives not less than fair market value in the context of a commercial transaction for the use, lease, encumbrance, transfer, or disposal of land, any facilities on such land, or any portion of such land or facilities; or

(C) that the airport pays not more than fair market value in the context of a commercial transaction for the acquisition of land or facilities on such land;

(2) any regulation imposed with respect to land or a facility acquired or modified using Federal funding; or

(3) any authority contained in—

(A) a Surplus Property Act instrument of transfer, or

(B) section 40117 of title 49, United States Code.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to affect the applicability of sections 47107(b) or 47133 of title 49, United States Code, to revenues generated by the use, lease, encumbrance, transfer, or disposal of land under subsection (a), facilities upon such land, or any portion of such land or facilities.

(d) AMENDMENTS TO AIRPORT LAYOUT PLANS.—Section 47107(a)(16) of title 49, United States Code, is amended—

(1) by striking subparagraph (B) and inserting the following:

“(B) the Secretary will review and approve or disapprove only those portions of the plan (or any subsequent revision to the plan) that materially impact the safe and efficient operation of aircraft at, to, or from the airport or that would adversely affect the safety of people or property on the ground adjacent to the airport as a result of aircraft operations, or that adversely affect the value of prior Federal investments to a significant extent;”;

(2) in subparagraph (C), by striking “if the alteration” and all that follows through “airport; and” and inserting the following: “unless the alteration—

“(i) is outside the scope of the Secretary’s review and approval authority as set forth in subparagraph (B); or

“(ii) complies with the portions of the plan approved by the Secretary; and”;

(3) in subparagraph (D), in the matter preceding clause (i), by striking “when an alteration” and all that follows through “Secretary, will” and inserting “when an alteration in the airport or its facility is made that is within the scope of the Secretary’s review and approval authority as set forth in subparagraph (B), and does not conform with the portions of the plan approved by the Secretary, and the Secretary decides that the alteration adversely affects the safety, utility, or efficiency of aircraft operations, or of any property on or off the airport that is owned, leased, or financed by the Government, then the owner or operator will, if requested by the Secretary”.

SEC. 164. SEASONAL AIRPORTS.

Section 47114(c)(1) of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“(I) SEASONAL AIRPORTS.—Notwithstanding section 47102, if the Secretary determines that a commercial service airport with at least 8,000 passenger boardings receives scheduled air carrier service for fewer than 6 months in the calendar year used to calculate apportionments to airport sponsors in a fiscal year, then the Secretary shall consider the airport to be a nonhub primary airport for purposes of this chapter.”.

SEC. 165. AMENDMENTS TO DEFINITIONS.

Section 47102 of title 49, United States Code, is amended—

(1) in paragraph (3)—

(A) in subparagraph (K), by striking “7505a) and if such project will result in an airport receiving appropriate” and inserting “7505a) and if the airport would be able to receive”;

(B) by striking subparagraph (L) and inserting the following:

“(L) a project by a commercial service airport for the acquisition of airport-owned vehicles or ground support equipment equipped with low-emission technology if the airport is located in an air quality nonattainment or maintenance area (as defined in sections 171(2) and 175A of the Clean Air Act (42 U.S.C. 7501(2); 7505a)), if the airport would be able to receive appropriate emission credits (as described in section 47139), and the vehicles are;

“(i) used exclusively on airport property; or

“(ii) used exclusively to transport passengers and employees between the airport and the airport’s consolidated rental car facility or an intermodal surface transportation facility adjacent to the airport.”; and

(C) by adding at the end the following:

“(P) an on-airport project to improve the reliability and efficiency of the airport’s power supply and to prevent power disruptions to the airfield, passenger terminal, and any other airport facilities, including the acquisition and installation of electrical generators, separation of the airport’s main power supply from its redundant power supply, and the construction or modification of airport facilities to install a microgrid (as defined in section 641 of the United States Energy Storage Competitiveness Act of 2007 (42 U.S.C. 17231)).

“(Q) converting or retrofitting vehicles and ground support equipment into eligible zero-emission vehicles and equipment (as defined in section 47136) and for acquiring, by purchase or lease, eligible zero-emission vehicles and equipment.

“(R) predevelopment planning, including financial, legal, or procurement consulting services, related to an application or proposed application for an exemption under section 47134.”;

(2) in paragraph (5), by striking “regulations” and inserting “requirements”; and

(3) in paragraph (8), by striking “public” and inserting “public-use”.

SEC. 166. PILOT PROGRAM SUNSETS.

(a) IN GENERAL.—Sections 47136 and 47140 of title 49, United States Code, are repealed.

(b) CONFORMING AMENDMENTS.—

(1) Sections 47136a and 47140a of title 49, United States Code, are redesignated as sections 47136 and 47140, respectively.

(2) Section 47139 of title 49, United States Code, is amended—

(A) by striking subsection (c); and

(B) by redesignating subsection (d) as subsection (c).

(c) CLERICAL AMENDMENTS.—The analysis for chapter 471 of title 49, United States Code, is amended—

(1) by striking the items relating to sections 47136, 47136a, 47140, and 47140a;

(2) by inserting after the item relating to section 47135 the following:

“47136. Zero-emission airport vehicles and infrastructure.”; and

(3) by inserting after the item relating to section 47139 the following:

“47140. Increasing the energy efficiency of airport power sources.”.

SEC. 167. BUY AMERICA REQUIREMENTS.

(a) NOTICE OF WAIVERS.—If the Secretary of Transportation determines that it is necessary to waive the application of section 50101(a) of title 49, United States Code, based on a finding under section 50101(b) of that title, the Secretary, at least 10 days before the date on which the waiver takes effect, shall—

(1) make publicly available, in an easily identifiable location on the website of the Department of Transportation, a detailed written justification of the waiver determination; and

(2) provide an informal public notice and comment opportunity on the waiver determination.

(b) ANNUAL REPORT.—For each fiscal year, the Secretary shall submit to the appropriate committees of Congress a report on waivers issued under section 50101 of title 49, United States Code, during the fiscal year.

Subtitle D—Airport Noise and Environmental Streamlining

SEC. 171. FUNDING ELIGIBILITY FOR AIRPORT ENERGY EFFICIENCY ASSESSMENTS.

(a) COST REIMBURSEMENTS.—Section 47140(a) of title 49, United States Code, as so redesignated, is amended by striking “airport,” and inserting “airport, and to reimburse the airport sponsor for the costs incurred in conducting the assessment.”.

(b) SAFETY PRIORITY.—Section 47140(b)(2) of title 49, United States Code, as so redesignated, is amended by inserting “, including a certification that no safety projects are being deferred by requesting a grant under this section,” after “an application”.

SEC. 172. AUTHORIZATION OF CERTAIN FLIGHTS BY STAGE 2 AIRCRAFT.

(a) IN GENERAL.—Notwithstanding chapter 475 of title 49, United States Code, not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a pilot program to permit an operator of a stage 2 aircraft to operate that aircraft in nonrevenue service into not more than 4 medium hub airports or nonhub airports if—

(1) the airport—

(A) is certified under part 139 of title 14, Code of Federal Regulations;

(B) has a runway that—

(i) is longer than 8,000 feet and not less than 200 feet wide; and

(ii) is load bearing with a pavement classification number of not less than 38; and

(C) has a maintenance facility with a maintenance certificate issued under part 145 of such title; and

(2) the operator of the stage 2 aircraft operates not more than 10 flights per month using that aircraft.

(b) TERMINATION.—The pilot program shall terminate on the earlier of—

(1) the date that is 10 years after the date of the enactment of this Act; or

(2) the date on which the Administrator determines that no stage 2 aircraft remain in service.

(c) DEFINITIONS.—In this section:

(1) MEDIUM HUB AIRPORT; NONHUB AIRPORT.—The terms “medium hub airport” and “nonhub airport” have the meanings given those terms in section 40102 of title 49, United States Code.

(2) STAGE 2 AIRCRAFT.—The term “stage 2 aircraft” has the meaning given the term “stage 2 airplane” in section 91.851 of title 14, Code of Federal Regulations (as in effect on the day before the date of the enactment of this Act).

SEC. 173. ALTERNATIVE AIRPLANE NOISE METRIC EVALUATION DEADLINE.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete the ongoing evaluation of alternative metrics to the current Day Night Level (DNL) 65 standard.

SEC. 174. UPDATING AIRPORT NOISE EXPOSURE MAPS.

Section 47503(b) of title 49, United States Code, is amended to read as follows:

“(b) REVISED MAPS.—

“(1) IN GENERAL.—An airport operator that submits a noise exposure map under subsection (a) shall submit a revised map to the Secretary if, in an area surrounding an airport, a change in the operation of the airport would establish a substantial new non-compatible use, or would significantly reduce noise over existing noncompatible uses, that is not reflected in either the existing conditions map or forecast map currently on file with the Federal Aviation Administration.

“(2) TIMING.—A submission under paragraph (1) shall be required only if the relevant change in the operation of the airport occurs during—

“(A) the forecast period of the applicable noise exposure map submitted by an airport operator under subsection (a); or

“(B) the implementation period of the airport operator’s noise compatibility program.”.

SEC. 175. ADDRESSING COMMUNITY NOISE CONCERNS.

When proposing a new area navigation departure procedure, or amending an existing procedure that would direct aircraft between the surface and 6,000 feet above ground level over noise sensitive areas, the Administrator of the Federal Aviation Administration shall consider the feasibility of dispersal headings or other lateral track variations to address community noise concerns, if—

(1) the affected airport operator, in consultation with the affected community, submits a request to the Administrator for such a consideration;

(2) the airport operator’s request would not, in the judgment of the Administrator, conflict with the safe and efficient operation of the national airspace system; and

(3) the effect of a modified departure procedure would not significantly increase noise over noise sensitive areas, as determined by the Administrator.

SEC. 176. COMMUNITY INVOLVEMENT IN FAA NEXTGEN PROJECTS LOCATED IN METROPLEXES.

(a) COMMUNITY INVOLVEMENT POLICY.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete a review of the Federal Aviation Administration’s community involvement practices for Next Generation Air Transportation System (NextGen) projects located in metroplexes identified by the Administration. The review shall include, at a minimum, a determination of how and when to engage airports and communities in performance-based navigation proposals.

(b) REPORT.—Not later than 60 days after completion of the review, the Administrator shall submit to the appropriate committees of Congress a report on—

(1) how the Administration will improve community involvement practices for NextGen projects located in metroplexes;

(2) how and when the Administration will engage airports and communities in performance-based navigation proposals; and

(3) lessons learned from NextGen projects and pilot programs and how those lessons learned are being integrated into community involvement practices for future NextGen projects located in metroplexes.

SEC. 177. LEAD EMISSIONS.

(a) STUDY.—The Secretary of Transportation shall enter into appropriate arrangements with the National Academies of Sciences, Engineering, and Medicine under which the National Research Council will study aviation gasoline.

(b) CONTENTS.—The study shall include an assessment of—

(1) existing non-leaded fuel alternatives to the aviation gasoline used by piston-powered general aviation aircraft;

(2) ambient lead concentrations at and around airports where piston-powered general aviation aircraft are used; and

(3) mitigation measures to reduce ambient lead concentrations, including increasing the size of run-up areas, relocating run-up areas, imposing restrictions on aircraft using aviation gasoline, and increasing the use of motor gasoline in piston-powered general aviation aircraft.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress the study developed by the National Research Council pursuant to this section.

SEC. 178. TERMINAL SEQUENCING AND SPACING.

Not later than 60 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall provide a briefing to the appropriate committees of Congress on the status of Terminal Sequencing and Spacing (TSAS) implementation across all completed NextGen metroplexes with specific information provided by airline regarding the adoption and equipping of aircraft and the training of pilots in its use.

SEC. 179. AIRPORT NOISE MITIGATION AND SAFETY STUDY.

(a) **STUDY.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall initiate a study to review and evaluate existing studies and analyses of the relationship between jet aircraft approach and takeoff speeds and corresponding noise impacts on communities surrounding airports.

(b) **CONSIDERATIONS.**—In conducting the study initiated under subsection (a), the Administrator shall determine—

(1) whether a decrease in jet aircraft approach or takeoff speeds results in significant aircraft noise reductions;

(2) whether the jet aircraft approach or takeoff speed reduction necessary to achieve significant noise reductions—

(A) jeopardizes aviation safety; or

(B) decreases the efficiency of the National Airspace System, including lowering airport capacity, increasing travel times, or increasing fuel burn;

(3) the advisability of using jet aircraft approach or takeoff speeds as a noise mitigation technique; and

(4) if the Administrator determines that using jet aircraft approach or takeoff speeds as a noise mitigation technique is advisable, whether any of the metropolitan areas specifically identified in section 189(b)(2) would benefit from such a noise mitigation technique without a significant impact to aviation safety or the efficiency of the National Airspace System.

(c) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the study initiated under subsection (a).

SEC. 180. REGIONAL OMBUDSMEN.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, with respect to each region of the Federal Aviation Administration, the Regional Administrator for that region shall designate an individual to be the Regional Ombudsman for the region.

(b) **REQUIREMENTS.**—Each Regional Ombudsman shall—

(1) serve as a regional liaison with the public, including community groups, on issues regarding aircraft noise, pollution, and safety;

(2) make recommendations to the Administrator for the region to address concerns raised by the public and improve the consideration of public comments in decision-making processes; and

(3) be consulted on proposed changes in aircraft operations affecting the region, including arrival and departure routes, in order to minimize environmental impacts, including noise.

SEC. 181. FAA LEADERSHIP ON CIVIL SUPERSONIC AIRCRAFT.

(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall exercise leadership in the creation of Federal and international policies, regulations, and standards relating to the certification and safe and efficient operation of civil supersonic aircraft.

(b) **EXERCISE OF LEADERSHIP.**—In carrying out subsection (a), the Administrator shall—

(1) consider the needs of the aerospace industry and other stakeholders when creating policies, regulations, and standards that enable the safe commercial deployment of civil supersonic aircraft technology and the safe and efficient operation of civil supersonic aircraft; and

(2) obtain the input of aerospace industry stakeholders regarding—

(A) the appropriate regulatory framework and timeline for permitting the safe and efficient operation of civil supersonic aircraft within United States airspace, including updating or modifying existing regulations on such operation;

(B) issues related to standards and regulations for the type certification and safe operation of civil supersonic aircraft, including noise certification, including—

(i) the operational differences between subsonic aircraft and supersonic aircraft;

(ii) costs and benefits associated with landing and takeoff noise requirements for civil supersonic aircraft, including impacts on aircraft emissions;

(iii) public and economic benefits of the operation of civil supersonic aircraft and associated aerospace industry activity; and

(iv) challenges relating to ensuring that standards and regulations aimed at relieving and protecting the public health and welfare from aircraft noise and sonic booms are economically reasonable, technologically practicable, and appropriate for civil supersonic aircraft; and

(C) other issues identified by the Administrator or the aerospace industry that must be addressed to enable the safe commercial deployment and safe and efficient operation of civil supersonic aircraft.

(c) **INTERNATIONAL LEADERSHIP.**—The Administrator, in the appropriate international forums, shall take actions that—

(1) demonstrate global leadership under subsection (a);

(2) address the needs of the aerospace industry identified under subsection (b); and

(3) protect the public health and welfare.

(d) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report detailing—

(1) the Administrator's actions to exercise leadership in the creation of Federal and international policies, regulations, and standards relating to the certification and safe and efficient operation of civil supersonic aircraft;

(2) planned, proposed, and anticipated actions to update or modify existing policies and regulations related to civil supersonic aircraft, including those identified as a result of industry consultation and feedback; and

(3) a timeline for any actions to be taken to update or modify existing policies and regulations related to civil supersonic aircraft.

(e) **LONG-TERM REGULATORY REFORM.**—

(1) **NOISE STANDARDS.**—Not later than March 31, 2020, the Administrator shall issue a notice of proposed rulemaking to revise part 36 of title 14, Code of Federal Regulations, to include supersonic aircraft in the applicability of such part. The proposed rule shall include necessary definitions, noise standards for landing and takeoff, and noise test requirements that would apply to a civil supersonic aircraft.

(2) **SPECIAL FLIGHT AUTHORIZATIONS.**—Not later than December 31, 2019, the Administrator shall issue a notice of proposed rulemaking to revise appendix B of part 91 of title 14, Code of Federal Regulations, to modernize the application process for a person applying to operate a civil aircraft at super-

sonic speeds for the purposes stated in that rule.

(f) **NEAR-TERM CERTIFICATION OF SUPERSONIC CIVIL AIRCRAFT.**—

(1) **IN GENERAL.**—If a person submits an application requesting type certification of a civil supersonic aircraft pursuant to part 21 of title 14, Code of Federal Regulations, before the Administrator promulgates a final rule amending part 36 of title 14, Code of Federal Regulations, in accordance with subsection (e)(1), the Administrator shall, not later than 18 months after having received such application, issue a notice of proposed rulemaking applicable solely for the type certification, inclusive of the aircraft engines, of the supersonic aircraft design for which such application was made.

(2) **CONTENTS.**—A notice of proposed rulemaking described in paragraph (1) shall—

(A) address safe operation of the aircraft type, including development and flight testing prior to type certification;

(B) address manufacturing of the aircraft;

(C) address continuing airworthiness of the aircraft;

(D) specify landing and takeoff noise standards for that aircraft type that the Administrator considers appropriate, practicable, and consistent with section 44715 of title 49, United States Code; and

(E) consider differences between subsonic and supersonic aircraft including differences in thrust requirements at equivalent gross weight, engine requirements, aerodynamic characteristics, operational characteristics, and other physical properties.

(3) **NOISE AND PERFORMANCE DATA.**—The requirement of the Administrator to issue a notice of proposed rulemaking under paragraph (1) shall apply only if an application contains sufficient aircraft noise and performance data as the Administrator finds necessary to determine appropriate noise standards and operating limitations for the aircraft type consistent with section 44715 of title 49, United States Code.

(4) **FINAL RULE.**—Not later than 18 months after the end of the public comment period provided in the notice of proposed rulemaking required under paragraph (1), the Administrator shall publish in the Federal Register a final rule applying solely to the aircraft model submitted for type certification.

(5) **REVIEW OF RULES OF CIVIL SUPERSONIC FLIGHTS.**—Beginning December 31, 2020, and every 2 years thereafter, the Administrator shall review available aircraft noise and performance data, and consult with heads of appropriate Federal agencies, to determine whether section 91.817 of title 14, Code of Federal Regulations, and Appendix B of part 91 of title 14, Code of Federal Regulations, may be amended, consistent with section 44715 of title 49, United States Code, to permit supersonic flight of civil aircraft over land in the United States.

(6) **IMPLEMENTATION OF NOISE STANDARDS.**—The portion of the regulation issued by the Administrator of the Federal Aviation Administration titled “Revision of General Operating and Flight Rules” and published in the Federal Register on August 18, 1989 (54 Fed. Reg. 34284) that restricts operation of civil aircraft at a true flight Mach number greater than 1 shall have no force or effect beginning on the date on which the Administrator publishes in the Federal Register a final rule specifying sonic boom noise standards for civil supersonic aircraft.

SEC. 182. MANDATORY USE OF THE NEW YORK NORTH SHORE HELICOPTER ROUTE.

(a) **PUBLIC COMMENT PERIOD.**—

(1) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall provide notice of, and an opportunity for, at least 60 days of public comment with respect to the regulations in subpart H of part 93 of title 14, Code of Federal Regulations.

(2) **TIMING.**—The public comment period required under paragraph (1) shall begin not later than 30 days after the date of enactment of this Act.

(b) **PUBLIC HEARING.**—Not later than 30 days after the date of enactment of this Act, the Administrator shall hold a public hearing in the communities impacted by the regulations described in subsection (a)(1) to solicit feedback with respect to the regulations.

(c) **REVIEW.**—Not later than 30 days after the date of enactment of this Act, the Administrator shall initiate a review of the regulations described in subsection (a)(1) that assesses the—

(1) noise impacts of the regulations for communities, including communities in locations where aircraft are transitioning to or from a destination or point of landing;

(2) enforcement of applicable flight standards, including requirements for helicopters operating on the relevant route to remain at or above 2,500 feet mean sea level; and

(3) availability of alternative or supplemental routes to reduce the noise impacts of the regulations, including the institution of an all water route over the Atlantic Ocean.

SEC. 183. STATE STANDARDS FOR AIRPORT PAVEMENTS.

Section 47105(c) of title 49, United States Code, is amended—

(1) by inserting “(1) **IN GENERAL.**—” before “The Secretary” the first place it appears; and

(2) by adding at the end the following:

“(2) **PAVEMENT STANDARDS.**—

“(A) **TECHNICAL ASSISTANCE.**—At the request of a State, the Secretary shall, not later than 30 days after the date of the request, provide technical assistance to the State in developing standards, acceptable to the Secretary under subparagraph (B), for pavement on nonprimary public-use airports in the State.

“(B) **REQUIREMENTS.**—The Secretary shall—

“(i) continue to provide technical assistance under subparagraph (A) until the standards are approved under paragraph (1); and

“(ii) clearly indicate to the State the standards that are acceptable to the Secretary, considering, at a minimum, local conditions and locally available materials.”.

SEC. 184. ELIGIBILITY OF PILOT PROGRAM AIRPORTS.

(a) **DISCRETIONARY FUND.**—Section 47115 of title 49, United States Code, is further amended by adding at the end the following:

“(k) **PARTNERSHIP PROGRAM AIRPORTS.**—

“(1) **AUTHORITY.**—The Secretary may make grants with funds made available under this section for an airport participating in the program under section 47134 if—

“(A) the Secretary has approved the application of an airport sponsor under section 47134(b) in fiscal year 2019; and

“(B) the grant will—

“(i) satisfy an obligation incurred by an airport sponsor under section 47110(e) or funded by a nonpublic sponsor for an airport development project on the airport; or

“(ii) provide partial Federal reimbursement for airport development (as defined in section 47102) on the airport layout plan initiated in the fiscal year in which the application was approved, or later, for over a period of not more than 10 years.

“(2) **NONAPPLICABILITY OF CERTAIN SECTIONS.**—Grants made under this subsection shall not be subject to—

“(A) subsection (c) of this section;

“(B) section 47117(e); or

“(C) any other apportionment formula, special apportionment category, or minimum percentage set forth in this chapter.”.

(b) **ALLOWABLE PROJECT COSTS; LETTERS OF INTENT.**—Section 47110(e) of such title is amended by adding at the end the following:

“(7) **PARTNERSHIP PROGRAM AIRPORTS.**—The Secretary may issue a letter of intent under this section to an airport sponsor with an approved application under section 47134(b) if—

“(A) the application was approved in fiscal year 2019; and

“(B) the project meets all other requirements set forth in this chapter.”.

SEC. 185. GRANDFATHERING OF CERTAIN DEED AGREEMENTS GRANTING THROUGH-THE-FENCE ACCESS TO GENERAL AVIATION AIRPORTS.

Section 47107(s) of title 49, United States Code, is amended by adding at the end the following:

“(3) **EXEMPTION.**—The terms and conditions of paragraph (2) shall not apply to an agreement described in paragraph (1) made before the enactment of the FAA Modernization and Reform Act of 2012 (Public Law 112-95) that the Secretary determines does not comply with such terms and conditions but involves property that is subject to deed or lease restrictions that are considered perpetual and that cannot readily be brought into compliance. However, if the Secretary determines that the airport sponsor and residential property owners are able to make any modification to such an agreement on or after the date of enactment of this paragraph, the exemption provided by this paragraph shall no longer apply.”.

SEC. 186. STAGE 3 AIRCRAFT STUDY.

(a) **STUDY.**—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of the potential benefits, costs, and other impacts that would result from a phaseout of covered stage 3 aircraft.

(b) **CONTENTS.**—The review shall include—

(1) a determination of the number, types, frequency of operations, and owners and operators of covered stage 3 aircraft;

(2) an analysis of the potential benefits, costs, and other impacts to air carriers, general aviation operators, airports, communities surrounding airports, and the general public associated with phasing out or reducing the operations of covered stage 3 aircraft, assuming such a phaseout or reduction is put into effect over a reasonable period of time;

(3) a determination of lessons learned from the phaseout of stage 2 aircraft that might be applicable to a phaseout or reduction in the operations of covered stage 3 aircraft, including comparisons between the benefits, costs, and other impacts associated with the phaseout of stage 2 aircraft and the potential benefits, costs, and other impacts determined under paragraph (2);

(4) a determination of the costs and logistical challenges associated with recertifying stage 3 aircraft capable of meeting stage 4 noise levels; and

(5) a determination of stakeholder views on the feasibility and desirability of phasing out covered stage 3 aircraft, including the views of—

(A) air carriers;

(B) airports;

(C) communities surrounding airports;

(D) aircraft and avionics manufacturers;

(E) operators of covered stage 3 aircraft other than air carriers; and

(F) such other stakeholders and aviation experts as the Comptroller General considers appropriate.

(c) **REPORT.**—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review.

(d) **COVERED STAGE 3 AIRCRAFT DEFINED.**—In this section, the term “covered stage 3 aircraft” means a civil subsonic jet aircraft that is not capable of meeting the stage 4

noise levels in part 36 of title 14, Code of Federal Regulations.

SEC. 187. AIRCRAFT NOISE EXPOSURE.

(a) **REVIEW.**—The Administrator of the Federal Aviation Administration shall conclude the Administrator's ongoing review of the relationship between aircraft noise exposure and its effects on communities around airports.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to Congress a report containing the results of the review.

(2) **PRELIMINARY RECOMMENDATIONS.**—The report shall contain such preliminary recommendations as the Administrator determines appropriate for revising the land use compatibility guidelines in part 150 of title 14, Code of Federal Regulations, based on the results of the review and in coordination with other agencies.

SEC. 188. STUDY REGARDING DAY-NIGHT AVERAGE SOUND LEVELS.

(a) **STUDY.**—The Administrator of the Federal Aviation Administration shall evaluate alternative metrics to the current average day-night level standard, such as the use of actual noise sampling and other methods, to address community airplane noise concerns.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the study under subsection (a).

SEC. 189. STUDY ON POTENTIAL HEALTH AND ECONOMIC IMPACTS OF OVER-FLIGHT NOISE.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall enter into an agreement with an eligible institution of higher education to conduct a study on the health impacts of noise from aircraft flights on residents exposed to a range of noise levels from such flights.

(b) **SCOPE OF STUDY.**—The study conducted under subsection (a) shall—

(1) include an examination of the incremental health impacts attributable to noise exposure that result from aircraft flights, including sleep disturbance and elevated blood pressure;

(2) be focused on residents in the metropolitan area of—

(A) Boston;

(B) Chicago;

(C) the District of Columbia;

(D) New York;

(E) the Northern California Metroplex;

(F) Phoenix;

(G) the Southern California Metroplex;

(H) Seattle; or

(I) such other area as may be identified by the Administrator;

(3) consider, in particular, the incremental health impacts on residents living partly or wholly underneath flight paths most frequently used by aircraft flying at an altitude lower than 10,000 feet, including during takeoff or landing;

(4) include an assessment of the relationship between a perceived increase in aircraft noise, including as a result of a change in flight paths that increases the visibility of aircraft from a certain location, and an actual increase in aircraft noise, particularly in areas with high or variable levels of non-aircraft-related ambient noise; and

(5) consider the economic harm or benefits to businesses located partly or wholly underneath flight paths most frequently used by aircraft flying at an altitude lower than 10,000 feet, including during takeoff or landing.

(c) **ELIGIBILITY.**—An institution of higher education is eligible to conduct the study if the institution—

(1) has—

(A) a school of public health that has participated in the Center of Excellence for Aircraft Noise and Aviation Emissions Mitigation of the Federal Aviation Administration; or

(B) a center for environmental health that receives funding from the National Institute of Environmental Health Sciences;

(2) is located in one of the areas identified in subsection (b);

(3) applies to the Administrator in a timely fashion;

(4) demonstrates to the satisfaction of the Administrator that the institution is qualified to conduct the study;

(5) agrees to submit to the Administrator, not later than 3 years after entering into an agreement under subsection (a), the results of the study, including any source materials used; and

(6) meets such other requirements as the Administrator determines necessary.

(d) **SUBMISSION OF STUDY.**—Not later than 90 days after the Administrator receives the results of the study, the Administrator shall submit to the appropriate committees of Congress the study and a summary of the results.

SEC. 190. ENVIRONMENTAL MITIGATION PILOT PROGRAM.

(a) **IN GENERAL.**—The Secretary of Transportation may carry out a pilot program involving not more than 6 projects at public-use airports in accordance with this section.

(b) **GRANTS.**—In carrying out the program, the Secretary may make grants to sponsors of public-use airports from funds apportioned under section 47117(e)(1)(A) of title 49, United States Code.

(c) **USE OF FUNDS.**—Amounts from a grant received by the sponsor of a public-use airport under the program shall be used for environmental mitigation projects that will measurably reduce or mitigate aviation impacts on noise, air quality, or water quality at the airport or within 5 miles of the airport.

(d) **ELIGIBILITY.**—Notwithstanding any other provision of chapter 471 of title 49, United States Code, an environmental mitigation project approved under this section shall be treated as eligible for assistance under that chapter.

(e) **SELECTION CRITERIA.**—In selecting from among applicants for participation in the program, the Secretary may give priority consideration to projects that—

(1) will achieve the greatest reductions in aircraft noise, airport emissions, or airport water quality impacts either on an absolute basis or on a per dollar of funds expended basis; and

(2) will be implemented by an eligible consortium.

(f) **FEDERAL SHARE.**—The Federal share of the cost of a project carried out under the program shall be 50 percent.

(g) **MAXIMUM AMOUNT.**—Not more than \$2,500,000 may be made available by the Secretary in grants under the program for any single project.

(h) **IDENTIFYING BEST PRACTICES.**—The Secretary may establish and publish information identifying best practices for reducing or mitigating aviation impacts on noise, air quality, and water quality at airports or in the vicinity of airports based on the projects carried out under the program.

(i) **SUNSET.**—The program shall terminate 5 years after the Secretary makes the first grant under the program.

(j) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **ELIGIBLE CONSORTIUM.**—The term “eligible consortium” means a consortium that is composed of 2 or more of the following entities:

(A) Businesses incorporated in the United States.

(B) Public or private educational or research organizations located in the United States.

(C) Entities of State or local governments in the United States.

(D) Federal laboratories.

(2) **ENVIRONMENTAL MITIGATION PROJECT.**—The term “environmental mitigation project” means a project that—

(A) introduces new environmental mitigation techniques or technologies that have been proven in laboratory demonstrations;

(B) proposes methods for efficient adaptation or integration of new concepts into airport operations; and

(C) will demonstrate whether new techniques or technologies for environmental mitigation are—

(i) practical to implement at or near multiple public-use airports; and

(ii) capable of reducing noise, airport emissions, or water quality impacts in measurably significant amounts.

(k) **AUTHORIZATION FOR THE TRANSFER OF FUNDS FROM DEPARTMENT OF DEFENSE.**—

(1) **IN GENERAL.**—The Administrator of the Federal Aviation Administration may accept funds from the Secretary of Defense to increase the authorized funding for this section by the amount of such transfer only to carry out projects designed for environmental mitigation at a site previously, but not currently, managed by the Department of Defense.

(2) **ADDITIONAL GRANTEES.**—If additional funds are made available by the Secretary of Defense under paragraph (1), the Administrator may increase the number of grantees under subsection (a).

SEC. 191. EXTENDING AVIATION DEVELOPMENT STREAMLINING.

(a) **IN GENERAL.**—Section 47171 of title 49, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by inserting “general aviation airport construction or improvement projects,” after “congested airports,”;

(2) in subsection (b)—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) by inserting after paragraph (1) the following:

“(2) **GENERAL AVIATION AIRPORT CONSTRUCTION OR IMPROVEMENT PROJECT.**—A general aviation airport construction or improvement project shall be subject to the coordinated and expedited environmental review process requirements set forth in this section.”;

(3) in subsection (c)(1), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”;

(4) in subsection (d), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”;

(5) in subsection (h), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”;

(6) in subsection (k), by striking “subsection (b)(2)” and inserting “subsection (b)(3)”.

(b) **DEFINITIONS.**—Section 47175 of title 49, United States Code, is amended by adding at the end the following:

“(8) **GENERAL AVIATION AIRPORT CONSTRUCTION OR IMPROVEMENT PROJECT.**—The term ‘general aviation airport construction or improvement project’ means—

“(A) a project for the construction or extension of a runway, including any land acquisition, helipad, taxiway, safety area, apron, or navigational aids associated with the runway or runway extension, at a general aviation airport, a reliever airport, or a commercial service airport that is not a primary airport (as such terms are defined in section 47102); and

“(B) any other airport development project that the Secretary designates as facilitating aviation capacity building projects at a general aviation airport.”.

SEC. 192. ZERO-EMISSION VEHICLES AND TECHNOLOGY.

(a) **IN GENERAL.**—Section 47136 of title 49, United States Code, as so redesignated, is amended—

(1) by striking subsections (a) and (b) and inserting the following:

“(a) **IN GENERAL.**—The Secretary of Transportation may establish a pilot program under which the sponsors of public-use airports may use funds made available under this chapter or section 48103 for use at such airports to carry out—

“(1) activities associated with the acquisition, by purchase or lease, and operation of eligible zero-emission vehicles and equipment, including removable power sources for such vehicles; and

“(2) the construction or modification of infrastructure to facilitate the delivery of fuel, power or services necessary for the use of such vehicles.

“(b) **ELIGIBILITY.**—A public-use airport is eligible for participation in the program if the eligible vehicles or equipment are—

“(1) used exclusively on airport property; or

“(2) used exclusively to transport passengers and employees between the airport and—

“(A) nearby facilities which are owned or controlled by the airport or which otherwise directly support the functions or services provided by the airport; or

“(B) an intermodal surface transportation facility adjacent to the airport.”;

(2) by striking subsections (d) through (f) and inserting the following:

“(d) **FEDERAL SHARE.**—The Federal share of the cost of a project carried out under the program shall be the Federal share specified in section 47109.

“(e) **TECHNICAL ASSISTANCE.**—

“(1) **IN GENERAL.**—The sponsor of a public-use airport may use not more than 10 percent of the amounts made available to the sponsor under the program in any fiscal year for—

“(A) technical assistance; and

“(B) project management support to assist the airport with the solicitation, acquisition, and deployment of zero-emission vehicles, related equipment, and supporting infrastructure.

“(2) **PROVIDERS OF TECHNICAL ASSISTANCE.**—To receive the technical assistance or project management support described in paragraph (1), participants in the program may use—

“(A) a nonprofit organization selected by the Secretary; or

“(B) a university transportation center receiving grants under section 5505 in the region of the airport.

“(f) **MATERIALS IDENTIFYING BEST PRACTICES.**—The Secretary may create and make available materials identifying best practices for carrying out activities funded under the program based on previous related projects and other sources.

“(g) **ALLOWABLE PROJECT COST.**—The allowable project cost for the acquisition of a zero-emission vehicle shall be the total cost of purchasing or leasing the vehicle, including the cost of technical assistance or project management support described in subsection (e).

“(h) **FLEXIBLE PROCUREMENT.**—A sponsor of a public-use airport may use funds made available under the program to acquire, by purchase or lease, a zero-emission vehicle and a removable power source in separate transactions, including transactions by which the airport purchases the vehicle and leases the removable power source.

“(i) TESTING REQUIRED.—

“(1) IN GENERAL.—A sponsor of a public-use airport may not use funds made available under the program to acquire a zero-emission vehicle unless that make, model, or type of vehicle has been tested by a Federal vehicle testing facility acceptable to the Secretary.

“(2) PENALTIES FOR FALSE STATEMENTS.—A certification of compliance under paragraph (1) shall be considered a certification required under this subchapter for purposes of section 47126.

“(j) DEFINITIONS.—In this section, the following definitions apply:

“(1) ELIGIBLE ZERO-EMISSION VEHICLE AND EQUIPMENT.—The term ‘eligible zero-emission vehicle and equipment’ means a zero-emission vehicle, equipment related to such a vehicle, or ground support equipment that includes zero-emission technology that is—

“(A) used exclusively on airport property; or

“(B) used exclusively to transport passengers and employees between the airport and—

“(i) nearby facilities which are owned or controlled by the airport or which otherwise directly support the functions or services provided by the airport; or

“(ii) an intermodal surface transportation facility adjacent to the airport.

“(2) REMOVABLE POWER SOURCE.—The term ‘removable power source’ means a power source that is separately installed in, and removable from, a zero-emission vehicle and may include a battery, a fuel cell, an ultracapacitor, or other power source used in a zero-emission vehicle.

“(3) ZERO-EMISSION VEHICLE.—The term ‘zero-emission vehicle’ means—

“(A) a zero-emission vehicle as defined in section 88.102–94 of title 40, Code of Federal Regulations; or

“(B) a vehicle that produces zero exhaust emissions of any criteria pollutant (or precursor pollutant) under any possible operational modes and conditions.”

(b) SPECIAL APPORTIONMENT CATEGORIES.—Section 47117(e)(1)(A) of title 49, United States Code, is amended by inserting “for airport development described in section 47102(3)(Q),” after “under section 47141.”

(c) DEPLOYMENT OF ZERO EMISSION VEHICLE TECHNOLOGY.—

(1) ESTABLISHMENT.—The Secretary of Transportation may establish a zero-emission airport technology program—

(A) to facilitate the deployment of commercially viable zero-emission airport vehicles, technology, and related infrastructure; and

(B) to minimize the risk of deploying such vehicles, technology, and infrastructure.

(2) GENERAL AUTHORITY.—

(A) ASSISTANCE TO NONPROFIT ORGANIZATIONS.—The Secretary may provide assistance under the program to not more than 3 geographically diverse, eligible organizations to conduct zero-emission airport technology and infrastructure projects.

(B) FORMS OF ASSISTANCE.—The Secretary may provide assistance under the program in the form of grants, contracts, and cooperative agreements.

(3) SELECTION OF PARTICIPANTS.—

(A) NATIONAL SOLICITATION.—In selecting participants, the Secretary shall—

(i) conduct a national solicitation for applications for assistance under the program; and

(ii) select the recipients of assistance under the program on a competitive basis.

(B) CONSIDERATIONS.—In selecting from among applicants for assistance under the program, the Secretary shall consider—

(i) the ability of an applicant to contribute significantly to deploying zero-emission

technology as the technology relates to airport operations;

(ii) the financing plan and cost-share potential of the applicant; and

(iii) other factors, as the Secretary determines appropriate.

(C) PRIORITY.—In selecting from among applicants for assistance under the program, the Secretary shall give priority consideration to an applicant that has successfully managed advanced transportation technology projects, including projects related to zero-emission transportation operations.

(4) ELIGIBLE PROJECTS.—A recipient of assistance under the program shall use the assistance—

(A) to review and conduct demonstrations of zero-emission technologies and related infrastructure at airports;

(B) to evaluate the credibility of new, unproven vehicle and energy-efficient technologies in various aspects of airport operations prior to widespread investment in the technologies by airports and the aviation industry;

(C) to collect data and make the recipient’s findings available to airports, so that airports can evaluate the applicability of new technologies to their facilities; and

(D) to report the recipient’s findings to the Secretary.

(5) ADMINISTRATIVE PROVISIONS.—

(A) FEDERAL SHARE.—The Federal share of the cost of a project carried out under the program may not exceed 80 percent.

(B) TERMS AND CONDITIONS.—A grant, contract, or cooperative agreement under this section shall be subject to such terms and conditions as the Secretary determines appropriate.

(6) DEFINITIONS.—In this subsection, the following definitions apply:

(A) ELIGIBLE ORGANIZATION.—The term “eligible organization” means an organization that has expertise in zero-emission technology.

(B) ORGANIZATION.—The term “organization” means—

(i) described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of the Internal Revenue Code of 1986;

(ii) a university transportation center receiving grants under section 5505 of title 49, United States Code; or

(iii) any other Federal or non-Federal entity as the Secretary considers appropriate.

TITLE II—FAA SAFETY CERTIFICATION REFORM

Subtitle A—General Provisions

SEC. 201. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the FAA.

(2) ADVISORY COMMITTEE.—The term “Advisory Committee” means the Safety Oversight and Certification Advisory Committee established under section 202.

(3) FAA.—The term “FAA” means the Federal Aviation Administration.

(4) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

(5) SYSTEMS SAFETY APPROACH.—The term “systems safety approach” means the application of specialized technical and managerial skills to the systematic, forward-looking identification and control of hazards throughout the lifecycle of a project, program, or activity.

SEC. 202. SAFETY OVERSIGHT AND CERTIFICATION ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish a Safety Oversight and Certification Advisory Committee.

(b) DUTIES.—The Advisory Committee shall provide advice to the Secretary on policy-level issues facing the aviation community that are related to FAA safety oversight and certification programs and activities, including, at a minimum, the following:

(1) Aircraft and flight standards certification processes, including efforts to streamline those processes.

(2) Implementation and oversight of safety management systems.

(3) Risk-based oversight efforts.

(4) Utilization of delegation and designation authorities, including organization designation authorization.

(5) Regulatory interpretation standardization efforts.

(6) Training programs.

(7) Expediting the rulemaking process and giving priority to rules related to safety.

(8) Enhancing global competitiveness of United States manufactured and United States certificated aerospace and aviation products and services throughout the world.

(c) FUNCTIONS.—In carrying out its duties under subsection (b), the Advisory Committee shall:

(1) Foster industry collaboration in an open and transparent manner.

(2) Consult with, and ensure participation by—

(A) the private sector, including representatives of—

(i) general aviation;

(ii) commercial aviation;

(iii) aviation labor;

(iv) aviation maintenance, repair, and overhaul;

(v) aviation, aerospace, and avionics manufacturing;

(vi) unmanned aircraft systems operators and manufacturers; and

(vii) the commercial space transportation industry;

(B) members of the public; and

(C) other interested parties.

(3) Recommend consensus national goals, strategic objectives, and priorities for the most efficient, streamlined, and cost-effective certification and safety oversight processes in order to maintain the safety of the aviation system and, at the same time, allow the FAA to meet future needs and ensure that aviation stakeholders remain competitive in the global marketplace.

(4) Provide policy guidance recommendations for the FAA’s certification and safety oversight efforts.

(5) On a regular basis, review and provide recommendations on the FAA’s certification and safety oversight efforts.

(6) Periodically review and evaluate registration, certification, and related fees.

(7) Provide appropriate legislative, regulatory, and guidance recommendations for the air transportation system and the aviation safety regulatory environment.

(8) Recommend performance objectives for the FAA and industry.

(9) Recommend performance metrics and goals to track and review the FAA and the regulated aviation industry on their progress towards streamlining certification reform, conducting flight standards reform, and carrying out regulation consistency efforts.

(10) Provide a venue for tracking progress toward national goals and sustaining joint commitments.

(11) Recommend recruiting, hiring, training, and continuing education objectives for FAA aviation safety engineers and aviation safety inspectors.

(12) Provide advice and recommendations to the FAA on how to prioritize safety rule-making projects.

(13) Improve the development of FAA regulations by providing information, advice, and recommendations related to aviation issues.

(14) Facilitate the validation and acceptance of United States manufactured and United States certificated products and services throughout the world.

(d) MEMBERSHIP.—

(1) IN GENERAL.—The Advisory Committee shall be composed of the following members:

(A) The Administrator (or the Administrator's designee).

(B) At least 11 individuals, appointed by the Secretary, each of whom represents at least 1 of the following interests:

(i) Transport aircraft and engine manufacturers.

(ii) General aviation aircraft and engine manufacturers.

(iii) Avionics and equipment manufacturers.

(iv) Aviation labor organizations, including collective bargaining representatives of FAA aviation safety inspectors and aviation safety engineers.

(v) General aviation operators.

(vi) Air carriers.

(vii) Business aviation operators.

(viii) Unmanned aircraft systems manufacturers and operators.

(ix) Aviation safety management experts.

(x) Aviation maintenance, repair, and overhaul.

(xi) Airport owners and operators.

(2) NONVOTING MEMBERS.—

(A) IN GENERAL.—In addition to the members appointed under paragraph (1), the Advisory Committee shall be composed of nonvoting members appointed by the Secretary from among individuals representing FAA safety oversight program offices.

(B) DUTIES.—The nonvoting members may—

(i) take part in deliberations of the Advisory Committee; and

(ii) provide input with respect to any final reports or recommendations of the Advisory Committee.

(C) LIMITATION.—The nonvoting members may not represent any stakeholder interest other than that of an FAA safety oversight program office.

(3) TERMS.—Each voting member and nonvoting member of the Advisory Committee appointed by the Secretary shall be appointed for a term of 2 years.

(4) COMMITTEE CHARACTERISTICS.—The Advisory Committee shall have the following characteristics:

(A) Each voting member under paragraph (1)(B) shall be an executive officer of the organization who has decisionmaking authority within the member's organization and can represent and enter into commitments on behalf of such organization.

(B) The ability to obtain necessary information from experts in the aviation and aerospace communities.

(C) A membership size that enables the Advisory Committee to have substantive discussions and reach consensus on issues in a timely manner.

(D) Appropriate expertise, including expertise in certification and risk-based safety oversight processes, operations, policy, technology, labor relations, training, and finance.

(5) LIMITATION ON STATUTORY CONSTRUCTION.—Public Law 104-65 (2 U.S.C. 1601 et seq.) may not be construed to prohibit or otherwise limit the appointment of any individual as a member of the Advisory Committee.

(e) CHAIRPERSON.—

(1) IN GENERAL.—The Chairperson of the Advisory Committee shall be appointed by the Secretary from among those members of the Advisory Committee that are voting members under subsection (d)(1)(B).

(2) TERM.—Each member appointed under paragraph (1) shall serve a term of 2 years as Chairperson.

(f) MEETINGS.—

(1) FREQUENCY.—The Advisory Committee shall meet at least twice each year at the call of the Chairperson.

(2) PUBLIC ATTENDANCE.—The meetings of the Advisory Committee shall be open and accessible to the public.

(g) SPECIAL COMMITTEES.—

(1) ESTABLISHMENT.—The Advisory Committee may establish special committees composed of private sector representatives, members of the public, labor representatives, and other relevant parties in complying with consultation and participation requirements under this section.

(2) RULEMAKING ADVICE.—A special committee established by the Advisory Committee may—

(A) provide rulemaking advice and recommendations to the Advisory Committee with respect to aviation-related issues;

(B) provide the FAA additional opportunities to obtain firsthand information and insight from those parties that are most affected by existing and proposed regulations; and

(C) assist in expediting the development, revision, or elimination of rules without circumventing public rulemaking processes and procedures.

(3) APPLICABLE LAW.—Public Law 92-463 shall not apply to a special committee established by the Advisory Committee.

(h) SUNSET.—The Advisory Committee shall terminate on the last day of the 6-year period beginning on the date of the initial appointment of the members of the Advisory Committee.

(i) TERMINATION OF AIR TRAFFIC PROCEDURES ADVISORY COMMITTEE.—The Air Traffic Procedures Advisory Committee established by the FAA shall terminate on the date of the initial appointment of the members of the Advisory Committee.

Subtitle B—Aircraft Certification Reform

SEC. 211. AIRCRAFT CERTIFICATION PERFORMANCE OBJECTIVES AND METRICS.

(a) IN GENERAL.—Not later than 120 days after the date on which the Advisory Committee is established under section 202, the Administrator shall establish performance objectives and apply and track performance metrics for the FAA and the aviation industry relating to aircraft certification in accordance with this section.

(b) COLLABORATION.—The Administrator shall carry out this section in collaboration with the Advisory Committee and update agency performance objectives and metrics after considering the recommendations of the Advisory Committee under paragraphs (8) and (9) of section 202(c).

(c) PERFORMANCE OBJECTIVES.—In carrying out subsection (a), the Administrator shall establish performance objectives for the FAA and the aviation industry to ensure that, with respect to aircraft certification, progress is made toward, at a minimum—

(1) eliminating certification delays and improving cycle times;

(2) increasing accountability for both the FAA and the aviation industry;

(3) achieving full utilization of FAA delegation and designation authorities, including organizational designation authorization;

(4) fully implementing risk management principles and a systems safety approach;

(5) reducing duplication of effort;

(6) increasing transparency;

(7) developing and providing training, including recurrent training, in auditing and a systems safety approach to certification oversight;

(8) improving the process for approving or accepting certification actions between the FAA and bilateral partners;

(9) maintaining and improving safety;

(10) streamlining the hiring process for—

(A) qualified systems safety engineers to support the FAA's efforts to implement a systems safety approach; and

(B) qualified systems engineers to guide the engineering of complex systems within the FAA; and

(11) maintaining the leadership of the United States in international aviation and aerospace.

(d) PERFORMANCE METRICS.—In carrying out subsection (a), the Administrator shall apply and track performance metrics for the FAA and the regulated aviation industry established by the Advisory Committee.

(e) DATA GENERATION.—

(1) BASELINES.—Not later than 1 year after the date on which the Advisory Committee recommends initial performance metrics for the FAA and the regulated aviation industry under section 202, the Administrator shall generate initial data with respect to each of the performance metrics applied and tracked under this section.

(2) BENCHMARKS TO MEASURE PROGRESS TOWARD GOALS.—The Administrator shall use the metrics applied and tracked under this section to generate data on an ongoing basis and to measure progress toward the achievement of national goals recommended by the Advisory Committee.

(f) PUBLICATION.—The Administrator shall make data generated using the performance metrics applied and tracked under this section available to the public in a searchable, sortable, and downloadable format through the internet website of the FAA or other appropriate methods and shall ensure that the data are made available in a manner that—

(1) does not provide identifying information regarding an individual or entity; and

(2) prevents inappropriate disclosure of proprietary information.

SEC. 212. ORGANIZATION DESIGNATION AUTHORIZATIONS.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, is amended by adding at the end the following:

“§ 44736. Organization designation authorizations

“(a) DELEGATIONS OF FUNCTIONS.—

“(1) IN GENERAL.—Except as provided in paragraph (3), when overseeing an ODA holder, the Administrator of the FAA shall—

“(A) require, based on an application submitted by the ODA holder and approved by the Administrator (or the Administrator's designee), a procedures manual that addresses all procedures and limitations regarding the functions to be performed by the ODA holder;

“(B) delegate fully to the ODA holder each of the functions to be performed as specified in the procedures manual, unless the Administrator determines, after the date of the delegation and as a result of an inspection or other investigation, that the public interest and safety of air commerce requires a limitation with respect to 1 or more of the functions;

“(C) conduct regular oversight activities by inspecting the ODA holder's delegated functions and taking action based on validated inspection findings; and

“(D) for each function that is limited under subparagraph (B), work with the ODA holder to develop the ODA holder's capability to execute that function safely and effectively and return to full authority status.

“(2) DUTIES OF ODA HOLDERS.—An ODA holder shall—

“(A) perform each specified function delegated to the ODA holder in accordance with the approved procedures manual for the delegation;

“(B) make the procedures manual available to each member of the appropriate ODA unit; and

“(C) cooperate fully with oversight activities conducted by the Administrator in connection with the delegation.

“(3) EXISTING ODA HOLDERS.—With regard to an ODA holder operating under a procedures manual approved by the Administrator before the date of enactment of the FAA Reauthorization Act of 2018, the Administrator shall—

“(A) at the request of the ODA holder and in an expeditious manner, approve revisions to the ODA holder’s procedures manual;

“(B) delegate fully to the ODA holder each of the functions to be performed as specified in the procedures manual, unless the Administrator determines, after the date of the delegation and as a result of an inspection or other investigation, that the public interest and safety of air commerce requires a limitation with respect to one or more of the functions;

“(C) conduct regular oversight activities by inspecting the ODA holder’s delegated functions and taking action based on validated inspection findings; and

“(D) for each function that is limited under subparagraph (B), work with the ODA holder to develop the ODA holder’s capability to execute that function safely and effectively and return to full authority status.

“(b) ODA OFFICE.—

“(1) ESTABLISHMENT.—Not later than 120 days after the date of enactment of this section, the Administrator of the FAA shall identify, within the FAA Office of Aviation Safety, a centralized policy office to be known as the Organization Designation Authorization Office or the ODA Office.

“(2) PURPOSE.—The purpose of the ODA Office shall be to provide oversight and ensure the consistency of the FAA’s audit functions under the ODA program across the FAA.

“(3) FUNCTIONS.—The ODA Office shall—

“(A)(i) at the request of an ODA holder, eliminate all limitations specified in a procedures manual in place on the day before the date of enactment of the FAA Reauthorization Act of 2018 that are low and medium risk as determined by a risk analysis using criteria established by the ODA Office and disclosed to the ODA holder, except where an ODA holder’s performance warrants the retention of a specific limitation due to documented concerns about inadequate current performance in carrying out that authorized function;

“(ii) require an ODA holder to establish a corrective action plan to regain authority for any retained limitations;

“(iii) require an ODA holder to notify the ODA Office when all corrective actions have been accomplished; and

“(iv) make a reassessment to determine if subsequent performance in carrying out any retained limitation warrants continued retention and, if such reassessment determines performance meets objectives, lift such limitation immediately;

“(B) improve FAA and ODA holder performance and ensure full utilization of the authorities delegated under the ODA program;

“(C) develop a more consistent approach to audit priorities, procedures, and training under the ODA program;

“(D) review, in a timely fashion, a random sample of limitations on delegated authorities under the ODA program to determine if the limitations are appropriate;

“(E) ensure national consistency in the interpretation and application of the requirements of the ODA program, including any limitations, and in the performance of the ODA program; and

“(F) at the request of an ODA holder, review and approve new limitations to ODA functions.

“(c) DEFINITIONS.—In this section, the following definitions apply:

“(1) FAA.—The term ‘FAA’ means the Federal Aviation Administration.

“(2) ODA HOLDER.—The term ‘ODA holder’ means an entity authorized to perform functions pursuant to a delegation made by the Administrator of the FAA under section 44702(d).

“(3) ODA UNIT.—The term ‘ODA unit’ means a group of 2 or more individuals who perform, under the supervision of an ODA holder, authorized functions under an ODA.

“(4) ORGANIZATION.—The term ‘organization’ means a firm, partnership, corporation, company, association, joint-stock association, or governmental entity.

“(5) ORGANIZATION DESIGNATION AUTHORIZATION; ODA.—The term ‘Organization Designation Authorization’ or ‘ODA’ means an authorization by the FAA under section 44702(d) for an organization composed of 1 or more ODA units to perform approved functions on behalf of the FAA.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following:

“44736. Organization designation authorizations.”.

SEC. 213. ODA REVIEW.

(a) ESTABLISHMENT OF EXPERT REVIEW PANEL.—

(1) EXPERT PANEL.—Not later than 120 days after the date of enactment of this Act, the Administrator shall convene a multidisciplinary expert review panel (in this section referred to as the “Panel”).

(2) COMPOSITION OF PANEL.—

(A) APPOINTMENT OF MEMBERS.—The Panel shall be composed of not more than 20 members appointed by the Administrator.

(B) QUALIFICATIONS.—The members appointed to the Panel shall—

(i) each have a minimum of 5 years of experience in processes and procedures under the ODA program; and

(ii) represent, at a minimum, ODA holders, aviation manufacturers, safety experts, and FAA labor organizations, including labor representatives of FAA aviation safety inspectors and aviation safety engineers.

(b) SURVEY.—The Panel shall conduct a survey of ODA holders and ODA program applicants to document and assess FAA certification and oversight activities, including use of the ODA program and the timeliness and efficiency of the certification process. In carrying out this subsection, the Panel shall consult with appropriate survey experts to best design and conduct the survey.

(c) ASSESSMENT AND RECOMMENDATIONS.—The Panel shall assess and make recommendations concerning—

(1) the FAA’s processes and procedures under the ODA program and whether the processes and procedures function as intended;

(2) the best practices of and lessons learned by ODA holders and FAA personnel who provide oversight of ODA holders;

(3) performance incentive policies that—

(A) are related to the ODA program for FAA personnel; and

(B) do not conflict with the public interest;

(4) training activities related to the ODA program for FAA personnel and ODA holders;

(5) the impact, if any, that oversight of the ODA program has on FAA resources and the FAA’s ability to process applications for certifications outside of the ODA program; and

(6) the results of the survey conducted under subsection (b).

(d) REPORT.—Not later than 180 days after the date the Panel is convened under subsection (a), the Panel shall submit to the Administrator, the Advisory Committee, and the appropriate committees of Congress a report on the findings and recommendations of the Panel.

(e) DEFINITIONS.—The definitions contained in section 44736 of title 49, United States Code, as added by this Act, apply to this section.

(f) APPLICABLE LAW.—Public Law 92-463 shall not apply to the Panel.

(g) SUNSET.—The Panel shall terminate on the date of submission of the report under subsection (d), or on the date that is 1 year after the Panel is convened under subsection (a), whichever occurs first.

SEC. 214. TYPE CERTIFICATION RESOLUTION PROCESS.

(a) IN GENERAL.—Section 44704(a) of title 49, United States Code, is amended by adding at the end the following:

“(6) TYPE CERTIFICATION RESOLUTION PROCESS.—

“(A) IN GENERAL.—Not later than 15 months after the date of enactment of the FAA Reauthorization Act of 2018, the Administrator shall establish an effective, timely, and milestone-based issue resolution process for type certification activities under this subsection.

“(B) PROCESS REQUIREMENTS.—The resolution process shall provide for—

“(i) resolution of technical issues at pre-established stages of the certification process, as agreed to by the Administrator and the type certificate applicant;

“(ii) automatic elevation to appropriate management personnel of the Federal Aviation Administration and the type certificate applicant of any major certification process milestone that is not completed or resolved within a specific period of time agreed to by the Administrator and the type certificate applicant; and

“(iii) resolution of a major certification process milestone elevated pursuant to clause (ii) within a specific period of time agreed to by the Administrator and the type certificate applicant.

“(C) MAJOR CERTIFICATION PROCESS MILESTONE DEFINED.—In this paragraph, the term ‘major certification process milestone’ means a milestone related to a type certification basis, type certification plan, type inspection authorization, issue paper, or other major type certification activity agreed to by the Administrator and the type certificate applicant.”.

(b) TECHNICAL AMENDMENT.—Section 44704 of title 49, United States Code, is amended in the section heading by striking “**airworthiness certificates,**” and inserting “**airworthiness certificates,**”.

SEC. 215. REVIEW OF CERTIFICATION PROCESS FOR SMALL GENERAL AVIATION AIRPLANES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall initiate a review of the Federal Aviation Administration’s implementation of the final rule titled “Revision of Airworthiness Standards for Normal, Utility, Acrobatic, and Commuter Category Airplanes” (81 Fed. Reg. 96572).

(b) CONSIDERATIONS.—In carrying out the review, the Comptroller General shall assess—

(1) how the rule puts into practice the Administration’s efforts to implement performance and risk-based safety standards;

(2) the extent to which the rule has resulted in the implementation of a streamlined regulatory regime to improve safety, reduce regulatory burden, and decrease costs;

(3) whether the rule and its implementation have spurred innovation and technological adoption;

(4) how consensus standards accepted by the FAA facilitate the development of new safety equipment and aircraft capabilities; and

(5) whether lessons learned from the rule and its implementation have resulted in best practices that could be applied to airworthiness standards for other categories of aircraft.

(c) **REPORT.**—Not later than 180 days after the date of initiation of the review, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review, including findings and recommendations.

SEC. 216. ODA STAFFING AND OVERSIGHT.

(a) **REPORT TO CONGRESS.**—Not later than 270 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the Administration's progress with respect to—

(1) determining what additional model inputs and labor distribution codes are needed to identify ODA oversight staffing needs;

(2) developing and implementing system-based evaluation criteria and risk-based tools to aid ODA team members in targeting their oversight activities;

(3) developing agreements and processes for sharing resources to ensure adequate oversight of ODA personnel performing certification and inspection work at supplier and company facilities; and

(4) ensuring full utilization of ODA authority.

(b) **ODA DEFINED.**—In this section, the term “ODA” has the meaning given that term in section 44736 of title 49, United States Code, as added by this Act.

Subtitle C—Flight Standards Reform

SEC. 221. FLIGHT STANDARDS PERFORMANCE OBJECTIVES AND METRICS.

(a) **IN GENERAL.**—Not later than 120 days after the date on which the Advisory Committee is established under section 202, the Administrator shall establish performance objectives and apply and track performance metrics for the FAA and the aviation industry relating to flight standards activities in accordance with this section.

(b) **COLLABORATION.**—The Administrator shall carry out this section in collaboration with the Advisory Committee, and update agency performance objectives and metrics after considering the recommendations of the Advisory Committee under paragraphs (8) and (9) of section 202(c).

(c) **PERFORMANCE OBJECTIVES.**—In carrying out subsection (a), the Administrator shall establish performance objectives for the FAA and the aviation industry to ensure that, with respect to flight standards activities, progress is made toward, at a minimum—

(1) eliminating delays with respect to such activities;

(2) increasing accountability for both the FAA and the aviation industry;

(3) achieving full utilization of FAA delegation and designation authorities, including organizational designation authority;

(4) fully implementing risk management principles and a systems safety approach;

(5) reducing duplication of effort;

(6) eliminating inconsistent regulatory interpretations and inconsistent enforcement activities;

(7) improving and providing greater opportunities for training, including recurrent training, in auditing and a systems safety approach to oversight;

(8) developing and allowing utilization of a single master source for guidance;

(9) providing and utilizing a streamlined appeal process for the resolution of regulatory interpretation questions;

(10) maintaining and improving safety; and

(11) increasing transparency.

(d) **PERFORMANCE METRICS.**—In carrying out subsection (a), the Administrator shall apply and track performance metrics for the

FAA and the regulated aviation industry established by the Advisory Committee.

(e) **DATA GENERATION.**—

(1) **BASELINES.**—Not later than 1 year after the date on which the Advisory Committee recommends initial performance metrics for the FAA and the regulated aviation industry under section 202, the Administrator shall generate initial data with respect to each of the performance metrics applied and tracked under this section.

(2) **BENCHMARKS TO MEASURE PROGRESS TOWARD GOALS.**—The Administrator shall use the metrics applied and tracked under this section to generate data on an ongoing basis and to measure progress toward the achievement of national goals recommended by the Advisory Committee.

(f) **PUBLICATION.**—The Administrator shall make data generated using the performance metrics applied and tracked under this section available to the public in a searchable, sortable, and downloadable format through the internet website of the FAA or other appropriate methods and shall ensure that the data are made available in a manner that—

(1) does not provide identifying information regarding an individual or entity; and

(2) prevents inappropriate disclosure of proprietary information.

SEC. 222. FAA TASK FORCE ON FLIGHT STANDARDS REFORM.

(a) **ESTABLISHMENT.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall establish the FAA Task Force on Flight Standards Reform (in this section referred to as the “Task Force”).

(b) **MEMBERSHIP.**—

(1) **APPOINTMENT.**—The membership of the Task Force shall be appointed by the Administrator.

(2) **NUMBER.**—The Task Force shall be composed of not more than 20 members.

(3) **REPRESENTATION REQUIREMENTS.**—The membership of the Task Force shall include representatives, with knowledge of flight standards regulatory processes and requirements, of—

(A) air carriers;

(B) general aviation;

(C) business aviation;

(D) repair stations;

(E) unmanned aircraft systems operators;

(F) flight schools;

(G) labor unions, including those representing FAA aviation safety inspectors and those representing FAA aviation safety engineers;

(H) aviation and aerospace manufacturers; and

(I) aviation safety experts.

(c) **DUTIES.**—The duties of the Task Force shall include, at a minimum, identifying best practices and providing recommendations, for current and anticipated budgetary environments, with respect to—

(1) simplifying and streamlining flight standards regulatory processes, including issuance and oversight of certificates;

(2) reorganizing Flight Standards Services to establish an entity organized by function rather than geographic region, if appropriate;

(3) FAA aviation safety inspector training opportunities;

(4) ensuring adequate and timely provision of Flight Standards activities and responses necessary for type certification, operational evaluation, and entry into service of newly manufactured aircraft;

(5) FAA aviation safety inspector standards and performance; and

(6) achieving, across the FAA, consistent—

(A) regulatory interpretations; and

(B) application of oversight activities.

(d) **REPORT.**—Not later than 1 year after the date of the establishment of the Task Force, the Task Force shall submit to the

appropriate committees of Congress a report detailing—

(1) the best practices identified and recommendations provided by the Task Force under subsection (c); and

(2) any recommendations of the Task Force for additional regulatory, policy, or cost-effective legislative action to improve the efficiency of agency activities.

(e) **APPLICABLE LAW.**—Public Law 92-463 shall not apply to the Task Force.

(f) **SUNSET.**—The Task Force shall terminate on the earlier of—

(1) the date on which the Task Force submits the report required under subsection (d); or

(2) the date that is 18 months after the date on which the Task Force is established under subsection (a).

SEC. 223. CENTRALIZED SAFETY GUIDANCE DATABASE.

(a) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall establish a centralized safety guidance database that will—

(1) encompass all of the regulatory guidance documents of the FAA Office of Aviation Safety;

(2) contain, for each such guidance document, a link to the Code of Federal Regulations provision to which the document relates; and

(3) be publicly available in a manner that—

(A) protects from disclosure identifying information regarding an individual or entity; and

(B) prevents inappropriate disclosure of proprietary information.

(b) **DATA ENTRY TIMING.**—

(1) **EXISTING DOCUMENTS.**—Not later than 14 months after the date of enactment of this Act, the Administrator shall begin entering into the database established under subsection (a) all of the regulatory guidance documents of the Office of Aviation Safety that are in effect and were issued before the date on which the Administrator begins such entry process.

(2) **NEW DOCUMENTS AND CHANGES.**—On and after the date on which the Administrator begins the document entry process under paragraph (1), the Administrator shall ensure that all new regulatory guidance documents of the Office of Aviation Safety and any changes to existing documents are included in the database established under subsection (a) as such documents or changes to existing documents are issued.

(c) **CONSULTATION REQUIREMENT.**—In establishing the database under subsection (a), the Administrator shall consult and collaborate with appropriate stakeholders, including labor organizations (including those representing aviation workers, FAA aviation safety engineers and FAA aviation safety inspectors) and aviation industry stakeholders.

(d) **REGULATORY GUIDANCE DOCUMENTS DEFINED.**—In this section, the term “regulatory guidance documents” means all forms of written information issued by the FAA that an individual or entity may use to interpret or apply FAA regulations and requirements, including information an individual or entity may use to determine acceptable means of compliance with such regulations and requirements, such as an order, manual, circular, policy statement, legal interpretation memorandum, or rulemaking document.

SEC. 224. REGULATORY CONSISTENCY COMMUNICATIONS BOARD.

(a) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a Regulatory Consistency Communications Board (in this section referred to as the “Board”).

(b) **CONSULTATION REQUIREMENT.**—In establishing the Board, the Administrator shall consult and collaborate with appropriate

stakeholders, including FAA labor organizations (including labor organizations representing FAA aviation safety inspectors) and industry stakeholders.

(c) **MEMBERSHIP.**—The Board shall be composed of FAA representatives, appointed by the Administrator, from—

- (1) the Flight Standards Service;
- (2) the Aircraft Certification Service; and
- (3) the Office of the Chief Counsel.

(d) **FUNCTIONS.**—The Board shall carry out the following functions:

(1) Establish, at a minimum, processes by which—

(A) FAA personnel and persons regulated by the FAA may submit anonymous regulatory interpretation questions without fear of retaliation;

(B) FAA personnel may submit written questions, and receive written responses, as to whether a previous approval or regulatory interpretation issued by FAA personnel in another office or region is correct or incorrect; and

(C) any other person may submit written anonymous regulatory interpretation questions.

(2) Meet on a regular basis to discuss and resolve questions submitted pursuant to paragraph (1) and the appropriate application of regulations and policy with respect to each question.

(3) Provide to a person that submitted a question pursuant to subparagraph (A) or (B) of paragraph (1) a timely written response to the question.

(4) Establish a process to make resolutions of common regulatory interpretation questions publicly available to FAA personnel, persons regulated by the FAA, and the public without revealing any identifying data of the person that submitted the question and in a manner that protects any proprietary information.

(5) Ensure the incorporation of resolutions of questions submitted pursuant to paragraph (1) into regulatory guidance documents, as such term is defined in section 223(d).

(e) **PERFORMANCE METRICS, TIMELINES, AND GOALS.**—Not later than 180 days after the date on which the Advisory Committee recommends performance objectives and performance metrics for the FAA and the regulated aviation industry under section 202, the Administrator, in collaboration with the Advisory Committee, shall—

(1) establish performance metrics, timelines, and goals to measure the progress of the Board in resolving regulatory interpretation questions submitted pursuant to subsection (d)(1); and

(2) implement a process for tracking the progress of the Board in meeting the performance metrics, timelines, and goals established under paragraph (1).

Subtitle D—Safety Workforce

SEC. 231. SAFETY WORKFORCE TRAINING STRATEGY.

(a) **SAFETY WORKFORCE TRAINING STRATEGY.**—Not later than 60 days after the date of enactment of this Act, the Administrator shall review and revise its safety workforce training strategy to ensure that such strategy—

(1) aligns with an effective risk-based approach to safety oversight;

(2) best uses available resources;

(3) allows FAA employees participating in organization management teams or conducting ODA program audits to complete, in a timely fashion, appropriate training, including recurrent training, in auditing and a systems safety approach to oversight;

(4) seeks knowledge-sharing opportunities between the FAA and the aviation industry in new technologies, equipment and systems, best practices, and other areas of interest related to safety oversight;

(5) functions within the current and anticipated budgetary environments;

(6) fosters an inspector and engineer workforce that has the skills and training necessary to improve risk-based approaches that focus on requirements management and auditing skills; and

(7) includes, as appropriate, milestones and metrics for meeting the requirements of paragraphs (1) through (5).

(b) **REPORT.**—Not later than 270 days after the date of the revision of the strategy required under subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the implementation of the strategy and progress in meeting any milestones and metrics included in the strategy.

(c) **DEFINITIONS.**—In this section, the following definitions apply:

(1) **ODA; ODA HOLDER.**—The terms “ODA” and “ODA holder” have the meanings given those terms in section 44736 of title 49, United States Code, as added by this Act.

(2) **ODA PROGRAM.**—The term “ODA program” means the program to standardize FAA management and oversight of the organizations that are approved to perform certain functions on behalf of the Administration under section 44702(d) of title 49, United States Code.

(3) **ORGANIZATION MANAGEMENT TEAM.**—The term “organization management team” means a team consisting of FAA aviation safety engineers, flight test pilots, and aviation safety inspectors overseeing an ODA holder and its certification activity.

SEC. 232. WORKFORCE REVIEW.

(a) **WORKFORCE REVIEW.**—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review to assess the workforce and training needs of the FAA Office of Aviation Safety in the anticipated budgetary environment.

(b) **CONTENTS.**—The review required under subsection (a) shall include—

(1) a review of current aviation safety inspector and aviation safety engineer hiring, training, and recurrent training requirements;

(2) an analysis of the skills and qualifications required of aviation safety inspectors and aviation safety engineers for successful performance in the current and future projected aviation safety regulatory environment, including the need for a systems engineering discipline within the FAA to guide the engineering of complex systems, with an emphasis on auditing designated authorities;

(3) a review of current performance incentive policies of the FAA, as applied to the Office of Aviation Safety, including awards for performance;

(4) an analysis of ways the FAA can work with industry and labor, including labor groups representing FAA aviation safety inspectors and aviation safety engineers, to establish knowledge-sharing opportunities between the FAA and the aviation industry regarding new equipment and systems, best practices, and other areas of interest; and

(5) recommendations on the most effective qualifications, training programs (including e-learning training), and performance incentive approaches to address the needs of the future projected aviation safety regulatory system in the anticipated budgetary environment.

(c) **REPORT.**—Not later than 270 days after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review required under subsection (a).

Subtitle E—International Aviation

SEC. 241. PROMOTION OF UNITED STATES AEROSPACE STANDARDS, PRODUCTS, AND SERVICES ABROAD.

Section 40104 of title 49, United States Code, is amended by adding at the end the following:

“(d) **PROMOTION OF UNITED STATES AEROSPACE STANDARDS, PRODUCTS, AND SERVICES ABROAD.**—The Secretary shall take appropriate actions to—

“(1) promote United States aerospace-related safety standards abroad;

“(2) facilitate and vigorously defend approvals of United States aerospace products and services abroad;

“(3) with respect to bilateral partners, utilize bilateral safety agreements and other mechanisms to improve validation of United States certificated aeronautical products, services, and appliances and enhance mutual acceptance in order to eliminate redundancies and unnecessary costs; and

“(4) with respect to the aeronautical safety authorities of a foreign country, streamline validation and coordination processes.”.

SEC. 242. BILATERAL EXCHANGES OF SAFETY OVERSIGHT RESPONSIBILITIES.

Section 44701(e) of title 49, United States Code, is amended by adding at the end the following:

“(5) **FOREIGN AIRWORTHINESS DIRECTIVES.**—

“(A) **ACCEPTANCE.**—Subject to subparagraph (D), the Administrator may accept an airworthiness directive, as defined in section 39.3 of title 14, Code of Federal Regulations, issued by an aeronautical safety authority of a foreign country, and leverage that authority’s regulatory process, if—

“(i) the country is the state of design for the product that is the subject of the airworthiness directive;

“(ii) the United States has a bilateral safety agreement relating to aircraft certification with the country;

“(iii) as part of the bilateral safety agreement with the country, the Administrator has determined that such aeronautical safety authority has an aircraft certification system relating to safety that produces a level of safety equivalent to the level produced by the system of the Federal Aviation Administration;

“(iv) the aeronautical safety authority of the country utilizes an open and transparent notice and comment process in the issuance of airworthiness directives; and

“(v) the airworthiness directive is necessary to provide for the safe operation of the aircraft subject to the directive.

“(B) **ALTERNATIVE APPROVAL PROCESS.**—Notwithstanding subparagraph (A), the Administrator may issue a Federal Aviation Administration airworthiness directive instead of accepting an airworthiness directive otherwise eligible for acceptance under such subparagraph, if the Administrator determines that such issuance is necessary for safety or operational reasons due to the complexity or unique features of the Federal Aviation Administration airworthiness directive or the United States aviation system.

“(C) **ALTERNATIVE MEANS OF COMPLIANCE.**—The Administrator may—

“(i) accept an alternative means of compliance, with respect to an airworthiness directive accepted under subparagraph (A), that was approved by the aeronautical safety authority of the foreign country that issued the airworthiness directive; or

“(ii) notwithstanding subparagraph (A), and at the request of any person affected by an airworthiness directive accepted under such subparagraph, approve an alternative means of compliance with respect to the airworthiness directive.

“(D) **LIMITATION.**—The Administrator may not accept an airworthiness directive issued

by an aeronautical safety authority of a foreign country if the airworthiness directive addresses matters other than those involving the safe operation of an aircraft.”.

SEC. 243. FAA LEADERSHIP ABROAD.

(a) IN GENERAL.—To promote United States aerospace safety standards, reduce redundant regulatory activity, and facilitate acceptance of FAA design and production approvals abroad, the Administrator shall—

(1) attain greater expertise in issues related to dispute resolution, intellectual property, and export control laws to better support FAA certification and other aerospace regulatory activities abroad;

(2) work with United States companies to more accurately track the amount of time it takes foreign authorities, including bilateral partners, to validate United States certified aeronautical products;

(3) provide assistance to United States companies that have experienced significantly long foreign validation wait times;

(4) work with foreign authorities, including bilateral partners, to collect and analyze data to determine the timeliness of the acceptance and validation of FAA design and production approvals by foreign authorities and the acceptance and validation of foreign-certified products by the FAA;

(5) establish appropriate benchmarks and metrics to measure the success of bilateral aviation safety agreements and to reduce the validation time for United States certified aeronautical products abroad; and

(6) work with foreign authorities, including bilateral partners, to improve the timeliness of the acceptance and validation of FAA design and production approvals by foreign authorities and the acceptance and validation of foreign-certified products by the FAA.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report that—

(1) describes the FAA’s strategic plan for international engagement;

(2) describes the structure and responsibilities of all FAA offices that have international responsibilities, including the Aircraft Certification Office, and all the activities conducted by those offices related to certification and production;

(3) describes current and forecasted staffing and travel needs for the FAA’s international engagement activities, including the needs of the Aircraft Certification Office in the current and forecasted budgetary environment;

(4) provides recommendations, if appropriate, to improve the existing structure and personnel and travel policies supporting the FAA’s international engagement activities, including the activities of the Aviation Certification Office, to better support the growth of United States aerospace exports; and

(5) identifies cost-effective policy initiatives, regulatory initiatives, or legislative initiatives needed to improve and enhance the timely acceptance of United States aerospace products abroad.

(c) INTERNATIONAL TRAVEL.—The Administrator, or the Administrator’s designee, may authorize international travel for any FAA employee, without the approval of any other person or entity, if the Administrator determines that the travel is necessary—

(1) to promote United States aerospace safety standards; or

(2) to support expedited acceptance of FAA design and production approvals.

SEC. 244. REGISTRATION, CERTIFICATION, AND RELATED FEES.

Section 45305 of title 49, United States Code, is amended—

(1) in subsection (a) by striking “Subject to subsection (b)” and inserting “Subject to subsection (c)”;

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(3) by inserting after subsection (a) the following:

“(b) CERTIFICATION SERVICES.—Subject to subsection (c), and notwithstanding section 45301(a), the Administrator may establish and collect a fee from a foreign government or entity for services related to certification, regardless of where the services are provided, if the fee—

“(1) is established and collected in a manner consistent with aviation safety agreements; and

“(2) does not exceed the estimated costs of the services.”.

TITLE III—SAFETY

Subtitle A—General Provisions

SEC. 301. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the FAA.

(2) FAA.—The term “FAA” means the Federal Aviation Administration.

SEC. 302. FAA TECHNICAL TRAINING.

(a) E-LEARNING TRAINING PILOT PROGRAM.—Not later than 90 days after the date of enactment of this Act, the Administrator, in collaboration with the exclusive bargaining representatives of covered FAA personnel, shall establish an e-learning training pilot program in accordance with the requirements of this section.

(b) CURRICULUM.—The pilot program shall—

(1) include a recurrent training curriculum for covered FAA personnel to ensure that the covered FAA personnel receive instruction on the latest aviation technologies, processes, and procedures;

(2) focus on providing specialized technical training for covered FAA personnel, as determined necessary by the Administrator;

(3) include training courses on applicable regulations of the Federal Aviation Administration; and

(4) consider the efficacy of instructor-led online training.

(c) PILOT PROGRAM TERMINATION.—The pilot program shall terminate 1 year after the date of establishment of the pilot program.

(d) E-LEARNING TRAINING PROGRAM.—Upon termination of the pilot program, the Administrator shall assess and establish or update an e-learning training program that incorporates lessons learned for covered FAA personnel as a result of the pilot program.

(e) DEFINITIONS.—In this section, the following definitions apply:

(1) COVERED FAA PERSONNEL.—The term “covered FAA personnel” means airway transportation systems specialists and aviation safety inspectors of the Federal Aviation Administration.

(2) E-LEARNING TRAINING.—The term “e-learning training” means learning utilizing electronic technologies to access educational curriculum outside of a traditional classroom.

SEC. 303. SAFETY CRITICAL STAFFING.

(a) UPDATE OF FAA’S SAFETY CRITICAL STAFFING MODEL.—Not later than 270 days after the date of enactment of this Act, the Administrator shall update the safety critical staffing model of the Administration to determine the number of aviation safety inspectors that will be needed to fulfill the safety oversight mission of the Administration.

(b) AUDIT BY DOT INSPECTOR GENERAL.—

(1) IN GENERAL.—Not later than 90 days after the date on which the Administrator has updated the safety critical staffing model under subsection (a), the Inspector

General of the Department of Transportation shall conduct an audit of the staffing model.

(2) CONTENTS.—The audit shall include, at a minimum—

(A) a review of the assumptions and methodologies used in devising and implementing the staffing model to assess the adequacy of the staffing model in predicting the number of aviation safety inspectors needed—

(i) to properly fulfill the mission of the Administration; and

(ii) to meet the future growth of the aviation industry; and

(B) a determination on whether the staffing model takes into account the Administration’s authority to fully utilize designees.

(3) REPORT ON AUDIT.—

(A) REPORT TO SECRETARY.—Not later than 30 days after the date of completion of the audit, the Inspector General shall submit to the Secretary a report on the results of the audit.

(B) REPORT TO CONGRESS.—Not later than 60 days after the date of receipt of the report, the Secretary shall submit to the appropriate committees of Congress a copy of the report, together with, if appropriate, a description of any actions taken or to be taken to address the results of the audit.

SEC. 304. INTERNATIONAL EFFORTS REGARDING TRACKING OF CIVIL AIRCRAFT.

The Administrator shall exercise leadership on creating a global approach to improving aircraft tracking by working with—

(1) foreign counterparts of the Administrator in the International Civil Aviation Organization and its subsidiary organizations;

(2) other international organizations and fora; and

(3) the private sector.

SEC. 305. AIRCRAFT DATA ACCESS AND RETRIEVAL SYSTEMS.

(a) ASSESSMENT.—Not later than 90 days after the date of enactment of this Act, the Administrator shall initiate an assessment of aircraft data access and retrieval systems for part 121 air carrier aircraft that are used in extended overwater operations to—

(1) determine if the systems provide improved access and retrieval of aircraft data and cockpit voice recordings in the event of an aircraft accident; and

(2) assess the cost effectiveness of each system assessed.

(b) SYSTEMS TO BE EXAMINED.—The systems to be examined under this section shall include, at a minimum—

(1) various methods for improving detection and retrieval of flight data, including—

(A) low-frequency underwater locating devices; and

(B) extended battery life for underwater locating devices;

(2) automatic deployable flight recorders;

(3) emergency locator transmitters;

(4) triggered transmission of flight data and other satellite-based solutions;

(5) distress-mode tracking; and

(6) protections against disabling flight recorder systems.

(c) REPORT.—Not later than 1 year after the date of initiation of the assessment, the Administrator shall submit to the appropriate committees of Congress a report on the results of the assessment.

(d) PART 121 AIR CARRIER DEFINED.—In this section, the term “part 121 air carrier” means an air carrier with authority to conduct operations under part 121 of title 14, Code of Federal Regulations.

SEC. 306. ADVANCED COCKPIT DISPLAYS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall initiate a review of heads-up display systems, heads-down display systems employing synthetic vision systems, and enhanced vision systems (in this section referred to as “HUD systems”, “SVS”, and “EVS”, respectively).

(b) CONTENTS.—The review shall—

(1) evaluate the impacts of single- and dual-installed HUD systems, SVS, and EVS on the safety and efficiency of aircraft operations within the national airspace system; and

(2) review a sufficient quantity of commercial aviation accidents or incidents in order to evaluate if HUD systems, SVS, or EVS would have produced a better outcome in each accident or incident.

(c) CONSULTATION.—In conducting the review, the Administrator shall consult with aviation manufacturers, representatives of pilot groups, aviation safety organizations, and any government agencies the Administrator considers appropriate.

(d) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the review, the actions the Administrator plans to take with respect to the systems reviewed, and the associated timeline for such actions.

SEC. 307. EMERGENCY MEDICAL EQUIPMENT ON PASSENGER AIRCRAFT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall evaluate and revise, as appropriate, regulations in part 121 of title 14, Code of Federal Regulations, regarding emergency medical equipment, including the contents of first-aid kits, applicable to all certificate holders operating passenger aircraft under that part.

(b) CONSIDERATION.—In carrying out subsection (a), the Administrator shall consider whether the minimum contents of approved emergency medical kits, including approved first-aid kits, include appropriate medications and equipment to meet the emergency medical needs of children and pregnant women.

SEC. 308. FAA AND NTSB REVIEW OF GENERAL AVIATION SAFETY.

(a) STUDY REQUIRED.—Not later than 30 days after the date of enactment of this Act, the Administrator, in coordination with the Chairman of the National Transportation Safety Board, shall initiate a study of general aviation safety.

(b) STUDY CONTENTS.—The study required under subsection (a) shall include—

(1) a review of all general aviation accidents since 2000, including a review of—

(A) the number of such accidents;

(B) the number of injuries and fatalities, including with respect to both occupants of aircraft and individuals on the ground, as a result of such accidents;

(C) the number of such accidents investigated by the National Transportation Safety Board;

(D) the number of such accidents investigated by the FAA; and

(E) a summary of the factual findings and probable cause determinations with respect to such accidents;

(2) an assessment of the most common probable cause determinations issued for general aviation accidents since 2000;

(3) an assessment of the most common facts analyzed by the FAA and the National Transportation Safety Board in the course of investigations of general aviation accidents since 2000, including operational details;

(4) a review of the safety recommendations of the National Transportation Safety Board related to general aviation accidents since 2000;

(5) an assessment of the responses of the FAA and the general aviation community to the safety recommendations of the National Transportation Safety Board related to general aviation accidents since 2000;

(6) an assessment of the most common general aviation safety issues;

(7) a review of the total costs to the Federal Government to conduct investigations of general aviation accidents over the last 10 years; and

(8) other matters the Administrator or the Chairman considers appropriate.

(c) RECOMMENDATIONS AND ACTIONS TO ADDRESS GENERAL AVIATION SAFETY.—Based on the results of the study required under subsection (a), the Administrator, in consultation with the Chairman, shall make such recommendations, including with respect to regulations and enforcement activities, as the Administrator considers necessary to—

(1) address general aviation safety issues identified under the study;

(2) protect persons and property on the ground; and

(3) improve the safety of general aviation operators in the United States.

(d) AUTHORITY.—Notwithstanding any other provision of law, the Administrator shall have the authority to undertake actions to address the recommendations made under subsection (c).

(e) REPORT.—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the study required under subsection (a), including the recommendations described in subsection (c).

(f) GENERAL AVIATION DEFINED.—In this section, the term “general aviation” means aircraft operation for personal, recreational, or other noncommercial purposes.

SEC. 309. CALL TO ACTION AIRLINE ENGINE SAFETY REVIEW.

(a) CALL TO ACTION AIRLINE ENGINE SAFETY REVIEW.—Not later than 90 days after the date of enactment of this Act, the Administrator shall initiate a Call to Action safety review on airline engine safety in order to bring stakeholders together to share best practices and implement actions to address airline engine safety.

(b) CONTENTS.—The Call to Action safety review required pursuant to subsection (a) shall include—

(1) a review of Administration regulations, guidance, and directives related to airline engines during design and production, including the oversight of those processes;

(2) a review of Administration regulations, guidance, and directives related to airline engine operation and maintenance and the oversight of those processes;

(3) a review of reportable accidents and incidents involving airline engines during calendar years 2014 through 2018, including any identified contributing factors to the reportable accident or incident; and

(4) a process for stakeholders, including inspectors, manufacturers, maintenance providers, airlines, labor, and aviation safety experts, to provide feedback and share best practices.

(c) REPORT AND RECOMMENDATIONS.—Not later than 90 days after the conclusion of the Call to Action safety review pursuant to subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the results of the review and any recommendations for actions or best practices to improve airline engine safety.

SEC. 310. SENSE OF CONGRESS ON ACCESS TO AIR CARRIER FLIGHT DECKS.

It is the sense of Congress that the Administrator should collaborate with other aviation authorities to advance a global standard for access to air carrier flight decks and redundancy requirements consistent with the flight deck access and redundancy requirements in the United States.

SEC. 311. PART 135 ACCIDENT AND INCIDENT DATA.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(1) determine, in collaboration with the National Transportation Safety Board and part 135 industry stakeholders, what, if any, additional data should be reported as part of an accident or incident notice—

(A) to more accurately measure the safety of on-demand part 135 aircraft activity;

(B) to pinpoint safety problems; and

(C) to form the basis for critical research and analysis of general aviation issues; and

(2) provide a briefing to the appropriate committees of Congress on the findings under paragraph (1), including a description of any additional data to be collected, a timeframe for implementing the additional data collection, and any potential obstacles to implementation.

(b) DEFINITION OF PART 135.—In this section, the term “part 135” means part 135 of title 14, Code of Federal Regulations.

SEC. 312. SENSE OF CONGRESS; PILOT IN COMMAND AUTHORITY.

It is the sense of Congress that the pilot in command of an aircraft is directly responsible for, and is the final authority as to, the operation of that aircraft, as set forth in section 91.3(a) of title 14, Code of Federal Regulations (or any successor regulation thereto).

SEC. 313. REPORT ON CONSPICUITY NEEDS FOR SURFACE VEHICLES OPERATING ON THE AIRSIDE OF AIR CARRIER SERVED AIRPORTS.

(a) STUDY REQUIRED.—The Administrator shall carry out a study on the need for the FAA to prescribe conspicuity standards for surface vehicles operating on the airside of the categories of airports that air carriers serve as specified in subsection (b).

(b) COVERED AIRPORTS.—The study required by subsection (a) shall cover, at a minimum, 1 large hub airport, 1 medium hub airport, and 1 small hub airport, as those terms are defined in section 40102 of title 49, United States Code.

(c) REPORT TO CONGRESS.—Not later than July 1, 2019, the Administrator shall submit to the appropriate committees of Congress a report setting forth the results of the study required by subsection (a), including such recommendations as the Administrator considers appropriate regarding the need for the Administration to prescribe conspicuity standards as described in subsection (a).

SEC. 314. HELICOPTER AIR AMBULANCE OPERATIONS DATA AND REPORTS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in collaboration with helicopter air ambulance industry stakeholders, shall assess the availability of information to the general public related to the location of heliports and helipads used by helicopters providing air ambulance services, including helipads and helipads outside of those listed as part of any existing databases of Airport Master Record (5010) forms.

(b) REQUIREMENTS.—Based on the assessment under subsection (a), the Administrator shall—

(1) update, as necessary, any existing guidance on what information is included in the current databases of Airport Master Record (5010) forms to include information related to heliports and helipads used by helicopters providing air ambulance services; or

(2) develop, as appropriate and in collaboration with helicopter air ambulance industry stakeholders, a new database of heliports and helipads used by helicopters providing air ambulance services.

(c) REPORTS.—

(1) ASSESSMENT REPORT.—Not later than 30 days after the date the assessment under subsection (a) is complete, the Administrator shall submit to the appropriate committees of Congress a report on the assessment, including any recommendations on how to make information related to the loca-

tion of heliports and helipads used by helicopters providing air ambulance services available to the general public.

(2) **IMPLEMENTATION REPORT.**—Not later than 30 days after completing action under paragraph (1) or paragraph (2) of subsection (b), the Administrator shall submit to the appropriate committees of Congress a report on such action.

(d) **INCIDENT AND ACCIDENT DATA.**—Section 44731 of title 49, United States Code, is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “not later than 1 year after the date of enactment of this section, and annually thereafter” and inserting “annually”;

(B) in paragraph (2), by striking “flights and hours flown, by registration number, during which helicopters operated by the certificate holder were providing helicopter air ambulance services” and inserting “hours flown by the helicopters operated by the certificate holder”;

(C) in paragraph (3)—

(i) by striking “of flight” and inserting “of patients transported and the number of patient transport”;

(ii) by inserting “or” after “interfacility transport,”; and

(iii) by striking “, or ferry or repositioning flight”;

(D) in paragraph (5)—

(i) by striking “flights and”; and

(ii) by striking “while providing air ambulance services”; and

(E) by amending paragraph (6) to read as follows:

“(6) The number of hours flown at night by helicopters operated by the certificate holder.”;

(2) in subsection (d)—

(A) by striking “Not later than 2 years after the date of enactment of this section, and annually thereafter, the Administrator shall submit” and inserting “The Administrator shall submit annually”; and

(B) by adding at the end the following: “The report shall include the number of accidents experienced by helicopter air ambulance operations, the number of fatal accidents experienced by helicopter air ambulance operations, and the rate, per 100,000 flight hours, of accidents and fatal accidents experienced by operators providing helicopter air ambulance services.”;

(3) by redesignating subsection (e) as subsection (f); and

(4) by inserting after subsection (d) the following:

“(e) **IMPLEMENTATION.**—In carrying out this section, the Administrator, in collaboration with part 135 certificate holders providing helicopter air ambulance services, shall—

“(1) propose and develop a method to collect and store the data submitted under subsection (a), including a method to protect the confidentiality of any trade secret or proprietary information submitted; and

“(2) ensure that the database under subsection (c) and the report under subsection (d) include data and analysis that will best inform efforts to improve the safety of helicopter air ambulance operations.”.

SEC. 315. AVIATION RULEMAKING COMMITTEE FOR PART 135 PILOT REST AND DUTY RULES.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall convene an aviation rulemaking committee to review, and develop findings and recommendations regarding, pilot rest and duty rules under part 135 of title 14, Code of Federal Regulations.

(b) **DUTIES.**—The Administrator shall—

(1) not later than 2 years after the date of enactment of this Act, submit to the appropriate committees of Congress a report based

on the findings of the aviation rulemaking committee; and

(2) not later than 1 year after the date of submission of the report under paragraph (1), issue a notice of proposed rulemaking based on any consensus recommendations reached by the aviation rulemaking committee.

(c) **COMPOSITION.**—The aviation rulemaking committee shall consist of members appointed by the Administrator, including—

(1) representatives of industry;

(2) representatives of aviation labor organizations, including collective bargaining units representing pilots who are covered by part 135 of title 14, Code of Federal Regulations, and subpart K of part 91 of such title; and

(3) aviation safety experts with specific knowledge of flight crewmember education and training requirements under part 135 of such title.

(d) **CONSIDERATIONS.**—The Administrator shall direct the aviation rulemaking committee to consider—

(1) recommendations of prior part 135 rulemaking committees;

(2) accommodations necessary for small businesses;

(3) scientific data derived from aviation-related fatigue and sleep research;

(4) data gathered from aviation safety reporting programs;

(5) the need to accommodate the diversity of operations conducted under part 135, including the unique duty and rest time requirements of air ambulance pilots; and

(6) other items, as appropriate.

SEC. 316. REPORT ON OBSOLETE TEST EQUIPMENT.

(a) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the National Test Equipment Program of the FAA (in this section referred to as the “Program”).

(b) **CONTENTS.**—The report shall include—

(1) a list of all known outstanding requests for test equipment, cataloged by type and location, under the Program;

(2) a description of the current method under the Program of ensuring calibrated equipment is in place for utilization;

(3) a plan by the Administrator for appropriate inventory of such equipment;

(4) the Administrator’s recommendations for increasing multifunctionality in future test equipment and all known and foreseeable manufacturer technological advances; and

(5) a plan to replace, as appropriate, obsolete test equipment throughout the service areas.

SEC. 317. HELICOPTER FUEL SYSTEM SAFETY.

(a) **IN GENERAL.**—Chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

“§ 44737. Helicopter fuel system safety

“(a) **PROHIBITION.**—

“(1) **IN GENERAL.**—A person may not operate a covered rotorcraft in United States airspace unless the design of the rotorcraft is certified by the Administrator of the Federal Aviation Administration to—

“(A) comply with the requirements applicable to the category of the rotorcraft under paragraphs (1), (2), (3), (5), and (6) of section 27.952(a), section 27.952(c), section 27.952(f), section 27.952(g), section 27.963(g) (but allowing for a minimum puncture force of 250 pounds if successfully drop tested in-structure), and section 27.975(b) or paragraphs (1), (2), (3), (5), and (6) of section 29.952(a), section 29.952(c), section 29.952(f), section 29.952(g), section 29.963(b) (but allowing for a minimum puncture force of 250 pounds if successfully drop tested in-structure), and 29.975(a)(7) of title 14, Code of Federal Regulations, as in

effect on the date of enactment of this section; or

“(B) employ other means acceptable to the Administrator to provide an equivalent level of fuel system crash resistance.

“(2) **COVERED ROTORCRAFT DEFINED.**—In this subsection, the term ‘covered rotorcraft’ means a rotorcraft not otherwise required to comply with section 27.952, section 27.963, and section 27.975, or section 29.952, section 29.963, and section 29.975 of title 14, Code of Federal Regulations as in effect on the date of enactment of this section for which manufacture was completed, as determined by the Administrator, on or after the date that is 18 months after the date of enactment of this section.

“(b) **ADMINISTRATIVE PROVISIONS.**—The Administrator shall—

“(1) expedite the certification and validation of United States and foreign type designs and retrofit kits that improve fuel system crashworthiness; and

“(2) not later than 180 days after the date of enactment of this section, and periodically thereafter, issue a bulletin to—

“(A) inform rotorcraft owners and operators of available modifications to improve fuel system crashworthiness; and

“(B) urge that such modifications be installed as soon as practicable.

“(c) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to affect the operation of a rotorcraft by the Department of Defense.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 447 of title 49, United States Code, is amended by adding at the end the following:

“44737. Helicopter fuel system safety.”.

SEC. 318. APPLICABILITY OF MEDICAL CERTIFICATION STANDARDS TO OPERATORS OF AIR BALLOONS.

(a) **SHORT TITLE.**—This section may be cited as the “Commercial Balloon Pilot Safety Act of 2018”.

(b) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall revise section 61.3(c) of title 14, Code of Federal Regulations (relating to second-class medical certificates), to apply to an operator of an air balloon to the same extent such regulations apply to a pilot flight crewmember of other aircraft.

(c) **AIR BALLOON DEFINED.**—In this section, the term “air balloon” has the meaning given the term “balloon” in section 1.1 of title 14, Code of Federal Regulations (or any corresponding similar regulation or ruling).

SEC. 319. DESIGNATED PILOT EXAMINER REQUIREMENTS.

(a) **IN GENERAL.**—The Administrator shall assign to the Aviation Rulemaking Advisory Committee (in this section referred to as the “Committee”) the task of reviewing all regulations and policies related to designated pilot examiners appointed under section 183.23 of title 14, Code of Federal Regulations. The Committee shall focus on the processes and requirements by which the FAA selects, trains, and deploys individuals as designated pilot examiners, and provide recommendations with respect to the regulatory and policy changes necessary to ensure an adequate number of designated pilot examiners are deployed and available to perform their duties. The Committee also shall make recommendations with respect to the regulatory and policy changes if necessary to allow a designated pilot examiner perform a daily limit of 3 new check rides with no limit for partial check rides and to serve as a designated pilot examiner without regard to any individual managing office.

(b) **ACTION BASED ON RECOMMENDATIONS.**—Not later than 1 year after receiving recommendations under subsection (a), the Administrator shall take such action as the Ad-

ministrator considers appropriate with respect to those recommendations.

SEC. 320. VOLUNTARY REPORTS OF OPERATIONAL OR MAINTENANCE ISSUES RELATED TO AVIATION SAFETY.

(a) **IN GENERAL.**—There shall be a presumption that an individual's voluntary report of an operational or maintenance issue related to aviation safety under an aviation safety action program meets the criteria for acceptance as a valid report under such program.

(b) **DISCLAIMER REQUIRED.**—Any dissemination, within the participating organization, of a report that was submitted and accepted under an aviation safety action program pursuant to the presumption under subsection (a), but that has not undergone review by an event review committee, shall be accompanied by a disclaimer stating that the report—

(1) has not been reviewed by an event review committee tasked with reviewing such reports; and

(2) may subsequently be determined to be ineligible for inclusion in the aviation safety action program.

(c) **REJECTION OF REPORT.**—

(1) **IN GENERAL.**—A report described under subsection (a) shall be rejected from an aviation safety action program if, after a review of the report, an event review committee tasked with reviewing such report, or the Federal Aviation Administration member of the event review committee in the case that the review committee does not reach consensus, determines that the report fails to meet the criteria for acceptance under such program.

(2) **PROTECTIONS.**—In any case in which a report of an individual described under subsection (a) is rejected under paragraph (1)—

(A) the enforcement-related incentive offered to the individual for making such a report shall not apply; and

(B) the protection from disclosure of the report itself under section 40123 of title 49, United States Code, shall not apply.

(3) **AVIATION SAFETY ACTION PROGRAM DEFINED.**—In this section, the term “aviation safety action program” means a program established in accordance with Federal Aviation Administration Advisory Circular 120-66B, issued November 15, 2002 (including any similar successor advisory circular), to allow an individual to voluntarily disclose operational or maintenance issues related to aviation safety.

SEC. 321. EVALUATION REGARDING ADDITIONAL GROUND BASED TRANSMITTERS.

The Administrator shall conduct an evaluation of providing additional ground based transmitters for Automatic Dependent Surveillance-Broadcasts (ADS-B) to provide a minimum operational network in Alaska along major flight routes.

SEC. 322. IMPROVED SAFETY IN RURAL AREAS.

The Administrator shall permit an air carrier operating pursuant to part 135 of title 14, Code of Federal Regulations, to operate to a destination with a published approach, in a noncontiguous State under instrument flight rules and conduct an instrument approach without a destination Meteorological Aerodrome Report (METAR) if a current Area Forecast, supplemented by noncertified local weather observations (such as weather cameras and human observations) is available, and an alternate airport that has a weather report is specified. The operator shall have approved procedures for departure and en route weather evaluation.

SEC. 323. EXIT ROWS.

(a) **REVIEW.**—The Administrator shall conduct a review of current safety procedures regarding unoccupied exit rows on a covered aircraft in passenger air transportation during all stages of flight.

(b) **CONSULTATION.**—In carrying out the review, the Administrator shall consult with air carriers, aviation manufacturers, and labor stakeholders.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the review.

(d) **COVERED AIRCRAFT DEFINED.**—In this section, the term “covered aircraft” means an aircraft operating under part 121 of title 14, Code of Federal Regulations.

SEC. 324. COMPTROLLER GENERAL REPORT ON FAA ENFORCEMENT POLICY.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall complete a study, and report to the appropriate committees of Congress on the results thereof, on the effectiveness of Order 8000.373, Federal Aviation Administration Compliance Philosophy, announced on June 26, 2015. Such study shall include information about—

(1) whether reports of safety incidents increased following the order;

(2) whether reduced enforcement penalties increased the overall number of safety incidents that occurred; and

(3) whether FAA enforcement staff registered complaints about reduced enforcement reducing compliance with safety regulations.

SEC. 325. ANNUAL SAFETY INCIDENT REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter for 5 years, the Administrator, shall submit to the appropriate committees of Congress a report regarding part 121 airline safety oversight.

(b) **CONTENTS.**—The annual report shall include—

(1) a description of the Federal Aviation Administration's safety oversight process to ensure the safety of the traveling public;

(2) a description of risk-based oversight methods applied to ensure aviation safety, including to specific issues addressed in the year preceding the report that in the determination of the Administrator address safety risk; and

(3) in the instance of specific reviews of air carrier performance to safety regulations, a description of cases where the timelines for recurrent reviews are advanced.

SEC. 326. AIRCRAFT AIR QUALITY.

(a) **EDUCATIONAL MATERIALS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall, in consultation with relevant stakeholders, establish and make available on a publicly available Internet website of the Administration, educational materials for flight attendants, pilots, and aircraft maintenance technicians on how to respond to incidents on board aircraft involving smoke or fumes.

(b) **REPORTING OF INCIDENTS OF SMOKE OR FUMES ON BOARD AIRCRAFT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall, in consultation with relevant stakeholders, issue guidance for flight attendants, pilots, and aircraft maintenance technicians to report incidents of smoke or fumes on board an aircraft operated by a commercial air carrier and with respect to the basis on which commercial air carriers shall report such incidents through the Service Difficulty Reporting System.

(c) **RESEARCH TO DEVELOP TECHNIQUES TO MONITOR BLEED AIR QUALITY.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall commission a study by the Airliner Cabin Environment Research Center of Excellence—

(1) to identify and measure the constituents and levels of constituents resulting from bleed air in the cabins of a representative set of commercial aircraft in operation of the United States;

(2) to assess the potential health effects of such constituents on passengers and cabin and flight deck crew;

(3) to identify technologies suitable to provide reliable and accurate warning of bleed air contamination, including technologies to effectively monitor the aircraft air supply system when the aircraft is in flight; and

(4) to identify potential techniques to prevent fume events.

(d) **REPORT REQUIRED.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the feasibility, efficacy, and cost-effectiveness of certification and installation of systems to evaluate bleed air quality.

(e) **PILOT PROGRAM.**—The FAA may conduct a pilot program to evaluate the effectiveness of technologies identified in subsection (c).

SEC. 327. APPROACH CONTROL RADAR.

The Administrator shall—

(1) identify airports that are currently served by FAA towers with nonradar approach and departure control (type 4 classification in the Federal Aviation Administration OPSNET); and

(2) develop an implementation plan, which takes into account budgetary and flight volume considerations, to provide an airport identified under paragraph (1), if appropriate, with approach control radar.

SEC. 328. REPORT ON AIRLINE AND PASSENGER SAFETY.

(a) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on airline and passenger safety.

(b) **CONTENTS.**—The report required under subsection (a) shall include—

(1) the average age of commercial aircraft owned and operated by United States air carriers;

(2) the over-all use of planes, including average lifetime of commercial aircraft;

(3) the number of hours aircraft are in flight over the life of the aircraft and the average number of hours on domestic and international flights, respectively;

(4) the impact of metal fatigue on aircraft usage and safety;

(5) a review on contractor assisted maintenance of commercial aircraft; and

(6) a re-evaluation of the rules on inspection of aging airplanes.

SEC. 329. PERFORMANCE-BASED STANDARDS.

The Administrator shall, to the maximum extent possible and consistent with Federal law, and based on input by the public, ensure that regulations, guidance, and policies issued by the FAA on and after the date of enactment of this Act are issued in the form of performance-based standards, providing an equal or higher level of safety.

SEC. 330. REPORT AND RECOMMENDATIONS ON CERTAIN AVIATION SAFETY RISKS.

Not later than 1 year after the date of the enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report that—

(1) identifies safety risks associated with power outages at airports caused by weather or other factors, and recommends actions to improve resilience of aviation communication, navigation, and surveillance systems in the event of such outages; and

(2) reviews alerting mechanisms, devices, and procedures for enhancing the situational awareness of pilots and air traffic controllers in the event of a failure or an irregularity of runway lights, and provides recommendations on the further implementation of such mechanisms, devices, or procedures.

SEC. 331. REVIEW OF FAA'S AVIATION SAFETY INFORMATION ANALYSIS AND SHARING SYSTEM.

(a) **AUDIT BY DEPARTMENT OF TRANSPORTATION INSPECTOR GENERAL.**—Not later than 90 days after the date of enactment of this Act, the inspector general of the Department of Transportation shall initiate a follow-up review of the FAA's Aviation Safety Information Analysis and Sharing (ASIAS) system to assess FAA's efforts and plans to improve the system.

(b) **REVIEW.**—The review shall include, at a minimum, an evaluation of FAA's efforts to improve the ASIAS system's predictive capabilities and solutions developed to more widely disseminate results of ASIAS data analyses, as well as an update on previous inspector general recommendations to improve this safety analysis and sharing system.

(c) **REPORT.**—The inspector general shall submit to the appropriate committees of Congress a report on the results of the review carried out under this section and any recommendations to improve FAA's ASIAS system.

SEC. 332. AIRPORT RESCUE AND FIREFIGHTING.

(a) **FIREFIGHTING FOAM.**—Not later than 3 years after the date of enactment of this Act, the Administrator, using the latest version of National Fire Protection Association 403, "Standard for Aircraft Rescue and Fire-Fighting Services at Airports", and in coordination with the Administrator of the Environmental Protection Agency, aircraft manufacturers and airports, shall not require the use of fluorinated chemicals to meet the performance standards referenced in chapter 6 of AC No: 150/5210-6D and acceptable under 139.319(1) of title 14, Code of Federal Regulations.

(b) **TRAINING FACILITIES.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress—

(1) a report on the number and sufficiency of aircraft rescue and firefighting training facilities in each FAA region; and

(2) a plan, if appropriate, to address any coverage gaps identified in the report.

SEC. 333. SAFE AIR TRANSPORTATION OF LITHIUM CELLS AND BATTERIES.

(a) **HARMONIZATION WITH ICAO TECHNICAL INSTRUCTIONS.**—

(1) **ADOPTION OF ICAO INSTRUCTIONS.**—

(A) **IN GENERAL.**—Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall conform United States regulations on the air transport of lithium cells and batteries with the lithium cells and battery requirements in the 2015-2016 edition of the International Civil Aviation Organization's (referred to in this subsection as "ICAO") Technical Instructions (to include all addenda), including the revised standards adopted by ICAO which became effective on April 1, 2016 and any further revisions adopted by ICAO prior to the effective date of the FAA Reauthorization Act of 2018.

(B) **FURTHER PROCEEDINGS.**—Beginning on the date the revised regulations under subparagraph (A) are published in the Federal Register, any lithium cell and battery rule-making action or update commenced on or after that date shall continue to comply with the requirements under section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

(2) **REVIEW OF OTHER REGULATIONS.**—Pursuant to section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note), the Secretary of Transportation may initiate a review of other existing regulations regarding the air transportation, including passenger-carrying and cargo aircraft, of lithium batteries and cells.

(b) **MEDICAL DEVICE BATTERIES.**—

(1) **IN GENERAL.**—For United States applicants, the Secretary of Transportation shall consider and either grant or deny, not later than 45 days after receipt of an application, an application submitted in compliance with part 107 of title 49, Code of Federal Regulations, for special permits or approvals for air transportation of lithium ion cells or batteries specifically used by medical devices. Not later than 30 days after the date of application, the Pipeline and Hazardous Materials Safety Administration shall provide a draft special permit to the Federal Aviation Administration based on the application. The Federal Aviation Administration shall conduct an on-site inspection for issuance of the special permit not later than 20 days after the date of receipt of the draft special permit from the Pipeline and Hazardous Materials Safety Administration.

(2) **LIMITED EXCEPTIONS TO RESTRICTIONS ON AIR TRANSPORTATION OF MEDICAL DEVICE BATTERIES.**—The Secretary shall issue limited exceptions to the restrictions on transportation of lithium ion and lithium metal batteries to allow the shipment on a passenger aircraft of not more than 2 replacement batteries specifically used for a medical device if—

(A) the intended destination of the batteries is not serviced daily by cargo aircraft if a battery is required for medically necessary care; and

(B) with regard to a shipper of lithium ion or lithium metal batteries for medical devices that cannot comply with a charge limitation in place at the time, each battery is—

(i) individually packed in an inner packaging that completely encloses the battery;

(ii) placed in a rigid outer packaging; and

(iii) protected to prevent a short circuit.

(3) **MEDICAL DEVICE DEFINED.**—In this subsection, the term "medical device" means an instrument, apparatus, implement, machine, contrivance, implant, or in vitro reagent, including any component, part, or accessory thereof, which is intended for use in the diagnosis of disease or other conditions, or in the cure, mitigation, treatment, or prevention of disease, of a person.

(4) **SAVINGS CLAUSE.**—Nothing in this subsection shall be construed as expanding or constricting any other authority the Secretary of Transportation has under section 828 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

(c) **LITHIUM BATTERY SAFETY WORKING GROUP.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall establish a lithium battery safety working group (referred to as the "working group" in this section) to promote and coordinate efforts related to the promotion of the safe manufacture, use, and transportation of lithium batteries and cells.

(2) **DUTIES.**—The working group shall coordinate and facilitate the transfer of knowledge and expertise among the following Federal agencies:

(A) The Department of Transportation.

(B) The Consumer Product Safety Commission.

(C) The National Institute on Standards and Technology.

(D) The Food and Drug Administration.

(3) **MEMBERS.**—The Secretary shall appoint not more than 8 members to the working group with expertise in the safe manufacture, use, or transportation of lithium batteries and cells.

(4) **SUBCOMMITTEES.**—The Secretary, or members of the working group, may—

(A) establish working group subcommittees to focus on specific issues related to the safe manufacture, use, or transportation of lithium batteries and cells; and

(B) include in a subcommittee the participation of nonmember stakeholders with expertise in areas that the Secretary or members consider necessary.

(5) **REPORT.**—Not later than 1 year after the date it is established, the working group shall—

(A) identify and assess—

(i) additional ways to decrease the risk of fires and explosions from lithium batteries and cells;

(ii) additional ways to ensure uniform transportation requirements for both bulk and individual batteries; and

(iii) new or existing technologies that may reduce the fire and explosion risk of lithium batteries and cells; and

(B) transmit to the appropriate committees of Congress a report on the assessments conducted under subparagraph (A), including any legislative recommendations to effectuate the safety improvements described in clauses (i) through (iii) of that subparagraph.

(6) **TERMINATION.**—The working group, and any working group subcommittees, shall terminate 90 days after the date the report is transmitted under paragraph (5).

(d) **LITHIUM BATTERY AIR SAFETY ADVISORY COMMITTEE.**—

(1) **ESTABLISHMENT.**—Not later than 60 days after the date of enactment of this Act, the Secretary shall establish, in accordance with the requirements of the Federal Advisory Committee Act (5 U.S.C. App.), a lithium ion and lithium metal battery air safety advisory committee (in this subsection referred to as the "Committee").

(2) **DUTIES.**—The Committee shall—

(A) facilitate communication between manufacturers of lithium ion and lithium metal cells and batteries, manufacturers of products incorporating both large and small lithium ion and lithium metal batteries, air carriers, and the Federal Government regarding the safe air transportation of lithium ion and lithium metal cells and batteries and the effectiveness and economic and social impacts of the regulation of such transportation;

(B) provide the Secretary, the Federal Aviation Administration, and the Pipeline and Hazardous Materials Safety Administration with timely information about new lithium ion and lithium metal battery technology and transportation safety practices and methodologies;

(C) provide a forum for the Secretary to provide information on and to discuss the activities of the Department of Transportation relating to lithium ion and lithium metal battery transportation safety, the policies underlying the activities, and positions to be advocated in international forums;

(D) provide a forum for the Secretary to provide information and receive advice on—

(i) activities carried out throughout the world to communicate and enforce relevant United States regulations and the ICAO Technical Instructions; and

(ii) the effectiveness of the activities;

(E) provide advice and recommendations to the Secretary with respect to lithium ion and lithium metal battery air transportation safety, including how best to implement activities to increase awareness of relevant requirements and their importance to travelers and shippers; and

(F) review methods to decrease the risk posed by air shipment of undeclared hazardous materials and efforts to educate those who prepare and offer hazardous materials for shipment via air transport.

(3) **MEMBERSHIP.**—The Committee shall be composed of the following members:

(A) Individuals appointed by the Secretary to represent—

(i) large volume manufacturers of lithium ion and lithium metal cells and batteries;

(ii) domestic manufacturers of lithium ion and lithium metal batteries or battery packs;

(iii) manufacturers of consumer products powered by lithium ion and lithium metal batteries;

(iv) manufacturers of vehicles powered by lithium ion and lithium metal batteries;

(v) marketers of products powered by lithium ion and lithium metal batteries;

(vi) cargo air service providers based in the United States;

(vii) passenger air service providers based in the United States;

(viii) pilots and employees of air service providers described in clauses (vi) and (vii);

(ix) shippers of lithium ion and lithium metal batteries for air transportation;

(x) manufacturers of battery-powered medical devices or batteries used in medical devices; and

(xi) employees of the Department of Transportation, including employees of the Federal Aviation Administration and the Pipeline and Hazardous Materials Safety Administration.

(B) Representatives of such other Government departments and agencies as the Secretary determines appropriate.

(C) Any other individuals the Secretary determines are appropriate to comply with Federal law.

(4) REPORT.—

(A) IN GENERAL.—Not later than 180 days after the establishment of the Committee, the Committee shall submit to the Secretary and the appropriate committees of Congress a report that—

(i) describes and evaluates the steps being taken in the private sector and by international regulatory authorities to implement and enforce requirements relating to the safe transportation by air of bulk shipments of lithium ion cells and batteries; and

(ii) identifies any areas of enforcement or regulatory requirements for which there is consensus that greater attention is needed.

(B) INDEPENDENT STATEMENTS.—Each member of the Committee shall be provided an opportunity to submit an independent statement of views with the report submitted pursuant to subparagraph (A).

(5) MEETINGS.—

(A) IN GENERAL.—The Committee shall meet at the direction of the Secretary and at least twice a year.

(B) PREPARATION FOR ICAO MEETINGS.—Notwithstanding subparagraph (A), the Secretary shall convene a meeting of the Committee in connection with and in advance of each meeting of the International Civil Aviation Organization, or any of its panels or working groups, addressing the safety of air transportation of lithium ion and lithium metal batteries to brief Committee members on positions to be taken by the United States at such meeting and provide Committee members a meaningful opportunity to comment.

(6) TERMINATION.—The Committee shall terminate on the date that is 6 years after the date on which the Committee is established.

(7) TERMINATION OF FUTURE OF AVIATION ADVISORY COMMITTEE.—The Future of Aviation Advisory Committee shall terminate on the date on which the lithium ion battery air safety advisory committee is established.

(e) COOPERATIVE EFFORTS TO ENSURE COMPLIANCE WITH SAFETY REGULATIONS.—

(1) IN GENERAL.—The Secretary of Transportation, in coordination with appropriate Federal agencies, shall carry out cooperative efforts to ensure that shippers who offer lithium ion and lithium metal batteries for air transport to or from the United States comply with U.S. Hazardous Materials Regulations and ICAO Technical Instructions.

(2) COOPERATIVE EFFORTS.—The cooperative efforts the Secretary shall carry out pursuant to paragraph (1) include the following:

(A) Encouraging training programs at locations outside the United States from which substantial cargo shipments of lithium ion or lithium metal batteries originate for manufacturers, freight forwarders, and other shippers and potential shippers of lithium ion and lithium metal batteries.

(B) Working with Federal, regional, and international transportation agencies to ensure enforcement of U.S. Hazardous Materials Regulations and ICAO Technical Instructions with respect to shippers who offer noncompliant shipments of lithium ion and lithium metal batteries.

(C) Sharing information, as appropriate, with Federal, regional, and international transportation agencies regarding non-compliant shipments.

(D) Pursuing a joint effort with the international aviation community to develop a process to obtain assurances that appropriate enforcement actions are taken to reduce the likelihood of noncompliant shipments, especially with respect to jurisdictions in which enforcement activities historically have been limited.

(E) Providing information in brochures and on the internet in appropriate foreign languages and dialects that describes the actions required to comply with U.S. Hazardous Materials Regulations and ICAO Technical Instructions.

(F) Developing joint efforts with the international aviation community to promote a better understanding of the requirements of and methods of compliance with U.S. Hazardous Materials Regulations and ICAO Technical Instructions.

(3) REPORTING.—Not later than 120 days after the date of enactment of this Act, and annually thereafter for 2 years, the Secretary shall submit to the appropriate committees of Congress a report on compliance with the policy set forth in subsection (e) and the cooperative efforts carried out, or planned to be carried out, under this subsection.

(f) PACKAGING IMPROVEMENTS.—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with interested stakeholders, shall submit to the appropriate committees of Congress an evaluation of current practices for the packaging of lithium ion batteries and cells for air transportation, including recommendations, if any, to improve the packaging of such batteries and cells for air transportation in a safe, efficient, and cost-effective manner.

(g) DEPARTMENT OF TRANSPORTATION POLICY ON INTERNATIONAL REPRESENTATION.—

(1) IN GENERAL.—It shall be the policy of the Department of Transportation to support the participation of industry and labor stakeholders in all panels and working groups of the dangerous goods panel of the ICAO and any other international test or standard setting organization that considers proposals on the safety or transportation of lithium ion and lithium metal batteries in which the United States participates.

(2) PARTICIPATION.—The Secretary of Transportation shall request that as part of the ICAO deliberations in the dangerous goods panel on these issues, that appropriate experts on issues under consideration be allowed to participate.

(h) DEFINITIONS.—In this section, the following definitions apply:

(1) ICAO TECHNICAL INSTRUCTIONS.—The term “ICAO Technical Instructions” has the meaning given that term in section 828(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44701 note).

(2) U.S. HAZARDOUS MATERIALS REGULATIONS.—The term “U.S. Hazardous Materials Regulations” means the regulations in parts

100 through 177 of title 49, Code of Federal Regulations (including amendments adopted after the date of enactment of this Act).

SEC. 334. RUNWAY SAFETY.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on improving runway safety.

(b) CONTENTS.—In the report required under this section, the Administrator shall—

(1) review the relative benefits and risks of requiring the use of runway awareness and advisory systems in turbine-powered airplanes with a maximum takeoff weight greater than 19,000 pounds;

(2) review systems capable of detecting wrong-surface alignment to determine whether the capability exists to detect imminent wrong-surface landings at each airport where such a system is in use;

(3) describe information gathered from the use of the Airport Surface Surveillance Capability system at San Francisco International Airport since July 2017;

(4) assess available technologies to determine whether it is feasible, cost-effective, and appropriate to install and deploy, at any airport, systems to provide a direct warning capability to flight crews or air traffic controllers, or both, of potential runway incursions; and

(5) describe FAA efforts to develop metrics that would allow the FAA to determine whether runway incursions are increasing and to assess the effectiveness of implemented runway safety initiatives.

(c) CONSULTATION.—The Administrator shall consult with the National Transportation Safety Board in developing the report required under this section.

SEC. 335. FLIGHT ATTENDANT DUTY PERIOD LIMITATIONS AND REST REQUIREMENTS.

(a) MODIFICATION OF FINAL RULE.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall modify the final rule of the Federal Aviation Administration published in the Federal Register on August 19, 1994 (59 Fed. Reg. 42974; relating to flight attendant duty period limitations and rest requirements) in accordance with the requirements of this subsection.

(2) CONTENTS.—The final rule, as modified under paragraph (1), shall ensure that—

(A) a flight attendant scheduled to a duty period of 14 hours or less is given a scheduled rest period of at least 10 consecutive hours; and

(B) the rest period is not reduced under any circumstances.

(b) FATIGUE RISK MANAGEMENT PLAN.—

(1) SUBMISSION OF PLAN BY PART 121 AIR CARRIERS.—Not later than 90 days after the date of enactment of this Act, each air carrier operating under part 121 of title 14, Code of Federal Regulations (in this section referred to as a “part 121 air carrier”), shall submit to the Administrator of the Federal Aviation Administration for review and acceptance a fatigue risk management plan for the carrier’s flight attendants.

(2) CONTENTS OF PLAN.—A fatigue risk management plan submitted by a part 121 air carrier under paragraph (1) shall include the following:

(A) Current flight time and duty period limitations.

(B) A rest scheme consistent with such limitations that enables the management of flight attendant fatigue, including annual training to increase awareness of—

(i) fatigue;

(ii) the effects of fatigue on flight attendants; and

(iii) fatigue countermeasures.

(C) Development and use of a methodology that continually assesses the effectiveness of

implementation of the plan, including the ability of the plan—

- (i) to improve alertness; and
- (ii) to mitigate performance errors.

(3) **REVIEW.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall review and accept or reject each fatigue risk management plan submitted under this subsection. If the Administrator rejects a plan, the Administrator shall provide suggested modifications for resubmission of the plan.

(4) **PLAN UPDATES.**—

(A) **IN GENERAL.**—A part 121 air carrier shall update its fatigue risk management plan under paragraph (1) every 2 years and submit the update to the Administrator for review and acceptance.

(B) **REVIEW.**—Not later than 1 year after the date of submission of a plan update under subparagraph (A), the Administrator shall review and accept or reject the update. If the Administrator rejects an update, the Administrator shall provide suggested modifications for resubmission of the update.

(5) **COMPLIANCE.**—A part 121 air carrier shall comply with the fatigue risk management plan of the air carrier that is accepted by the Administrator under this subsection.

(6) **CIVIL PENALTIES.**—A violation of this subsection by a part 121 air carrier shall be treated as a violation of chapter 447 of title 49, United States Code, for purposes of the application of civil penalties under chapter 463 of that title.

SEC. 336. SECONDARY COCKPIT BARRIERS.

(a) **SHORT TITLE.**—This section may be cited as the “Saracini Aviation Safety Act of 2018”.

(b) **REQUIREMENT.**—Not later than 1 year after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration shall issue an order requiring installation of a secondary cockpit barrier on each new aircraft that is manufactured for delivery to a passenger air carrier in the United States operating under the provisions of part 121 of title 14, Code of Federal Regulations.

SEC. 337. AIRCRAFT CABIN EVACUATION PROCEDURES.

(a) **REVIEW.**—The Administrator of the Federal Aviation Administration shall review—

(1) evacuation certification of transport-category aircraft used in air transportation, with regard to—

(A) emergency conditions, including impacts into water;

(B) crew procedures used for evacuations under actual emergency conditions;

(C) any relevant changes to passenger demographics and legal requirements, including the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), that affect emergency evacuations; and

(D) any relevant changes to passenger seating configurations, including changes to seat width, padding, reclining, size, pitch, leg room, and aisle width; and

(2) recent accidents and incidents in which passengers evacuated such aircraft.

(b) **CONSULTATION; REVIEW OF DATA.**—In conducting the review under subsection (a), the Administrator shall—

(1) consult with the National Transportation Safety Board, transport-category aircraft manufacturers, air carriers, and other relevant experts and Federal agencies, including groups representing passengers, airline crew members, maintenance employees, and emergency responders; and

(2) review relevant data with respect to evacuation certification of transport-category aircraft.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appro-

priate committees of Congress a report on the results of the review under subsection (a) and related recommendations, if any, including recommendations for revisions to the assumptions and methods used for assessing evacuation certification of transport-category aircraft.

SEC. 338. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) each air carrier should have in place policies and procedures to address sexual misconduct, including policies and procedures to—

(B) facilitate the reporting of sexual misconduct to appropriate law enforcement agencies;

(C) communicate to personnel and passengers of the air carrier the rights of such individuals with respect to sexual misconduct;

(D) train personnel of the air carrier to recognize and respond appropriately to, and to notify the appropriate law enforcement agency of, sexual misconduct; and

(E) ensure other appropriate actions are undertaken to respond effectively to sexual misconduct; and

(2) individuals who perpetrate sexual misconduct should be held accountable under all applicable Federal and State laws.

SEC. 339. CIVIL PENALTIES FOR INTERFERENCE.

(a) **INTERFERENCE WITH CABIN OR FLIGHT CREW.**—Section 46318(a) of title 49, United States Code, is amended—

(1) by inserting “or sexually” after “physically” each place it appears; and

(2) by striking “\$25,000” and inserting “\$35,000”.

SEC. 339A. NATIONAL IN-FLIGHT SEXUAL MISCONDUCT TASK FORCE.

(a) **ESTABLISHMENT OF TASK FORCE.**—The Secretary of Transportation shall establish a task force, to be known as the “National In-Flight Sexual Misconduct Task Force” (referred to in this section as “Task Force”) to—

(1) review current practices, protocols and requirements of air carriers in responding to allegations of sexual misconduct by passengers onboard aircraft, including training, reporting and data collection; and

(2) provide recommendations on training, reporting and data collection regarding allegations of sexual misconduct occurring on passenger airline flights that are informed by the review of information described in paragraph (1) and subsection (c)(5) on passengers who have experienced sexual misconduct onboard aircraft.

(b) **MEMBERSHIP.**—The Task Force shall be composed of, at a minimum, representatives from—

(1) Department of Transportation;

(2) Department of Justice, including the Federal Bureau of Investigation, Office of Victims for Crimes, and the Office on Violence Against Women;

(3) National organizations that specialize in providing services to sexual assault victims;

(4) labor organizations that represent flight attendants;

(5) labor organizations that represent pilots;

(6) airports;

(7) air carriers;

(8) State and local law enforcement agencies; and

(9) such other Federal agencies and stakeholder organizations as the Secretary of Transportation considers appropriate.

(c) **PURPOSE OF TASK FORCE.**—The purpose of the Task Force shall be to—

(1) issue recommendations for addressing allegations of sexual misconduct by passengers onboard aircraft, including airline employee and contractor training;

(2) issue recommendations on effective ways for passengers involved in incidents of

alleged sexual misconduct to report such allegation of sexual misconduct;

(3) issue recommendations on how to most effectively provide data on instances of alleged sexual misconduct onboard aircraft and to whom the data collected should be reported in a manner that protects the privacy and confidentiality of individuals involved in incidents of alleged sexual misconduct and precludes the release of data that publically identifies an individual air carrier to enable better understanding of the frequency and severity of such misconduct;

(4) issue recommendations for flight attendants, pilots, and other appropriate airline personnel on law enforcement notification in incidents of alleged sexual misconduct;

(5) review and utilize first-hand accounts from passengers who have experienced sexual misconduct onboard aircraft; and

(6) other matters deemed necessary by the Task Force.

(d) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Task Force shall submit a report with its recommendations and findings developed pursuant to subsection (c) to the Secretary of Transportation.

(e) **PLAN.**—Not later than 180 days after receiving the report required under subsection (d) the Secretary of Transportation, in coordination with relevant federal agencies, shall submit to appropriate committees of Congress a plan to address the recommendations in the report required under subsection (d). The Secretary of Transportation shall make changes to guidance, policies and regulations, as necessary, within 1 year of submitting the plan required in this subsection.

(f) **REGULATIONS.**—Not later than 1 year after submitting the plan required in this subsection, the Secretary of Transportation may issue regulations as deemed necessary to require each air carrier and other covered entity to develop a policy concerning sexual misconduct in accordance with the recommendations and findings of the Task Force under subsection (c).

(g) **SUNSET.**—The Task Force established pursuant to subsection (a) shall terminate upon the submission of the report pursuant to subsection (d).

SEC. 339B. REPORTING PROCESS FOR SEXUAL MISCONDUCT ONBOARD AIRCRAFT.

(a) **IN GENERAL.**—Not later than two years after the date of the enactment of this Act, the Attorney General, in coordination with relevant Federal agencies, shall establish a streamlined process, based on the plan required under section 339A(e) of this Act, for individuals involved in incidents of alleged sexual misconduct onboard aircraft to report such allegations of sexual misconduct to law enforcement in a manner that protects the privacy and confidentiality of individuals involved in such allegations.

(b) **AVAILABILITY OF REPORTING PROCESS.**—The process for reporting established under subsection (a) shall be made available to the public on the primary Internet websites of—

(1) the Office for Victims of Crime and the Office on Violence Against Women of the Department of Justice;

(2) the Federal Bureau of Investigation; and

(3) the Department of Transportation.

Subtitle B—Unmanned Aircraft Systems

SEC. 341. DEFINITIONS; INTEGRATION OF CIVIL UNMANNED AIRCRAFT SYSTEMS INTO NATIONAL AIRSPACE SYSTEM.

(a) **IN GENERAL.**—Part A of subtitle VII of title 49, United States Code, is amended by inserting after chapter 447 the following:

“CHAPTER 448—UNMANNED AIRCRAFT SYSTEMS

“Sec.

“44801. Definitions.

“44802. Integration of civil unmanned aircraft systems into national airspace system.

“§ 44801. Definitions

“In this chapter, the following definitions apply:

“(1) **ACTIVELY TETHERED UNMANNED AIRCRAFT SYSTEM.**—The term ‘actively tethered unmanned aircraft system’ means an unmanned aircraft system in which the unmanned aircraft component—

“(A) weighs 4.4 pounds or less, including payload but not including the tether;

“(B) is physically attached to a ground station with a taut, appropriately load-rated tether that provides continuous power to the unmanned aircraft and is unlikely to be separated from the unmanned aircraft; and

“(C) is controlled and retrieved by such ground station through physical manipulation of the tether.

“(2) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term ‘appropriate committees of Congress’ means the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

“(3) **ARCTIC.**—The term ‘Arctic’ means the United States zone of the Chukchi Sea, Beaufort Sea, and Bering Sea north of the Aleutian chain.

“(4) **CERTIFICATE OF WAIVER; CERTIFICATE OF AUTHORIZATION.**—The terms ‘certificate of waiver’ and ‘certificate of authorization’ mean a Federal Aviation Administration grant of approval for a specific flight operation.

“(5) **COUNTER-UAS SYSTEM.**—The term ‘counter-UAS system’ means a system or device capable of lawfully and safely disabling, disrupting, or seizing control of an unmanned aircraft or unmanned aircraft system.

“(6) **PERMANENT AREAS.**—The term ‘permanent areas’ means areas on land or water that provide for launch, recovery, and operation of small unmanned aircraft.

“(7) **PUBLIC UNMANNED AIRCRAFT SYSTEM.**—The term ‘public unmanned aircraft system’ means an unmanned aircraft system that meets the qualifications and conditions required for operation of a public aircraft.

“(8) **SENSE AND AVOID CAPABILITY.**—The term ‘sense and avoid capability’ means the capability of an unmanned aircraft to remain a safe distance from and to avoid collisions with other airborne aircraft, structures on the ground, and other objects.

“(9) **SMALL UNMANNED AIRCRAFT.**—The term ‘small unmanned aircraft’ means an unmanned aircraft weighing less than 55 pounds, including the weight of anything attached to or carried by the aircraft.

“(10) **TEST RANGE.**—The term ‘test range’ means a defined geographic area where research and development are conducted as authorized by the Administrator of the Federal Aviation Administration, and includes any of the 6 test ranges established by the Administrator under section 332(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note), as in effect on the day before the date of enactment of the FAA Reauthorization Act of 2018, and any public entity authorized by the Federal Aviation Administration as an unmanned aircraft system flight test center before January 1, 2009.

“(11) **UNMANNED AIRCRAFT.**—The term ‘unmanned aircraft’ means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

“(12) **UNMANNED AIRCRAFT SYSTEM.**—The term ‘unmanned aircraft system’ means an unmanned aircraft and associated elements (including communication links and the components that control the unmanned air-

craft) that are required for the operator to operate safely and efficiently in the national airspace system.

“(13) **UTM.**—The term ‘UTM’ means an unmanned aircraft system traffic management system or service.

“§ 44802. Integration of civil unmanned aircraft systems into national airspace system

“(a) **REQUIRED PLANNING FOR INTEGRATION.**—

“(1) **COMPREHENSIVE PLAN.**—Not later than November 10, 2012, the Secretary of Transportation, in consultation with representatives of the aviation industry, Federal agencies that employ unmanned aircraft systems technology in the national airspace system, and the unmanned aircraft systems industry, shall develop a comprehensive plan to safely accelerate the integration of civil unmanned aircraft systems into the national airspace system.

“(2) **CONTENTS OF PLAN.**—The plan required under paragraph (1) shall contain, at a minimum, recommendations or projections on—

“(A) the rulemaking to be conducted under subsection (b), with specific recommendations on how the rulemaking will—

“(i) define the acceptable standards for operation and certification of civil unmanned aircraft systems;

“(ii) ensure that any civil unmanned aircraft system includes a sense-and-avoid capability; and

“(iii) establish standards and requirements for the operator and pilot of a civil unmanned aircraft system, including standards and requirements for registration and licensing;

“(B) the best methods to enhance the technologies and subsystems necessary to achieve the safe and routine operation of civil unmanned aircraft systems in the national airspace system;

“(C) a phased-in approach to the integration of civil unmanned aircraft systems into the national airspace system;

“(D) a timeline for the phased-in approach described under subparagraph (C);

“(E) creation of a safe airspace designation for cooperative manned and unmanned flight operations in the national airspace system;

“(F) establishment of a process to develop certification, flight standards, and air traffic requirements for civil unmanned aircraft systems at test ranges where such systems are subject to testing;

“(G) the best methods to ensure the safe operation of civil unmanned aircraft systems and public unmanned aircraft systems simultaneously in the national airspace system; and

“(H) incorporation of the plan into the annual NextGen Implementation Plan document (or any successor document) of the Federal Aviation Administration.

“(3) **DEADLINE.**—The plan required under paragraph (1) shall provide for the safe integration of civil unmanned aircraft systems into the national airspace system as soon as practicable, but not later than September 30, 2015.

“(4) **REPORT TO CONGRESS.**—Not later than February 14, 2013, the Secretary shall submit to Congress a copy of the plan required under paragraph (1).

“(5) **ROADMAP.**—Not later than February 14, 2013, the Secretary shall approve and make available in print and on the Administration’s internet website a 5-year roadmap for the introduction of civil unmanned aircraft systems into the national airspace system, as coordinated by the Unmanned Aircraft Program Office of the Administration. The Secretary shall update, in coordination with the Administrator of the National Aeronautics and Space Administration (NASA) and relevant stakeholders, including those in industry and academia, the roadmap annu-

ally. The roadmap shall include, at a minimum—

“(A) cost estimates, planned schedules, and performance benchmarks, including specific tasks, milestones, and timelines, for unmanned aircraft systems integration into the national airspace system, including an identification of—

“(i) the role of the unmanned aircraft systems test ranges established under subsection (c) and the Unmanned Aircraft Systems Center of Excellence;

“(ii) performance objectives for unmanned aircraft systems that operate in the national airspace system; and

“(iii) research and development priorities for tools that could assist air traffic controllers as unmanned aircraft systems are integrated into the national airspace system, as appropriate;

“(B) a description of how the Administration plans to use research and development, including research and development conducted through NASA’s Unmanned Aircraft Systems Traffic Management initiatives, to accommodate, integrate, and provide for the evolution of unmanned aircraft systems in the national airspace system;

“(C) an assessment of critical performance abilities necessary to integrate unmanned aircraft systems into the national airspace system, and how these performance abilities can be demonstrated; and

“(D) an update on the advancement of technologies needed to integrate unmanned aircraft systems into the national airspace system, including decisionmaking by adaptive systems, such as sense-and-avoid capabilities and cyber physical systems security.

“(b) **RULEMAKING.**—Not later than 18 months after the date on which the plan required under subsection (a)(1) is submitted to Congress under subsection (a)(4), the Secretary shall publish in the Federal Register—

“(1) a final rule on small unmanned aircraft systems that will allow for civil operation of such systems in the national airspace system, to the extent the systems do not meet the requirements for expedited operational authorization under section 44807;

“(2) a notice of proposed rulemaking to implement the recommendations of the plan required under subsection (a)(1), with the final rule to be published not later than 16 months after the date of publication of the notice; and

“(3) an update to the Administration’s most recent policy statement on unmanned aircraft systems, contained in Docket No. FAA-2006-25714.”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) **TABLE OF CHAPTERS.**—The table of chapters for subtitle VII of title 49, United States Code, is amended by inserting after the item relating to chapter 447 the following:

“448 . Unmanned aircraft systems 44801”.

(2) **REPEAL.**—Section 332 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 342. UPDATE OF FAA COMPREHENSIVE PLAN.

(a) **IN GENERAL.**—Not later than 270 days after the date of enactment of this Act, the Secretary of Transportation shall update the comprehensive plan described in section 44802 of title 49, United States Code, to develop a concept of operations for the integration of unmanned aircraft into the national airspace system.

(b) **CONSIDERATIONS.**—In carrying out the update under subsection (a), the Secretary shall consider, at a minimum—

(1) the potential use of UTM and other technologies to ensure the safe and lawful

operation of unmanned aircraft in the national airspace system;

(2) the appropriate roles, responsibilities, and authorities of government agencies and the private sector in identifying and reporting unlawful or harmful operations and operators of unmanned aircraft;

(3) the use of models, threat assessments, probabilities, and other methods to distinguish between lawful and unlawful operations of unmanned aircraft; and

(4) appropriate systems, training, intergovernmental processes, protocols, and procedures to mitigate risks and hazards posed by unlawful or harmful operations of unmanned aircraft systems.

(c) **CONSULTATION.**—The Secretary shall carry out the update under subsection (a) in consultation with representatives of the aviation industry, Federal agencies that employ unmanned aircraft systems technology in the national airspace system, and the unmanned aircraft systems industry.

(d) **PROGRAM ALIGNMENT REPORT.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress, a report that describes a strategy to—

(1) avoid duplication;

(2) leverage capabilities learned across programs;

(3) support the safe integration of UAS into the national airspace; and

(4) systematically and timely implement or execute—

(A) commercially-operated Low Altitude Authorization and Notification Capability;

(B) the Unmanned Aircraft System Integration Pilot Program; and

(C) the Unmanned Traffic Management Pilot Program.

SEC. 343. UNMANNED AIRCRAFT TEST RANGES.

(a) **IN GENERAL.**—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

“§ 44803. Unmanned aircraft test ranges

“(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall carry out and update, as appropriate, a program for the use of the test ranges to facilitate the safe integration of unmanned aircraft systems into the national airspace system.

“(b) **PROGRAM REQUIREMENTS.**—In carrying out the program under subsection (a), the Administrator shall—

“(1) designate airspace for safely testing the integration of unmanned flight operations in the national airspace system;

“(2) develop operational standards and air traffic requirements for unmanned flight operations at test ranges;

“(3) coordinate with, and leverage the resources of, the National Aeronautics and Space Administration and the Department of Defense;

“(4) address both civil and public unmanned aircraft systems;

“(5) ensure that the program is coordinated with relevant aspects of the Next Generation Air Transportation System;

“(6) provide for verification of the safety of unmanned aircraft systems and related navigation procedures as it relates to continued development of standards for integration into the national airspace system;

“(7) engage test range operators, as necessary and within available resources, in projects for research, development, testing, and evaluation of unmanned aircraft systems to facilitate the Federal Aviation Administration's development of standards for the safe integration of unmanned aircraft into the national airspace system, which may include solutions for—

“(A) developing and enforcing geographic and altitude limitations;

“(B) providing for alerts by the manufacturer of an unmanned aircraft system regarding any hazards or limitations on flight, including prohibition on flight as necessary;

“(C) sense and avoid capabilities;

“(D) beyond-visual-line-of-sight operations, nighttime operations, operations over people, operation of multiple small unmanned aircraft systems, and unmanned aircraft systems traffic management, or other critical research priorities; and

“(E) improving privacy protections through the use of advances in unmanned aircraft systems technology;

“(8) coordinate periodically with all test range operators to ensure test range operators know which data should be collected, what procedures should be followed, and what research would advance efforts to safely integrate unmanned aircraft systems into the national airspace system;

“(9) streamline to the extent practicable the approval process for test ranges when processing unmanned aircraft certificates of waiver or authorization for operations at the test sites;

“(10) require each test range operator to protect proprietary technology, sensitive data, or sensitive research of any civil or private entity when using that test range without the need to obtain an experimental or special airworthiness certificate;

“(11) allow test range operators to receive Federal funding, other than from the Federal Aviation Administration, including in-kind contributions, from test range participants in the furtherance of research, development, and testing objectives.

“(c) **WAIVERS.**—In carrying out this section the Administrator may waive the requirements of section 44711 of title 49, United States Code, including related regulations, to the extent consistent with aviation safety.

“(d) **REVIEW OF OPERATIONS BY TEST RANGE OPERATORS.**—The operator of each test range under subsection (a) shall—

“(1) review the operations of unmanned aircraft systems conducted at the test range, including—

“(A) ongoing or completed research; and

“(B) data regarding operations by private and public operators; and

“(2) submit to the Administrator, in such form and manner as specified by the Administrator, the results of the review, including recommendations to further enable private research and development operations at the test ranges that contribute to the Federal Aviation Administration's safe integration of unmanned aircraft systems into the national airspace system, on a quarterly basis until the program terminates.

“(e) **TESTING.**—The Secretary of Transportation may authorize an operator of a test range described in subsection (a) to administer testing requirements established by the Administrator for unmanned aircraft systems operations.

“(f) **COLLABORATIVE RESEARCH AND DEVELOPMENT AGREEMENTS.**—The Administrator may use the other transaction authority under section 106(l)(6) and enter into collaborative research and development agreements, to direct research related to unmanned aircraft systems, including at any test range under subsection (a), and in coordination with the Center of Excellence for Unmanned Aircraft Systems.

“(g) **USE OF CENTER OF EXCELLENCE FOR UNMANNED AIRCRAFT SYSTEMS.**—The Administrator, in carrying out research necessary to implement the consensus safety standards requirements in section 44805 shall, to the maximum extent practicable, leverage the research and testing capacity and capabilities of the Center of Excellence for Unmanned Aircraft Systems and the test ranges.

“(h) **TERMINATION.**—The program under this section shall terminate on September 30, 2023.”

(b) **TABLE OF CONTENTS.**—The table of contents for chapter 448, as added by this Act, is further amended by adding at the end the following:

“44803. Unmanned aircraft system test ranges.”

SEC. 344. SMALL UNMANNED AIRCRAFT IN THE ARCTIC.

(a) **IN GENERAL.**—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

“§ 44804. Small unmanned aircraft in the Arctic

“(a) **IN GENERAL.**—The Secretary of Transportation shall develop a plan and initiate a process to work with relevant Federal agencies and national and international communities to designate permanent areas in the Arctic where small unmanned aircraft may operate 24 hours per day for research and commercial purposes.

“(b) **PLAN CONTENTS.**—The plan under subsection (a) shall include the development of processes to facilitate the safe operation of small unmanned aircraft beyond the visual line of sight.

“(c) **REQUIREMENTS.**—Each permanent area designated under subsection (a) shall enable over-water flights from the surface to at least 2,000 feet in altitude, with ingress and egress routes from selected coastal launch sites.

“(d) **AGREEMENTS.**—To implement the plan under subsection (a), the Secretary may enter into an agreement with relevant national and international communities.

“(e) **AIRCRAFT APPROVAL.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), not later than 1 year after the entry into force of an agreement necessary to effectuate the purposes of this section, the Secretary shall work with relevant national and international communities to establish and implement a process for approving the use of a small unmanned aircraft in the designated permanent areas in the Arctic without regard to whether the small unmanned aircraft is used as a public aircraft, a civil aircraft, or a model aircraft.

“(2) **EXISTING PROCESS.**—The Secretary may implement an existing process to meet the requirements under paragraph (1).”

(b) **TABLE OF CONTENTS.**—The table of contents for chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

“44804. Small unmanned aircraft in the Arctic.”

SEC. 345. SMALL UNMANNED AIRCRAFT SAFETY STANDARDS.

(a) **IN GENERAL.**—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

“§ 44805. Small Unmanned aircraft safety standards

“(a) **FAA PROCESS FOR ACCEPTANCE AND AUTHORIZATION.**—The Administrator of the Federal Aviation Administration shall establish a process for—

“(1) accepting risk-based consensus safety standards related to the design, production, and modification of small unmanned aircraft systems;

“(2) authorizing the operation of small unmanned aircraft system make and model designed, produced, or modified in accordance with the consensus safety standards accepted under paragraph (1);

“(3) authorizing a manufacturer to self-certify a small unmanned aircraft system make or model that complies with consensus safety standards accepted under paragraph (1); and

“(4) certifying a manufacturer of small unmanned aircraft systems, or an employee of such manufacturer, that has demonstrated compliance with the consensus safety standards accepted under paragraph (1) and met any other qualifying criteria, as determined by the Administrator, to alternatively satisfy the requirements of paragraph (1).

“(b) CONSIDERATIONS.—Before accepting consensus safety standards under subsection (a), the Administrator of the Federal Aviation Administration shall consider the following:

“(1) Technologies or standards related to geographic limitations, altitude limitations, and sense and avoid capabilities.

“(2) Using performance-based requirements.

“(3) Assessing varying levels of risk posed by different small unmanned aircraft systems and their operation and tailoring performance-based requirements to appropriately mitigate risk.

“(4) Predetermined action to maintain safety in the event that a communications link between a small unmanned aircraft and its operator is lost or compromised.

“(5) Detectability and identifiability to pilots, the Federal Aviation Administration, and air traffic controllers, as appropriate.

“(6) Means to prevent tampering with or modification of any system, limitation, or other safety mechanism or standard under this section or any other provision of law, including a means to identify any tampering or modification that has been made.

“(7) Consensus identification standards under section 2202 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 130 Stat. 615).

“(8) To the extent not considered previously by the consensus body that crafted consensus safety standards, cost-benefit and risk analyses of consensus safety standards that may be accepted pursuant to subsection (a) for newly designed small unmanned aircraft systems.

“(9) Applicability of consensus safety standards to small unmanned aircraft systems that are not manufactured commercially.

“(10) Any technology or standard related to small unmanned aircraft systems that promotes aviation safety.

“(11) Any category of unmanned aircraft systems that should be exempt from the consensus safety standards based on risk factors.

“(e) NONAPPLICABILITY OF OTHER LAWS.—The process for authorizing the operation of small unmanned aircraft systems under subsection (a) may allow for operation of any applicable small unmanned aircraft systems within the national airspace system without requiring—

“(1) airworthiness certification requirements under section 44704 of this title; or

“(2) type certification under part 21 of title 14, Code of Federal Regulations.

“(f) REVOCATION.—The Administrator may suspend or revoke the authorizations in subsection (a) if the Administrator determines that the manufacturer or the small unmanned aircraft system is no longer in compliance with the standards accepted by the Administrator under subsection (a)(1) or with the manufacturer's statement of compliance under subsection (h).

“(g) REQUIREMENTS.—With regard to an authorization under the processes in subsection (a), the Administrator may require a manufacturer of small unmanned aircraft systems to provide the Federal Aviation Administration with the following:

“(1) The aircraft system's operating instructions.

“(2) The aircraft system's recommended maintenance and inspection procedures.

“(3) The manufacturer's statement of compliance described in subsection (h).

“(4) Upon request, a sample aircraft to be inspected by the Federal Aviation Administration to ensure compliance with the consensus safety standards accepted by the Administrator under subsection (a).

“(h) MANUFACTURER'S STATEMENT OF COMPLIANCE FOR SMALL UAS.—A manufacturer's statement of compliance shall—

“(1) identify the aircraft make, model, range of serial numbers, and any applicable consensus safety standards used and accepted by the Administrator;

“(2) state that the aircraft make and model meets the provisions of the consensus safety standards identified in paragraph (1);

“(3) state that the aircraft make and model conforms to the manufacturer's design data and is manufactured in a way that ensures consistency across units in the production process in order to meet the applicable consensus safety standards accepted by the Administrator;

“(4) state that the manufacturer will make available to the Administrator, operators, or customers—

“(A) the aircraft's operating instructions, which conform to the consensus safety standards identified in paragraph (1); and

“(B) the aircraft's recommended maintenance and inspection procedures, which conform to the consensus safety standards identified in paragraph (1);

“(5) state that the manufacturer will monitor safety-of-flight issues and take action to ensure it meets the consensus safety standards identified in paragraph (1) and report these issues and subsequent actions to the Administrator;

“(6) state that at the request of the Administrator, the manufacturer will provide reasonable access for the Administrator to its facilities for the purposes of overseeing compliance with this section; and

“(7) state that the manufacturer, in accordance with the consensus safety standards accepted by the Federal Aviation Administration, has—

“(A) ground and flight tested random samples of the aircraft;

“(B) found the sample aircraft performance acceptable; and

“(C) determined that the make and model of aircraft is suitable for safe operation.

“(i) PROHIBITIONS.—

“(1) FALSE STATEMENTS OF COMPLIANCE.—It shall be unlawful for any person to knowingly submit a statement of compliance described in subsection (h) that is fraudulent or intentionally false.

“(2) INTRODUCTION INTO INTERSTATE COMMERCE.—Unless the Administrator determines operation of an unmanned aircraft system may be conducted without an airworthiness certificate or permission, authorization, or approval under subsection (a), it shall be unlawful for any person to knowingly introduce or deliver for introduction into interstate commerce any small unmanned aircraft system that is manufactured after the date that the Administrator accepts consensus safety standards under this section unless—

“(A) the make and model has been authorized for operation under subsection (a); or

“(B) the aircraft has alternatively received design and production approval issued by the Federal Aviation Administration.

“(j) EXCLUSIONS.—The Administrator may exempt from the requirements of this section small unmanned aircraft systems that are not capable of navigating beyond the visual line of sight of the operator through advanced flight systems and technology, if the Administrator determines that such an exemption does not pose a risk to the safety of the national airspace system.”.

(b) UNMANNED AIRCRAFT SYSTEMS RESEARCH FACILITY.—The Center of Excellence for Unmanned Aircraft Systems shall establish an unmanned aircraft systems research facility to study appropriate safety standards for unmanned aircraft systems and to validate such standards, as directed by the Administrator of the Federal Aviation Administration, consistent with section 44805 of title 49, United States Code, as added by this section.

(c) TABLE OF CONTENTS.—The table of contents for chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following: “44805. Small unmanned aircraft safety standards.”.

SEC. 346. PUBLIC UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

“§ 44806. Public unmanned aircraft systems

“(a) GUIDANCE.—The Secretary of Transportation shall issue guidance regarding the operation of a public unmanned aircraft system—

“(1) to streamline and expedite the process for the issuance of a certificate of authorization or a certificate of waiver;

“(2) to facilitate the capability of public agencies to develop and use test ranges, subject to operating restrictions required by the Federal Aviation Administration, to test and operate public unmanned aircraft systems; and

“(3) to provide guidance on a public agency's responsibilities when operating an unmanned aircraft without a civil airworthiness certificate issued by the Administration.

“(b) AGREEMENTS WITH GOVERNMENT AGENCIES.—

“(1) IN GENERAL.—The Secretary shall enter into an agreement with each appropriate public agency to simplify the process for issuing a certificate of waiver or a certificate of authorization with respect to an application for authorization to operate a public unmanned aircraft system in the national airspace system.

“(2) CONTENTS.—An agreement under paragraph (1) shall—

“(A) with respect to an application described in paragraph (1)—

“(i) provide for an expedited review of the application;

“(ii) require a decision by the Administrator on approval or disapproval not later than 60 business days after the date of submission of the application; and

“(iii) allow for an expedited appeal if the application is disapproved;

“(B) allow for a one-time approval of similar operations carried out during a fixed period of time; and

“(C) allow a government public safety agency to operate an unmanned aircraft weighing 4.4 pounds or less if that unmanned aircraft is operated—

“(i) within or beyond the visual line of sight of the operator;

“(ii) less than 400 feet above the ground;

“(iii) during daylight conditions;

“(iv) within Class G airspace; and

“(v) outside of 5 statute miles from any airport, heliport, seaplane base, spaceport, or other location with aviation activities.

“(c) PUBLIC ACTIVELY TETHERED UNMANNED AIRCRAFT SYSTEMS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall permit the use of, and may issue guidance regarding, the use of public actively tethered unmanned aircraft systems that are—

“(A) operated at an altitude of less than 150 feet above ground level;

“(B) operated—

“(i) within class G airspace; or

“(ii) at or below the ceiling depicted on the Federal Aviation Administration’s published UAS facility maps for class B, C, D, or E surface area airspace;

“(C) not flown directly over non-participating persons;

“(D) operated within visual line of sight of the operator; and

“(E) operated in a manner that does not interfere with and gives way to any other aircraft.

“(2) REQUIREMENTS.—Public actively tethered unmanned aircraft systems may be operated —

“(A) without any requirement to obtain a certificate of authorization, certificate of waiver, or other approval by the Federal Aviation Administration;

“(B) without requiring airman certification under section 44703 of this title or any rule or regulation relating to airman certification; and

“(C) without requiring airworthiness certification under section 44704 of this title or any rule or regulation relating to aircraft certification.

“(3) SAFETY STANDARDS.—Public actively tethered unmanned aircraft systems operated within the scope of the guidance issued pursuant to paragraph (1) shall be exempt from the requirements of section 44805 of this title.

“(4) SAVINGS PROVISION.—Nothing in this subsection shall be construed to preclude the Administrator of the Federal Aviation Administration from issuing new regulations for public actively tethered unmanned aircraft systems in order to ensure the safety of the national airspace system.

“(d) FEDERAL AGENCY COORDINATION TO ENHANCE THE PUBLIC HEALTH AND SAFETY CAPABILITIES OF PUBLIC UNMANNED AIRCRAFT SYSTEMS.—The Administrator shall assist Federal civilian Government agencies that operate unmanned aircraft systems within civil-controlled airspace, in operationally deploying and integrating sense and avoid capabilities, as necessary to operate unmanned aircraft systems safely within the national airspace system.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following: “44806. Public unmanned aircraft systems.”.

(2) PUBLIC UNMANNED AIRCRAFT SYSTEMS.—Section 334 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act (126 Stat. 13) are repealed.

(3) FACILITATING INTERAGENCY COOPERATION.—Section 2204(a) of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 130 Stat. 615) is amended by striking “section 334(c) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note)” and inserting “section 44806 of title 49, United States Code”.

SEC. 347. SPECIAL AUTHORITY FOR CERTAIN UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

“§ 44807. Special authority for certain unmanned aircraft systems

“(a) IN GENERAL.—Notwithstanding any other requirement of this chapter, the Secretary of Transportation shall use a risk-based approach to determine if certain unmanned aircraft systems may operate safely

in the national airspace system notwithstanding completion of the comprehensive plan and rulemaking required by section 44802 or the guidance required by section 44806.

“(b) ASSESSMENT OF UNMANNED AIRCRAFT SYSTEMS.—In making the determination under subsection (a), the Secretary shall determine, at a minimum—

“(1) which types of unmanned aircraft systems, if any, as a result of their size, weight, speed, operational capability, proximity to airports and populated areas, operation over people, and operation within or beyond the visual line of sight, or operation during the day or night, do not create a hazard to users of the national airspace system or the public; and

“(2) whether a certificate under section 44703 or section 44704 of this title, or a certificate of waiver or certificate of authorization, is required for the operation of unmanned aircraft systems identified under paragraph (1) of this subsection.

“(c) REQUIREMENTS FOR SAFE OPERATION.—If the Secretary determines under this section that certain unmanned aircraft systems may operate safely in the national airspace system, the Secretary shall establish requirements for the safe operation of such aircraft systems in the national airspace system, including operation related to research, development, and testing of proprietary systems.

“(d) SUNSET.—The authority under this section for the Secretary to determine if certain unmanned aircraft systems may operate safely in the national airspace system terminates effective September 30, 2023.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448, as added by this Act, is further amended by adding at the end the following:

“44807. Special authority for certain unmanned aircraft systems.”.

(2) SPECIAL RULES FOR CERTAIN UNMANNED AIRCRAFT SYSTEMS.—Section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act (126 Stat. 13) are repealed.

SEC. 348. CARRIAGE OF PROPERTY BY SMALL UNMANNED AIRCRAFT SYSTEMS FOR COMPENSATION OR HIRE.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

“§ 44808. Carriage of property by small unmanned aircraft systems for compensation or hire

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of the FAA Reauthorization Act of 2018, the Administrator of the Federal Aviation Administration shall update existing regulations to authorize the carriage of property by operators of small unmanned aircraft systems for compensation or hire within the United States.

“(b) CONTENTS.—Any rulemaking conducted under subsection (a) shall provide for the following:

“(1) Use performance-based requirements.

“(2) Consider varying levels of risk to other aircraft and to persons and property on the ground posed by different unmanned aircraft systems and their operation and tailor performance-based requirements to appropriately mitigate risk.

“(3) Consider the unique characteristics of highly automated, small unmanned aircraft systems.

“(4) Include requirements for the safe operation of small unmanned aircraft systems that, at a minimum, address—

“(A) airworthiness of small unmanned aircraft systems;

“(B) qualifications for operators and the type and nature of the operations;

“(C) operating specifications governing the type and nature of the unmanned aircraft system air carrier operations; and

“(D) the views of State, local, and tribal officials related to potential impacts of the carriage of property by operators of small unmanned aircraft systems for compensation or hire within the communities to be served.

“(5) SMALL UAS.—The Secretary may amend part 298 of title 14, Code of Federal Regulations, to update existing regulations to establish economic authority for the carriage of property by small unmanned aircraft systems for compensation or hire. Such authority shall only require—

“(A) registration with the Department of Transportation;

“(B) authorization from the Federal Aviation Administration to conduct operations; and

“(C) compliance with chapters 401, 411, and 417.

“(6) AVAILABILITY OF CURRENT CERTIFICATION PROCESSES.—Pending completion of the rulemaking required in subsection (a) of this section, a person may seek an air carrier operating certificate and certificate of public convenience and necessity, or an exemption from such certificate, using existing processes.”.

(b) TABLE OF CONTENTS.—The table of contents for chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

“44808. Carriage of property by small unmanned aircraft systems for compensation or hire.”.

SEC. 349. EXCEPTION FOR LIMITED RECREATIONAL OPERATIONS OF UNMANNED AIRCRAFT.

(a) IN GENERAL.—Chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

“§ 44809. Exception for limited recreational operations of unmanned aircraft

“(a) IN GENERAL.—Except as provided in subsection (e), and notwithstanding chapter 447 of title 49, United States Code, a person may operate a small unmanned aircraft without specific certification or operating authority from the Federal Aviation Administration if the operation adheres to all of the following limitations:

“(1) The aircraft is flown strictly for recreational purposes.

“(2) The aircraft is operated in accordance with or within the programming of a community-based organization’s set of safety guidelines that are developed in coordination with the Federal Aviation Administration.

“(3) The aircraft is flown within the visual line of sight of the person operating the aircraft or a visual observer co-located and in direct communication with the operator.

“(4) The aircraft is operated in a manner that does not interfere with and gives way to any manned aircraft.

“(5) In Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport, the operator obtains prior authorization from the Administrator or designee before operating and complies with all airspace restrictions and prohibitions.

“(6) In Class G airspace, the aircraft is flown from the surface to not more than 400 feet above ground level and complies with all airspace restrictions and prohibitions.

“(7) The operator has passed an aeronautical knowledge and safety test described in subsection (g) and maintains proof of test passage to be made available to the Administrator or law enforcement upon request.

“(8) The aircraft is registered and marked in accordance with chapter 441 of this title and proof of registration is made available to the Administrator or a designee of the Administrator or law enforcement upon request.

“(b) OTHER OPERATIONS.—Unmanned aircraft operations that do not conform to the limitations in subsection (a) must comply with all statutes and regulations generally applicable to unmanned aircraft and unmanned aircraft systems.

“(c) OPERATIONS AT FIXED SITES.—

“(1) OPERATING PROCEDURE REQUIRED.—Persons operating unmanned aircraft under subsection (a) from a fixed site within Class B, Class C, or Class D airspace or within the lateral boundaries of the surface area of Class E airspace designated for an airport, or a community-based organization conducting a sanctioned event within such airspace, shall make the location of the fixed site known to the Administrator and shall establish a mutually agreed upon operating procedure with the air traffic control facility.

“(2) UNMANNED AIRCRAFT WEIGHING MORE THAN 55 POUNDS.—A person may operate an unmanned aircraft weighing more than 55 pounds, including the weight of anything attached to or carried by the aircraft, under subsection (a) if—

“(A) the unmanned aircraft complies with standards and limitations developed by a community-based organization and approved by the Administrator; and

“(B) the aircraft is operated from a fixed site as described in paragraph (1).

“(d) UPDATES.—

“(1) IN GENERAL.—The Administrator, in consultation with government, stakeholders, and community-based organizations, shall initiate a process to periodically update the operational parameters under subsection (a), as appropriate.

“(2) CONSIDERATIONS.—In updating an operational parameter under paragraph (1), the Administrator shall consider—

“(A) appropriate operational limitations to mitigate risks to aviation safety and national security, including risk to the uninvolved public and critical infrastructure;

“(B) operations outside the membership, guidelines, and programming of a community-based organization;

“(C) physical characteristics, technical standards, and classes of aircraft operating under this section;

“(D) trends in use, enforcement, or incidents involving unmanned aircraft systems;

“(E) ensuring, to the greatest extent practicable, that updates to the operational parameters correspond to, and leverage, advances in technology; and

“(F) equipment requirements that facilitate safe, efficient, and secure operations and further integrate all unmanned aircraft into the national airspace system.

“(3) SAVINGS CLAUSE.—Nothing in this subsection shall be construed as expanding the authority of the Administrator to require a person operating an unmanned aircraft under this section to seek permissive authority of the Administrator, beyond that required in subsection (a) of this section, prior to operation in the national airspace system.

“(e) STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue an enforcement action against a person operating any unmanned aircraft who endangers the safety of the national airspace system.

“(f) EXCEPTIONS.—Nothing in this section prohibits the Administrator from promulgating rules generally applicable to unmanned aircraft, including those unmanned aircraft eligible for the exception set forth in this section, relating to—

“(1) updates to the operational parameters for unmanned aircraft in subsection (a);

“(2) the registration and marking of unmanned aircraft;

“(3) the standards for remotely identifying owners and operators of unmanned aircraft systems and associated unmanned aircraft; and

“(4) other standards consistent with maintaining the safety and security of the national airspace system.

“(g) AERONAUTICAL KNOWLEDGE AND SAFETY TEST.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Administrator, in consultation with manufacturers of unmanned aircraft systems, other industry stakeholders, and community-based organizations, shall develop an aeronautical knowledge and safety test, which can then be administered electronically by the Administrator, a community-based organization, or a person designated by the Administrator.

“(2) REQUIREMENTS.—The Administrator shall ensure the aeronautical knowledge and safety test is designed to adequately demonstrate an operator’s—

“(A) understanding of aeronautical safety knowledge; and

“(B) knowledge of Federal Aviation Administration regulations and requirements pertaining to the operation of an unmanned aircraft system in the national airspace system.

“(h) COMMUNITY-BASED ORGANIZATION DEFINED.—In this section, the term ‘community-based organization’ means a membership-based association entity that—

“(1) is described in section 501(c)(3) of the Internal Revenue Code of 1986;

“(2) is exempt from tax under section 501(a) of the Internal Revenue Code of 1986;

“(3) the mission of which is demonstrably the furtherance of model aviation;

“(4) provides a comprehensive set of safety guidelines for all aspects of model aviation addressing the assembly and operation of model aircraft and that emphasize safe aeromodeling operations within the national airspace system and the protection and safety of individuals and property on the ground, and may provide a comprehensive set of safety rules and programming for the operation of unmanned aircraft that have the advanced flight capabilities enabling active, sustained, and controlled navigation of the aircraft beyond visual line of sight of the operator;

“(5) provides programming and support for any local charter organizations, affiliates, or clubs; and

“(6) provides assistance and support in the development and operation of locally designated model aircraft flying sites.

“(i) RECOGNITION OF COMMUNITY-BASED ORGANIZATIONS.—In collaboration with aeromodeling stakeholders, the Administrator shall publish an advisory circular within 180 days of the date of enactment of this section that identifies the criteria and process required for recognition of community-based organizations.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 448 of title 49, United States Code, as added by this Act, is further amended by adding at the end the following:

“44809. Exception for limited recreational operations of unmanned aircraft.”.

(2) REPEAL.—Section 336 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 350. USE OF UNMANNED AIRCRAFT SYSTEMS AT INSTITUTIONS OF HIGHER EDUCATION.

(a) EDUCATIONAL AND RESEARCH PURPOSES.—For the purposes of section 44809 of title 49, United States Code, as added by this Act, a “recreational purpose” as distinguished in subsection (a)(1) of such section shall include an unmanned aircraft system operated by an institution of higher education for educational or research purposes.

(b) UPDATES.—In updating an operational parameter under subsection (d)(1) of such section for unmanned aircraft systems operated by an institution of higher education for educational or research purposes, the Administrator shall consider—

(1) use of small unmanned aircraft systems and operations at an accredited institution of higher education, for educational or research purposes, as a component of the institution’s curricula or research;

(2) the development of streamlined, risk-based operational approval for unmanned aircraft systems operated by institutions of higher education; and

(3) the airspace and aircraft operators that may be affected by such operations at the institution of higher education.

(c) DEADLINE FOR ESTABLISHMENT OF PROCEDURES AND STANDARDS.—Not later than 270 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration may establish regulations, procedures, and standards, as necessary, to facilitate the safe operation of unmanned aircraft systems operated by institutions of higher education for educational or research purposes.

(d) DEFINITIONS.—In this section:

(1) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given to that term by section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(2) EDUCATIONAL OR RESEARCH PURPOSES.—The term “education or research purposes”, with respect to the operation of an unmanned aircraft system by an institution of higher education, includes—

(A) instruction of students at the institution;

(B) academic or research related uses of unmanned aircraft systems that have been approved by the institution, including Federal research;

(C) activities undertaken by the institution as part of research projects, including research projects sponsored by the Federal Government; and

(D) other academic activities approved by the institution.

(e) STATUTORY CONSTRUCTION.—

(1) ENFORCEMENT.—Nothing in this section shall be construed to limit the authority of the Administrator to pursue an enforcement action against a person operating any unmanned aircraft who endangers the safety of the national airspace system.

(2) REGULATIONS AND STANDARDS.—Nothing in this section prohibits the Administrator from promulgating any rules or standards consistent with maintaining the safety and security of the national airspace system.

SEC. 351. UNMANNED AIRCRAFT SYSTEMS INTEGRATION PILOT PROGRAM.

(a) AUTHORITY.—The Secretary of Transportation may establish a pilot program to enable enhanced drone operations as required in the October 25, 2017 Presidential Memorandum entitled “Unmanned Aircraft Systems Integration Pilot Program” and described in 82 Federal Register 50301.

(b) APPLICATIONS.—The Secretary shall accept applications from State, local, and Tribal governments, in partnership with unmanned aircraft system operators and other private-sector stakeholders, to test and evaluate the integration of civil and public

UAS operations into the low-altitude national airspace system.

(c) **OBJECTIVES.**—The purpose of the pilot program is to accelerate existing UAS integration plans by working to solve technical, regulatory, and policy challenges, while enabling advanced UAS operations in select areas subject to ongoing safety oversight and cooperation between the Federal Government and applicable State, local, or Tribal jurisdictions, in order to—

(1) accelerate the safe integration of UAS into the NAS by testing and validating new concepts of beyond visual line of sight operations in a controlled environment, focusing on detect and avoid technologies, command and control links, navigation, weather, and human factors;

(2) address ongoing concerns regarding the potential security and safety risks associated with UAS operating in close proximity to human beings and critical infrastructure by ensuring that operators communicate more effectively with Federal, State, local, and Tribal law enforcement to enable law enforcement to determine if a UAS operation poses such a risk;

(3) promote innovation in and development of the United States unmanned aviation industry, especially in sectors such as agriculture, emergency management, inspection, and transportation safety, in which there are significant public benefits to be gained from the deployment of UAS; and

(4) identify the most effective models of balancing local and national interests in UAS integration.

(d) **APPLICATION SUBMISSION.**—The Secretary shall establish application requirements and require applicants to include the following information:

(1) Identification of the airspace to be used, including shape files and altitudes.

(2) Description of the types of planned operations.

(3) Identification of stakeholder partners to test and evaluate planned operations.

(4) Identification of available infrastructure to support planned operations.

(5) Description of experience with UAS operations and regulations.

(6) Description of existing UAS operator and any other stakeholder partnerships and experience.

(7) Description of plans to address safety, security, competition, privacy concerns, and community outreach.

(e) **MONITORING AND ENFORCEMENT OF LIMITATIONS.**—

(1) **IN GENERAL.**—Monitoring and enforcement of any limitations enacted pursuant to this pilot project shall be the responsibility of the jurisdiction.

(2) **SAVINGS PROVISION.**—Nothing in paragraph (1) may be construed to prevent the Secretary from enforcing Federal law.

(3) **EXAMPLES OF LIMITATIONS.**—Limitations under this section may include—

(A) prohibiting flight during specified morning and evening rush hours or only permitting flight during specified hours such as daylight hours, sufficient to ensure reasonable airspace access;

(B) establishing designated take-off and landing zones, limiting operations over moving locations or fixed site public road and parks, sidewalks or private property based on zoning density, or other land use considerations;

(C) requiring notice to public safety or zoning or land use authorities before operating; and

(D) prohibiting operations in connection with community or sporting events that do not remain in one place (for example, parades and running events).

(f) **SELECTION CRITERIA.**—In making determinations, the Secretary shall evaluate

whether applications meet or exceed the following criteria:

(1) Overall economic, geographic, and climatic diversity of the selected jurisdictions.

(2) Overall diversity of the proposed models of government involvement.

(3) Overall diversity of the UAS operations to be conducted.

(4) The location of critical infrastructure.

(5) The involvement of commercial entities in the proposal and their ability to advance objectives that may serve the public interest as a result of further integration of UAS into the NAS.

(6) The involvement of affected communities in, and their support for, participating in the pilot program.

(7) The commitment of the governments and UAS operators involved in the proposal to comply with requirements related to national defense, homeland security, and public safety and to address competition, privacy, and civil liberties concerns.

(8) The commitment of the governments and UAS operators involved in the proposal to achieve the following policy objectives:

(A) Promoting innovation and economic development.

(B) Enhancing transportation safety.

(C) Enhancing workplace safety.

(D) Improving emergency response and search and rescue functions.

(E) Using radio spectrum efficiently and competitively.

(g) **IMPLEMENTATION.**—The Secretary shall use the data collected and experience gained over the course of this pilot program to—

(1) identify and resolve technical challenges to UAS integration;

(2) address airspace use to safely and efficiently integrate all aircraft;

(3) inform operational standards and procedures to improve safety (for example, detect and avoid capabilities, navigation and altitude performance, and command and control link);

(4) inform FAA standards that reduce the need for waivers (for example, for operations over human beings, night operations, and beyond visual line of sight); and

(5) address competing interests regarding UAS operational expansion, safety, security, roles and responsibilities of non-Federal Government entities, and privacy issues.

(h) **NOTIFICATION.**—Prior to initiating any additional rounds of agreements with State, local, or Tribal governments as part of the pilot program established under subsection (a), the Secretary shall notify the Committee on Transportation and Infrastructure and the Committee on Appropriations of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Appropriations in the Senate.

(i) **SUNSET.**—The pilot program established under subsection (a) shall terminate 3 years after the date on which the memorandum referenced in subsection (a) is signed by the President.

(j) **SAVINGS CLAUSE.**—Nothing in this section shall affect any proposals, selections, imposition of conditions, operations, or other decisions made—

(1) under the pilot program developed by the Secretary of Transportation pursuant to the Presidential memorandum titled “Unmanned Aircraft Systems Integration Pilot Program”, as published in the Federal Register on October 30, 2017 (82 Fed. Reg. 50301); and

(2) prior to the date of enactment of this Act.

(k) **DEFINITIONS.**—In this section:

(1) The term “Lead Applicant” means an eligible State, local or Tribal government that has submitted a timely application.

(2) The term “NAS” means the low-altitude national airspace system.

(3) The term “UAS” means unmanned aircraft system.

SEC. 352. PART 107 TRANSPARENCY AND TECHNOLOGY IMPROVEMENTS.

(a) **TRANSPARENCY.**—Not later than 30 days after the date of enactment of this Act, the Administrator shall publish on the FAA website a representative sample of the safety justifications, offered by applicants for small unmanned aircraft system waivers and airspace authorizations, that have been approved by the Administration for each regulation waived or class of airspace authorized, except that any published justification shall not reveal proprietary or commercially sensitive information.

(b) **TECHNOLOGY IMPROVEMENTS.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall revise the online waiver and certificates of authorization processes—

(1) to provide real time confirmation that an application filed online has been received by the Administration; and

(2) to provide an applicant with an opportunity to review the status of the applicant’s application.

SEC. 353. EMERGENCY EXEMPTION PROCESS.

(a) **SENSE OF CONGRESS.**—It is the sense of Congress that the use of unmanned aircraft systems by civil and public operators—

(1) is an increasingly important tool in response to a catastrophe, disaster, or other emergency;

(2) helps facilitate emergency response operations, such as firefighting and search and rescue; and

(3) helps facilitate post-catastrophic response operations, such as utility and infrastructure restoration efforts and the safe and prompt processing, adjustment, and payment of insurance claims.

(b) **UPDATES.**—The Administrator shall, as necessary, update and improve the Special Government Interest process described in chapter 7 of Federal Aviation Administration Order JO 7200.23A to ensure that civil and public operators, including local law enforcement agencies and first responders, continue to use unmanned aircraft system operations quickly and efficiently in response to a catastrophe, disaster, or other emergency.

(c) **BEST PRACTICES.**—The Administrator shall develop best practices for the use of unmanned aircraft systems by States and localities to respond to a catastrophe, disaster, or other emergency response and recovery operation.

SEC. 354. TREATMENT OF UNMANNED AIRCRAFT OPERATING UNDERGROUND.

An unmanned aircraft system that is operated underground for mining purposes shall not be subject to regulation or enforcement by the FAA under title 49, United States Code.

SEC. 355. PUBLIC UAS OPERATIONS BY TRIBAL GOVERNMENTS.

(a) **PUBLIC UAS OPERATIONS BY TRIBAL GOVERNMENTS.**—Section 40102(a)(41) of title 49, United States Code, is amended by adding at the end the following:

“(F) An unmanned aircraft that is owned and operated by, or exclusively leased for at least 90 continuous days by, an Indian Tribal government, as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), except as provided in section 40125(b).”

(b) **CONFORMING AMENDMENT.**—Section 40125(b) of title 49, United States Code, is amended by striking “or (D)” and inserting “(D), or (F)”.

SEC. 356. AUTHORIZATION OF APPROPRIATIONS FOR KNOW BEFORE YOU FLY CAMPAIGN.

There are authorized to be appropriated to the Administrator of the Federal Aviation Administration \$1,000,000 for each of fiscal

years 2019 through 2023, out of funds made available under section 106(k), for the Know Before You Fly educational campaign or similar public informational efforts intended to broaden unmanned aircraft systems safety awareness.

SEC. 357. UNMANNED AIRCRAFT SYSTEMS PRIVACY POLICY.

It is the policy of the United States that the operation of any unmanned aircraft or unmanned aircraft system shall be carried out in a manner that respects and protects personal privacy consistent with the United States Constitution and Federal, State, and local law.

SEC. 358. UAS PRIVACY REVIEW.

(a) **REVIEW.**—The Comptroller General of the United States, in consideration of relevant efforts led by the National Telecommunications and Information Administration, shall carry out a review of the privacy issues and concerns associated with the operation of unmanned aircraft systems in the national airspace system.

(b) **CONSULTATION.**—In carrying out the review, the Comptroller General shall—

(1) consult with the Department of Transportation and the National Telecommunications and Information Administration of the Department of Commerce on its ongoing efforts responsive to the Presidential memorandum titled “Promoting Economic Competitiveness While Safeguarding Privacy, Civil Rights, and Civil Liberties in Domestic Use of Unmanned Aircraft Systems” and dated February 15, 2015;

(2) examine and identify the existing Federal, State, or relevant local laws that address an individual’s personal privacy;

(3) identify specific issues and concerns that may limit the availability of civil or criminal legal remedies regarding inappropriate operation of unmanned aircraft systems in the national airspace system;

(4) identify any deficiencies in Federal, State, or local privacy protections; and

(5) provide recommendations to address any limitations and deficiencies identified in paragraphs (3) and (4).

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

SEC. 359. STUDY ON FIRE DEPARTMENT AND EMERGENCY SERVICE AGENCY USE OF UNMANNED AIRCRAFT SYSTEMS.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Administrator shall conduct a study on the use of unmanned aircraft systems by fire departments and emergency service agencies. Such study shall include an analysis of—

(A) how fire departments and emergency service agencies currently use unmanned aircraft systems;

(B) obstacles to greater use of unmanned aircraft systems by fire departments and emergency service agencies;

(C) the best way to provide outreach to support greater use of unmanned aircraft systems by fire departments and emergency service agencies;

(D) laws or regulations that present barriers to career, combination, and volunteer fire departments’ ability to use unmanned aircraft systems;

(E) training and certifications required for the use of unmanned aircraft systems by fire departments and emergency service agencies;

(F) airspace limitations and concerns in the use of unmanned aircraft systems by fire departments and emergency service agencies;

(G) roles of unmanned aircraft systems in the provision of fire and emergency services;

(H) technological challenges to greater adoption of unmanned aircraft systems by

fire departments and emergency service agencies; and

(I) other issues determined appropriate by the Administrator.

(2) **CONSULTATION.**—In conducting the study under paragraph (1), the Administrator shall consult with national fire and emergency service organizations.

(b) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the study conducted under subsection (a), including the Administrator’s findings, conclusions, and recommendations.

SEC. 360. STUDY ON FINANCING OF UNMANNED AIRCRAFT SERVICES.

(a) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study on appropriate fee mechanisms to recover the costs of—

(1) the regulation and safety oversight of unmanned aircraft and unmanned aircraft systems; and

(2) the provision of air navigation services to unmanned aircraft and unmanned aircraft systems.

(b) **CONSIDERATIONS.**—In carrying out the study, the Comptroller General shall consider, at a minimum—

(1) any recommendations of Task Group 3 of the Drone Advisory Committee chartered by the Federal Aviation Administration on August 31, 2016;

(2) the total annual costs incurred by the Federal Aviation Administration for the regulation and safety oversight of activities related to unmanned aircraft;

(3) the annual costs attributable to various types, classes, and categories of unmanned aircraft activities;

(4) air traffic services provided to unmanned aircraft operating under instrument flight rules, excluding public aircraft;

(5) the number of full-time Federal Aviation Administration employees dedicated to unmanned aircraft programs;

(6) the use of privately operated UTM and other privately operated unmanned aircraft systems;

(7) the projected growth of unmanned aircraft operations for various applications and the estimated need for regulation, oversight, and other services;

(8) the number of small businesses involved in the various sectors of the unmanned aircraft industry and operating as primary users of unmanned aircraft; and

(9) any best practices or policies utilized by jurisdictions outside the United States relating to partial or total recovery of regulation and safety oversight costs related to unmanned aircraft and other emergent technologies.

(c) **REPORT TO CONGRESS.**—Not later than 180 days after initiating the study, the Comptroller General shall submit to the appropriate committees of Congress a report containing recommendations on appropriate fee mechanisms to recover the costs of regulating and providing air navigation services to unmanned aircraft and unmanned aircraft systems.

SEC. 361. REPORT ON UAS AND CHEMICAL AERIAL APPLICATION.

Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report evaluating which aviation safety requirements under part 137 of title 14, Code of Federal Regulations, should apply to unmanned aircraft system operations engaged in aerial spraying of chemicals for agricultural purposes.

SEC. 362. SENSE OF CONGRESS REGARDING UNMANNED AIRCRAFT SAFETY.

It is the sense of Congress that—

(1) the unauthorized operation of unmanned aircraft near airports presents a serious hazard to aviation safety;

(2) a collision between an unmanned aircraft and a conventional aircraft in flight could jeopardize the safety of persons aboard the aircraft and on the ground;

(3) Federal aviation regulations, including sections 91.126 through 91.131 of title 14, Code of Federal Regulations, prohibit unauthorized operation of an aircraft in controlled airspace near an airport;

(4) Federal aviation regulations, including section 91.13 of title 14, Code of Federal Regulations, prohibit the operation of an aircraft in a careless or reckless manner so as to endanger the life or property of another;

(5) the Administrator should pursue all available civil and administrative remedies available to the Administrator, including referrals to other government agencies for criminal investigations, with respect to persons who operate unmanned aircraft in an unauthorized manner;

(6) the Administrator should—

(A) place particular priority in continuing measures, including partnering with nongovernmental organizations and State and local agencies, to educate the public about the dangers to public safety of operating unmanned aircraft over areas that have temporary flight restrictions in place, for purposes such as wildfires, without appropriate authorization; and

(B) partner with State and local agencies to effectively enforce relevant laws so that unmanned aircrafts do not interfere with the efforts of emergency responders;

(7) the Administrator should place particular priority on continuing measures, including partnerships with nongovernmental organizations, to educate the public about the dangers to the public safety of operating unmanned aircraft near airports without the appropriate approvals or authorizations; and

(8) manufacturers and retail sellers of small unmanned aircraft systems should take steps to educate consumers about the safe and lawful operation of such systems.

SEC. 363. PROHIBITION REGARDING WEAPONS.

(a) **IN GENERAL.**—Unless authorized by the Administrator, a person may not operate an unmanned aircraft or unmanned aircraft system that is equipped or armed with a dangerous weapon.

(b) **DANGEROUS WEAPON DEFINED.**—In this section, the term “dangerous weapon” has the meaning given that term in section 930(g)(2) of title 18, United States Code.

(c) **PENALTY.**—A person who violates this section is liable to the United States Government for a civil penalty of not more than \$25,000 for each violation.

SEC. 364. U.S. COUNTER-UAS SYSTEM REVIEW OF INTERAGENCY COORDINATION PROCESSES.

(a) **IN GENERAL.**—Not later than 60 days after that date of enactment of this Act, the Administrator, in consultation with government agencies currently authorized to operate Counter-Unmanned Aircraft System (C-UAS) systems within the United States (including the territories and possessions of the United States), shall initiate a review of the following:

(1) The process the Administration is using for interagency coordination of C-UAS activity pursuant to a relevant Federal statute authorizing such activity within the United States (including the territories and possessions of the United States).

(2) The standards the Administration is utilizing for operation of a C-UAS systems pursuant to a relevant Federal statute authorizing such activity within the United States (including the territories and possessions of the United States), including whether the following criteria are being taken into

consideration in the development of the standards:

(A) Safety of the national airspace.
(B) Protecting individuals and property on the ground.

(C) Non-interference with avionics of manned aircraft, and unmanned aircraft, operating legally in the national airspace.

(D) Non-interference with air traffic control systems.

(E) Adequate coordination procedures and protocols with the Federal Aviation Administration during the operation of C-UAS systems.

(F) Adequate training for personnel operating C-UAS systems.

(G) Assessment of the efficiency and effectiveness of the coordination and review processes to ensure national airspace safety while minimizing bureaucracy.

(H) Best practices for the consistent operation of C-UAS systems to the maximum extent practicable.

(I) Current airspace authorization information shared by automated approval processes for airspace authorizations, such as the Low Altitude Authorization and Notification Capability.

(J) Such other matters the Administrator considers necessary for the safe and lawful operation of C-UAS systems.

(3) Similar interagency coordination processes already used for other matters that may be used as a model for improving the interagency coordination for the usage of C-UAS systems.

(b) REPORT.—Not later than 180 days after the date upon which the review in subsection (a) is initiated, the Administrator shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Armed Services of the House of Representatives, and the Committee on Commerce, Science, and Transportation in the Senate, and the Committee on Armed Services of the Senate, a report on the Administration's activities related to C-UAS systems, including—

(1) any coordination with Federal agencies and States, subdivisions and States, political authorities of at least 2 States that operate C-UAS systems;

(2) an assessment of the standards being utilized for the operation of a counter-UAS systems within the United States (including the territories and possessions of the United States);

(3) an assessment of the efficiency and effectiveness of the interagency coordination and review processes to ensure national airspace safety while minimizing bureaucracy; and

(4) a review of any additional authorities needed by the Federal Aviation Administration to effectively oversee the management of C-UAS systems within the United States (including the territories and possessions of the United States).

SEC. 365. COOPERATION RELATED TO CERTAIN COUNTER-UAS TECHNOLOGY.

In matters relating to the use of systems in the national airspace system intended to mitigate threats posed by errant or hostile unmanned aircraft system operations, the Secretary of Transportation shall consult with the Secretary of Defense to streamline deployment of such systems by drawing upon the expertise and experience of the Department of Defense in acquiring and operating such systems consistent with the safe and efficient operation of the national airspace system.

SEC. 366. STRATEGY FOR RESPONDING TO PUBLIC SAFETY THREATS AND ENFORCEMENT UTILITY OF UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Ad-

ministration shall develop a comprehensive strategy to provide outreach to State and local governments and provide guidance for local law enforcement agencies and first responders with respect to—

(1) how to identify and respond to public safety threats posed by unmanned aircraft systems; and

(2) how to identify and take advantage of opportunities to use unmanned aircraft systems to enhance the effectiveness of local law enforcement agencies and first responders.

(b) RESOURCES.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a publicly available Internet website that contains resources for State and local law enforcement agencies and first responders seeking—

(1) to respond to public safety threats posed by unmanned aircraft systems; and

(2) to identify and take advantage of opportunities to use unmanned aircraft systems to enhance the effectiveness of local law enforcement agencies and public safety response efforts.

(c) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term “unmanned aircraft system” has the meaning given that term in section 44801 of title 49, United States Code, as added by this Act.

SEC. 367. INCORPORATION OF FEDERAL AVIATION ADMINISTRATION OCCUPATIONS RELATING TO UNMANNED AIRCRAFT INTO VETERANS EMPLOYMENT PROGRAMS OF THE ADMINISTRATION.

Not later than 180 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration, in consultation with the Secretary of Veterans Affairs, the Secretary of Defense, and the Secretary of Labor, shall determine whether occupations of the Administration relating to unmanned aircraft systems technology and regulations can be incorporated into the Veterans' Employment Program of the Administration, particularly in the interaction between such program and the New Sights Work Experience Program and the Vet-Link Cooperative Education Program.

SEC. 368. PUBLIC UAS ACCESS TO SPECIAL USE AIRSPACE.

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall issue guidance for the expedited and timely access to special use airspace for public unmanned aircraft systems in order to assist Federal, State, local, or tribal law enforcement organizations in conducting law enforcement, emergency response, or for other activities.

SEC. 369. APPLICATIONS FOR DESIGNATION.

Section 2209 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 130 Stat. 615) is amended—

(1) in subsection (b)(1)(C)(i), by striking “and distribution facilities and equipment” and inserting “distribution facilities and equipment, and railroad facilities”; and

(2) by adding at the end the following:

“(e) DEADLINES.—

“(1) Not later than March 31, 2019, the Administrator shall publish a notice of proposed rulemaking to carry out the requirements of this section.

“(2) Not later than 12 months after publishing the notice of proposed rulemaking under paragraph (1), the Administrator shall issue a final rule.”.

SEC. 370. SENSE OF CONGRESS ON ADDITIONAL RULEMAKING AUTHORITY.

It is the sense of Congress that—

(1) beyond visual line of sight operations, nighttime operations, and operations over people of unmanned aircraft systems have tremendous potential—

(A) to enhance both commercial and academic use;

(B) to spur economic growth and development through innovative applications of this emerging technology; and

(C) to improve emergency response efforts as it relates to assessing damage to critical infrastructure such as roads, bridges, and utilities, including water and power, ultimately speeding response time;

(2) advancements in miniaturization of safety technologies, including for aircraft weighing under 4.4 pounds, have increased economic opportunities for using unmanned aircraft systems while reducing kinetic energy and risk compared to unmanned aircraft that may weigh 4.4 pounds or more, but less than 55 pounds;

(3) advancements in unmanned technology will have the capacity to ultimately improve manned aircraft safety; and

(4) integrating unmanned aircraft systems safely into the national airspace, including beyond visual line of sight operations, nighttime operations on a routine basis, and operations over people should remain a top priority for the Federal Aviation Administration as it pursues additional rulemakings under the amendments made by this section.

SEC. 371. ASSESSMENT OF AIRCRAFT REGISTRATION FOR SMALL UNMANNED AIRCRAFT.

(a) EVALUATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall enter into an agreement with the National Academy of Public Administration, to estimate and assess compliance with and the effectiveness of the registration of small unmanned aircraft systems by the Federal Aviation Administration pursuant to the interim final rule issued on December 16, 2015, titled “Registration and Marking Requirements for Small Unmanned Aircraft” (80 Fed. Reg. 78593).

(b) METRICS.—Upon receiving the assessment, the Secretary shall, to the extent practicable, develop metrics to measure compliance with the interim final rule described in subsection (a), and any subsequent final rule, including metrics with respect to—

(1) the levels of compliance with the interim final rule and any subsequent final rule;

(2) the number of enforcement actions taken by the Administration for violations of or noncompliance with the interim final rule and any subsequent final rule, together with a description of the actions; and

(3) the effect of the interim final rule and any subsequent final rule on compliance with any fees associated with the use of small unmanned aircraft systems.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the to the appropriate committees of Congress a report containing—

(1) the results of the assessment required under subsection (a);

(2) the metrics required under subsection (b) and how the Secretary will track these metrics; and

(3) recommendations to Congress for improvements to the registration process for small unmanned aircraft, if necessary.

SEC. 372. ENFORCEMENT.

(a) UAS SAFETY ENFORCEMENT.—The Administrator of the Federal Aviation Administration shall establish a pilot program to utilize available remote detection or identification technologies for safety oversight, including enforcement actions against operators of unmanned aircraft systems that are not in compliance with applicable Federal aviation laws, including regulations.

(b) REPORTING.—As part of the pilot program, the Administrator shall establish and

publicize a mechanism for the public and Federal, State, and local law enforcement to report suspected operation of unmanned aircraft in violation of applicable Federal laws and regulations.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after the date of enactment of the FAA Reauthorization Act of 2018, and annually thereafter through the duration of the pilot program established in subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the following:

(1) The number of unauthorized unmanned aircraft operations detected in restricted airspace, including in and around airports, together with a description of such operations.

(2) The number of enforcement cases brought by the Federal Aviation Administration or other Federal agencies for unauthorized operation of unmanned aircraft detected through the program, together with a description of such cases.

(3) Recommendations for safety and operational standards for unmanned aircraft detection and mitigation systems.

(4) Recommendations for any legislative or regulatory changes related to mitigation or detection or identification of unmanned aircraft systems.

(d) **SUNSET.**—The pilot program established in subsection (a) shall terminate on September 30, 2023.

(e) **CIVIL PENALTIES.**—Section 46301 of title 49, United States Code, is amended—

(1) in subsection (a)(1)(A), by inserting “chapter 448,” after “chapter 447 (except sections 44717 and 44719–44723).”;

(2) in subsection (a)(5)(A)(i), by inserting “chapter 448,” after “chapter 447 (except sections 44717–44723).”;

(3) in subsection (d)(2), by inserting “chapter 448,” after “chapter 447 (except sections 44717 and 44719–44723).”;

(4) in subsection (f)(1)(A)(i), by inserting “chapter 448,” after “chapter 447 (except sections 44717 and 44719–44723).”.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to limit the authority of the Administrator to pursue an enforcement action for a violation of this subtitle or any other applicable provision of aviation safety law or regulation using remote detection or identification or other technology following the sunset of the pilot program.

SEC. 373. FEDERAL AND LOCAL AUTHORITIES.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a study on the relative roles of the Federal Government, State, local and Tribal governments in the regulation and oversight of low-altitude operations of unmanned aircraft systems in the national airspace system; and

(2) submit to the appropriate committees of Congress a report on the study, including the Comptroller General’s findings and conclusions.

(b) **CONTENTS.**—The study under subsection (a) shall review the following:

(1) The current state of the law with respect to Federal authority over low-altitude operations of unmanned aircraft systems in the national airspace system.

(2) The current state of the law with respect to State, local, and Tribal authority over low-altitude operations of unmanned aircraft systems in the national airspace system.

(3) Potential gaps between authorities under paragraphs (1) and (2).

(4) The degree of regulatory consistency required among the Federal Government, State governments, local governments, and Tribal governments for the safe and finan-

cially viable growth and development of the unmanned aircraft industry.

(5) The interests of Federal, State, local, and Tribal governments affected by low-altitude operations of unmanned aircraft systems and the authorities of those governments to protect such interests.

(6) The infrastructure requirements necessary for monitoring the low-altitude operations of small unmanned aircraft and enforcing applicable laws.

SEC. 374. SPECTRUM.

(a) **REPORT.**—Not later than 270 days after the date of enactment of this Act, and after consultation with relevant stakeholders, the Administrator of the Federal Aviation Administration, the National Telecommunications and Information Administration, and the Federal Communications Commission, shall submit to the Committee on Commerce, Science, and Transportation of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Energy and Commerce of the House of Representatives a report—

(1) on whether unmanned aircraft systems operations should be permitted, but not required, to operate on spectrum that was recommended for allocation for AM(R)S and control links for UAS by the World Radio Conferences in 2007 (L-band, 960–1164 MHz) and 2012 (C-band, 5030–5091 MHz), on an unlicensed, shared, or exclusive basis, for operations within the UTM system or outside of such a system;

(2) that addresses any technological, statutory, regulatory, and operational barriers to the use of such spectrum; and

(3) that, if it is determined that some spectrum frequencies are not suitable for beyond-visual-line-of-sight operations by unmanned aircraft systems, includes recommendations of other spectrum frequencies that may be appropriate for such operations.

(b) **NO EFFECT ON OTHER SPECTRUM.**—The report required under subsection (a) does not prohibit or delay use of any licensed spectrum to satisfy control links, tracking, diagnostics, payload communications, collision avoidance, and other functions for unmanned aircraft systems operations.

SEC. 375. FEDERAL TRADE COMMISSION AUTHORITY.

(a) **IN GENERAL.**—A violation of a privacy policy by a person that uses an unmanned aircraft system for compensation or hire, or in the furtherance of a business enterprise, in the national airspace system shall be an unfair and deceptive practice in violation of section 5(a) of the Federal Trade Commission Act (15 U.S.C. 45(a)).

(b) **DEFINITIONS.**—In this section, the terms “unmanned aircraft” and “unmanned aircraft system” have the meanings given those terms in section 44801 of title 49, United States Code.

SEC. 376. PLAN FOR FULL OPERATIONAL CAPABILITY OF UNMANNED AIRCRAFT SYSTEMS TRAFFIC MANAGEMENT.

(a) **IN GENERAL.**—In conjunction with completing the requirements of section 2208 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 40101 note), subject to subsection (b) of this section, the Administrator, in coordination with the Administrator of the National Aeronautics and Space Administration, and in consultation with unmanned aircraft systems industry stakeholders, shall develop a plan to allow for the implementation of unmanned aircraft systems traffic management (UTM) services that expand operations beyond visual line of sight, have full operational capability, and ensure the safety and security of all aircraft.

(b) **COMPLETION OF UTM SYSTEM PILOT PROGRAM.**—The Administrator shall ensure that the UTM system pilot program, as es-

tablished in section 2208 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 40101 note), is conducted to meet the following objectives of a comprehensive UTM system by the conclusion of the pilot program:

(1) In cooperation with the National Aeronautics and Space Administration and manned and unmanned aircraft industry stakeholders, allow testing of unmanned aircraft operations, of increasing volumes and density, in airspace above test ranges, as such term is defined in section 44801 of title 49, United States Code, as well as other sites determined by the Administrator to be suitable for UTM testing, including those locations selected under the pilot program required in the October 25, 2017, Presidential Memorandum entitled, “Unmanned Aircraft Systems Integration Pilot Program” and described in 82 Federal Register 50301.

(2) Permit the testing of various remote identification and tracking technologies evaluated by the Unmanned Aircraft Systems Identification and Tracking Aviation Rulemaking Committee.

(3) Where the particular operational environment permits, permit blanket waiver authority to allow any unmanned aircraft approved by a UTM system pilot program selectee to be operated under conditions currently requiring a case-by-case waiver under part 107, title 14, Code of Federal Regulations, provided that any blanket waiver addresses risks to airborne objects as well as persons and property on the ground.

(c) **IMPLEMENTATION PLAN CONTENTS.**—The plan required by subsection (a) shall—

(1) include the development of safety standards to permit, authorize, or allow the use of UTM services, which may include the demonstration and validation of such services at the test ranges, as defined in section 44801 of title 49, United States Code, or other sites as authorized by the Administrator;

(2) outline the roles and responsibilities of industry and government in establishing UTM services that allow applicants to conduct commercial and noncommercial operations, recognizing the primary private sector role in the development and implementation of the Low Altitude Authorization and Notification Capability and future expanded UTM services;

(3) include an assessment of various components required for necessary risk reduction and mitigation in relation to the use of UTM services, including—

(A) remote identification of both cooperative and non-cooperative unmanned aircraft systems in the national airspace system;

(B) deconfliction of cooperative unmanned aircraft systems in the national airspace system by such services;

(C) the manner in which the Federal Aviation Administration will conduct oversight of UTM systems, including interfaces between UTM service providers and air traffic control;

(D) the need for additional technologies to detect cooperative and non-cooperative aircraft;

(E) collaboration and coordination with air traffic control, or management services and technologies to ensure the safety oversight of manned and unmanned aircraft, including—

(i) the Federal Aviation Administration responsibilities to collect and disseminate relevant data to UTM service providers; and

(ii) data exchange protocols to share UAS operator intent, operational approvals, operational restraints, and other data necessary to ensure safety or security of the National Airspace System;

(F) the potential for UTM services to manage unmanned aircraft systems carrying either cargo, payload, or passengers, weighing more than 55 pounds, and operating at alti-

tudes higher than 400 feet above ground level; and

(G) cybersecurity protections, data integrity, and national and homeland security benefits; and

(4) establish a process for—

(A) accepting applications for operation of UTM services in the national airspace system;

(B) setting the standards for independent private sector validation and verification that the standards for UTM services established pursuant to paragraph (1) enabling operations beyond visual line of sight, have been met by applicants; and

(C) notifying the applicant, not later than 120 days after the Administrator receives a complete application, with a written approval, disapproval, or request to modify the application.

(d) **SAFETY STANDARDS.**—In developing the safety standards in subsection (c)(1), the Administrator—

(1) shall require that UTM services help ensure the safety of unmanned aircraft and other aircraft operations that occur primarily or exclusively in airspace 400 feet above ground level and below, including operations conducted under a waiver issued pursuant to subpart D of part 107 of title 14, Code of Federal Regulations;

(2) shall consider, as appropriate—

(A) protection of persons and property on the ground;

(B) remote identification and tracking of aircraft;

(C) collision avoidance with respect to obstacles and non-cooperative aircraft;

(D) deconfliction of cooperative aircraft and integration of other relevant airspace considerations;

(E) right of way rules, inclusive of UAS operations;

(F) safe and reliable coordination between air traffic control and other systems operated in the national airspace system;

(G) detection of non-cooperative aircraft;

(H) geographic and local factors including but not limited to terrain, buildings and structures;

(I) aircraft equipage; and

(J) qualifications, if any, necessary to operate UTM services; and

(3) may establish temporary flight restrictions or other means available such as a certificate of waiver or authorization (COA) for demonstration and validation of UTM services.

(e) **REVOCATION.**—The Administrator may revoke the permission, authorization, or approval for the operation of UTM services if the Administrator determines that the services or its operator are no longer in compliance with applicable safety standards.

(f) **LOW-RISK AREAS.**—The Administrator shall establish expedited procedures for approval of UTM services operated in—

(1) airspace away from congested areas; or

(2) other airspace above areas in which operations of unmanned aircraft pose low risk, as determined by the Administrator.

(g) **CONSULTATION.**—In carrying out this section, the Administrator shall consult with other Federal agencies, as appropriate.

(h) **SENSE OF CONGRESS.**—It is the sense of Congress that, in developing the safety standards for UTM services, the Federal Aviation Administration shall consider ongoing research and development efforts on UTM services conducted by—

(1) the National Aeronautics and Space Administration in partnership with industry stakeholders;

(2) the UTM System pilot program required by section 2208 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 40101 note); and

(3) the participants in the pilot program required in the October 25, 2017, Presidential

Memorandum entitled, “Unmanned Aircraft Systems Integration Pilot Program” and described in 82 Federal Register 50301.

(i) **DEADLINE.**—Not later than 1 year after the date of conclusion of the UTM pilot program established in section 2208 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 40101 note), the Administrator shall—

(1) complete the plan required by subsection (a);

(2) submit the plan to—

(A) the Committee on Commerce, Science, and Transportation of the Senate; and

(B) the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) publish the plan on a publicly accessible Internet website of the Federal Aviation Administration.

SEC. 377. EARLY IMPLEMENTATION OF CERTAIN UTM SERVICES.

(a) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the Administrator shall, upon request of a UTM service provider, determine if certain UTM services may operate safely in the national airspace system before completion of the implementation plan required by section 376.

(b) **ASSESSMENT OF UTM SERVICES.**—In making the determination under subsection (a), the Administrator shall assess, at a minimum, whether the proposed UTM services, as a result of their operational capabilities, reliability, intended use, areas of operation, and the characteristics of the aircraft involved, will maintain the safety and efficiency of the national airspace system and address any identified risks to manned or unmanned aircraft and persons and property on the ground.

(c) **REQUIREMENTS FOR SAFE OPERATION.**—If the Administrator determines that certain UTM services may operate safely in the national airspace system, the Administrator shall establish requirements for their safe operation in the national airspace system.

(d) **EXPEDITED PROCEDURES.**—The Administrator shall provide expedited procedures for making the assessment and determinations under this section where the UTM services will be provided primarily or exclusively in airspace above areas in which the operation of unmanned aircraft poses low risk, including but not limited to croplands and areas other than congested areas.

(e) **CONSULTATION.**—In carrying out this section, the Administrator shall consult with other Federal agencies, as appropriate.

(f) **PREEXISTING UTM SERVICES APPROVALS.**—Nothing in this Act shall affect or delay approvals, waivers, or exemptions granted by the Administrator for UTM services already in existence or approved by the Administrator prior to the date of enactment of this Act, including approvals under the Low Altitude Authorization and Notification Capability.

SEC. 378. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) each person that uses an unmanned aircraft system for compensation or hire, or in the furtherance of a business enterprise, except those operated for purposes protected by the First Amendment of the Constitution, should have a written privacy policy consistent with section 357 that is appropriate to the nature and scope of the activities regarding the collection, use, retention, dissemination, and deletion of any data collected during the operation of an unmanned aircraft system;

(2) each privacy policy described in paragraph (1) should be periodically reviewed and updated as necessary; and

(3) each privacy policy described in paragraph (1) should be publicly available.

SEC. 379. COMMERCIAL AND GOVERNMENTAL OPERATORS.

(a) **IN GENERAL.**—Not later than 270 days after the date of enactment of this Act, the Administrator shall, to the extent practicable and consistent with applicable law, make available in a single location on the website of the Department of Transportation:

(1) Any certificate of waiver or authorization issued by the Administration to Federal, State, tribal or local governments for the operation of unmanned aircraft systems within 30 days of issuance of such certificate of waiver or authorization.

(2) A spreadsheet of UAS registrations, including the city, state, and zip code of each registered drone owner, on its website that is updated once per quarter each calendar year.

(3) Summary descriptions and general purposes of public unmanned aircraft operations, including the locations where such unmanned aircraft may generally operate.

(4) Summary descriptions of common civil unmanned aircraft operations.

(5) The expiration date of any authorization of public or civil unmanned aircraft operations.

(6) Links to websites of State agencies that enforce any applicable privacy laws.

(7) For any unmanned aircraft system, except with respect to any operation protected by the First Amendment to the Constitution of the United States, that will collect personally identifiable information about individuals, including the use of facial recognition—

(A) the circumstance under which the system will be used;

(B) the specific kinds of personally identifiable information that the system will collect about individuals; and

(C) how the information referred to in subparagraph (B), and the conclusions drawn from such information, will be used, disclosed, and otherwise handled, including—

(i) how the collection or retention of such information that is unrelated to the specific use will be minimized;

(ii) under what circumstances such information might be sold, leased, or otherwise provided to third parties;

(iii) the period during which such information will be retained;

(iv) when and how such information, including information no longer relevant to the specified use, will be destroyed; and

(v) steps that will be used to protect against the unauthorized disclosure of any information or data, such as the use of encryption methods and other security features.

(8) With respect to public unmanned aircraft systems—

(A) the locations where the unmanned aircraft system will operate;

(B) the time during which the unmanned aircraft system will operate;

(C) the general purpose of the flight; and

(D) the technical capabilities that the unmanned aircraft system possesses.

(b) **EXCEPTIONS.**—The Administrator shall not disclose information pursuant to subsection (a) if the Administrator determines that the release of such information—

(1) is not applicable;

(2) is not practicable, including when the information is not available to the Administrator;

(3) is not in compliance with applicable law;

(4) would compromise national defense, homeland security or law enforcement activity;

(5) would be withheld pursuant to an exception of the section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”); or

(6) is otherwise contrary to the public interest.

(c) **SUNSET.**—This section will cease to be effective on the date that is the earlier of—

(1) the date of publication of a Notice of Proposed Rulemaking or guidance regarding remote identification standards under section 2202 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615); or

(2) September 30, 2023.

SEC. 380. TRANSITION LANGUAGE.

(a) **REGULATIONS.**—Notwithstanding the repeals under sections 341, 348, 347, and 383 of this Act, all orders, determinations, rules, regulations, permits, grants, and contracts, which have been issued under any law described under subsection (b) of this section before the effective date of this Act shall continue in effect until modified or revoked by the Secretary of Transportation, acting through the Administrator of the Federal Aviation Administration, as applicable, by a court of competent jurisdiction, or by operation of law other than this Act.

(b) **LAWS DESCRIBED.**—The laws described under this subsection are as follows:

(1) Section 332 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(2) Section 333 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(3) Section 334 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).

(4) Section 2206 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615).

(c) **EFFECT ON PENDING PROCEEDINGS.**—This Act shall not affect administrative or judicial proceedings pending on the effective date of this Act.

SEC. 381. UNMANNED AIRCRAFT SYSTEMS IN RESTRICTED BUILDINGS OR GROUNDS.

Section 1752 of title 18, United States Code, is amended by adding after subsection (a)(4) the following:

“(5) knowingly and willfully operates an unmanned aircraft system with the intent to knowingly and willfully direct or otherwise cause such unmanned aircraft system to enter or operate within or above a restricted building or grounds;”.

SEC. 382. PROHIBITION.

(a) **AMENDMENT.**—Chapter 2 of title 18, United States Code, is amended by adding at the end the following:

“§ 40A. Operation of unauthorized unmanned aircraft over wildfires

“(a) **IN GENERAL.**—Except as provided in subsection (b), an individual who operates an unmanned aircraft and knowingly or recklessly interferes with a wildfire suppression, or law enforcement or emergency response efforts related to a wildfire suppression, shall be fined under this title, imprisoned for not more than 2 years, or both.

“(b) **EXCEPTIONS.**—This section does not apply to the operation of an unmanned aircraft conducted by a unit or agency of the United States Government or of a State, tribal, or local government (including any individual conducting such operation pursuant to a contract or other agreement entered into with the unit or agency) for the purpose of protecting the public safety and welfare, including firefighting, law enforcement, or emergency response.

“(c) **DEFINITIONS.**—In this section, the following definitions apply:

“(1) **UNMANNED AIRCRAFT.**—The term ‘unmanned aircraft’ has the meaning given the term in section 44801 of title 49, United States Code.

“(2) **WILDFIRE.**—The term ‘wildfire’ has the meaning given that term in section 2 of the Emergency Wildfire Suppression Act (42 U.S.C. 1856m).

“(3) **WILDFIRE SUPPRESSION.**—The term ‘wildfire suppression’ means an effort to contain, extinguish, or suppress a wildfire.”.

(b) **CONFORMING AMENDMENT.**—The table of sections for chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 40 the following:

“40A. Operation of unauthorized unmanned aircraft over wildfires.”.

SEC. 383. AIRPORT SAFETY AND AIRSPACE HAZARD MITIGATION AND ENFORCEMENT.

(a) **IN GENERAL.**—Chapter 448 of title 49, United States Code, as amended by this Act, is further amended by inserting at the end the following:

“§ 44810. Airport safety and airspace hazard mitigation and enforcement

“(a) **COORDINATION.**—The Administrator of the Federal Aviation Administration shall work with the Secretary of Defense, the Secretary of Homeland Security, and the heads of other relevant Federal departments and agencies for the purpose of ensuring that technologies or systems that are developed, tested, or deployed by Federal departments and agencies to detect and mitigate potential risks posed by errant or hostile unmanned aircraft system operations do not adversely impact or interfere with safe airport operations, navigation, air traffic services, or the safe and efficient operation of the national airspace system.

“(b) **PLAN.**—

“(1) **IN GENERAL.**—The Administrator shall develop a plan for the certification, permitting, authorizing, or allowing of the deployment of technologies or systems for the detection and mitigation of unmanned aircraft systems.

“(2) **CONTENTS.**—The plan shall provide for the development of policies, procedures, or protocols that will allow appropriate officials of the Federal Aviation Administration to utilize such technologies or systems to take steps to detect and mitigate potential airspace safety risks posed by unmanned aircraft system operations.

“(3) **AVIATION RULEMAKING COMMITTEE.**—The Administrator shall charter an aviation rulemaking committee to make recommendations for such a plan and any standards that the Administrator determines may need to be developed with respect to such technologies or systems. The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to an aviation rulemaking committee chartered under this paragraph.

“(4) **NON-DELEGATION.**—The plan shall not delegate any authority granted to the Administrator under this section to other Federal, State, local, territorial, or tribal agencies, or an airport sponsor, as defined in section 47102 of title 49, United States Code.

“(c) **AIRSPACE HAZARD MITIGATION PROGRAM.**—In order to test and evaluate technologies or systems that detect and mitigate potential aviation safety risks posed by unmanned aircraft, the Administrator shall deploy such technologies or systems at 5 airports, including 1 airport that ranks in the top 10 of the FAA’s most recent Passenger Boarding Data.

“(d) **AUTHORITY.**—Under the testing and evaluation in subsection (c), the Administrator shall use unmanned aircraft detection and mitigation systems to detect and mitigate the unauthorized operation of an unmanned aircraft that poses a risk to aviation safety.

“(e) **AIP FUNDING ELIGIBILITY.**—Upon the certification, permitting, authorizing, or allowing of such technologies and systems that have been successfully tested under this section, an airport sponsor may apply for a grant under subchapter I of chapter 471 to purchase an unmanned aircraft detection and mitigation system. For purposes of this subsection, purchasing an unmanned aircraft detection and mitigation system shall be considered airport development (as defined in section 47102).

“(f) **BRIEFING.**—The Administrator shall annually brief the appropriate committees of Congress, including the Committee on Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate, on the implementation of this section.

“(g) **APPLICABILITY OF OTHER LAWS.**—Section 46502 of this title, section 32 of title 18, United States Code (commonly known as the Aircraft Sabotage Act), section 1031 of title 18, United States Code (commonly known as the Computer Fraud and Abuse Act of 1986), sections 2510–2522 of title 18, United States Code (commonly known as the Wiretap Act), and sections 3121–3127 of title 18, United States Code (commonly known as the Pen/Trap Statute), shall not apply to activities authorized by the Administrator pursuant to subsection (c) and (d).

“(h) **SUNSET.**—This section ceases to be effective September 30, 2023.

“(i) **NON-DELEGATION.**—The Administrator shall not delegate any authority granted to the Administrator under this section to other Federal, State, local, territorial, or tribal agencies, or an airport sponsor, as defined in section 47102 of title 49, United States Code. The Administrator may partner with other Federal agencies under this section, subject to any restrictions contained in such agencies’ authority to operate counter unmanned aircraft systems.”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) **TABLE OF CONTENTS.**—The table of contents for chapter 448, as amended by this Act, is further amended by inserting at the end the following:

“44810. Airport safety and airspace hazard mitigation and enforcement.”.

(2) **PILOT PROJECT FOR AIRPORT SAFETY AND AIRSPACE HAZARD MITIGATION.**—Section 2206 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114–190; 130 Stat. 615) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 384. UNSAFE OPERATION OF UNMANNED AIRCRAFT.

(a) **IN GENERAL.**—Chapter 2 of title 18, United States Code, is amended by inserting after section 39A the following:

“§ 39B. Unsafe operation of unmanned aircraft

“(a) **OFFENSE.**—Any person who operates an unmanned aircraft and:

“(1) Knowingly interferes with, or disrupts the operation of, an aircraft carrying 1 or more occupants operating in the special aircraft jurisdiction of the United States, in a manner that poses an imminent safety hazard to such occupants, shall be punished as provided in subsection (c).

“(2) Recklessly interferes with, or disrupts the operation of, an aircraft carrying 1 or more occupants operating in the special aircraft jurisdiction of the United States, in a manner that poses an imminent safety hazard to such occupants, shall be punished as provided in subsection (c).

“(b) **OPERATION OF UNMANNED AIRCRAFT IN CLOSE PROXIMITY TO AIRPORTS.**—

“(1) **IN GENERAL.**—Any person who, without authorization, knowingly operates an unmanned aircraft within a runway exclusion zone shall be punished as provided in subsection (c).

“(2) **RUNWAY EXCLUSION ZONE DEFINED.**—In this subsection, the term ‘runway exclusion zone’ means a rectangular area—

“(A) centered on the centerline of an active runway of an airport immediately around which the airspace is designated as class B, class C, or class D airspace at the surface under part 71 of title 14, Code of Federal Regulations; and

“(B) the length of which extends parallel to the runway’s centerline to points that are

1 statute mile from each end of the runway and the width of which is ½ statute mile.

“(C) PENALTY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), the punishment for an offense under subsections (a) or (b) shall be a fine under this title, imprisonment for not more than 1 year, or both.

“(2) SERIOUS BODILY INJURY OR DEATH.—Any person who:

“(A) Causes serious bodily injury or death during the commission of an offense under subsection (a)(2) shall be fined under this title, imprisoned for a term of up to 10 years, or both.

“(B) Causes, or attempts or conspires to cause, serious bodily injury or death during the commission of an offense under subsections (a)(1) and (b) shall be fined under this title, imprisoned for any term of years or for life, or both.”.

(b) TABLE OF CONTENTS.—The table of contents for chapter 2 of title 18, United States Code, is amended by inserting after the item relating to section 39A the following:

“39B. Unsafe operation of unmanned aircraft.”.

Subtitle C—General Aviation Safety

SEC. 391. SHORT TITLE.

This subtitle may be cited as the “Fairness for Pilots Act”.

SEC. 392. EXPANSION OF PILOT'S BILL OF RIGHTS.

(a) NOTIFICATION OF INVESTIGATION.—Subsection (b) of section 2 of the Pilot's Bill of Rights (Public Law 112-153; 126 Stat. 1159; 49 U.S.C. 44703 note) is amended—

(1) in paragraph (2)(A), by inserting “and the specific activity on which the investigation is based” after “nature of the investigation”;

(2) in paragraph (3), by striking “timely”;

and

(3) in paragraph (5), by striking “section 44709(c)(2)” and inserting “section 44709(e)(2)”.

(b) RELEASE OF INVESTIGATIVE REPORTS.—Section 2 of the Pilot's Bill of Rights (Public Law 112-153; 126 Stat. 1159; 49 U.S.C. 44703 note) is further amended by adding at the end the following:

“(f) RELEASE OF INVESTIGATIVE REPORTS.—

“(1) IN GENERAL.—

“(A) EMERGENCY ORDERS.—In any proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of an airman certificate, in which the Administrator issues an emergency order under subsections (d) and (e) of section 44709, section 44710, or section 46105(c) of title 49, United States Code, or another order that takes effect immediately, the Administrator shall provide, upon request, to the individual holding the airman certificate the releasable portion of the investigative report at the time the Administrator issues the order. If the complete Report of Investigation is not available at the time of the request, the Administrator shall issue all portions of the report that are available at the time and shall provide the full report not later than 5 days after its completion.

“(B) OTHER ORDERS.—In any nonemergency proceeding conducted under part 821 of title 49, Code of Federal Regulations, relating to the amendment, modification, suspension, or revocation of an airman certificate, in which the Administrator notifies the certificate holder of a proposed certificate action under subsections (b) and (c) of section 44709 or section 44710 of title 49, United States Code, the Administrator shall, upon the written request of the covered certificate holder and at any time after that notification, provide to the covered certificate holder the releasable portion of the investigative report.

“(2) MOTION FOR DISMISSAL.—If the Administrator does not provide the releasable por-

tions of the investigative report to the individual holding the airman certificate subject to the proceeding referred to in paragraph (1) by the time required by that paragraph, the individual may move to dismiss the complaint of the Administrator or for other relief and, unless the Administrator establishes good cause for the failure to provide the investigative report or for a lack of timeliness, the administrative law judge shall order such relief as the judge considers appropriate.

“(3) RELEASABLE PORTION OF INVESTIGATIVE REPORT.—For purposes of paragraph (1), the releasable portion of an investigative report is all information in the report, except for the following:

“(A) Information that is privileged.

“(B) Information that constitutes work product or reflects internal deliberative process.

“(C) Information that would disclose the identity of a confidential source.

“(D) Information the disclosure of which is prohibited by any other provision of law.

“(E) Information that is not relevant to the subject matter of the proceeding.

“(F) Information the Administrator can demonstrate is withheld for good cause.

“(G) Sensitive security information, as defined in section 15.5 of title 49, Code of Federal Regulations (or any corresponding similar ruling or regulation).

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to prevent the Administrator from releasing to an individual subject to an investigation described in subsection (b)(1)—

“(A) information in addition to the information included in the releasable portion of the investigative report; or

“(B) a copy of the investigative report before the Administrator issues a complaint.”.

SEC. 393. NOTIFICATION OF REEXAMINATION OF CERTIFICATE HOLDERS.

(a) IN GENERAL.—Section 44709(a) of title 49, United States Code, is amended—

(1) by striking “The Administrator” and inserting the following:

“(1) IN GENERAL.—The Administrator”;

(2) by adding at the end the following:

“(2) NOTIFICATION OF REEXAMINATION OF AIRMAN.—Before taking any action to reexamine an airman under paragraph (1) the Administrator shall provide to the airman—

“(A) a reasonable basis, described in detail, for requesting the reexamination; and

“(B) any information gathered by the Federal Aviation Administration, that the Administrator determines is appropriate to provide, such as the scope and nature of the requested reexamination, that formed the basis for that justification.”.

SEC. 394. EXPEDITING UPDATES TO NOTAM PROGRAM.

(a) IN GENERAL.—Beginning on the date that is 180 days after the date of enactment of this Act, the Administrator may not take any enforcement action against any individual for a violation of a NOTAM (as defined in section 3 of the Pilot's Bill of Rights (49 U.S.C. 44701 note)) until the Administrator certifies to the appropriate committees of Congress that the Administrator has complied with the requirements of section 3 of the Pilot's Bill of Rights, as amended by this section.

(b) AMENDMENTS.—Section 3 of the Pilot's Bill of Rights (Public Law 112-153; 126 Stat. 1162; 49 U.S.C. 44701 note) is amended—

(1) in subsection (a)(2)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “this Act” and inserting “the Fairness for Pilots Act”; and

(ii) by striking “begin” and inserting “complete the implementation of”;

(B) by amending subparagraph (B) to read as follows:

“(B) to continue developing and modernizing the NOTAM repository, in a public central location, to maintain and archive all NOTAMs, including the original content and form of the notices, the original date of publication, and any amendments to such notices with the date of each amendment, in a manner that is Internet-accessible, machine-readable, and searchable.”;

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

(D) by adding at the end the following:

“(D) to specify the times during which temporary flight restrictions are in effect and the duration of a designation of special use airspace in a specific area.”; and

(2) by amending subsection (d) to read as follows:

“(d) DESIGNATION OF REPOSITORY AS SOLE SOURCE FOR NOTAMs.—

“(1) IN GENERAL.—The Administrator—

“(A) shall consider the repository for NOTAMs under subsection (a)(2)(B) to be the sole location for airmen to check for NOTAMs; and

“(B) may not consider a NOTAM to be announced or published until the NOTAM is included in the repository for NOTAMs under subsection (a)(2)(B).

“(2) PROHIBITION ON TAKING ACTION FOR VIOLATIONS OF NOTAMS NOT IN REPOSITORY.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), beginning on the date that the repository under subsection (a)(2)(B) is final and published, the Administrator may not take any enforcement action against an airman for a violation of a NOTAM during a flight if—

“(i) that NOTAM is not available through the repository before the commencement of the flight; and

“(ii) that NOTAM is not reasonably accessible and identifiable to the airman.

“(B) EXCEPTION FOR NATIONAL SECURITY.—Subparagraph (A) shall not apply in the case of an enforcement action for a violation of a NOTAM that directly relates to national security.”.

SEC. 395. ACCESSIBILITY OF CERTAIN FLIGHT DATA.

(a) IN GENERAL.—Subchapter I of chapter 471 of title 49, United States Code, is amended by inserting after section 47124 the following:

“§ 47124a. Accessibility of certain flight data

“(a) DEFINITIONS.—In this section:

“(1) ADMINISTRATION.—The term ‘Administration’ means the Federal Aviation Administration.

“(2) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Federal Aviation Administration.

“(3) APPLICABLE INDIVIDUAL.—The term ‘applicable individual’ means an individual who is the subject of an investigation initiated by the Administrator related to a covered flight record.

“(4) CONTRACT TOWER.—The term ‘contract tower’ means an air traffic control tower providing air traffic control services pursuant to a contract with the Administration under section 47124.

“(5) COVERED FLIGHT RECORD.—The term ‘covered flight record’ means any air traffic data (as defined in section 2(b)(4)(B) of the Pilot's Bill of Rights (49 U.S.C. 44703 note)), created, maintained, or controlled by any program of the Administration, including any program of the Administration carried out by employees or contractors of the Administration, such as contract towers, flight service stations, and controller training programs.

“(b) PROVISION OF COVERED FLIGHT RECORD TO ADMINISTRATION.—

“(1) REQUESTS.—Whenever the Administration receives a written request for a covered flight record from an applicable individual

and the covered flight record is not in the possession of the Administration, the Administrator shall request the covered flight record from the contract tower or other contractor of the Administration in possession of the covered flight record.

“(2) PROVISION OF RECORDS.—Any covered flight record created, maintained, or controlled by a contract tower or another contractor of the Administration that maintains covered flight records shall be provided to the Administration if the Administration requests the record pursuant to paragraph (1).

“(3) NOTICE OF PROPOSED CERTIFICATE ACTION.—If the Administrator has issued, or subsequently issues, a Notice of Proposed Certificate Action relying on evidence contained in the covered flight record and the individual who is the subject of an investigation has requested the record, the Administrator shall promptly produce the record and extend the time the individual has to respond to the Notice of Proposed Certificate Action until the covered flight record is provided.

“(c) IMPLEMENTATION.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the Fairness for Pilots Act, the Administrator shall promulgate regulations or guidance to ensure compliance with this section.

“(2) COMPLIANCE BY CONTRACTORS.—

“(A) IN GENERAL.—Compliance with this section by a contract tower or other contractor of the Administration that maintains covered flight records shall be included as a material term in any contract between the Administration and the contract tower or contractor entered into or renewed on or after the date of enactment of the Fairness for Pilots Act.

“(B) NONAPPLICABILITY.—Subparagraph (A) shall not apply to any contract or agreement in effect on the date of enactment of the Fairness for Pilots Act unless the contract or agreement is renegotiated, renewed, or modified after that date.

“(d) PROTECTION OF CERTAIN DATA.—The Administrator of the Federal Aviation Administration may withhold information that would otherwise be required to be made available under section only if—

“(1) the Administrator determines, based on information in the possession of the Administrator, that the Administrator may withhold the information in accordance with section 552a of title 5, United States Code; or

“(2) the information is submitted pursuant to a voluntary safety reporting program covered by section 40123 of title 49, United States Code.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of contents for chapter 471 is amended by inserting after the item relating to section 47124 the following:

“47124a. Accessibility of certain flight data.”.

SEC. 396. AUTHORITY FOR LEGAL COUNSEL TO ISSUE CERTAIN NOTICES.

Not later than 90 days after the date of enactment of this Act, the Administrator shall designate the appropriate legal counsel of the Administration as an appropriate official for purposes of section 13.11 of title 14, Code of Federal Regulations.

TITLE IV—AIR SERVICE IMPROVEMENTS **Subtitle A—Airline Customer Service Improvements**

SEC. 401. DEFINITIONS.

In this title:

(1) COVERED AIR CARRIER.—The term “covered air carrier” means an air carrier or a foreign air carrier as those terms are defined in section 40102 of title 49, United States Code.

(2) ONLINE SERVICE.—The term “online service” means any service available over

the internet, or that connects to the internet or a wide-area network.

(3) TICKET AGENT.—The term “ticket agent” has the meaning given the term in section 40102 of title 49, United States Code.

SEC. 402. RELIABLE AIR SERVICE IN AMERICAN SAMOA.

Section 40109(g) of title 49, United States Code, is amended—

(1) in paragraph (2) by striking subparagraph (C) and inserting the following:

“(C) review the exemption at least every 30 days (or, in the case of an exemption that is necessary to provide and sustain air transportation in American Samoa between the islands of Tutuila and Manu’a, at least every 180 days) to ensure that the unusual circumstances that established the need for the exemption still exist.”; and

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

“(3) RENEWAL OF EXEMPTIONS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary may renew an exemption (including renewals) under this subsection for not more than 30 days.

“(B) EXCEPTION.—The Secretary may renew an exemption (including renewals) under this subsection that is necessary to provide and sustain air transportation in American Samoa between the islands of Tutuila and Manu’a for not more than 180 days.

“(4) CONTINUATION OF EXEMPTIONS.—An exemption granted by the Secretary under this subsection may continue for not more than 5 days after the unusual circumstances that established the need for the exemption cease.”.

SEC. 403. CELL PHONE VOICE COMMUNICATION BAN.

(a) IN GENERAL.—Subchapter I of chapter 417 of title 49, United States Code, is amended by adding at the end the following:

“§ 41725. Prohibition on certain cell phone voice communications

“(a) PROHIBITION.—The Secretary of Transportation shall issue regulations—

“(1) to prohibit an individual on an aircraft from engaging in voice communications using a mobile communications device during a flight of that aircraft in scheduled passenger interstate or intrastate air transportation; and

“(2) that exempt from the prohibition described in paragraph (1) any—

“(A) member of the flight crew on duty on an aircraft;

“(B) flight attendant on duty on an aircraft; and

“(C) Federal law enforcement officer acting in an official capacity.

“(b) DEFINITIONS.—In this section, the following definitions apply:

“(1) FLIGHT.—The term ‘flight’ means, with respect to an aircraft, the period beginning when the aircraft takes off and ending when the aircraft lands.

“(2) MOBILE COMMUNICATIONS DEVICE.—

“(A) IN GENERAL.—The term ‘mobile communications device’ means any portable wireless telecommunications equipment utilized for the transmission or reception of voice data.

“(B) LIMITATION.—The term ‘mobile communications device’ does not include a phone installed on an aircraft.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 417 of title 49, United States Code, is amended by inserting after the item relating to section 41724 the following:

“41725. Prohibition on certain cell phone voice communications.”.

SEC. 404. IMPROVED NOTIFICATION OF INSECTICIDE USE.

Section 42303(b) of title 49, United States Code, is amended to read as follows:

“(b) REQUIRED DISCLOSURES.—An air carrier, foreign air carrier, or ticket agent selling, in the United States, a ticket for a flight in foreign air transportation to a country listed on the internet website established under subsection (a) shall—

“(1) disclose, on its own internet website or through other means, that the destination country may require the air carrier or foreign air carrier to treat an aircraft passenger cabin with insecticides prior to the flight or to apply an aerosol insecticide in an aircraft cabin used for such a flight when the cabin is occupied with passengers; and

“(2) refer the purchaser of the ticket to the internet website established under subsection (a) for additional information.”.

SEC. 405. CONSUMER COMPLAINTS HOTLINE.

Section 42302 of title 49, United States Code, is amended by adding at the end the following:

“(d) USE OF NEW TECHNOLOGIES.—The Secretary shall periodically evaluate the benefits of using mobile phone applications or other widely used technologies to provide new means for air passengers to communicate complaints in addition to the telephone number established under subsection (a) and shall provide such new means as the Secretary determines appropriate.”.

SEC. 406. CONSUMER INFORMATION ON ACTUAL FLIGHT TIMES.

(a) STUDY.—The Secretary of Transportation shall conduct a study on the feasibility and advisability of modifying regulations contained in section 234.11 of title 14, Code of Federal Regulations, to ensure that—

(1) a reporting carrier (including its contractors), during the course of a reservation or ticketing discussion or other inquiry, discloses to a consumer upon reasonable request the projected period between the actual wheels-off and wheels-on times for a reportable flight; and

(2) a reporting carrier displays, on the public internet website of the carrier, information on the actual wheels-off and wheels-on times during the most recent calendar month for a reportable flight.

(b) DEFINITIONS.—In this section, the terms “reporting carrier” and “reportable flight” have the meanings given those terms in section 234.2 of title 14, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the results of the study.

SEC. 407. TRAINING POLICIES REGARDING RACIAL, ETHNIC, AND RELIGIOUS NONDISCRIMINATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress and the Secretary of Transportation a report describing—

(1) each air carrier’s training policy for its employees and contractors regarding racial, ethnic, and religious nondiscrimination; and

(2) how frequently an air carrier is required to train new employees and contractors because of turnover in positions that require such training.

(b) BEST PRACTICES.—After the date the report is submitted under subsection (a), the Secretary shall develop and disseminate to air carriers best practices necessary to improve the training policies described in subsection (a), based on the findings of the report and in consultation with—

(1) passengers of diverse racial, ethnic, and religious backgrounds;

- (2) national organizations that represent impacted communities;
- (3) air carriers;
- (4) airport operators; and
- (5) contract service providers.

SEC. 408. TRAINING ON HUMAN TRAFFICKING FOR CERTAIN STAFF.

(a) IN GENERAL.—Chapter 447 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“§ 44738. Training on human trafficking for certain staff

“In addition to other training requirements, each air carrier shall provide training to ticket counter agents, gate agents, and other air carrier workers whose jobs require regular interaction with passengers on recognizing and responding to potential human trafficking victims.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“44738. Training on human trafficking for certain staff.”.

SEC. 409. PROHIBITIONS AGAINST SMOKING ON PASSENGER FLIGHTS.

Section 41706 of title 49, United States Code, is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) ELECTRONIC CIGARETTES.—

“(1) INCLUSION.—The use of an electronic cigarette shall be treated as smoking for purposes of this section.

“(2) ELECTRONIC CIGARETTE DEFINED.—In this section, the term ‘electronic cigarette’ means a device that delivers nicotine to a user of the device in the form of a vapor that is inhaled to simulate the experience of smoking.”.

SEC. 410. REPORT ON BAGGAGE REPORTING REQUIREMENTS.

Not later than 6 months after the date of enactment of this Act, the Secretary of Transportation shall—

(1) study and publicize for comment a cost-benefit analysis to air carriers and consumers of changing the baggage reporting requirements of section 234.6 of title 14, Code of Federal Regulations, before the implementation of such requirements; and

(2) submit a report on the findings of the cost-benefit analysis to the appropriate committees of Congress.

SEC. 411. ENFORCEMENT OF AVIATION CONSUMER PROTECTION RULES.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study to consider and evaluate Department of Transportation enforcement of aviation consumer protection rules.

(b) CONTENTS.—The study under subsection (a) shall include an evaluation of—

- (1) available enforcement mechanisms;
- (2) any obstacles to enforcement; and
- (3) trends in Department of Transportation enforcement actions.

(c) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the study, including the Comptroller General’s findings, conclusions, and recommendations.

SEC. 412. STROLLERS.

(a) IN GENERAL.—Subchapter I of chapter 417 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“§ 41726. Strollers

“(a) IN GENERAL.—Except as provided in subsection (b), a covered air carrier shall not deny a passenger the ability to check a

stroller at the departure gate if the stroller is being used by a passenger to transport a child traveling on the same flight as the passenger.

“(b) EXCEPTION.—Subsection (a) shall not apply in instances where the size or weight of the stroller poses a safety or security risk.

“(c) COVERED AIR CARRIER DEFINED.—In this section, the term ‘covered air carrier’ means an air carrier or a foreign air carrier as those terms are defined in section 40102 of title 49, United States Code.”.

(b) TABLE OF CONTENTS.—The analysis for chapter 417 of title 49, United States Code, is further amended by inserting after the item relating to section 41725 the following:

“41726. Strollers.”.

SEC. 413. CAUSES OF AIRLINE DELAYS OR CANCELLATIONS.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Administrator of the Federal Aviation Administration, shall review the categorization of delays and cancellations with respect to air carriers that are required to report such data.

(2) CONSIDERATIONS.—In conducting the review under paragraph (1), the Secretary shall consider, at a minimum—

(A) whether delays and cancellations were the result of—

(i) decisions or matters within the control or within the discretion of the Federal Aviation Administration, including ground stop or delay management programs in response to adverse weather conditions;

(ii) business decisions or other matters within the air carrier’s control or discretion in response to adverse weather conditions, including efforts to disrupt the travel of the fewest number of passengers; or

(iii) other factors;

(B) if the data indicate whether and to what extent delays and cancellations attributed by an air carrier to weather disproportionately impact service to smaller airports and communities;

(C) whether it is an unfair or deceptive practice for an air carrier to inform a passenger that a flight is delayed or cancelled due to weather alone when other factors are involved;

(D) limitations, if any, in the Federal Aviation Administration air traffic control systems that reduce the capacity or efficiency of the national airspace system during adverse weather events; and

(E) relevant analytical work by academic institutions.

(3) CONSULTATION.—The Secretary may consult air carriers and the Advisory Committee for Aviation Consumer Protection, established under section 411 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note), to assist in conducting the review and providing recommendations on improving the quality and quantity of information provided to passengers adversely affected by a cancellation or delay.

(b) REPORT.—Not later than 90 days after the date the review under subsection (a) is complete, the Secretary shall submit to the appropriate committees of Congress a report on the review under subsection (a), including any recommendations.

(c) SAVINGS PROVISION.—Nothing in this section shall be construed as affecting or penalizing—

(1) the decision of an air carrier to maximize its system capacity during weather-related events to accommodate the greatest number of passengers; or

(2) any decisions of an air carrier or the Federal Aviation Administration in any matter related to or affecting the safety of any person.

SEC. 414. INVOLUNTARY CHANGES TO ITINERARIES.

(a) REVIEW.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall review the rate at which air carriers change passenger itineraries more than 24 hours before departure, where the new itineraries involve additional stops or depart 3 hours earlier or later than originally scheduled and compensation or other suitable air transportation is not offered. In conducting the review, the Secretary shall consider the compensation and alternative travel options provided or offered by the air carrier in such situations.

(2) CONSULTATION.—The Secretary may consult with air carriers and the Advisory Committee for Aviation Consumer Protection, established under section 411 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note), to assist in conducting the review and providing recommendations.

(b) REPORT.—Not later than 90 days after the date the review under subsection (a) is complete, the Secretary shall submit to appropriate committees of Congress a report on the review under subsection (a).

SEC. 415. EXTENSION OF ADVISORY COMMITTEE FOR AVIATION CONSUMER PROTECTION.

Section 411 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 42301 prec. note) is amended in subsection (h) by striking “2018” and inserting “2023”.

SEC. 416. ONLINE ACCESS TO AVIATION CONSUMER PROTECTION INFORMATION.

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall—

(1) complete an evaluation of the aviation consumer protection portion of the Department of Transportation’s public internet website to identify any changes to the user interface, including the interface presented to individuals accessing the website from a mobile device, that will improve usability, accessibility, consumer satisfaction, and website performance;

(2) in completing the evaluation under paragraph (1)—

(A) consider the best practices of other Federal agencies with effective websites; and

(B) consult with the Federal Web Managers Council;

(3) develop a plan, including an implementation timeline, for—

(A) making the changes identified under paragraph (1); and

(B) making any necessary changes to that portion of the website that will enable a consumer, in a manner that protects the privacy of consumers and employees, to—

(i) access information regarding each complaint filed with the Aviation Consumer Protection Division of the Department of Transportation;

(ii) search the complaints described in clause (i) by the name of the air carrier, the dates of departure and arrival, the airports of origin and departure, and the type of complaint; and

(iii) determine the date a complaint was filed and the date a complaint was resolved; and

(4) submit the evaluation and plan to appropriate committees of Congress.

SEC. 417. PROTECTION OF PETS ON AIRPLANES.

(a) PROHIBITION.—Chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

“§ 44739. Pets on airplanes

“(a) PROHIBITION.—It shall be unlawful for any person to place a live animal in an overhead storage compartment of an aircraft operated under part 121 of title 14, Code of Federal Regulations.

“(b) CIVIL PENALTY.—The Administrator may impose a civil penalty under section 46301 for each violation of this section.”.

(b) CONFORMING AMENDMENT.—The analysis for chapter 447 of title 49, United States Code, is further amended by adding at the end the following:

“44739. Pets on airplanes.”.

SEC. 418. ADVISORY COMMITTEE ON AIR AMBULANCE AND PATIENT BILLING.

(a) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Health and Human Services, shall establish an advisory committee for the purpose of reviewing options to improve the disclosure of charges and fees for air medical services, better inform consumers of insurance options for such services, and protect consumers from balance billing.

(b) COMPOSITION OF THE ADVISORY COMMITTEE.—The advisory committee shall be composed of the following members:

(1) The Secretary of Transportation, or the Secretary’s designee.

(2) The Secretary of Health and Human Services, or the Secretary’s designee.

(3) One representative, to be appointed by the Secretary of Transportation, of each of the following:

(A) Each relevant Federal agency, as determined by the Secretary of Transportation.

(B) State insurance regulators

(C) Health insurance providers.

(D) Patient advocacy groups.

(E) Consumer advocacy groups.

(F) Physician specializing in emergency, trauma, cardiac, or stroke.

(4) Three representatives, to be appointed by the Secretary of Transportation, to represent the various segments of the air ambulance industry.

(5) Additional three representatives not covered under paragraphs (1) through (4), as determined necessary and appropriate by the Secretary.

(c) CONSULTATION.—The advisory committee shall, as appropriate, consult with relevant experts and stakeholders not captured in (b) while conducting its review.

(d) RECOMMENDATIONS.—The advisory committee shall make recommendations with respect to disclosure of charges and fees for air ambulance services and insurance coverage, consumer protection and enforcement authorities of both the Department of Transportation and State authorities, and the prevention of balance billing to consumers. The recommendations shall address, at a minimum—

(1) the costs, benefits, practicability, and impact on all stakeholders of clearly distinguishing between charges for air transportation services and charges for non-air transportation services in bills and invoices, including the costs, benefits, and practicability of—

(A) developing cost-allocation methodologies to separate charges for air transportation services from charges for non-air transportation services; and

(B) formats for bills and invoices that clearly distinguish between charges for air transportation services and charges for non-air transportation services;

(2) options, best practices, and identified standards to prevent instances of balance billing such as improving network and contract negotiation, dispute resolution between health insurance and air medical service providers, and explanation of insurance coverage and subscription programs to consumers;

(3) steps that can be taken by State legislatures, State insurance regulators, State attorneys general, and other State officials as appropriate, consistent with current legal authorities regarding consumer protection;

(4) recommendations made by the Comptroller General study, GAO-17-637, including what additional data from air ambulance providers and other sources should be collected by the Department of Transportation to improve its understanding of the air ambulance market and oversight of the air ambulance industry for the purposes of pursuing action related to unfair or deceptive practices or unfair methods of competition, which may include—

(A) cost data;

(B) standard charges and payments received per transport;

(C) whether the provider is part of a hospital-sponsored program, municipality-sponsored program, hospital-independent partnership (hybrid) program, or independent program;

(D) number of transports per base and helicopter;

(E) market shares of air ambulance providers inclusive of any parent or holding companies;

(F) any data indicating the extent of competition among air ambulance providers on the basis of price and service;

(G) prices assessed to consumers and insurers for air transportation and any non-transportation services provided by air ambulance providers; and

(H) financial performance of air ambulance providers;

(5) definitions of all applicable terms that are not defined in statute or regulations; and

(6) other matters as determined necessary or appropriate.

(e) REPORT.—Not later than 180 days after the date of the first meeting of the advisory committee, the advisory committee shall submit to the Secretary of Transportation, the Secretary of Health and Human Services, and the appropriate committees of Congress a report containing the recommendations made under subsection (d).

(f) RULEMAKING.—Upon receipt of the report under subsection (e), the Secretary of Transportation shall consider the recommendations of the advisory committee and issue regulations or other guidance as deemed necessary—

(1) to require air ambulance providers to regularly report data to the Department of Transportation;

(2) to increase transparency related to Department of Transportation actions related to consumer complaints; and

(3) to provide other consumer protections for customers of air ambulance providers.

(g) ELIMINATION OF ADVISORY COUNCIL ON TRANSPORTATION STATISTICS.—The Advisory Council on Transportation Statistics shall terminate on the date of enactment of this Act.

SEC. 419. AIR AMBULANCE COMPLAINTS TO THE DEPARTMENT OF TRANSPORTATION.

(a) CONSUMER COMPLAINTS.—Section 42302 of title 49, United States Code, is further amended—

(1) in subsection (a) by inserting “(including transportation by air ambulance (as defined by the Secretary of Transportation))” after “air transportation”; and

(2) by adding at the end the following:

“(e) AIR AMBULANCE PROVIDERS.—Each air ambulance provider shall include the hotline telephone number, link to the Internet website established under subsection (a), and contact information for the Aviation Consumer Advocate established under section 425 on—

“(1) any invoice, bill, or other communication provided to a passenger or customer of the provider; and

“(2) its Internet Web site, and any related mobile device application.”.

(b) UNFAIR AND DECEPTIVE PRACTICES AND UNFAIR METHODS OF COMPETITION.—Section

41712(a) of title 49, United States Code, is amended by inserting “air ambulance consumer (as defined by the Secretary of Transportation),” after “foreign air carrier,” in the first place it appears.

SEC. 420. REPORT TO CONGRESS ON AIR AMBULANCE OVERSIGHT.

(a) IN GENERAL.—Not later than 180 days after submission of the report required under section 418, the Secretary of Transportation shall submit a report to the appropriate committees of Congress on air ambulance oversight.

(b) CONTENTS OF REPORT.—The report required under subsection (a) shall include—

(1) a description of how the Secretary will conduct oversight of air ambulance providers, including the information sources the Secretary will use to conduct such oversight; and

(2) a timeline for the issuance of any guidance concerning unfair and deceptive practices among air ambulance providers, including guidance for States and political subdivisions of States to refer such matters to the Secretary.

SEC. 421. REFUNDS FOR OTHER FEES THAT ARE NOT HONORED BY A COVERED AIR CARRIER.

Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall promulgate regulations that require each covered air carrier to promptly provide a refund to a passenger of any ancillary fees paid for services related to air travel that the passenger does not receive, including on the passenger’s scheduled flight, on a subsequent replacement itinerary if there has been a rescheduling, or for a flight not taken by the passenger.

SEC. 422. ADVANCE BOARDING DURING PREGNANCY.

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall review air carrier policies regarding traveling during pregnancy and, if appropriate, may revise regulations, as the Secretary considers necessary, to require an air carrier to offer advance boarding of an aircraft to a pregnant passenger who requests such assistance.

SEC. 423. CONSUMER COMPLAINT PROCESS IMPROVEMENT.

(a) IN GENERAL.—Section 42302(c) of title 49, United States Code is amended—

(1) in the matter preceding paragraph (1), by striking “An air carrier or foreign air carrier providing scheduled air transportation using any aircraft that as originally designed has a passenger capacity of 30 or more passenger seats” and inserting “Each air carrier and foreign air carrier”;

(2) in paragraph (1), by striking “air carrier” and inserting “carrier”; and

(3) in paragraph (2), by striking “air carrier” and inserting “carrier”.

(b) RULEMAKING.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall promulgate regulations to implement the requirements of section 42302 of title 49, United States Code, as amended by this Act.

SEC. 424. AVIATION CONSUMER ADVOCATE.

(a) IN GENERAL.—The Secretary of Transportation shall review aviation consumer complaints received that allege a violation of law and, as appropriate, pursue enforcement or corrective actions that would be in the public interest.

(b) CONSIDERATIONS.—In considering which cases to pursue for enforcement or corrective action under subsection (a), the Secretary shall consider—

(1) the Air Carrier Access Act of 1986 (Public Law 99-435; 100 Stat. 1080);

(2) unfair and deceptive practices by air carriers (including air ambulance operators), foreign air carriers, and ticket agents;

(3) the terms and conditions agreed to between passengers and air carriers (including air ambulance operators), foreign air carriers, or ticket agents;

(4) aviation consumer protection and tarmac delay contingency planning requirements for both airports and airlines;

(5) protection of air ambulance consumers; and

(6) any other applicable law.

(c) AVIATION CONSUMER ADVOCATE.—

(1) IN GENERAL.—Within the Aviation Consumer Protection Division of the Department of Transportation, there shall be an Aviation Consumer Advocate.

(2) FUNCTIONS.—The Aviation Consumer Advocate shall—

(A) assist consumers in resolving carrier service complaints filed with the Aviation Consumer Protection Division;

(B) review the resolution by the Department of Transportation of carrier service complaints;

(C) identify and recommend actions the Department can take to improve the enforcement of aviation consumer protection rules, protection of air ambulance consumers, and resolution of carrier service complaints; and

(D) identify and recommend regulations and policies that can be amended to more effectively resolve carrier service complaints.

(d) ANNUAL REPORTS.—The Secretary, through the Aviation Consumer Advocate, shall submit to the appropriate committees of Congress an annual report summarizing the following:

(1) The total number of annual complaints received by the Department, including the number of complaints by the name of each air carrier and foreign air carrier.

(2) The total number of annual complaints by category of complaint.

(3) The number of complaints referred in the preceding year for enforcement or corrective action by the Department.

(4) Any recommendations under paragraphs (2)(C) and (2)(D) of subsection (c).

(5) Such other data as the Aviation Consumer Advocate considers appropriate.

(e) SUNSET ON REPORTING REQUIREMENT.—The reporting requirement of subsection (d) shall terminate on September 30, 2023.

SEC. 425. TICKETS ACT.

(a) SHORT TITLE.—This section may be cited as the “Transparency Improvements and Compensation to Keep Every Ticketholder Safe Act of 2018” or the “TICKETS ACT”.

(b) BOARDED PASSENGERS.—Beginning on the date of enactment of this Act, a covered air carrier may not deny a revenue passenger traveling on a confirmed reservation permission to board, or involuntarily remove that passenger from the aircraft, once a revenue passenger has—

(1) checked in for the flight prior to the check-in deadline; and

(2) had their ticket or boarding pass collected or electronically scanned and accepted by the gate agent.

(c) LIMITATIONS.—The prohibition pursuant to subsection (b) shall not apply when—

(1) there is a safety, security, or health risk with respect to that revenue passenger or there is a safety or security issue requiring removal of a revenue passenger; or

(2) the revenue passenger is engaging in behavior that is obscene, disruptive, or otherwise unlawful.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed to limit or otherwise affect the responsibility or authority of a pilot in command of an aircraft under section 121.533 of title 14, Code of Federal Regulations, or limit any penalty under section 46504 of title 49, United States Code.

(e) INVOLUNTARY DENIED BOARDING COMPENSATION.—Not later than 60 days after the

date of enactment of this Act, the Secretary of Transportation shall issue a final rule to revise part 250 of title 14, Code of Federal Regulations, to clarify that—

(1) there is not a maximum level of compensation an air carrier or foreign air carrier may pay to a passenger who is involuntarily denied boarding as the result of an oversold flight;

(2) the compensation levels set forth in that part are the minimum levels of compensation an air carrier or foreign air carrier must pay to a passenger who is involuntarily denied boarding as the result of an oversold flight; and

(3) an air carrier or foreign air carrier must proactively offer to pay compensation to a passenger who is voluntarily or involuntarily denied boarding on an oversold flight, rather than waiting until the passenger requests the compensation.

(f) GAO REPORT ON OVERSALES.—

(1) IN GENERAL.—The Comptroller General of the United States shall review airline policies and practices related to oversales of flights.

(2) CONSIDERATIONS.—In conducting the review under paragraph (1), the Comptroller General shall examine—

(A) the impact on passengers as a result of an oversale, including increasing or decreasing the costs of passenger air transportation;

(B) economic and operational factors which result in oversales;

(C) whether, and if so how, the incidence of oversales varies depending on markets;

(D) potential consequences on the limiting of oversales; and

(E) best practices on how oversale policies can be communicated to passengers at airline check-in desks and airport gates.

(3) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the review under paragraph (2).

(g) GATE NOTICE OF POLICIES.—The Secretary may provide guidance on how these policies should be communicated at covered air carrier check-in desks and airport gates.

SEC. 426. REPORT ON AVAILABILITY OF LAVATORIES ON COMMERCIAL AIRCRAFT.

Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report assessing—

(1) the availability of functional lavatories on commercial aircraft

(2) the extent to which flights take off without functional lavatories;

(3) the ability of passengers with disabilities to access lavatories on commercial aircraft;

(4) the extent of complaints to the Department of Transportation and air carriers related to lavatories and efforts they have taken to address complaints; and

(5) the extent to which air carriers are reducing the size and number of lavatories to add more seats and whether this creates passenger lavatory access issues.

SEC. 427. CONSUMER PROTECTION REQUIREMENTS RELATING TO LARGE TICKET AGENTS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall issue a final rule to require large ticket agents to adopt minimum customer service standards.

(b) PURPOSE.—The purpose of the final rule shall be to ensure that, to the extent feasible, there is a consistent level of consumer protection regardless of where consumers purchase air fares and related air transportation services.

(c) STANDARDS.—In issuing the final rule, the Secretary shall consider, to the extent

feasible, establishing standards consistent with all customer service and disclosure requirements applicable to covered air carriers under this title and associated regulations.

(d) DEFINITIONS.—In this section, the following definitions apply:

(1) TICKET AGENT.—

(A) IN GENERAL.—Subject to subparagraph (B), the term “ticket agent” has the meaning given that term in section 40102(a) of title 49, United States Code.

(B) INCLUSION.—The term “ticket agent” includes a person who acts as an intermediary involved in the sale of air transportation directly or indirectly to consumers, including by operating an electronic airline information system, if the person—

(i) holds the person out as a source of information about, or reservations for, the air transportation industry; and

(ii) receives compensation in any way related to the sale of air transportation.

(2) LARGE TICKET AGENT.—The term “large ticket agent” means a ticket agent with annual revenues of \$100,000,000 or more.

(e) ENFORCEMENT.—No large ticket agent may be found in noncompliance of any standard or requirement adopted in the final rule required by this section if—

(1) the large ticket agent is unable to meet the new standard or requirement due to the lack of information or data from the covered air carrier and the information is required for the large ticket agent to comply with such standard or requirement; or

(2) the sale of air transportation is made by a large ticket agent pursuant to a specific corporate or government fare management contract.

SEC. 428. WIDESPREAD DISRUPTIONS.

(a) IN GENERAL.—Chapter 423 of title 49, United States Code, is amended by adding at the end the following:

“§ 42304. Widespread disruptions

“(a) GENERAL REQUIREMENTS.—In the event of a widespread disruption, a covered air carrier shall immediately publish, via a prominent link on the air carrier’s public internet website, a clear statement indicating whether, with respect to a passenger of the air carrier whose travel is interrupted as a result of the widespread disruption, the air carrier will—

“(1) provide for hotel accommodations;

“(2) arrange for ground transportation;

“(3) provide meal vouchers;

“(4) arrange for air transportation on another air carrier or foreign air carrier to the passenger’s destination; and

“(5) provide for sleeping facilities inside the airport terminal.

“(b) DEFINITIONS.—In this section, the following definitions apply:

“(1) WIDESPREAD DISRUPTION.—The term ‘widespread disruption’ means, with respect to a covered air carrier, the interruption of all or the overwhelming majority of the air carrier’s systemwide flight operations, including flight delays and cancellations, as the result of the failure of 1 or more computer systems or computer networks of the air carrier.

“(2) COVERED AIR CARRIER.—The term ‘covered air carrier’ means an air carrier that provides scheduled passenger air transportation by operating an aircraft that as originally designed has a passenger capacity of 30 or more seats.

“(c) SAVINGS PROVISION.—Nothing in this section may be construed to modify, abridge, or repeal any obligation of an air carrier under section 42301.”

(b) CONFORMING AMENDMENT.—The analysis for chapter 423 of title 49, United States Code, is amended by adding at the end the following:

“42304. Widespread disruptions.”

SEC. 429. PASSENGER RIGHTS.

(a) **GUIDELINES.**—Not later than 90 days after the date of enactment of this Act, the Secretary of Transportation shall require each covered air carrier to submit a summarized 1-page document that describes the rights of passengers in air transportation, including guidelines for the following:

(1) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight delays of various lengths.

(2) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight diversions.

(3) Compensation (regarding rebooking options, refunds, meals, and lodging) for flight cancellations.

(4) Compensation for mishandled baggage, including delayed, damaged, pilfered, or lost baggage.

(5) Voluntary relinquishment of a ticketed seat due to overbooking or priority of other passengers.

(6) Involuntary denial of boarding and forced removal for whatever reason, including for safety and security reasons.

(b) **FILING OF SUMMARIZED GUIDELINES.**—Not later than 90 days after each air carrier submits its guidelines to the Secretary under subsection (a), the air carrier shall make available such 1-page document in a prominent location on its website.

Subtitle B—Aviation Consumers With Disabilities

SEC. 431. AVIATION CONSUMERS WITH DISABILITIES STUDY.

(a) **STUDY.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study that includes—

(1) a review of airport accessibility best practices for individuals with disabilities, including best practices that improve infrastructure facilities and communications methods, including those related to wayfinding, amenities, and passenger care;

(2) a review of air carrier and airport training policies related to section 41705 of title 49, United States Code;

(3) a review of air carrier training policies related to properly assisting passengers with disabilities; and

(4) a review of accessibility best practices that exceed those recommended under Public Law 90-480 (popularly known as the Architectural Barriers Act of 1968; 42 U.S.C. 4151 et seq.), the Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.), the Air Carrier Access Act of 1986 (Public Law 99-435; 100 Stat. 1080 et seq.), and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

(b) **REPORT.**—Not later than 1 year after the date the Comptroller General initiates the study under subsection (a), the Comptroller General shall submit to the Secretary of Transportation and the appropriate committees of Congress a report on the study, including findings and recommendations.

SEC. 432. STUDY ON IN-CABIN WHEELCHAIR RESTRAINT SYSTEMS.

(a) **STUDY.**—Not later than 2 years after the date of enactment of this Act, the Architectural and Transportation Barriers Compliance Board, in consultation with the Secretary of Transportation, aircraft manufacturers, air carriers, and disability advocates, shall conduct a study to determine—

(1) the feasibility of in-cabin wheelchair restraint systems; and

(2) if feasible, the ways in which individuals with significant disabilities using wheelchairs, including power wheelchairs, can be accommodated with in-cabin wheelchair restraint systems.

(b) **REPORT.**—Not later than 1 year after the initiation of the study under subsection (a), the Architectural and Transportation Barriers Compliance Board shall submit to

the appropriate committees of Congress a report on the findings of the study.

SEC. 433. IMPROVING WHEELCHAIR ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES.

Following the receipt of the report required under section 2107 of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 130 Stat. 622), the Secretary of Transportation shall develop, if appropriate, specific recommendations regarding improvements to wheelchair assistance provided by air carriers and recommendations on how training programs by air carriers can address consumer complaints regarding wheelchair assistance.

SEC. 434. AIRLINE PASSENGERS WITH DISABILITIES BILL OF RIGHTS.

(a) **AIRLINE PASSENGERS WITH DISABILITIES BILL OF RIGHTS.**—The Secretary of Transportation shall develop a document, to be known as the “Airline Passengers with Disabilities Bill of Rights”, using plain language to describe the basic protections and responsibilities of covered air carriers, their employees and contractors, and people with disabilities under the section 41705 of title 49, United States Code.

(b) **CONTENT.**—In developing the Airline Passengers with Disabilities Bill of Rights under subsection (a), the Secretary shall include, at a minimum, plain language descriptions of protections and responsibilities provided in law related to the following:

(1) The right of passengers with disabilities to be treated with dignity and respect.

(2) The right of passengers with disabilities to receive timely assistance, if requested, from properly trained covered air carrier and contractor personnel.

(3) The right of passengers with disabilities to travel with wheelchairs, mobility aids, and other assistive devices, including necessary medications and medical supplies, including stowage of such wheelchairs, aids, and devices.

(4) The right of passengers with disabilities to receive seating accommodations, if requested, to accommodate a disability.

(5) The right of passengers with disabilities to receive announcements in an accessible format.

(6) The right of passengers with disabilities to speak with a complaint resolution officer or to file a complaint with a covered air carrier or the Department of Transportation.

(c) **RULE OF CONSTRUCTION.**—The development of the Airline Passengers with Disabilities Bill of Rights under subsections (a) and (b) shall not be construed as expanding or restricting the rights available to passengers with disabilities on the day before the date of the enactment of this Act pursuant to any statute or regulation.

(d) **CONSULTATIONS.**—In developing the Airline Passengers with Disabilities Bill of Rights under subsection (a), the Secretary of Transportation shall consult with stakeholders, including disability organizations and covered air carriers and their contractors.

(e) **DISPLAY.**—Each covered air carrier shall include the Airline Passengers with Disabilities Bill of Rights—

(1) on a publicly available internet website of the covered air carrier; and

(2) in any pre-flight notifications or communications provided to passengers who alert the covered air carrier in advance of the need for accommodations relating to a disability.

(f) **TRAINING.**—Covered air carriers and contractors of covered air carriers shall submit to the Secretary of Transportation plans that ensure employees of covered air carriers and their contractors receive training on the protections and responsibilities described in the Airline Passengers with Disabilities Bill

of Rights. The Secretary shall review such plans to ensure the plans address the matters described in subsection (b).

SEC. 435. SENSE OF CONGRESS REGARDING EQUAL ACCESS FOR INDIVIDUALS WITH DISABILITIES.

It is the sense of Congress that—

(1) the aviation industry and every relevant stakeholder must work to ensure that every individual who experiences a disability has equal access to air travel;

(2) as technology and ease of travel continue to advance, accessibility must be a priority; and

(3) accommodations must—

(A) extend to every airport and service or facility of an air carrier; and

(B) be inclusive of every disability.

SEC. 436. CIVIL PENALTIES RELATING TO HARM TO PASSENGERS WITH DISABILITIES.

Section 46301(a) of title 49, United States Code, is amended by adding at the end the following:

“(7) **PENALTIES RELATING TO HARM TO PASSENGERS WITH DISABILITIES.**—

“(A) **PENALTY FOR BODILY HARM OR DAMAGE TO WHEELCHAIR OR OTHER MOBILITY AID.**—The amount of a civil penalty assessed under this section for a violation of section 41705 that involves damage to a passenger’s wheelchair or other mobility aid or injury to a passenger with a disability may be increased above the otherwise applicable maximum amount under this section for a violation of section 41705 to an amount not to exceed 3 times the maximum penalty otherwise allowed.

“(B) **EACH ACT CONSTITUTES SEPARATE OFFENSE.**—Notwithstanding paragraph (2), a separate violation of section 41705 occurs for each act of discrimination prohibited by that section.”.

SEC. 437. HARMONIZATION OF SERVICE ANIMAL STANDARDS.

(a) **RULEMAKING.**—The Secretary of Transportation shall conduct a rulemaking proceeding—

(1) to define the term “service animal” for purposes of air transportation; and

(2) to develop minimum standards for what is required for service and emotional support animals carried in aircraft cabins.

(b) **CONSIDERATIONS.**—In conducting the rulemaking under subsection (a), the Secretary shall consider, at a minimum—

(1) whether to align the definition of “service animal” with the definition of that term in regulations of the Department of Justice implementing the Americans with Disabilities Act of 1990 (Public Law 101-336);

(2) reasonable measures to ensure pets are not claimed as service animals, such as—

(A) whether to require photo identification for a service animal identifying the type of animal, the breed of animal, and the service the animal provides to the passenger;

(B) whether to require documentation indicating whether or not a service animal was trained by the owner or an approved training organization;

(C) whether to require, from a licensed physician, documentation indicating the mitigating task or tasks a service animal provides to its owner; and

(D) whether to allow a passenger to be accompanied by more than 1 service animal;

(3) reasonable measures to ensure the safety of all passengers, such as—

(A) whether to require health and vaccination records for a service animal; and

(B) whether to require third-party proof of behavioral training for a service animal;

(4) the impact additional requirements on service animals could have on access to air transportation for passengers with disabilities; and

(5) if impacts on access to air transportation for passengers with disabilities are

found, ways to eliminate or mitigate those impacts.

(c) **FINAL RULE.**—Not later than 18 months after the date of enactment of this Act, the Secretary shall issue a final rule pursuant to the rulemaking conducted under this section.

SEC. 438. REVIEW OF PRACTICES FOR TICKETING, PRE-FLIGHT SEAT ASSIGNMENTS, AND STOWING OF ASSISTIVE DEVICES FOR PASSENGERS WITH DISABILITIES.

(a) **REVIEW.**—

(1) **IN GENERAL.**—Not later than 30 days after the first meeting of the advisory committee on the air travel needs of passengers with disabilities established in section 439 (referred to in this section as the “Advisory Committee”), the Secretary of Transportation shall direct the Advisory Committee to review current regulations with respect to practices for ticketing, pre-flight seat assignments, and stowing of assistive devices for passengers with disabilities.

(2) **RECOMMENDATIONS.**—In carrying out the review under paragraph (1), the Advisory Committee shall, at a minimum, provide recommendations on whether current regulations should be modified or prescribed to—

(A) provide accommodations for passengers with disabilities, if requested, in ticketing and pre-flight assignments;

(B) require covered air carriers to provide priority access to bulkhead seating to passengers with disabilities who need access to features of those seats due to disabilities regardless of class of service of ticket purchased; and

(C) ensure passengers with disabilities are able to stow assistive devices without cost.

(b) **REPORT.**—Not later than 6 months after the date of their first meeting, the Advisory Committee shall submit to the Secretary of Transportation and the appropriate committees of Congress a report on the review conducted under subsection (a)(1), including the recommendations developed under subsection (a)(2).

SEC. 439. ADVISORY COMMITTEE ON THE AIR TRAVEL NEEDS OF PASSENGERS WITH DISABILITIES.

(a) **ESTABLISHMENT.**—The Secretary of Transportation shall establish an advisory committee on issues related to the air travel needs of passengers with disabilities (referred to in this section as the “Advisory Committee”).

(b) **DUTIES.**—The Advisory Committee shall—

(1) identify and assess the disability-related access barriers encountered by passengers with disabilities;

(2) determine the extent to which the programs and activities of the Department of Transportation are addressing the barriers identified in paragraph (1);

(3) recommend consumer protection improvements to the air travel experience of passengers with disabilities;

(4) advise the Secretary with regard to the implementation of section 41705 of title 49, United States Code; and

(5) conduct such activities as the Secretary considers necessary to carry out this section.

(c) **MEMBERSHIP.**—

(1) **IN GENERAL.**—The Advisory Committee shall be composed of at least 1 representative of each of the following groups:

(A) Passengers with disabilities.

(B) National disability organizations.

(C) Air carriers.

(D) Airport operators.

(E) Contractor service providers.

(F) Aircraft manufacturers.

(G) Wheelchair manufacturers.

(H) National veterans organizations representing disabled veterans.

(2) **APPOINTMENT.**—The Secretary of Transportation shall appoint each member of the Advisory Committee.

(3) **VACANCIES.**—A vacancy in the Advisory Committee shall be filled in the manner in which the original appointment was made.

(d) **CHAIRPERSON.**—The Secretary of Transportation shall designate, from among the members appointed under subsection (c), an individual to serve as chairperson of the Advisory Committee.

(e) **TRAVEL EXPENSES.**—Members of the Advisory Committee shall serve without pay, but shall receive travel expenses, including per diem in lieu of subsistence, in accordance with subchapter I of chapter 57 of title 5, United States Code.

(f) **REPORTS.**—

(1) **IN GENERAL.**—Not later than 14 months after the date of establishment of the Advisory Committee, and annually thereafter, the Advisory Committee shall submit to the Secretary of Transportation a report on the needs of passengers with disabilities in air travel, including—

(A) an assessment of existing disability-related access barriers, and any emerging disability-related access barriers that will likely be an issue in the next 5 calendar years;

(B) an evaluation of the extent to which the Department of Transportation's programs and activities are eliminating disability-related access barriers;

(C) a description of the Advisory Committee's actions;

(D) a description of improvements related to the air travel experience of passengers with disabilities; and

(E) any recommendations for legislation, administrative action, or other action that the Advisory Committee considers appropriate.

(2) **REPORT TO CONGRESS.**—Not later than 60 days after the date the Secretary receives the report under paragraph (1), the Secretary shall submit to the appropriate committees of Congress a copy of the report, including any additional findings or recommendations that the Secretary considers appropriate.

(g) **TERMINATION.**—The Advisory Committee established under this section shall terminate on September 30, 2023.

(h) **TERMINATION OF THE NEXT GENERATION AIR TRANSPORTATION SYSTEM SENIOR POLICY COMMITTEE.**—The Next Generation Air Transportation System Senior Policy Committee established by the Secretary of Transportation shall terminate on the date of the initial appointment of the members of the Advisory Committee.

SEC. 440. REGULATIONS ENSURING ASSISTANCE FOR PASSENGERS WITH DISABILITIES IN AIR TRANSPORTATION.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall—

(1) review, and if necessary revise, applicable regulations to ensure that passengers with disabilities who request assistance while traveling in air transportation receive dignified, timely, and effective assistance at airports and on aircraft from trained personnel; and

(2) review, and if necessary revise, applicable regulations related to covered air carrier training programs for air carrier personnel, including contractors, who provide physical assistance to passengers with disabilities to ensure that training under such programs—

(A) occurs on an annual schedule for all new and continuing personnel charged with providing physical assistance; and

(B) includes, as appropriate, instruction by personnel, with hands-on training for employees who physically lift or otherwise physically assist passengers with disabilities, including the use of relevant equipment.

(b) **TYPES OF ASSISTANCE.**—The assistance referred to subsection (a)(1) may include requests for assistance in boarding or deplaning an aircraft, requests for assistance

in connecting between flights, and other similar or related requests, as appropriate.

SEC. 441. TRANSPARENCY FOR DISABLED PASSENGERS.

The compliance date of the final rule, dated November 2, 2016, on the reporting of data for mishandled baggage and wheelchairs in aircraft cargo compartments (81 Fed. Reg. 76300) shall be effective not later than 60 days after the date of enactment of this Act.

Subtitle C—Small Community Air Service

SEC. 451. ESSENTIAL AIR SERVICE AUTHORIZATION.

(a) **IN GENERAL.**—Section 41742(a)(2) of title 49, United States Code, is amended by striking “\$150,000,000 for fiscal year 2011” and all that follows before “to carry out” and inserting “\$155,000,000 for fiscal year 2018, \$158,000,000 for fiscal year 2019, \$161,000,000 for fiscal year 2020, \$165,000,000 for fiscal year 2021, \$168,000,000 for fiscal year 2022, and \$172,000,000 for fiscal year 2023”.

(b) **SEASONAL SERVICE.**—The Secretary of Transportation may consider the flexibility of current operational dates and airport accessibility to meet local community needs when issuing requests for proposal of essential air service at seasonal airports.

SEC. 452. STUDY ON ESSENTIAL AIR SERVICE REFORM.

(a) **STUDY.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study on the effects of section 6 of the Airport and Airway Extension Act of 2011, Part IV (Public Law 112-27), section 421 of the FAA Modernization and Reform Act of 2012 (Public Law 112-95), and other relevant Federal laws enacted after 2010, including the amendments made by those laws, on the Essential Air Service program.

(2) **SCOPE.**—In conducting the study under paragraph (1), the Comptroller General shall analyze, at a minimum—

(A) the impact of each relevant Federal law, including the amendments made by each law, on the Essential Air Service program;

(B) what actions communities and air carriers have taken to reduce ticket prices or increase enplanements as a result of each law;

(C) the issuance of waivers by the Secretary under section 41731(e) of title 49, United States Code;

(D) whether budgetary savings resulted from each law; and

(E) options for further reform of the Essential Air Service program.

(b) **REQUIRED ANALYSIS ON COMMUNITIES.**—In carrying out subsection (a)(2)(E) the Comptroller General shall include, for each option for further reform, an analysis of the impact on local economies of communities with airports receiving Essential Air Service funding, access to air travel for residents of rural communities and the impact to local businesses in such communities.

(c) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study conducted under subsection (a).

SEC. 453. AIR TRANSPORTATION TO NON-ELIGIBLE PLACES.

(a) **DEFINITIONS.**—Section 41731(a)(1)(A)(ii) of title 49, United States Code, is amended by striking “Wendell H. Ford Aviation Investment and Reform Act for the 21st Century,” and inserting “FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190).”.

(b) **PROGRAM SUNSET.**—Section 41736 of title 49, United States Code, is amended by adding at the end the following:

“(h) **SUNSET.**—

“(1) **PROPOSALS.**—No proposal under subsection (a) may be accepted by the Secretary

after the date of enactment of this subsection.

“(2) PROGRAM.—The Secretary may not provide any compensation under this section after the date that is 2 years after the date of enactment of this subsection.”.

SEC. 454. INSPECTOR GENERAL REVIEW OF SERVICE AND OVERSIGHT OF UNSUBSIDIZED CARRIERS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the inspector general of the Department of Transportation shall conduct and complete a review of orders issued by the Department of Transportation from 2005 through the date of enactment of this Act to determine whether the carriers providing unsubsidized service provided basic essential air service, and whether the Department conducted sufficient oversight of carriers providing unsubsidized service to ensure air service quality and community satisfaction.

(b) CONTENTS.—The review shall include, at a minimum—

(1) a review of the Department's efforts to communicate to the community served by the unsubsidized carrier on any material air service changes; and

(2) a review of the Department's efforts to closely monitor the quality of air service provided by the unsubsidized carrier and request proposals for basic essential air service if necessary.

(c) REPORT.—Not later than 30 days after the date of completion of the review, the inspector general shall submit to the appropriate committees of Congress a report on the results of the review.

SEC. 455. SMALL COMMUNITY AIR SERVICE.

(a) ELIGIBILITY.—Section 41743(c) of title 49, United States Code, is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) SIZE.—On the date of submission of the relevant application under subsection (b), the airport serving the community or consortium—

“(A) is not larger than a small hub airport, as determined using the Department of Transportation's most recently published classification; and

“(B) has—

“(i) insufficient air carrier service; or

“(ii) unreasonably high air fares.”;

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

“(4) OVERALL LIMIT.—

“(A) IN GENERAL.—No more than 40 communities or consortia of communities, or a combination thereof, may be selected to participate in the program in each year for which funds are appropriated for the program.

“(B) SAME PROJECTS.—Except as provided in subparagraph (C), no community, consortia of communities, or combination thereof may participate in the program in support of the same project more than once in a 10-year period, but any community, consortia of communities, or combination thereof may apply, subsequent to such participation, to participate in the program in support of a different project at any time.

“(C) EXCEPTION.—The Secretary may waive the limitation under subparagraph (B) related to projects that are the same if the Secretary determines that the community or consortium spent little or no money on its previous project or encountered industry or environmental challenges, due to circumstances that were reasonably beyond the control of the community or consortium.”;

(3) in paragraph (5)—

(A) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(B) by inserting after subparagraph (D) the following:

“(E) the assistance will be used to help restore scheduled passenger air service that has been terminated;”.

(b) AUTHORITY TO MAKE AGREEMENTS.—Section 41743(e)(1) of title 49, United States Code, is amended by adding at the end the following: “The Secretary may amend the scope of a grant agreement at the request of the community or consortium and any participating air carrier, and may limit the scope of a grant agreement to only the elements using grant assistance or to only the elements achieved, if the Secretary determines that the amendment is reasonably consistent with the original purpose of the project.”

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 41743(e)(2) of title 49, United States Code, is amended to read as follows:

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary \$10,000,000 for each of fiscal years 2018 through 2023 to carry out this section. Such sums shall remain available until expended.”.

SEC. 456. WAIVERS.

Section 41732 is amended by adding at the end the following:

“(c) WAIVERS.—Notwithstanding section 41733(e), upon request by an eligible place, the Secretary may waive, in whole or in part, subsections (a) and (b) of this section or subsections (a) through (c) of section 41734. A waiver issued under this subsection shall remain in effect for a limited period of time, as determined by the Secretary.”.

SEC. 457. EXTENSION OF FINAL ORDER ESTABLISHING MILEAGE ADJUSTMENT ELIGIBILITY.

Section 409(d) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 41731 note) is amended by striking “2018” and inserting “2023”.

SEC. 458. REDUCTION IN SUBSIDY-PER-PASSENGER.

Section 426 of the FAA Modernization and Reform Act of 2012 (126 Stat. 98) is amended by adding at the end the following:

“(d) REDUCTION IN SUBSIDY-PER-PASSENGER.—

“(1) IN GENERAL.—The Secretary shall waive application of the subsidy-per-passenger cap described under subsection (c) if the Secretary finds that the community's subsidy-per-passenger for a fiscal year is lower than the subsidy-per-passenger for any of the 3 previous fiscal years.

“(2) EXCEPTION.—The Secretary shall waive application of the subsidy-per-passenger cap if the subsidy-per-passenger for a fiscal year is less than 10 percent higher than the highest subsidy-per-passenger from any of the 3 previous fiscal years. The Secretary may only waive application of the subsidy-per-passenger cap under this paragraph once per community.

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to limit the Secretary's ability under subsection (c) to waive application of the subsidy-per-passenger cap.”.

TITLE V—MISCELLANEOUS

SEC. 501. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATION.—The term “Administration” means the Federal Aviation Administration.

(2) ADMINISTRATOR.—The term “Administrator” means the Administrator of the FAA.

(3) ADS-B.—The term “ADS-B” means automatic dependent surveillance-broadcast.

(4) ADS-B OUT.—The term “ADS-B Out” means automatic dependent surveillance-broadcast with the ability to transmit information from the aircraft to ground stations and to other equipped aircraft.

(5) FAA.—The term “FAA” means the Federal Aviation Administration.

(6) NEXTGEN.—The term “NextGen” means the Next Generation Air Transportation System.

SEC. 502. REPORT ON AIR TRAFFIC CONTROL MODERNIZATION.

(a) FAA REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report describing the multiyear effort of the Administration to modernize the air transportation system (in this section referred to as the “modernization effort”), including—

(1) the number of years that the modernization effort has been underway as of the date of the report;

(2) the total amount of money expended on the modernization effort as of the date of the report (including a description of how that amount was calculated);

(3) the net present value of the benefits reported from aircraft operators resulting from the money expended on the modernization effort as of the date of the report;

(4) a definition for NextGen, including a description of any changes to that definition that occurred between 2003 and the date of the report;

(5) the net present value of the money expended on NextGen as of the date of the report if such money had been deposited into a Government trust fund instead of being expended on NextGen;

(6) a description of the benefits promised and benefits delivered with respect to NextGen as of the date of the report;

(7) any changes to the benefits promised with respect to NextGen between the date on which NextGen began and the date of the report;

(8) a description of each program or project that comprises NextGen, including—

(A) when the program or project was initiated;

(B) the total budget for the program or project;

(C) the initial budget for the program or project;

(D) the acquisition program baseline for the program or project;

(E) whether the program or project has ever breached the acquisition program baseline and, if so, a description of when, why, and how the breach was resolved;

(F) whether the program or project has been re-baselined or divided into smaller segments and, if so, a description of when, why, and the impact to the cost of the program or project;

(G) the initial schedule for the program or project;

(H) whether the program or project was delayed and, if so, a description of how long, why, and the impact to the cost of the program or project;

(I) whether the Administration changed any contract term or deliverable for the program or project and, if so, a description of the change, why it happened, and the impact to the cost of the program or project;

(J) benefits promised with respect to the program or project at initiation;

(K) benefits delivered with respect to the program or project as of the date of the report;

(L) whether the program or project was cancelled and, if so, a description of why and when;

(M) for cancelled programs or projects, whether there were any costs associated with the decision to cancel and, if so, a description of the amount of the costs (including for both the Administration and the private sector);

(N) the metrics, milestones, and deadlines set for the program or project and how the

Administration tracked and ensured compliance with those metrics, milestones, and deadlines;

(O) how the Administration conducted oversight of the program or project and any related stakeholder collaboration efforts;

(P) the status of the program or project as of the date of the report; and

(Q) an assessment of the key risks to the full implementation of the program and a description of how the Administration is mitigating, or plans to mitigate, those risks;

(9) the date upon which, or milestone by which, the Administration anticipates NextGen will be complete; and

(10) any lessons learned during the NextGen effort, and whether, how, and to what effect those lessons have been applied.

(b) **INSPECTOR GENERAL REPORT.**—Not later than 270 days after the date on which the report required under subsection (a) is submitted, the inspector general of the Department of Transportation shall review the report and submit to the appropriate committees of Congress a statement of the inspector general that—

(1) determines the accuracy of the information reported;

(2) describes any concerns with the accuracy of the information reported;

(3) summarizes concerns raised by the inspector general, the Government Accountability Office, and other sources with respect to the Administration's implementation and oversight of NextGen since the date on which NextGen began;

(4) describes—

(A) any pertinent recommendations made by the inspector general related to the Administration's implementation and oversight of NextGen since the date on which NextGen began; and

(B) whether and how the Administration addressed the recommendations; and

(5) provides any other information that the inspector general determines is appropriate.

SEC. 503. RETURN ON INVESTMENT REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the date that each NextGen program has a positive return on investment, the Administrator shall submit to the appropriate committees of Congress a report on the status of each NextGen program, including the most recent NextGen priority list under subsection (c).

(b) **CONTENTS.**—The report under subsection (a) shall include, for each NextGen program—

(1) an estimate of the date the program will have a positive return on investment;

(2) an explanation for any delay in the delivery of expected benefits from previously published estimates on delivery of such benefits, in implementing or utilizing the program;

(3) an estimate of the completion date;

(4) an assessment of the long-term and near-term user benefits of the program for—

(A) the Federal Government; and

(B) the users of the national airspace system; and

(5) a description of how the program directly contributes to a safer and more efficient air traffic control system.

(c) **NEXTGEN PRIORITY LIST.**—Based on the assessment under subsection (a), the Administrator shall—

(1) develop, in coordination with the NextGen Advisory Committee and considering the need for a balance between long-term and near-term user benefits, a prioritization of the NextGen programs;

(2) annually update the priority list under paragraph (1); and

(3) prepare budget submissions to reflect the current status of NextGen programs and projected returns on investment for each NextGen program.

(d) **DEFINITION OF RETURN ON INVESTMENT.**—In this section, the term “return on investment” means the cost associated with technologies that are required by law or policy as compared to the financial benefits derived from such technologies by a government or a user of airspace.

(e) **REPEAL OF NEXTGEN PRIORITIES.**—Section 202 of the FAA Modernization and Reform Act of 2012 (Public Law 112–95; 49 U.S.C. 40101 note) and the item relating to that section in the table of contents under section 1(b) of that Act are repealed.

SEC. 504. AIR TRAFFIC CONTROL OPERATIONAL CONTINGENCY PLANS.

(a) **AIR TRAFFIC CONTROL OPERATIONAL CONTINGENCY PLANS.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall review the Administration's air traffic control operational contingency plans (FAA Order JO 1900.47E), and, as the Administrator considers appropriate, update such plans, to address potential air traffic facility outages that could have a major impact on the operation of the national airspace system, including the most recent findings and recommendations in the report under subsection (c).

(b) **UPDATES.**—Not later than 60 days after the date the air traffic control operational contingency plans are reviewed under subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the review, including any recommendations for ensuring air traffic facility outages do not have a major impact on the operation of the national airspace system.

(c) **RESILIENCY RECOMMENDATIONS.**—Not later than 180 days after the date of enactment of this Act, and periodically thereafter as the Administrator considers appropriate, the Administrator shall convene NextGen program officials to evaluate, expedite, and complete a report on how planned NextGen capabilities can enhance the resiliency and continuity of national airspace system operations and mitigate the impact of future air traffic control disruptions.

SEC. 505. 2020 ADS-B OUT MANDATE PLAN.

The Administrator, in collaboration with the NextGen Advisory Committee, shall—

(1) not later than 90 days after the date of enactment of this Act—

(A) identify any known and potential barriers to compliance with the 2020 ADS-B Out mandate under section 91.225 of title 14, Code of Federal Regulations;

(B) develop a plan to address the known barriers identified in paragraph (1), including a schedule for—

(i) periodically reevaluating the potential barriers identified in paragraph (1); and

(ii) developing solutions and implementing actions to address the known and potential barriers; and

(C) submit the plan to the appropriate committees of Congress; and

(2) not later than 90 days after the date the plan is submitted under paragraph (1), submit to the appropriate committees of Congress a report on the progress made toward meeting the 2020 ADS-B Out mandate.

SEC. 506. SECURING AIRCRAFT AVIONICS SYSTEMS.

(a) **IN GENERAL.**—The Administrator shall consider, where appropriate, revising Federal Aviation Administration regulations regarding airworthiness certification—

(1) to address cybersecurity for avionics systems, including software components; and

(2) to require that aircraft avionics systems used for flight guidance or aircraft control be secured against unauthorized access via passenger in-flight entertainment systems through such means as the Administrator determines appropriate to protect the avionics systems from unauthorized external and internal access.

(b) **CONSIDERATION.**—In carrying out subsection (a), the Administrator shall consider the recommendations of the Aircraft Systems Information Security Protection Working Group under section 2111 of the FAA Extension Safety and Security Act of 2016 (Public Law 114–190; 130 Stat. 615).

SEC. 507. HUMAN FACTORS.

(a) **IN GENERAL.**—In order to avoid having to subsequently modify products and services developed as a part of NextGen, the Administrator shall—

(1) recognize and incorporate, in early design phases of all relevant NextGen programs, the human factors and procedural and airspace implications of stated goals and associated technical changes; and

(2) ensure that a human factors specialist, separate from the research and certification groups, is directly involved with the NextGen approval process.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 508. PROGRAMMATIC RISK MANAGEMENT.

To better inform the Administration's decisions regarding the prioritization of efforts and allocation of resources for NextGen, the Administrator shall—

(1) solicit input from specialists in probability and statistics to identify and prioritize the programmatic and implementation risks to NextGen; and

(2) develop a method to manage and mitigate the risks identified in paragraph (1).

SEC. 509. REVIEW OF FAA STRATEGIC CYBERSECURITY PLAN.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall initiate a review of the comprehensive and strategic framework of principles and policies (referred to in this section as the “framework”) developed pursuant to section 2111 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44903 note).

(b) **CONTENTS.**—In undertaking the review under subsection (a), the Administrator shall—

(1) assess the degree to which the framework identifies and addresses known cybersecurity risks associated with the aviation system;

(2) review existing short- and long-term objectives for addressing cybersecurity risks to the national airspace system; and

(3) assess the Administration's level of engagement and coordination with aviation stakeholders and other appropriate agencies, organizations, or groups with which the Administration consults to carry out the framework.

(c) **UPDATES.**—Upon completion of the review under subsection (a), the Administrator shall modify the framework, as appropriate, to address any deficiencies identified by the review.

(d) **REPORT TO CONGRESS.**—Not later than 180 days after initiating the review required by subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the results of the review, including a description of any modifications made to the framework.

SEC. 510. CONSOLIDATION AND REALIGNMENT OF FAA SERVICES AND FACILITIES.

(a) **PURPOSE AND INPUT.**—Section 804(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44501 note) is amended—

(1) in paragraph (2) by striking “The purpose of the report shall be—” and all that follows through “(B) to reduce” and inserting “The purpose of the report shall be to reduce”; and

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

“(4) INPUT.—The report shall be prepared by the Administrator (or the Administrator’s designee) with the participation of—

“(A) representatives of labor organizations representing air traffic control system employees of the FAA; and

“(B) industry stakeholders.”.

(b) **MILITARY OPERATIONS EXCLUSION.**—Section 804 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44501 note) is amended—

(1) by redesignating subsection (e) as subsection (f); and

(2) by inserting after subsection (d) the following:

“(e) **MILITARY OPERATIONS EXCLUSION.**—

“(1) **IN GENERAL.**—The Administrator may not realign or consolidate a combined TRACON and tower with radar facility of the FAA under this section if, in 2015, the total annual military operations at the facility comprised at least 40 percent of the total annual TRACON operations at the facility.

“(2) **TRACON DEFINED.**—In this subsection, the term ‘TRACON’ means terminal radar approach control.”.

SEC. 511. FAA REVIEW AND REFORM.

(a) **AGENCY REPORT.**—Not later than 60 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a detailed analysis of any actions taken to address the findings and recommendations included in the report required under section 812(d) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 106 note), including—

(1) consolidating, phasing-out, or eliminating duplicative positions, programs, roles, or offices;

(2) eliminating or streamlining wasteful practices;

(3) eliminating or phasing-out redundant, obsolete, or unnecessary functions;

(4) reforming and streamlining inefficient processes so that the activities of the Administration are completed in an expedited and efficient manner; and

(5) reforming or eliminating ineffectual or outdated policies.

(b) **ADDITIONAL REVIEW.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall undertake and complete a thorough review of each program, office, and organization within the Administration to identify—

(1) duplicative positions, programs, roles, or offices;

(2) wasteful practices;

(3) redundant, obsolete, or unnecessary functions;

(4) inefficient processes; and

(5) ineffectual or outdated policies.

(c) **ACTIONS TO STREAMLINE AND REFORM FAA.**—Not later than 60 days after the date of completion of the review under subsection (b), the Administrator shall undertake such actions as may be necessary to address the findings of the Administrator under such subsection.

(d) **REPORT TO CONGRESS.**—Not later than 120 days after the date of completion of the review under subsection (b), the Administrator shall submit to the appropriate committees of Congress a report on the actions taken by the Administrator pursuant to subsection (c), including any recommendations for legislative or administrative actions.

SEC. 512. AIR SHOWS.

On an annual basis, the Administrator shall work with representatives of Administration-approved air shows, the general aviation community, and stadiums and other large outdoor events and venues to identify and resolve, to the maximum extent practicable, scheduling conflicts between Administration-approved air shows and large outdoor events and venues where—

(1) flight restrictions will be imposed pursuant to section 521 of title V of division F of Public Law 108–199 (118 Stat. 343); or

(2) any other restriction will be imposed pursuant to Federal Aviation Administration Flight Data Center Notice to Airmen 4/3621 (or any successor notice to airmen).

SEC. 513. PART 91 REVIEW, REFORM, AND STREAMLINING.

(a) **ESTABLISHMENT OF TASK FORCE.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall establish a task force comprised of representatives of the general aviation industry who regularly perform part 91 operations, labor unions (including those representing FAA aviation safety inspectors and FAA aviation safety engineers), manufacturers, and the Government to—

(1) conduct an assessment of the FAA oversight and authorization processes and requirements for aircraft under part 91; and

(2) make recommendations to streamline the applicable authorization and approval processes, improve safety, and reduce regulatory cost burdens and delays for the FAA and aircraft owners and operators who operate pursuant to part 91.

(b) **CONTENTS.**—In conducting the assessment and making recommendations under subsection (a), the task force shall consider—

(1) process reforms and improvements to allow the FAA to review and approve applications in a fair and timely fashion;

(2) the appropriateness of requiring an authorization for each experimental aircraft rather than using a broader all-makes-and-models approach;

(3) ways to improve the timely response to letters of authorization applications for aircraft owners and operators who operate pursuant to part 91, including setting deadlines and granting temporary or automatic authorizations if deadlines are missed by the FAA;

(4) methods for enhancing the effective use of delegation systems;

(5) methods for training the FAA’s field office employees in risk-based and safety management system oversight; and

(6) such other matters related to streamlining part 91 authorization and approval processes as the task force considers appropriate.

(c) **REPORT TO CONGRESS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the task force’s assessment.

(2) **CONTENTS.**—The report shall include an explanation of how the Administrator will—

(A) implement the recommendations of the task force;

(B) measure progress in implementing the recommendations; and

(C) measure the effectiveness of the implemented recommendations.

(d) **IMPLEMENTATION OF RECOMMENDATIONS.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall implement the recommendations made under this section.

(e) **DEFINITION.**—In this section, the term “part 91” means part 91 of title 14, Code of Federal Regulations.

(f) **APPLICABLE LAW.**—Public Law 92–463 shall not apply to the task force.

(g) **SUNSET.**—The task force shall terminate on the day the Administrator submits the report required under subsection (c).

SEC. 514. AIRCRAFT LEASING.

Section 44112(b) of title 49, United States Code, is amended—

(1) by striking “on land or water”; and

(2) by inserting “operational” before “control”.

SEC. 515. PILOTS SHARING FLIGHT EXPENSES WITH PASSENGERS.

(a) **GUIDANCE.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall make publicly available, in a clear and concise format, advisory guidance that describes how a pilot may share flight expenses with passengers in a manner consistent with Federal law, including regulations.

(2) **EXAMPLES INCLUDED.**—The guidance shall include examples of—

(A) flights for which pilots and passengers may share expenses;

(B) flights for which pilots and passengers may not share expenses;

(C) the methods of communication that pilots and passengers may use to arrange flights for which expenses are shared; and

(D) the methods of communication that pilots and passengers may not use to arrange flights for which expenses are shared.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 180 days after the date on which guidance is made publicly available under subsection (a), the Comptroller General of the United States shall submit to the appropriate committees of Congress a report analyzing Federal policy with respect to pilots sharing flight expenses with passengers.

(2) **EVALUATIONS INCLUDED.**—The report submitted under paragraph (1) shall include an evaluation of—

(A) the rationale for such Federal policy;

(B) safety and other concerns related to pilots sharing flight expenses with passengers; and

(C) benefits related to pilots sharing flight expenses with passengers.

SEC. 516. TERMINAL AERODROME FORECAST.

(a) **IN GENERAL.**—The Administrator shall permit a covered air carrier to operate to or from a location in a noncontiguous State without a Terminal Aerodrome Forecast or Meteorological Aerodrome Report if—

(1) such location is determined to be under visual meteorological conditions;

(2) a current Area Forecast, supplemented by other local weather observations or reports, is available; and

(3) an alternate airport that has an available Terminal Aerodrome Forecast and weather report is specified.

(b) **PROCEDURES.**—A covered air carrier shall—

(1) have approved procedures for dispatch or release and enroute weather evaluation; and

(2) operate under instrument flight rules enroute to the destination.

(c) **LIMITATION.**—Without a written finding of necessity, based on objective and historical evidence of imminent threat to safety, the Administrator shall not promulgate any operation specification, policy, or guidance document pursuant to this section that is more restrictive than, or requires procedures that are not expressly stated in, the regulations.

(d) **COVERED AIR CARRIER DEFINED.**—In this section, the term “covered air carrier” means an air carrier operating in a noncontiguous State under part 121 of title 14, Code of Federal Regulations.

SEC. 517. PUBLIC AIRCRAFT ELIGIBLE FOR LOGGING FLIGHT TIMES.

The Administrator shall issue regulations modifying section 61.51(j)(4) of title 14, Code of Federal Regulations, so as to include aircraft under the direct operational control of forestry and fire protection agencies as public aircraft eligible for logging flight times.

SEC. 518. AIRCRAFT REGISTRY OFFICE.

The Administrator shall designate employees at the Aircraft Registry Office in Oklahoma City, Oklahoma, as excepted employees in the event of a shutdown or emergency furlough to ensure that the office remains open for the duration of the lapse in Federal

Government appropriations to the Federal Aviation Administration.

SEC. 519. FAA DATA TRANSPARENCY.

Section 45303 of title 49, United States Code, is amended by adding at the end the following:

“(g) DATA TRANSPARENCY.—

“(1) AIR TRAFFIC SERVICES INITIAL DATA REPORT.—

“(A) INITIAL REPORT.—Not later than 6 months after the date of enactment of the FAA Reauthorization Act of 2018, the Administrator and the Chief Operating Officer of the Air Traffic Organization shall, based upon the most recently available full fiscal year data, complete the following calculations for each segment of air traffic services users:

“(i) The total costs allocable to the use of air traffic services for that segment during such fiscal year.

“(ii) The total revenues received from that segment during such fiscal year.

“(B) VALIDATION OF MODEL.—

“(i) REVIEW AND DETERMINATION.—Not later than 3 months after completion of the initial report required under subparagraph (A), the inspector general of the Department of Transportation shall review and determine the validity of the model used by the Administrator and the Chief Operating Officer to complete the calculations required under subparagraph (A).

“(ii) VALIDATION PROCESS.—In the event that the inspector general determines that the model used by the Administrator and the Chief Operating Officer to complete the calculations required by subparagraph (A) is not valid—

“(I) the inspector general shall provide the Administrator and Chief Operating Officer recommendations on how to revise the model;

“(II) the Administrator and the Chief Operating Officer shall complete the calculations required by subparagraph (A) utilizing the revised model and resubmit the revised initial report required under subparagraph (A) to the inspector general; and

“(III) not later than 3 months after completion of the revised initial report required under subparagraph (A), the inspector general shall review and determine the validity of the revised model used by the Administrator and the Chief Operating Officer to complete the calculations required by subparagraph (A).

“(iii) ACCESS TO DATA.—The Administrator and the Chief Operating Officer shall provide the inspector general of the Department of Transportation with unfettered access to all data produced by the cost accounting system operated and maintained pursuant to subsection (e).

“(C) REPORT TO CONGRESS.—Not later than 60 days after completion of the review and receiving a determination that the model used is valid under subparagraph (B), the Administrator and the Chief Operating Officer shall submit to the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, and the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on Finance of the Senate a report describing the results of the calculations completed under subparagraph (A).

“(D) PUBLICATION.—Not later than 60 days after submission of the report required under subparagraph (C), the Administrator and Chief Operating Officer shall publish the initial report, including any revision thereto if required as a result of the validation process for the model.

“(2) AIR TRAFFIC SERVICES BIENNIAL DATA REPORTING.—

“(A) BIENNIAL DATA REPORTING.—Not later than March 31, 2019, and biennially thereafter for 8 years, the Administrator and the Chief Operating Officer shall, using the validated model, complete the following calculations for each segment of air traffic services users for the most recent full fiscal year:

“(i) The total costs allocable to the use of the air traffic services for that segment.

“(ii) The total revenues received from that segment.

“(B) REPORT TO CONGRESS.—Not later than 15 days after completing the calculations under subparagraph (A), the Administrator and the Chief Operating Officer shall complete and submit to the Committee on Transportation and Infrastructure, the Committee on Appropriations, and the Committee on Ways and Means of the House of Representatives, and the Committee on Commerce, Science, and Transportation, the Committee on Appropriations, and the Committee on Finance of the Senate a report containing the results of such calculations.

“(C) PUBLICATION.—Not later than 60 days after completing the calculations pursuant to subparagraph (A), the Administrator and the Chief Operating Officer shall publish the results of such calculations.

“(3) SEGMENTS OF AIR TRAFFIC SERVICES USERS.—

“(A) IN GENERAL.—For purposes of this subsection, each of the following shall constitute a separate segment of air traffic services users:

“(i) Passenger air carriers conducting operations under part 121 of title 14, Code of Federal Regulations.

“(ii) All-cargo air carriers conducting operations under part 121 of such title.

“(iii) Operators covered by part 125 of such title.

“(iv) Air carriers and operators of piston-engine aircraft operating under part 135 of such title.

“(v) Air carriers and operators of turbine-engine aircraft operating under part 135 of such title.

“(vi) Foreign air carriers providing passenger air transportation.

“(vii) Foreign air carriers providing all-cargo air transportation.

“(viii) Operators of turbine-engine aircraft operating under part 91 of such title, excluding those operating under subpart (K) of such part.

“(ix) Operators of piston-engine aircraft operating under part 91 of such title, excluding those operating under subpart (K) of such part.

“(x) Operators covered by subpart (K) of part 91 of such title.

“(xi) Operators covered by part 133 of such title.

“(xii) Operators covered by part 136 of such title.

“(xiii) Operators covered by part 137 of such title.

“(xiv) Operators of public aircraft that qualify under section 40125.

“(xv) Operators of aircraft that neither take off from, nor land in, the United States.

“(B) ADDITIONAL SEGMENTS.—The Secretary may identify and include additional segments of air traffic users under subparagraph (A) as revenue and air traffic services cost data become available for that additional segment of air traffic services users.

“(4) DEFINITIONS.—For purposes of this subsection:

“(A) AIR TRAFFIC SERVICES.—The term ‘air traffic services’ means services—

“(i) used for the monitoring, directing, control, and guidance of aircraft or flows of aircraft and for the safe conduct of flight, including communications, navigation, and surveillance services and provision of aeronautical information; and

“(ii) provided directly, or contracted for, by the Federal Aviation Administration.

“(B) AIR TRAFFIC SERVICES USER.—The term ‘air traffic services user’ means any individual or entity using air traffic services provided directly, or contracted for, by the Federal Aviation Administration within United States airspace or international airspace delegated to the United States.”.

SEC. 520. INTRA-AGENCY COORDINATION.

Not later than 120 days after the date of enactment of this Act, the Administrator shall implement a policy that—

(1) designates the Associate Administrator for Commercial Space Transportation as the primary liaison between the commercial space transportation industry and the Administration;

(2) recognizes the necessity of, and set forth processes for, launch license and permit holder coordination with the Air Traffic Organization on matters including—

(A) the use of air navigation facilities;

(B) airspace safety; and

(C) planning of commercial space launch and launch support activities;

(3) designates a single point of contact within the Air Traffic Organization who is responsible for—

(A) maintaining letters of agreement between a launch license or permit holder and a Federal Aviation Administration facility;

(B) making such letters of agreement available to the Associate Administrator for Commercial Space Transportation;

(C) ensuring that a facility that has entered into such a letter of agreement is aware of and fulfills its responsibilities under the letter; and

(D) liaising between the Air Traffic Organization and the Associate Administrator for Commercial Space Transportation on any matter relating to such a letter of agreement; and

(4) requires the Associate Administrator for Commercial Space Transportation to facilitate, upon the request of a launch license or permit holder—

(A) coordination between a launch license and permit holder and the Air Traffic Organization; and

(B) the negotiation of letters of agreement between a launch license or permit holder and a Federal Aviation Administration facility or the Air Traffic Organization.

SEC. 521. ADMINISTRATIVE SERVICES FRANCHISE FUND.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this section, the inspector general of the Department of Transportation shall initiate an audit of the Administrative Services Franchise Fund of the FAA (in this section referred to as the “Franchise Fund”).

(b) CONSIDERATIONS.—In conducting the audit pursuant to subsection (a), the inspector general shall—

(1) review the history, intended purpose, and objectives of the Franchise Fund;

(2) describe and assess each program, service, or activity that uses the Franchise Fund, including—

(A) the agencies or government bodies that use each program, service, or activity;

(B) the number of employees, including full-time equivalents and contractors, associated with each program, service, or activity;

(C) the costs associated with the employees described in subparagraph (B) and the extent to which such costs are covered by Federal appropriations or Franchise Fund revenue;

(D) the revenue, expenses, and profits or losses associated with each program, service, or activity;

(E) overhead rates associated with each program, service, or activity; and

(F) a breakdown of the revenue collected from services provided to the FAA, Depart-

ment of Transportation, other Federal entities, and non-Federal entities;

(3) assess the FAA's governance and oversight of the Franchise Fund and the programs, service, and activities that use the Franchise Fund, including the use of internal and publicly available performance metrics;

(4) evaluate the current and historical unobligated and unexpended balances of the Franchise Fund; and

(5) assess the degree to which FAA policies and controls associated with the Franchise Fund conform with generally accepted accounting principles, Federal policies, best practices, or other guidance relating to revolving funds.

(c) **REPORT.**—Not later than 180 days after the date of initiation of the audit described in subsection (a), the inspector general shall submit to the appropriate committees of Congress a report on the results of the audit, including findings and recommendations.

SEC. 522. AUTOMATIC DEPENDENT SURVEILLANCE-BROADCAST.

(a) **REPEAL.**—Subsection (b) of section 211 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note) is repealed.

(b) **REQUIREMENT.**—The Administrator shall ensure that any regulation issued pursuant to such subsection has no force or effect.

SEC. 523. CONTRACT WEATHER OBSERVERS.

Section 2306(b) of the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 130 Stat. 641) is amended by striking “2018” and inserting “2023”.

SEC. 524. REGIONS AND CENTERS.

(a) **IN GENERAL.**—Section 44507 of title 49, United States Code, is amended—

(1) by striking the section heading and inserting “**Regions and centers**”;

(2) by striking “The Civil Aeromedical Institute” and inserting the following:

“(a) **CIVIL AEROMEDICAL INSTITUTE.**—The Civil Aeromedical Institute”; and

(3) by adding at the end the following:

“(b) **WILLIAM J. HUGHES TECHNICAL CENTER.**—The Secretary of Transportation shall define the roles and responsibilities of the William J. Hughes Technical Center in a manner that is consistent with the defined roles and responsibilities of the Civil Aeromedical Institute under subsection (a).”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 445 of title 49, United States Code, is amended by striking the item relating to section 44507 and inserting the following:

“44507. Regions and centers.”.

SEC. 525. GEOSYNTHETIC MATERIALS.

The Administrator, to the extent practicable, shall encourage the use of durable, resilient, and sustainable materials and practices, including the use of geosynthetic materials and other innovative technologies, in carrying out the activities of the Federal Aviation Administration.

SEC. 526. NATIONAL AIRMAIL MUSEUM.

(a) **FINDINGS.**—Congress finds that—

(1) in 1930, commercial airmail carriers began operations at Smith Field in Fort Wayne, Indiana;

(2) the United States lacks a national museum dedicated to airmail; and

(3) the airmail hangar at Smith Field in Fort Wayne, Indiana—

(A) will educate the public on the role of airmail in aviation history; and

(B) honor the role of the hangar in the history of the Nation's airmail service.

(b) **DESIGNATION.**—

(1) **IN GENERAL.**—The airmail museum located at the Smith Field in Fort Wayne, Indiana, is designated as the “National Airmail Museum”.

(2) **EFFECT OF DESIGNATION.**—The national museum designated by this section is not a unit of the National Park System and the designation of the National Airmail Museum shall not require or permit Federal funds to be expended for any purpose related to that national memorial.

SEC. 527. STATUS OF AGREEMENT BETWEEN FAA AND LITTLE ROCK PORT AUTHORITY.

(a) **BRIEFING REQUIREMENT.**—Not later than 30 days after the date of enactment of this Act, the Administrator shall provide to the appropriate committees of Congress a briefing on the agreement between the FAA and the Little Rock Port Authority to relocate the Little Rock Very High Frequency Omnidirectional Range with Collocated Tactical Air Control and Navigation (LIT VORTAC).

(b) **BRIEFING CONTENTS.**—The briefing required under subsection (a) shall include the following:

(1) The status of the efforts by the Federal Aviation Administration to relocate the LIT VORTAC.

(2) The long-term and short-term budget projections for the relocation project.

(3) A description of and timeline for each phase of the relocation project.

(4) A description of and explanation for the required location radius.

(5) A description of work completed by the Federal Aviation Administration as of the date of the briefing.

SEC. 528. BRIEFING ON AIRCRAFT DIVERSIONS FROM LOS ANGELES INTERNATIONAL AIRPORT TO HAWTHORNE MUNICIPAL AIRPORT.

Not later than 1 year after the date of the enactment of this Act, the Administrator shall provide a briefing to appropriate committees of Congress on diversions of aircraft from Los Angeles International Airport to Hawthorne Municipal Airport, also known as Jack Northrop Field, in the City of Hawthorne, California. This briefing shall cover at least the previous one-year period and include the total number of aircraft diversions, the average number of diversions per day, the types of aircraft diverted, and the reasons for the diversions.

SEC. 529. TFR REPORT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act (except as described in subsection (d)), the Administrator shall submit to the appropriate committees of Congress a report containing the results of the study described in subsection (b).

(b) **RECOMMENDATIONS.**—The Administrator shall make recommendations based on—

(1) an analysis of—

(A) the economic effects of temporary flight restrictions, particularly temporary flight restrictions issued pursuant to section 91.141 of title 14, Code of Federal Regulations, on airports or aviation-related businesses located or based in an area covered by the temporary flight restriction; and

(B) potential options and recommendations for mitigating identified negative economic effects on airports or aviation-related businesses located or based in an area frequently covered by a temporary flight restriction; and

(2) an analysis of the potential for using security procedures similar to those described in the Maryland Three Program (allowing properly vetted private pilots to fly to, from, or between the three general aviation airports closest to the National Capital Region) during temporary flight restrictions in the following airports:

(A) Solberg Airport.

(B) Somerset Airport.

(C) Palm Beach County Park Airport (also known as Lantana Airport).

(c) **COLLABORATION.**—In making the recommendations described in subsection (b), the Administrator shall consult with—

(1) industry stakeholders; and

(2) the head of any other agency that, in the Administrator's determination, is a stakeholder agency.

(d) **SPECIAL DEADLINE.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report containing the results of the portion of the study described in subsection (b)(1)(A).

SEC. 530. AIR TRAFFIC SERVICES AT AVIATION EVENTS.

(a) **REQUIREMENT TO PROVIDE SERVICES AND RELATED SUPPORT.**—The Administrator shall provide air traffic services and aviation safety support for large, multiday aviation events, including airshows and fly-ins, where the average daily number of manned operations were 1,000 or greater in at least one of the preceding two years, without the imposition or collection of any fee, tax, or other charge for that purpose. Amounts for the provision of such services and support shall be derived from amounts appropriated or otherwise available for the Administration.

(b) **DETERMINATION OF SERVICES AND SUPPORT TO BE PROVIDED.**—In determining the services and support to be provided for an aviation event for purposes of subsection (a), the Administrator shall take into account the following:

(1) The services and support required to meet levels of activity at prior events, if any, similar to the event.

(2) The anticipated need for services and support at the event.

SEC. 531. APPLICATION OF VETERANS' PREFERENCE TO FEDERAL AVIATION ADMINISTRATION PERSONNEL MANAGEMENT SYSTEM.

Section 40122(g)(2)(B) of title 49, United States Code, is amended—

(1) by inserting “3304(f), to the extent consistent with the Federal Aviation Administration's status as an excepted service agency,” before “3308-3320”; and

(2) by inserting “3330a, 3330b, 3330c, and 3330d,” before “relating”.

SEC. 532. CLARIFICATION OF REQUIREMENTS FOR LIVING HISTORY FLIGHTS.

(a) **IN GENERAL.**—Notwithstanding any other law or regulation, in administering sections 61.113(c), 91.9, 91.315, 91.319(a)(1), 91.319(a)(2), 119.5(g), and 119.21(a) of title 14, Code of Federal Regulations (or any successor regulations), the Administrator shall allow an aircraft owner or operator to accept monetary or in-kind donations for a flight operated by a living history flight experience provider, if the aircraft owner or operator has—

(1) volunteered to provide such transportation; and

(2) notified any individual that will be on the flight, at the time of inquiry about the flight, that the flight operation is for charitable purposes and is not subject to the same requirements as a commercial flight.

(b) **CONDITIONS TO ENSURE PUBLIC SAFETY.**—The Administrator, consistent with current standards of the Administration for such operations, shall impose minimum standards with respect to training and flight hours for operations conducted by an owner or operator of an aircraft providing living history flight experience operations, including mandating that the pilot in command of such aircraft hold a commercial pilot certificate with instrument rating and be current and qualified with respect to all ratings or authorizations applicable to the specific aircraft being flown to ensure the safety of flight operations described in subsection (a).

(c) **LIVING HISTORY FLIGHT EXPERIENCE PROVIDER DEFINED.**—In this section, the

term “living history flight experience provider” means an aircraft owner, aircraft operator, or organization that provides, arranges, or otherwise fosters living history flight experiences for the purpose of fulfilling its mission.

SEC. 533. REVIEW AND REFORM OF FAA PERFORMANCE MANAGEMENT SYSTEM.

(a) **ESTABLISHMENT OF ADVISORY PANEL.**—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation shall establish an advisory panel comprising no more than 7 independent, nongovernmental experts in budget, finance, or personnel management to review and evaluate the effectiveness of the FAA’s personnel management system and performance management program for employees not covered by collective bargaining agreements.

(b) **REVIEW, EVALUATION, AND RECOMMENDATIONS.**—The advisory panel shall, at a minimum—

(1) review all appropriate FAA orders, policies, procedures, guidance, and the Human Resources Policy Manual;

(2) review any applicable reports regarding FAA’s personnel management system, including reports of the Department of Transportation Office of Inspector General, Government Accountability Office, and National Academy of Public Administration, and determine the status of recommendations made in those reports;

(3) review the personnel management system of any other agency or governmental entity with a similar system to the FAA for best practices with regard to personnel management;

(4) assess the unique personnel authorities granted to the FAA, determine whether the FAA has taken full advantage of those authorities, and identify those authorities the FAA has not fully taken advantage of;

(5) review and determine the overall effectiveness of the FAA’s compensation, bonus pay, performance metrics, and evaluation processes for employees not covered by collective bargaining agreements;

(6) review whether existing performance metrics and bonus pay practices align with the FAA’s mission and significantly improve the FAA’s provision of air traffic services, implementation of air traffic control modernization initiatives, and accomplishment of other FAA operational objectives;

(7) identify the highest, lowest, and average complete compensation for each position of employees not covered by collective bargaining agreements;

(8) survey interested parties and stakeholders, including representatives of the aviation industry, for their views and recommendations regarding improvements to the FAA’s personnel management system and performance management program;

(9) develop recommendations to address the findings of the work done pursuant to paragraphs (1) through (7), and to address views and recommendations raised by interested parties pursuant to paragraph (8); and

(10) develop recommendations to improve the FAA’s personnel management system and performance management program, including the compensation, bonus pay, performance metrics, and evaluation processes, for employees not covered by collective bargaining agreements.

(c) **REPORT.**—Not later than 1 year after initiating the review and evaluation pursuant to subsection (a), the advisory panel shall submit a report on the results of the review and evaluation and its recommendations to the Secretary, the Administrator, the appropriate committees of Congress.

(d) **REPORT TO CONGRESS.**—Not later than 3 months after submittal of the report pursuant to subsection (c), the Administrator

shall transmit to the appropriate committees of Congress a report summarizing the findings of the advisory panel that—

(1) contains an explanation of how the Administrator will implement the recommendations of the advisory panel and measure the effectiveness of the recommendations; and

(2) specifies any recommendations that the Administrator will not implement and the reasons for not implementing such recommendations.

(e) **SUNSET.**—The advisory panel shall terminate on the date that is 60 days after the transmittal of the report pursuant to subsection (d).

SEC. 534. NEXTGEN DELIVERY STUDY.

(a) **STUDY.**—Not later than 180 days after the enactment of this Act, the inspector general of the Department of Transportation shall initiate a study of the potential impacts of a significantly delayed, significantly diminished, or completely failed delivery of the Next Generation Air Transportation System modernization initiative by the Federal Aviation Administration, including impacts to the air traffic control system and the national airspace system as a whole.

(b) **SCOPE OF STUDY.**—In carrying out the study under subsection (a), the inspector general shall assess the Administration’s performance related to the NextGen modernization initiative, including—

(1) the potential impacts on the operational efficiency of our aviation system;

(2) an analysis of potential economic losses and stranded investments directly related to NextGen;

(3) an analysis of the potential impacts to our international competitiveness in aviation innovation;

(4) an analysis of the main differences that would be seen in our air traffic control system;

(5) the potential impacts on the flying public, including potential impacts to flight times, fares, and delays in the air and on the ground;

(6) the effects on supply chains reliant on air transportation of cargo;

(7) the potential impacts on the long-term benefits promised by NextGen;

(8) an analysis of the potential impacts on aircraft noise and flight paths;

(9) the potential changes in separation standards, fuel consumption, flight paths, block times, and landing procedures or lack thereof;

(10) the potential impacts on aircraft taxi times and aircraft emissions or lack thereof;

(11) a determination of the total potential costs and logistical challenges of the failure of NextGen, including a comparison of the potential loss of the return on public and private sector investment related to NextGen, as compared to other available investment alternatives, between December 12, 2003, and the date of enactment of this Act; and

(12) other matters arising in the course of the study.

(c) **REPORT.**—Not later than 1 year after the date of initiation of the study under subsection (a), the inspector general shall submit to the appropriate committees of Congress a report on the results of the study.

SEC. 535. STUDY ON ALLERGIC REACTIONS.

Not later than 120 days after the date of enactment of this Act, the Administrator shall—

(1) study the prevalence of allergic reactions on board flights, whether airlines universally report reactions to the Federal Aviation Administration, and the frequency of first aid inventory checks to ensure medicine to prevent anaphylactic shock is in an aircraft; and

(2) submit a report to the Committees on Transportation and Infrastructure, Energy

and Commerce, and Appropriations of the House of Representatives and the Committees on Commerce, Science, and Transportation, Health, Education, Labor, and Pensions, and Appropriations of the Senate.

SEC. 536. OXYGEN MASK DESIGN STUDY.

Not later than 180 days after the date of enactment of this Act, the Administrator shall conduct a study to review and evaluate the design and effectiveness of commercial aircraft oxygen masks. In conducting the study, the Administrator shall determine whether the current design of oxygen masks is adequate, and whether changes to the design could increase correct passenger usage of the masks.

SEC. 537. AIR CARGO STUDY.

(a) **IN GENERAL.**—Not later than 6 months after the date of enactment of this Act, the Comptroller General of the United States shall begin a study of international air cargo services among the United States and Central American, South American, and Caribbean Basin countries, that—

(1) analyzes the supply of and demand for air cargo transportation services among the United States and Central American, South American, and Caribbean Basin countries;

(2) analyzes the supply of and demand for air cargo transportation services between—

(A) the United States, Central American, South American, and Caribbean Basin countries; and

(B) African and European countries;

(3) identifies the busiest routes in terms of cargo capacity and frequency of air service;

(4) identifies any air carrier or foreign air carrier hubs in Central American, South American, and Caribbean Basin countries at which a significant amount of air cargo is sorted, handled, or consolidated for transportation to or from the United States;

(5) identifies any air carrier or foreign air carrier hubs in the United States at which a significant amount of air cargo is sorted, handled, or consolidated for transportation to or from Central American, South American, and Caribbean Basin countries.

(6) identifies any significant gaps in the air cargo services or cargo air carrier networks—

(A) among the countries described in paragraph (2)(A);

(B) between such countries and African countries; and

(C) between such countries and European countries; and

(7) assesses the possible impact of the establishment of an air carrier hub in Puerto Rico at which air cargo is sorted, handled, or consolidated for transportation to or from the United States, including the impact on—

(A) the employment rate and economy of Puerto Rico;

(B) domestic and foreign air transportation of cargo;

(C) United States competitiveness in the air transportation of cargo;

(D) air cargo operations at other airports in the United States; and

(E) domestic air carrier employment.

(b) **REPORT.**—Not later than 12 months after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study described in subsection (a).

(c) **DEFINITION.**—In this section, the term “Caribbean Basin countries” has the same meaning given the term “Caribbean Basin country” in section 501 of the Food for Peace Act (7 U.S.C. 1737).

SEC. 538. SENSE OF CONGRESS ON PREVENTING THE TRANSPORTATION OF DISEASE-CARRYING MOSQUITOES AND OTHER INSECTS ON COMMERCIAL AIRCRAFT.

It is the sense of Congress that the Secretary of Transportation and the Secretary

of Agriculture should, in coordination and consultation with the World Health Organization, develop a framework and guidance for the use of safe, effective, and nontoxic means of preventing the transportation of disease-carrying mosquitoes and other insects on commercial aircraft.

SEC. 539. TECHNICAL CORRECTIONS.

(a) AIRPORT CAPACITY ENHANCEMENT PROJECTS AT CONGESTED AIRPORTS.—Section 40104(c) of title 49, United States Code, is amended by striking “section 47176” and inserting “section 47175”.

(b) PASSENGER FACILITY CHARGES.—Section 40117(a)(5) of title 49, United States Code, is amended by striking “charge or charge” and inserting “charge”.

(c) OVERFLIGHTS OF NATIONAL PARKS.—Section 40128(a)(3) of title 49, United States Code, is amended by striking “under part 91 of the title 14,” and inserting “under part 91 of title 14.”.

(d) PLANS TO ADDRESS NEEDS OF FAMILIES OF PASSENGERS INVOLVED IN FOREIGN AIR CARRIER ACCIDENTS.—Section 41313(c)(16) of title 49, United States Code, is amended by striking “An assurance that the foreign air carrier” and inserting “An assurance that”.

(e) OPERATIONS OF CARRIERS.—The analysis for chapter 417 of title 49, United States Code, is amended by striking the item relating to section 41718 and inserting the following:

“41718. Special rules for Ronald Reagan Washington National Airport.”.

(f) SCHEDULES FOR CERTAIN TRANSPORTATION OF MAIL.—Section 41902(a) of title 49, United States Code, is amended by striking “section 41906” and inserting “section 41905”.

(g) WEIGHING MAIL.—Section 41907 of title 49, United States Code, is amended by striking “and” and all that follows through “administrative” and inserting “and administrative”.

(h) STRUCTURES INTERFERING WITH AIR COMMERCE OR NATIONAL SECURITY.—Section 44718(b)(1) of title 49, United States Code, is amended—

(1) in the matter preceding subparagraph (A) by striking “air navigation facilities and equipment” and inserting “air or space navigation facilities and equipment”; and

(2) in subparagraph (A)—

(A) in clause (v) by striking “and” at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

“(vi) the impact on launch and reentry for launch and reentry vehicles arriving or departing from a launch site or reentry site licensed by the Secretary of Transportation; and”.

(i) FLIGHT ATTENDANT CERTIFICATION.—Section 44728 of title 49, United States Code, is amended—

(1) in subsection (c), by striking “chapter” and inserting “title”; and

(2) in subsection (d)(3), by striking “is” and inserting “be”.

(j) FEES INVOLVING AIRCRAFT NOT PROVIDING AIR TRANSPORTATION.—Section 45302 of title 49, United States Code, is amended by striking “44703(f)(2)” each place it appears and inserting “44703(g)(2)”.

(k) SCHEDULE OF FEES.—Section 45301(a)(1) of title 49, United States Code, is amended by striking “United States government” and inserting “United States Government”.

(l) CLASSIFIED EVIDENCE.—Section 46111(g)(2)(A) of title 49, United States Code, is amended by striking “(18 U.S.C. App.)” and inserting “(18 U.S.C. App.)”.

(m) CHAPTER 465.—The analysis for chapter 465 of title 49, United States Code, is amended by striking the following item:

“46503. Repealed.”.

(n) ALLOWABLE COST STANDARDS.—Section 47110(b)(2) of title 49, United States Code, is amended—

(1) in subparagraph (B), by striking “compatibility” and inserting “compatibility”; and

(2) in subparagraph (D)(i), by striking “climatic” and inserting “climatic”.

(o) DEFINITION OF QUALIFIED HUBZONE SMALL BUSINESS CONCERN.—Section 47113(a)(3) of title 49, United States Code, is amended by striking “(15 U.S.C. 632(o))” and inserting “(15 U.S.C. 632(p))”.

(p) SPECIAL APPOINTMENT CATEGORIES.—Section 47117(e)(1)(B) is amended by striking “at least” and inserting “At least”.

(q) SOLICITATION AND CONSIDERATION OF COMMENTS.—Section 47171(1) of title 49, United States Code, is amended by striking “4371” and inserting “4321”.

(r) OPERATIONS AND MAINTENANCE.—Section 48104 is amended by striking “(a) AUTHORIZATION OF APPROPRIATIONS.—the” and inserting “The”.

(s) ADJUSTMENTS TO COMPENSATION FOR SIGNIFICANTLY INCREASED COSTS.—Section 426 of the FAA Modernization and Reform Act of 2012 is amended—

(1) in subsection (a) (49 U.S.C. 41737 note) by striking “Secretary” and inserting “Secretary of Transportation”; and

(2) in subsection (c) (49 U.S.C. 41731 note) by striking “the Secretary may waive” and inserting “the Secretary of Transportation may waive”.

(t) AIRCRAFT DEPARTURE QUEUE MANAGEMENT PILOT PROGRAM.—Section 507(a) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44505 note) is amended by striking “section 48101(a)” and inserting “section 48101(a) of title 49, United States Code,”.

SEC. 540. REPORT ON ILLEGAL CHARTER FLIGHTS.

Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall submit to the appropriate committees of Congress an analysis of reports filed during the 10-year period preceding such date of enactment through the illegal charter hotline of the FAA and other sources that includes—

(1) what followup action the Department of Transportation or the Administration takes when a report of illegal charter operations is received;

(2) how the Department of Transportation or the Administration decides to allocate resources;

(3) challenges the Department of Transportation or the Administration face in identifying illegal operators; and

(4) recommendations for improving the efforts of the Department of Transportation or the Administration to combat illegal charter carrier operations.

SEC. 541. USE OF NASA'S SUPER GUPPY AIRCRAFT FOR COMMERCIAL TRANSPORT.

Notwithstanding section 40125 of title 49, United States Code, the Aero Spacelines Super Guppy Turbine B-377-SGT aircraft, serial number 0004, may be used to provide the transport, for compensation or hire, of oversized space launch vehicle components or oversized spacecraft components while continuing to qualify as a public aircraft operation pursuant to section 40102(a)(41)(A) of title 49, United States Code, if—

(1) the aircraft is owned and operated by the National Aeronautics and Space Administration;

(2) commercial operation is limited to operations conducted wholly in United States airspace; and

(3) no commercially available domestic air transport alternative exists.

SEC. 542. PROHIBITED AIRSPACE ASSESSMENT.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the

Secretary of Transportation, in coordination with appropriate Federal agencies, shall conduct an assessment on the security of United States prohibited airspace designated by the Federal Aviation Administration, with a focus on permanent prohibited airspace (in this section referred to as “United States prohibited airspace”).

(b) MINIMUM COMPONENTS.—The assessment developed under subsection (a) shall be unclassified but may contain a classified annex. It shall, at a minimum, include—

(1) a summary of the number and types of violations of United States prohibited airspace and historical trends of such numbers and types;

(2) an assessment of the processes used to establish United States prohibited airspace;

(3) an assessment of manned and unmanned aircraft, current and future, with the ability to penetrate United States prohibited airspace undetected;

(4) an assessment of the current and future capabilities of the United States to mitigate threats to United States prohibited airspace;

(5) recommendations on how to improve security of United States prohibited airspace; and

(6) a process to modify section 99.7 of title 14, Code of Federal Regulations, to expand the Administrator's authority to establish temporary flight restrictions in cooperation with State and local law enforcement agencies, or as required for purposes of national security, homeland security, or law enforcement support.

SEC. 543. REPORT ON MULTIAGENCY USE OF AIRSPACE AND ENVIRONMENTAL REVIEW.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Administrator, in consultation with the Secretary of Defense, shall submit to the covered committees of Congress a report documenting efforts made toward improving processes to resolve persistent challenges for special use airspace requests in support of, or associated with, short notice testing requirements at Major Range and Test Facility Bases, including the establishment of temporary military operations areas used for conducting short-term, scheduled exercises.

(b) ELEMENTS.—The report required under subsection (a) shall include the following elements:

(1) Analysis of previous efforts to streamline internal processes associated with the designation of temporary military operations areas at Major Range and Test Facility Bases and the use of such areas for scheduled exercises.

(2) Analysis of progress made to ensure consistency of environmental review, including impact analysis, associated environmental studies, or consultation, while complying with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and other environmental requirements.

(3) Identification of challenges, if any, in complying with the National Environmental Policy Act of 1969.

(4) A description of airspace requirements, current test and training needs statements completed during the 10-year period preceding the report, and future 5-year requirements, including all temporary military operating areas, special use airspaces, instrument routes, visual routes, and unfulfilled user requirements.

(5) Proposed options and solutions to overcome identified challenges, if any, including identifying whether—

(A) a solution or solutions can be incorporated within the existing Federal Aviation Administration and Department of Defense Memorandum of Understanding; or

(B) changes to current law are required.

(c) DEFINITIONS.—In this section:

(1) COVERED COMMITTEES OF CONGRESS.—The term “covered committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(B) the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives.

(2) MAJOR RANGE AND TEST FACILITY BASE.—The term “Major Range and Test Facility Base” has the meaning given the term in section 196(i) of title 10, United States Code.

(3) SPECIAL USE AIRSPACE.—The term “special use airspace” means certain designations of airspace designated by the Federal Aviation Administration, as administered by the Secretary of Defense.

SEC. 544. AGENCY PROCUREMENT REPORTING REQUIREMENTS.

Section 40110(d) of title 49, United States Code, is amended by adding at the end the following:

“(5) ANNUAL REPORT ON THE PURCHASE OF FOREIGN MANUFACTURED ARTICLES.—

“(A) REPORT.—(i) Not later than 90 days after the end of the fiscal year, the Secretary of Transportation shall submit a report to Congress on the dollar amount of acquisitions subject to the Buy American Act made by the agency from entities that manufacture the articles, materials, or supplies outside of the United States in such fiscal year.

“(ii) The report required by clause (i) shall only include acquisitions with total value exceeding the micro-purchase level.

“(B) CONTENTS.—The report required by subparagraph (A) shall separately indicate—

“(i) the dollar value of any articles, materials, or supplies purchased that were manufactured outside of the United States; and

“(ii) a summary of the total procurement funds spent on goods manufactured in the United States versus funds spent on goods manufactured outside of the United States.

“(C) AVAILABILITY OF REPORT.—The Secretary shall make the report under subparagraph (A) publicly available on the agency’s website not later than 30 days after submission to Congress.”.

SEC. 545. FAA ORGANIZATIONAL REFORM.

(a) CHIEF TECHNOLOGY OFFICER.—Section 106(s) of title 49, United States Code, is amended to read as follows:

“(s) CHIEF TECHNOLOGY OFFICER.—

“(1) IN GENERAL.—

“(A) APPOINTMENT.—There shall be a Chief Technology Officer appointed by the Chief Operating Officer. The Chief Technology Officer shall report directly to the Chief Operating Officer.

“(B) MINIMUM QUALIFICATIONS.—The Chief Technology Officer shall have—

“(i) at least 10 years experience in engineering management or another relevant technical management field; and

“(ii) knowledge of or experience in the aviation industry.

“(C) REMOVAL.—The Chief Technology Officer shall serve at the pleasure of the Administrator.

“(D) RESTRICTION.—The Chief Technology Officer may not also be the Deputy Administrator.

“(2) RESPONSIBILITIES.—The responsibilities of the Chief Technology Officer shall include—

“(A) ensuring the proper operation, maintenance, and cybersecurity of technology systems relating to the air traffic control system across all program offices of the Administration;

“(B) coordinating the implementation, operation, maintenance, and cybersecurity of technology programs relating to the air traffic control system with the aerospace industry and other Federal agencies;

“(C) reviewing and providing advice to the Secretary, the Administrator, and the Chief

Operating Officer on the Administration’s budget, cost-accounting system, and benefit-cost analyses with respect to technology programs relating to the air traffic control system;

“(D) consulting with the Administrator on the Capital Investment Plan of the Administration prior to its submission to Congress;

“(E) developing an annual air traffic control system technology operation and maintenance plan that is consistent with the annual performance targets established under paragraph (4); and

“(F) ensuring that the air traffic control system architecture remains, to the maximum extent practicable, flexible enough to incorporate future technological advances developed and directly procured by aircraft operators.

“(3) COMPENSATION.—

“(A) IN GENERAL.—The Chief Technology Officer shall be paid at an annual rate of basic pay to be determined by the Administrator, in consultation with the Chief Operating Officer. The annual rate may not exceed the annual compensation paid under section 102 of title 3. The Chief Technology Officer shall be subject to the postemployment provisions of section 207 of title 18 as if the position of Chief Technology Officer were described in section 207(c)(2)(A)(i) of that title.

“(B) BONUS.—In addition to the annual rate of basic pay authorized by subparagraph (A), the Chief Technology Officer may receive a bonus for any calendar year not to exceed 30 percent of the annual rate of basic pay, based upon the Administrator’s evaluation of the Chief Technology Officer’s performance in relation to the performance targets established under paragraph (4).

“(4) ANNUAL PERFORMANCE TARGETS.—

“(A) IN GENERAL.—The Administrator and the Chief Operating Officer, in consultation with the Chief Technology Officer, shall establish measurable annual performance targets for the Chief Technology Officer in key operational areas.

“(B) REPORT.—The Administrator shall transmit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report describing the annual performance targets established under subparagraph (A).

“(5) ANNUAL PERFORMANCE REPORT.—The Chief Technology Officer shall prepare and transmit to the Secretary of Transportation, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate an annual report containing—

“(A) detailed descriptions and metrics of how successful the Chief Technology Officer was in meeting the annual performance targets established under paragraph (4); and

“(B) other information as may be requested by the Administrator and the Chief Operating Officer.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 709(a)(3)(L) of the Vision 100—Century of Aviation Reauthorization Act (49 U.S.C. 40101 note) is amended by striking “Chief NextGen Officer” and inserting “Chief Technology Officer”.

(2) Section 804(a)(4)(A) of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 44501 note) is amended by striking “Chief NextGen Officer” and inserting “Chief Technology Officer”.

SEC. 546. FAA CIVIL AVIATION REGISTRY UPGRADE.

(a) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall complete covered up-

grades of the Administration’s Civil Aviation Registry (in this section referred to as the “Registry”).

(b) COVERED UPGRADE DEFINED.—In this section, the term “covered upgrades” means—

(1) the digitization of nondigital Registry information, including paper documents, microfilm images, and photographs, from an analog or nondigital format to a digital format;

(2) the digitalization of Registry manual and paper-based processes, business operations, and functions by leveraging digital technologies and a broader use of digitized data;

(3) the implementation of systems allowing a member of the public to submit any information or form to the Registry and conduct any transaction with the Registry by electronic or other remote means; and

(4) allowing more efficient, broader, and remote access to the Registry.

(c) APPLICABILITY.—The requirements of subsection (a) shall apply to the entire Civil Aviation Registry, including the Aircraft Registration Branch and the Airmen Certification Branch.

(d) MANUAL SURCHARGE.—Chapter 453 of title 49, United States Code, is amended by adding at the end the following:

“§ 45306. Manual surcharge

“(a) IN GENERAL.—Not later 3 years after the date of enactment of the FAA Reauthorization Act of 2018, the Administrator shall impose and collect a surcharge on a Civil Aviation Registry transaction that—

“(1) is conducted in person at the Civil Aviation Registry;

“(2) could be conducted, as determined by the Administrator, with the same or greater level of efficiency by electronic or other remote means; and

“(3) is not related to research or other non-commercial activities.

“(b) MAXIMUM SURCHARGE.—A surcharge imposed and collected under subsection (a) shall not exceed twice the maximum fee the Administrator is authorized to charge for the registration of an aircraft, not used to provide air transportation, after the transfer of ownership under section 45302(b)(2).

“(c) CREDIT TO ACCOUNT AND AVAILABILITY.—Monies collected from a surcharge imposed under subsection (a) shall be treated as monies collected under section 45302 and subject to the terms and conditions set forth in section 45302(d).”.

(e) REPORT.—Not later than 1 year after date of enactment of this Act, and annually thereafter until the covered upgrades required under subsection (a) are complete, the Administrator shall submit a report to the appropriate committees of Congress describing—

(1) the schedule for the covered upgrades to the Registry;

(2) the office responsible for the implementation of the such covered upgrades;

(3) the metrics being used to measure progress in implementing the covered upgrades; and

(4) the status of the covered upgrades as of the date of the report.

SEC. 547. ENHANCED AIR TRAFFIC SERVICES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a pilot program to provide air traffic control services on a preferential basis to aircraft equipped with certain NextGen avionics that—

(1) lasts at least 2 years; and

(2) operates in at least 3 suitable airports.

(b) DURATION OF DAILY SERVICE.—The air traffic control services provided under the pilot program established under subsection (a) shall occur for at least 3 consecutive hours between 0600 and 2200 local time during each day of the pilot program.

(c) **AIRPORT SELECTION.**—The Administrator shall designate airports for participation in the pilot program after consultation with aircraft operators, manufacturers, and airport sponsors.

(d) **DEFINITIONS.**—

(1) **CERTAIN NEXTGEN AVIONICS.**—The term “certain NextGen avionics” means those avionics and related software designated by the Administrator after consultations with aircraft operators and manufacturers.

(2) **PREFERENTIAL BASIS.**—The term “preferential basis” means—

(A) prioritizing aircraft equipped with certain NextGen avionics during a Ground Delay Program by assigning them fewer minutes of delay relative to other aircraft based upon principles established after consultation with aircraft operators and manufacturers; or

(B) sequencing aircraft equipped with certain NextGen avionics ahead of other aircraft in the Traffic Flow Management System to the maximum extent consistent with safety.

(e) **SUNSET.**—The pilot program established under subsection (a) shall terminate on September 30, 2023.

(f) **REPORT.**—Not later than 90 days after the date on which the pilot program terminates, the Administrator shall submit to the appropriate committees of Congress a report on the results of the pilot program.

SEC. 548. SENSE OF CONGRESS ON ARTIFICIAL INTELLIGENCE IN AVIATION.

It is the sense of Congress that the Administration should, in consultation with appropriate Federal agencies and industry stakeholders, periodically review the use or proposed use of artificial intelligence technologies within the aviation system and assess whether the Administration needs a plan regarding artificial intelligence standards and best practices to carry out its mission.

SEC. 549. STUDY ON CYBERSECURITY WORKFORCE OF FAA.

(a) **STUDY.**—Not later than 1 year after the date of the enactment of this Act, the Administrator shall enter into an agreement with the National Academy of Sciences to conduct a study on the cybersecurity workforce of the Administration in order to develop recommendations to increase the size, quality, and diversity of such workforce, including cybersecurity researchers and specialists.

(b) **REPORT TO CONGRESS.**—Not later than 180 days after the completion of the study conducted under subsection (a), the Administrator shall submit to the appropriate committees of Congress a report on the results of such study.

SEC. 550. TREATMENT OF MULTIYEAR LESSEES OF LARGE AND TURBINE-POWERED MULTIENGINE AIRCRAFT.

The Secretary of Transportation shall revise such regulations as may be necessary to ensure that multiyear lessees and owners of large and turbine-powered multiengine aircraft are treated equally for purposes of joint ownership policies of the FAA.

SEC. 551. EMPLOYEE ASSAULT PREVENTION AND RESPONSE PLANS.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, each air carrier operating under part 121 of title 14, Code of Federal Regulations (in this section referred to as a “part 121 air carrier”), shall submit to the Administrator for review and acceptance an Employee Assault Prevention and Response Plan related to the customer service agents of the air carrier and that is developed in consultation with the labor union representing such agents.

(b) **CONTENTS OF PLAN.**—An Employee Assault Prevention and Response Plan submitted under subsection (a) shall include the following:

(1) Reporting protocols for air carrier customer service agents who have been the victim of a verbal or physical assault.

(2) Protocols for the immediate notification of law enforcement after an incident of verbal or physical assault committed against an air carrier customer service agent.

(3) Protocols for informing Federal law enforcement with respect to violations of section 46503 of title 49, United States Code.

(4) Protocols for ensuring that a passenger involved in a violent incident with a customer service agent of an air carrier is not allowed to move through airport security or board an aircraft until appropriate law enforcement has had an opportunity to assess the incident and take appropriate action.

(5) Protocols for air carriers to inform passengers of Federal laws protecting Federal, airport, and air carrier employees who have security duties within an airport.

(c) **EMPLOYEE TRAINING.**—A part 121 air carrier shall conduct initial and recurrent training for all employees, including management, of the air carrier with respect to the plan required under subsection (a), which shall include training on de-escalating hostile situations, written protocols on dealing with hostile situations, and the reporting of relevant incidents.

(d) **STUDY.**—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) complete a study of crimes of violence (as defined in section 16 of title 18, United States Code) committed against airline customer service representatives while they are performing their duties and on airport property; and

(2) submit the findings of the study, including any recommendations, to the appropriate committees of Congress.

(e) **GAP ANALYSIS.**—The study required under subsection (d) shall include a gap analysis to determine if State and local laws and resources are adequate to deter or otherwise address the crimes of violence described in subsection (a) and recommendations on how to address any identified gaps.

SEC. 552. STUDY ON TRAINING OF CUSTOMER-FACING AIR CARRIER EMPLOYEES.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall conduct a study on the training received by customer-facing employees of air carriers.

(b) **CONTENTS.**—The study shall include—

(1) an analysis of the training received by customer-facing employees with respect to the management of disputes on aircraft;

(2) an examination of how institutions of higher learning, in coordination with air carriers, customer-facing employees and their representatives, consumer advocacy organizations, and other stakeholders, could—

(A) review such training and related practices;

(B) produce recommendations; and

(C) if determined appropriate, provide supplemental training; and

(3) the effectiveness of air carriers’ Employee Assault Prevention and Response Plans required under section 551.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress a report on the results of the study.

SEC. 553. AUTOMATED WEATHER OBSERVING SYSTEMS POLICY.

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall—

(1) update automated weather observing systems standards to maximize the use of new technologies that promote the reduction of equipment or maintenance cost for non-Federal automated weather observing sys-

tems, including the use of remote monitoring and maintenance, unless demonstrated to be ineffective;

(2) review, and if necessary update, existing policies in accordance with the standards developed under paragraph (1); and

(3) establish a process under which appropriate onsite airport personnel or an aviation official may, with appropriate manufacturer training or alternative training as determined by the Administrator, be permitted to conduct the minimum triannual preventative maintenance checks under the advisory circular for non-Federal automated weather observing systems (AC 150/5220-16E) and any other similar, successor checks.

(b) **PERMISSION.**—Permission to conduct the minimum triannual preventative maintenance checks described under subsection (a)(3) and any similar, successor checks shall not be withheld but for specific cause.

(c) **STANDARDS.**—In updating the standards under subsection (a)(1), the Administrator shall—

(1) ensure the standards are performance-based;

(2) use risk analysis to determine the accuracy of the automated weather observing systems outputs required for pilots to perform safe aircraft operations; and

(3) provide a cost-benefit analysis to determine whether the benefits outweigh the cost for any requirement not directly related to safety.

(d) **AIP ELIGIBILITY OF AWOS EQUIPMENT.**—

(1) **IN GENERAL.**—Notwithstanding any other law, the Administrator is authorized to and shall waive any positive benefit-cost ratio requirement for automated weather-observing system equipment under subchapter I of chapter 471, of title 49, United States Code, if—

(A) the airport sponsor or State, as applicable, certifies that a grant for such automated weather observing systems equipment under that chapter will assist an applicable airport to respond to regional emergency needs, including medical, firefighting, and search and rescue needs;

(B) the Secretary determines, after consultation with the airport sponsor or State, as applicable, that the placement of automated weather-observing equipment at the airport will not cause unacceptable radio frequency congestion; and

(C) the other requirements under that chapter are met.

(2) **APPLICABILITY TO LOW POPULATION DENSITY STATES.**—This subsection is applicable only to airports located in states with a population density, based on the most recent decennial census, of 50 or fewer persons per square mile.

(e) **REPORT.**—Not later than September 30, 2025, the Administrator shall submit to the appropriate committees of Congress a report on the implementation of the requirements under this section.

SEC. 554. PRIORITIZING AND SUPPORTING THE HUMAN INTERVENTION MOTIVATION STUDY (HIMS) PROGRAM AND THE FLIGHT ATTENDANT DRUG AND ALCOHOL PROGRAM (FADAP).

(a) **IN GENERAL.**—The Administration shall continue to prioritize and support the Human Intervention Motivation Study (HIMS) program for flight crewmembers and the Flight Attendant Drug and Alcohol Program (FADAP) for flight attendants.

(b) **STUDY AND RECOMMENDATIONS.**—

(1) **IN GENERAL.**—The Secretary of Transportation shall enter into an agreement with the Transportation Research Board (in this subsection referred to as the “Board”) under which the Board shall—

(A) conduct a study on the Human Intervention Motivation Study (HIMS) program, the Flight Attendant Drug and Alcohol Program (FADAP), and any other drug and alco-

hol programs within the other modal administrations within the Department of Transportation;

(B) to the extent justified by the findings from the study described in subparagraph (A), make recommendations to the Federal Aviation Administration and other administrations within the Department of Transportation on how to implement programs, or changes to existing programs, that seek to help transportation workers get treatment for drug and alcohol abuse and return to work; and

(C) upon the completion of the study described in subparagraph (A), submit to the appropriate committees of Congress a report on such study, including the Board's findings, conclusions, and recommendations.

(2) **REQUIREMENT.**—In conducting the study under paragraph (1), the Board shall identify—

(A) best policies and practices within existing programs; and

(B) best prevention, early intervention, and return to work practices specifically around prescription medication abuse, with a special emphasis on employee use of opioids.

SEC. 555. COST-EFFECTIVENESS ANALYSIS OF EQUIPMENT RENTAL.

(a) **AGENCY ANALYSIS OF EQUIPMENT ACQUISITION.**—

(1) **IN GENERAL.**—Except as provided for under subsection (d), the head of each executive agency shall acquire equipment using the method of acquisition most advantageous to the Federal Government based on a case-by-case analysis of comparative costs and other factors, including those factors listed in section 7.401 of the Federal Acquisition Regulation.

(2) **METHODS OF ACQUISITION.**—The methods of acquisition to be compared in the analysis under paragraph (1) shall include, at a minimum, purchase, short-term rental or lease, long-term rental or lease, interagency acquisition, and acquisition agreements with a State or a local government as described in subsection (c).

(3) **AMENDMENT OF FEDERAL ACQUISITION REGULATION.**—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to implement the requirement of this subsection, including a determination of the factors for executive agencies to consider for purposes of performing the analysis under paragraph (1).

(4) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to affect the requirements of chapter 37 of title 41, United States Code, section 2305 of title 10, United States Code, or section 1535 of title 31, United States Code.

(b) **DATE OF IMPLEMENTATION.**—The analysis described in subsection (a) shall be applied to contracts for the acquisition of equipment entered into on or after the date that the Federal Acquisition Regulation is amended pursuant to paragraph (3) of such subsection.

(c) **ACQUISITION AGREEMENTS WITH STATES OR LOCAL GOVERNMENTS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, including chapter 37 of title 41, United States Code, the Small Business Act (15 U.S.C. 631 et seq.), and section 2305 of title 10, United States Code, the head of an executive agency may enter into an acquisition agreement authorized by this section directly with a State or a local government if the agency head determines that the agreement otherwise satisfies the requirements of subsection (a)(1).

(2) **TERMS AND CONDITIONS.**—Any agreement under paragraph (1) shall contain such terms and conditions as the head of the agency deems necessary or appropriate to protect the interests of the United States.

(d) **EXCEPTIONS.**—The analysis otherwise required under subsection (a) is not required—

(1) when the President has issued an emergency declaration or a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.);

(2) in other emergency situations if the agency head makes a determination that obtaining such equipment is necessary in order to protect human life or property; or

(3) when otherwise authorized by law.

(e) **STUDY OF AGENCY ANALYSES.**—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a comprehensive report on the decisions made by the executive agencies with the highest levels of acquisition spending, and a sample of executive agencies with lower levels of acquisition spending, to acquire high-value equipment by lease, rental, or purchase pursuant to subpart 7.4 of the Federal Acquisition Regulation.

(f) **DEFINITIONS.**—In this section:

(1) **EXECUTIVE AGENCY.**—The term “executive agency” has the meaning given that term in section 102 of title 40, United States Code.

(2) **INTERAGENCY ACQUISITION.**—The term “interagency acquisition” has the meaning given that term in section 2.101 of the Federal Acquisition Regulation.

(3) **STATE.**—The term “State” has the meaning given the term in section 6501 of title 31, United States Code.

(4) **LOCAL GOVERNMENT.**—The term “local government” means any unit of local government within a State, including a county, municipality, city, borough, town, township, parish, local public authority, school district, special district, intrastate district, council of governments, or regional or interstate government entity, and any agency or instrumentality of a local government.

SEC. 556. AIRCRAFT REGISTRATION.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall initiate a rulemaking to increase the duration of aircraft registrations for noncommercial general aviation aircraft to 7 years.

(b) **CONSIDERATIONS.**—In promulgating the notice of proposed rulemaking described in subsection (a), the Administrator may consider any events, circumstances, changes in any ownership entity or structure, or other condition that would necessitate renewal prior to the expiration of an aircraft registration.

SEC. 557. REQUIREMENT TO CONSULT WITH STAKEHOLDERS IN DEFINING SCOPE AND REQUIREMENTS FOR FUTURE FLIGHT SERVICE PROGRAM.

Not later than 180 days after the date of enactment of this Act, the Administrator shall consult with stakeholders in defining the scope and requirements for any new Future Flight Service Program of the Administration to be used in a competitive source selection for the next flight service contract with the Administration.

SEC. 558. FEDERAL AVIATION ADMINISTRATION PERFORMANCE MEASURES AND TARGETS.

(a) **PERFORMANCE MEASURES.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation shall establish performance measures relating to the management of the Administration, which shall, at a minimum, include measures to assess—

(1) the timely and cost-effective completion of projects; and

(2) the effectiveness of the Administration in achieving the goals described in section 47171 of title 49, United States Code.

(b) **PERFORMANCE TARGETS.**—Not later than 180 days after the date on which the Secretary establishes performance measures in accordance with subsection (a), the Secretary shall establish performance targets relating to each of the measures described in that subsection.

(c) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the inspector general of the Department of Transportation shall submit to the appropriate committees of Congress a report describing the progress of the Secretary in meeting the performance targets established under subsection (b).

SEC. 559. REPORT ON PLANS FOR AIR TRAFFIC CONTROL FACILITIES IN THE NEW YORK CITY AND NEWARK REGION.

Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the Administration's staffing and scheduling plans for air traffic control facilities in the New York City and Newark region for the 1-year period beginning on such date of enactment.

SEC. 560. WORK PLAN FOR THE NEW YORK/NEW JERSEY/PHILADELPHIA METROPOLITAN AREA AIRSPACE PROJECT.

Not later than 90 days after the date of enactment of this Act, the Administrator shall develop and publish in the Federal Register a work plan for the New York/New Jersey/Philadelphia Metropolitan Area Airspace Project.

SEC. 561. ANNUAL REPORT ON INCLUSION OF DISABLED VETERAN LEAVE IN PERSONNEL MANAGEMENT SYSTEM.

Not later than 1 year after the date of enactment of this Act, and not less frequently than annually thereafter until the date that is 5 years after the date of enactment of this Act, the Administrator shall publish on a publicly accessible internet website a report on—

(1) the effect of the amendments made by subsections (a) and (b) of section 2 of the Federal Aviation Administration Veteran Transition Improvement Act of 2016 (Public Law 114-242), on the Administration's work force; and

(2) the number of disabled veterans benefiting from such subsections.

SEC. 562. ENHANCED SURVEILLANCE CAPABILITY.

Not later than 120 days after the date of enactment of this Act, the Administrator shall identify and implement a strategy to—

(1) advance near-term and long-term uses of enhanced surveillance systems, such as space-based ADS-B, within United States airspace or international airspace delegated to the United States;

(2) exercise leadership on setting global standards for the separation of aircraft in oceanic airspace by working with—

(A) foreign counterparts of the Administrator in the International Civil Aviation Organization and its subsidiary organizations;

(B) other international organizations and fora; and

(C) the private sector; and

(3) ensure the participation of the Administration in the analysis of trials of enhanced surveillance systems, such as space-based ADS-B, performed by foreign air navigation service providers in North Atlantic airspace.

SEC. 563. ACCESS OF AIR CARRIERS TO INFORMATION ABOUT APPLICANTS TO BE PILOTS FROM NATIONAL DRIVER REGISTER.

Section 30305(b)(8) of title 49, United States Code, is amended to read as follows:

“(8)(A) An individual who is seeking employment by an air carrier as a pilot may request the chief driver licensing official of a

State to provide information about the individual under subsection (a) of this section to the prospective employer of the individual, the authorized agent of the prospective employer, or the Secretary of Transportation.

“(B) An air carrier that is the prospective employer of an individual described in subparagraph (A), or an authorized agent of such an air carrier, may request and receive information about that individual from the National Driver Register through an organization approved by the Secretary for purposes of requesting, receiving, and transmitting such information directly to the prospective employer of such an individual or the authorized agent of the prospective employer. This paragraph shall be carried out in accordance with paragraphs (2) and (11) of section 44703(h) and the Fair Credit Reporting Act (15 U.S.C. 1681 et seq.).

“(C) Information may not be obtained from the National Driver Register under this paragraph if the information was entered in the Register more than 5 years before the request unless the information is about a revocation or suspension still in effect on the date of the request.”.

SEC. 564. REGULATORY REFORM.

Section 106(p)(5) of title 49, United States Code, is amended—

(1) by striking “Committee, or” and inserting “Committee,”; and

(2) by striking the period at the end and inserting “, or such aerospace rulemaking committees as the Secretary shall designate.”.

SEC. 565. AVIATION FUEL.

(a) USE OF UNLEADED AVIATION GASOLINE.—The Administrator shall allow the use of an unleaded aviation gasoline in an aircraft as a replacement for a leaded gasoline if the Administrator—

(1) determines that the unleaded aviation gasoline qualifies as a replacement for an approved leaded gasoline;

(2) identifies the aircraft and engines that are eligible to use the qualified replacement unleaded gasoline; and

(3) adopts a process (other than the traditional means of certification) to allow eligible aircraft and engines to operate using qualified replacement unleaded gasoline in a manner that ensures safety.

(b) TIMING.—The Administrator shall adopt the process described in subsection (a)(3) not later than 180 days after the later of—

(1) the date on which the Administration completes the Piston Aviation Fuels Initiative; or

(2) the date on which the American Society for Testing and Materials publishes a production specification for an unleaded aviation gasoline.

(c) TYPE CERTIFICATION.—Existing regulatory mechanisms by which an unleaded aviation gasoline can be approved for use in an engine or aircraft by Type or Supplemental Type Certificate for individual aircraft and engine types or by Approved Model List Supplemental Type Certificate providing coverage for a broad range of applicable types of aircraft or engines identified in the application shall continue to be fully available as a means of approving and bringing an unleaded aviation gasoline into general use in the United States. Such approvals shall be issued when the Administrator finds that the aircraft or engine performs properly and meets the applicable regulations and minimum standards under the normal certification process.

SEC. 566. RIGHT TO PRIVACY WHEN USING AIR TRAFFIC CONTROL SYSTEM.

Notwithstanding any other provision of law, the Administrator shall, upon request of a private aircraft owner or operator, block the registration number of the aircraft of the owner or operator from any public dissemin-

ation or display, except in data made available to a Government agency, for the non-commercial flights of the owner or operator.

SEC. 567. FEDERAL AVIATION ADMINISTRATION WORKFORCE REVIEW.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall conduct a review to assess the workforce and training needs of the FAA in the anticipated budgetary environment.

(b) CONTENTS.—In conducting the review, the Comptroller General shall—

(1) identify the long-term workforce and training needs of the FAA workforce;

(2) assess the impact of automation, digitalization, and artificial intelligence on the FAA workforce;

(3) analyze the skills and qualifications required of the FAA workforce for successful performance in the current and future projected aviation environment;

(4) review current performance incentive policies of the FAA, including awards for performance;

(5) analyze ways in which the FAA can work with industry and labor, including labor groups representing the FAA workforce, to establish knowledge-sharing opportunities between the FAA and the aviation industry regarding new equipment and systems, best practices, and other areas of interest; and

(6) develop recommendations on the most effective qualifications, training programs (including e-learning training), and performance incentive approaches to address the needs of the future projected aviation regulatory system in the anticipated budgetary environment.

(c) REPORT.—Not later than 270 days after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the review.

SEC. 568. REVIEW OF APPROVAL PROCESS FOR USE OF LARGE AIR TANKERS AND VERY LARGE AIR TANKERS FOR WILDLAND FIREFIGHTING.

(a) REVIEW AND IMPROVEMENT OF CURRENT APPROVAL PROCESS.—The Chief of the Forest Service, in consultation with the Administrator, shall conduct a review of the process used by the Forest Service to approve the use of large air tankers and very large air tankers for wildland firefighting for the purpose of—

(1) determining the current effectiveness, safety, and consistency of the approval process;

(2) developing recommendations for improving the effectiveness, safety, and consistency of the approval process; and

(3) assisting in developing standardized next-generation requirements for air tankers used for firefighting.

(b) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Chief of the Forest Service shall submit to Congress a report describing the outcome of the review conducted under subsection (a).

SEC. 569. FAA TECHNICAL WORKFORCE.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(1) identify and assess barriers to attracting, developing, training, and retaining a talented workforce in the areas of systems engineering, architecture, systems integration, digital communications, and cybersecurity;

(2) develop a comprehensive plan to attract, develop, train, and retain talented individuals in those fields; and

(3) identify existing authorities available to the Administrator, through personnel reform, to attract, develop, and retain this talent.

(b) REPORT.—The Administrator shall submit to the appropriate committees of Congress a report on the progress made toward implementing the requirements under subsection (a).

SEC. 570. STUDY ON AIRPORT CREDIT ASSISTANCE.

(a) REVIEW.—

(1) IN GENERAL.—The Secretary of Transportation shall conduct a review to determine whether a Federal credit assistance program would be beneficial and feasible for airport-related projects as defined in section 40117(a) of title 49, United States Code.

(2) CONSIDERATIONS.—In carrying out the review under paragraph (1), the Secretary may consider—

(A) expanding eligibility under an existing Federal credit assistance program to include such projects; and

(B) establishing a new credit assistance program for such projects.

(b) REPORT.—Not later than 270 days after the date of enactment of this section, the Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on the Environment and Public Works of the Senate a report on the results of the review carried out under subsection (a). The report shall include a description of—

(1) the benefits and other effects;

(2) potential projects;

(3) the budgetary impacts, including an estimate of—

(A) the average annual loan volume;

(B) the average subsidy rate; and

(C) any loss of Federal revenue;

(4) impacts on existing programs;

(5) the administrative costs; and

(6) any personnel changes.

SEC. 571. SPECTRUM AVAILABILITY.

(a) FINDINGS.—Congress makes the following findings:

(1) The Spectrum Pipeline Act of 2015 (47 U.S.C. 921 note) requires the Secretary of Commerce to identify 30 megahertz of electromagnetic spectrum below the frequency of 3 gigahertz to be reallocated to non-Federal use, to shared Federal and non-Federal use, or to a combination thereof.

(2) The Spectrum Pipeline Act of 2015 (47 U.S.C. 921 note) authorized the Director of the Office of Management and Budget to use amounts made available through the Spectrum Relocation Fund to make payments to Federal entities for research and development, engineering studies, economic analyses, and other activities intended to improve the efficiency and effectiveness of Federal spectrum use in order to make such spectrum available for reallocation for non-Federal use, for shared Federal and non-Federal use, or for a combination thereof.

(3) The Federal Aviation Administration, in coordination with the Department of Commerce, the Department of Defense, and the Department of Homeland Security, established the Spectrum Efficient National Surveillance Radar (referred to in this section as “SENSR”) Program to assess the feasibility of consolidating certain long-range, short-range, and weather radar systems in order to make available the 1300-1350 megahertz band.

(4) The SENSR Program received approval and approximately \$71,500,000 from Office of Management and Budget on June 2, 2017, to proceed with Phase I of the SENSR Spectrum Pipeline Plan, which will focus on requirements and concept development as well as documenting expected costs and information for all impacted Federal spectrum systems.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the SENSR Program of the

FAA should continue its assessment of the feasibility of making the 1300–1350 megahertz band of electromagnetic spectrum available for non-Federal use.

SEC. 572. SPECIAL REVIEW RELATING TO AIR SPACE CHANGES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Federal Aviation Management Advisory Council established under section 106(p) of title 49, United States Code (in this section referred to as the “Council”) shall initiate a special review of the Federal Aviation Administration.

(b) REVIEW.—The special review of the Administration required under subsection (a) shall consist of the following:

(1) A review of the practices and procedures of the Federal Aviation Administration for developing proposals with respect to changes in regulations, policies, or guidance of the Federal Aviation Administration relating to airspace that affect airport operations, airport capacity, the environment, or communities in the vicinity of airports, including an assessment of the extent to which there is consultation, or a lack of consultation, with respect to such proposals—

(A) between and among the affected elements of the Federal Aviation Administration, including the Air Traffic Organization, the Office of Airports, the Flight Standards Service, the Office of NextGen, and the Office of Energy and Environment; and

(B) between the Federal Aviation Administration and affected entities, including airports, aircraft operators, communities, and State and local governments.

(2) Recommendations for revisions to such practices and procedures to improve communications and coordination between and among affected elements of the Federal Aviation Administration and with other affected entities with respect to proposals described in paragraph (1) and the potential effects of such proposals.

(c) CONSULTATION.—In conducting the special review, the Council shall consult with—

(1) air carriers, including passenger and cargo air carriers;

(2) general aviation, including business aviation and fixed wing aircraft and rotorcraft;

(3) airports of various sizes and types;

(4) exclusive bargaining representatives of air traffic controllers certified under section 7111 of title 5, United States Code; and

(5) State aviation officials.

(d) REPORT REQUIRED.—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the results of the special review conducted by the Council, including a description of the comments, recommendations, and dissenting views received from the Council and a description of how the Administrator plans to implement the recommendations of the Council.

SEC. 573. REIMBURSEMENT FOR IMMIGRATION INSPECTIONS.

Section 286(i) of the Immigration and Nationality Act (8 U.S.C. 1356(i)) is amended—

(1) by inserting “, train,” after “commercial aircraft”; and

(2) by inserting “, rail line,” after “airport”.

SEC. 574. FAA EMPLOYEES IN GUAM.

(a) IN GENERAL.—The Secretary of Transportation shall use existing authorities to negotiate an agreement that shall be renegotiated after no sooner than 3 years with the Secretary of Defense—

(1) to authorize Federal Aviation Administration employees assigned to Guam, their spouses, and their dependent children access to Department of Defense health care facilities located in Guam on a space available basis; and

(2) to provide for payments by the Federal Aviation Administration to the Department of Defense for the administrative and any other costs associated with—

(A) enrolling Federal Aviation Administration employees assigned to Guam, their spouses, and their dependent children in any Department of Defense health care facility necessary to allow access pursuant to paragraph (1); and

(B) third-party billing for any medical costs incurred as a result of Federal Aviation Administration employees, their spouses, or their dependent children accessing and receiving medical treatment or services at a Department of Defense health care facility located in Guam.

(b) FUNDS SUBJECT TO APPROPRIATIONS.—Funds for payments by the Federal Aviation Administration described in subsection (a)(2) are subject to the availability of amounts specifically provided in advance for that purpose in appropriations Acts.

(c) REPORT ON ACCESS TO FACILITIES OF THE DEPARTMENT OF DEFENSE IN GUAM.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Transportation and the Secretary of Defense shall jointly submit a report to the Committees on Armed Services of the Senate and the House of Representatives, the Committee on Commerce of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives on eligibility for and access to Department of Defense support facilities by Federal Aviation Administration employees in the U.S. territory of Guam.

(2) SCOPE.—The report required under paragraph (1) shall:

(A) Evaluate the ability of Department of Defense support facilities in Guam to adequately serve current military personnel and dependent populations.

(B) Determine how any substantial increases to military personnel and dependent populations in Guam would impact the ability of existing Department of Defense support facilities to provide services for military personnel and dependents stationed in Guam.

(C) Provide recommendations on any improvements to existing Department of Defense facilities which may be needed to ensure those facilities in Guam can support an increased population of military personnel and dependent population in Guam.

(D) Consider the impact of expanded access to Department of Defense support facilities in Guam to Federal Aviation Administration employees and their families on the ability of those facilities to provide services to military personnel and their families.

(E) Recognize the Federal Aviation Administration's vital role as the sole provider of radar air traffic control services for aircraft traversing into and out of the airspace near and above Guam the vast majority of which are military operations, Department of Defense aircraft, or other aircraft traveling to Guam in order to interact with Department of Defense facilities.

(F) Review the existing authorities authorizing eligibility and access for non-military personnel and their dependents to Department of Defense support facilities, including health care facilities, commissaries, and exchanges, outside the continental United States.

(G) Determine the applicability of those existing authorities to Department of Defense support facilities in the U.S. territory of Guam.

(H) Outline the specific conditions on Guam, which may necessitate access to Department of Defense support facilities in Guam by Federal Aviation Administration personnel and their families.

(I) Determine any changes in laws or regulations that may be necessary to authorize Federal Aviation Administration employees and their families access to Department of Defense health care facilities, commissaries, and exchanges in Guam.

SEC. 575. GAO STUDY ON AIRLINE COMPUTER NETWORK DISRUPTIONS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report containing a review of the following:

(1) Direct and indirect effects on passengers, if any, resulting from significant computer network disruptions of part 121 (of title 49, Code of Federal Regulations) air carriers between January 1, 2014, and the date of enactment of this section, including—

(A) systemwide delays;

(B) flight cancellations; and

(C) disrupted or broken itineraries.

(2) An estimate of any expenses incurred by passengers during significant computer network disruptions, including—

(A) meals, lodging, and ancillary expenses per persons;

(B) late hotel check-in or car rental fees;

(C) missed cruise-ship departures; and

(D) lost productivity.

(3) Air carriers' contracts of carriage and interline agreements to determine if and how air carriers accommodate passengers affected by significant computer network disruptions on other air carriers or foreign air carriers.

(4) Whether passengers who have been displaced by significant computer network disruptions are furnished with alternative transportation aboard another air carrier or foreign air carrier.

(5) Costs incurred by airports, if any, to meet the essential needs of passengers, including increased demands on utilities, food concessionaires, restroom facilities, and security staffing, during significant computer network disruptions.

(6) Other costs, if any, incurred by passengers, airports, and other entities as a direct result of significant computer network disruptions.

(7) Processes, plans, and redundancies in place at air carriers to respond to and recover from such network disruptions.

SEC. 576. TOWER MARKING.

Section 2110 of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44718 note) is amended to read as follows:

“SEC. 2110. TOWER MARKING.

“(a) APPLICATION.—

“(1) IN GENERAL.—Except as provided by paragraph (2), not later than 18 months after the date of enactment of the FAA Reauthorization Act of 2018 or the date of availability of the database developed by the Administrator pursuant to subsection (c), whichever is later, all covered towers shall be either—

“(A) clearly marked consistent with applicable guidance in the advisory circular of the FAA issued December 4, 2015 (AC 70/7460-IL); or

“(B) included in the database described in subsection (c).

“(2) METEOROLOGICAL EVALUATION TOWER.—A covered tower that is a meteorological evaluation tower shall be subject to the requirements of subparagraphs (A) and (B) of paragraph (1).

“(b) DEFINITIONS.—

“(1) IN GENERAL.—In this section, the following definitions apply:

“(A) COVERED TOWER.—

“(i) IN GENERAL.—The term ‘covered tower’ means a structure that—

“(I) is a meteorological evaluation tower, a self-standing tower, or tower supported by guy wires and ground anchors;

“(II) is 10 feet or less in diameter at the above-ground base, excluding concrete footing;

“(III) at the highest point of the structure is at least 50 feet above ground level;

“(IV) at the highest point of the structure is not more than 200 feet above ground level;

“(V) has accessory facilities on which an antenna, sensor, camera, meteorological instrument, or other equipment is mounted; and

“(VI) is located on land that is—

“(aa) in a rural area; and

“(bb) used for agricultural purposes or immediately adjacent to such land.

“(ii) **EXCLUSIONS.**—The term ‘covered tower’ does not include any structure that—

“(I) is adjacent to a house, barn, electric utility station, or other building;

“(II) is within the curtilage of a farmstead or adjacent to another building or visible structure;

“(III) supports electric utility transmission or distribution lines;

“(IV) is a wind-powered electrical generator with a rotor blade radius that exceeds 6 feet;

“(V) is a street light erected or maintained by a Federal, State, local, or tribal entity;

“(VI) is designed and constructed to resemble a tree or visible structure other than a tower;

“(VII) is an advertising billboard;

“(VIII) is located within the right-of-way of a rail carrier, including within the boundaries of a rail yard, and is used for a railroad purpose;

“(IX)(aa) is registered with the Federal Communications Commission under the Antenna Structure Registration program set forth under part 17 of title 47, Code of Federal Regulations; and

“(bb) is determined by the Administrator to pose no hazard to air navigation; or

“(X) has already mitigated any hazard to aviation safety in accordance with Federal Aviation Administration guidance or as otherwise approved by the Administrator.

“(B) **RURAL AREA.**—The term ‘rural area’ has the meaning given the term in section 609(a)(5) of the Public Utility Regulatory Policies Act of 1978 (7 U.S.C. 918c(a)(5)).

“(C) **AGRICULTURAL PURPOSES.**—The term ‘agricultural purposes’ means farming in all its branches and the cultivation and tillage of the soil, the production, cultivation, growing, and harvesting of any agricultural or horticultural commodities performed by a farmer or on a farm, or on pasture land or rangeland.

“(2) **OTHER DEFINITIONS.**—The Administrator shall define such other terms as may be necessary to carry out this section.

“(c) **DATABASE.**—The Administrator shall—

- “(1) develop a new database, or if appropriate use an existing database that meets the requirements under this section, that contains the location and height of each covered tower that, pursuant to subsection (a), the owner or operator of such tower elects not to mark (unless the Administrator has determined that there is a significant safety risk requiring that the tower be marked), except that meteorological evaluation towers shall be marked and contained in the database;

- “(2) keep the database current to the extent practicable;

- “(3) ensure that any proprietary information in the database is protected from disclosure in accordance with law;

- “(4) ensure that, by virtue of accessing the database, users agree and acknowledge that information in the database—

- “(A) may only be used for aviation safety purposes; and

- “(B) may not be disclosed for purposes other than aviation safety, regardless of whether or not the information is marked or

labeled as proprietary or with a similar designation;

- “(5) ensure that the tower information in the database is de-identified and that the information only includes the location and height of covered towers and whether the tower has guy wires;

- “(6) ensure that information in the dataset is encrypted at rest and in transit and is protected from unauthorized access and acquisition;

- “(7) ensure that towers excluded from the definition of covered tower under subsection (d)(1)(B)(ii)(VIII) must be registered by its owner in the database;

- “(8) ensure that a tower to be included in the database pursuant to subsection (c)(1) and constructed after the date on which the database is fully operational is submitted by its owner to the FAA for inclusion in the database before its construction;

- “(9) ensure that pilots who intend to conduct low-altitude operations in locations described in subsection (b)(1)(A)(i)(VI) consult the relevant parts of the database before conducting such operations; and

- “(10) make the database available for use not later than 1 year after the date of enactment of the FAA Reauthorization Act of 2018.

“(d) **EXCLUSION AND WAIVER AUTHORITIES.**—As part of a rulemaking conducted pursuant to this section, the Administrator—

- “(1) may exclude a class, category, or type of tower that is determined by the Administrator, after public notice and comment, to not pose a hazard to aviation safety;

- “(2) shall establish a process to waive specific covered towers from the marking requirements under this section as required under the rulemaking if the Administrator later determines such tower or towers do not pose a hazard to aviation safety;

- “(3) shall consider, in establishing exclusions and granting waivers under this subsection, factors that may sufficiently mitigate risks to aviation safety, such as the length of time the tower has been in existence or alternative marking methods or technologies that maintains a tower’s level of conspicuousness to a degree which adequately maintains the safety of the airspace; and

- “(4) shall consider excluding towers located in a State that has enacted tower marking requirements according to the Federal Aviation Administration’s recommended guidance for the voluntary marking of meteorological evaluation towers erected in remote and rural areas that are less than 200 feet above ground level to enhance the conspicuity of the towers for low level agricultural operations in the vicinity of those towers.

“(e) **PERIODIC REVIEW.**—The Administrator shall, in consultation with the Federal Communications Commission, periodically review any regulations or guidance regarding the marking of covered towers issued pursuant to this section and update them as necessary, consistent with this section, and in the interest of safety of low-altitude aircraft operations.

“(f) **FCC REGULATIONS.**—The Federal Communications Commission shall amend section 17.7 of title 47, Code of Federal Regulations, to require a notification to the Federal Aviation Administration for any construction or alteration of an antenna structure, as defined in section 17.2(a) of title 47, Code of Federal Regulations, that is a covered tower as defined by this section.”

SEC. 577. MINIMUM DIMENSIONS FOR PASSENGER SEATS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, and after providing notice and an opportunity for comment, the Administrator of the Federal

Aviation Administration shall issue regulations that establish minimum dimensions for passenger seats on aircraft operated by air carriers in interstate air transportation or intrastate air transportation, including minimums for seat pitch, width, and length, and that are necessary for the safety of passengers.

(b) **DEFINITIONS.**—The definitions contained in section 40102(a) of title 49, United States Code, apply to this section.

SEC. 578. JUDICIAL REVIEW FOR PROPOSED ALTERNATIVE ENVIRONMENTAL REVIEW AND APPROVAL PROCEDURES.

Section 330 of title 23, United States Code, is amended—

- (1) in subsection (a)(2), by striking “5 States” and inserting “2 States”; and

- (2) in subsection (e)—

- (A) in paragraph (2)(A), by striking “2 years” and inserting “150 days as set forth in section 139(1)”;

- (B) in paragraph (3)(B)(i), by striking “2 years” and inserting “150 days as set forth in section 139(1)”.

SEC. 579. REGULATORY STREAMLINING.

Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final regulation revising section 121.333(c)(3) of title 14, Code of Federal Regulations, to apply only to flight altitudes above flight level 410.

SEC. 580. SPACEPORTS.

(a) **SENSE OF CONGRESS ON STATE SPACEPORT CONTRIBUTIONS.**—It is the Sense of Congress that—

- (1) State and local government-owned or -operated spaceports have contributed hundreds of millions of dollars in infrastructure improvements to the national space launch infrastructure, providing the United States Government and commercial customers with world-class space launch and processing infrastructure that is necessary to support continued American leadership in space;

- (2) State and local government-owned or -operated spaceports play a critical role in providing resiliency and redundancy in the national launch infrastructure to support national security and civil government capabilities, and should be recognized as a critical infrastructure in Federal strategy and planning;

- (3) continued State and local government investments at launch and reentry facilities should be encouraged and to the maximum extent practicable supported in Federal policies, planning and infrastructure investment considerations, including through Federal, State, and local partnerships;

- (4) Federal investments in space infrastructure should enable partnerships between Federal agencies and state and local spaceports to modernize and enable expanded 21st century space transportation infrastructure, especially multi-modal networks needed for robust space transportation that support national security, civil, and commercial launch customers; and

- (5) States and local governments that have made investments to build, maintain, operate, and improve capabilities for national security, civil, and commercial customers should be commended for their infrastructure contributions to launch and reentry sites, and encouraged through a variety of programs and policies to continue these investments in the national interest.

(b) **ESTABLISHMENT OF OFFICE OF SPACEPORTS.**—

(1) **ESTABLISHMENT OF OFFICE OF SPACEPORTS.**—Title 51, United States Code, is amended by adding at the end of subtitle V the following:

“CHAPTER 515—OFFICE OF SPACEPORTS**“§ 51501. Establishment of Office of Spaceports**

“(a) ESTABLISHMENT OF OFFICE.—Not later than 90 days after the date of enactment of this section, the Secretary of Transportation shall identify, within the Office of Commercial Space Transportation, a centralized policy office to be known as the Office of Spaceports.

“(b) FUNCTIONS.—The Office of Spaceports shall—

“(1) support licensing activities for operation of launch and reentry sites;

“(2) develop policies that promote infrastructure improvements at spaceports;

“(3) provide technical assistance and guidance to spaceports;

“(4) promote United States spaceports within the Department; and

“(5) strengthen the Nation’s competitiveness in commercial space transportation infrastructure and increase resilience for the Federal Government and commercial customers.

“(c) RECOGNITION.—In carrying out the functions assigned in subsection (b), the Secretary shall recognize the unique needs and distinctions of spaceports that host—

“(1) launches to or reentries from orbit; and

“(2) are involved in suborbital launch activities.

“(d) DIRECTOR.—The head of the Office of the Associate Administrator for Commercial Space Transportation shall designate a Director of the Office of Spaceports.

“(e) DEFINITION.—In this section the term ‘spaceport’ means a launch or reentry site that is operated by an entity licensed by the Secretary of Transportation.”

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of chapters of title 51, United States Code, is amended by adding at the end of subtitle V the following:

“515. Office of Spaceports 51501”.

(c) REPORT ON NATIONAL SPACEPORTS POLICY.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) A robust network of space transportation infrastructure, including spaceports, is vital to the growth of the domestic space industry and America’s competitiveness and access to space.

(B) Non-Federal spaceports have significantly increased the space transportation infrastructure of the United States through significant investments by State and local governments, which have encouraged greater private investment.

(C) These spaceports have led to the development of a growing number of orbital and suborbital launch and reentry sites that are available to the national security, civil, and commercial space customers at minimal cost to the Federal Government.

(D) The Federal Government, led by the Secretary of Transportation, should seek to promote the growth, resilience, and capabilities of this space transportation infrastructure through policies and through partnerships with State and local governments.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall submit to Congress a report that—

(A) evaluates the Federal Government’s national security and civil space transportation demands and the needs of the United States and international commercial markets;

(B) proposes policies and programs designed to ensure a robust and resilient orbital and suborbital spaceport infrastructure to serve and capitalize on these space transportation opportunities;

(C) reviews the development and investments made by international competitors in foreign spaceports, to the extent practicable;

(D) makes recommendations on how the Federal Government can support, encourage, promote, and facilitate greater investments in infrastructure at spaceports; and

(E) considers and makes recommendations about how spaceports can fully support and enable the national space policy.

(3) UPDATES TO THE REPORT.—Not later than 3 years after the date of enactment of this Act and every 2 years until December 2024, the Secretary shall—

(A) update the previous report prepared under this subsection; and

(B) submit the updated report to Congress.

(4) CONSULTATIONS REQUIRED.—In preparing the reports required by this subsection, the Secretary shall consult with individuals including—

(A) the Secretary of Defense;

(B) the Secretary of Commerce;

(C) the Administrator of the National Aeronautics and Space Administration; and

(D) interested persons at spaceports, State and local governments, and industry.

(d) REPORT ON SPACE TRANSPORTATION INFRASTRUCTURE MATCHING GRANTS.—

(1) GAO STUDY AND REPORT.—The Comptroller General of the United States shall conduct a study regarding spaceport activities carried out pursuant to chapters 509 and 511 of title 51, United States Code, including—

(A) an assessment of potential mechanisms to provide Federal support to spaceports, including the airport improvement program established under subchapter I of chapter 471 of title 49, United States Code, and the program established under chapter 511 of title 51, United States Code;

(B) recommendations for potential funding options; and

(C) any necessary changes to improve the spaceport application review process.

(2) CONSULTATION.—In carrying out the study described in paragraph (1), the Comptroller General shall consult with sources from each component of the commercial space transportation sector, including interested persons in industry and government officials at the Federal, State, and local levels.

(3) USER-FUNDED SPACEPORTS.—In reviewing funding options, the Comptroller General shall distinguish between spaceports that are funded by users and those that are not.

(4) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing results of the study conducted under paragraph (1).

(e) DEFINITION.—In this section, the term “spaceport” means a launch or reentry site that is operated by an entity licensed by the Secretary of Transportation.

SEC. 581. SPECIAL RULE FOR CERTAIN AIRCRAFT OPERATIONS (SPACE SUPPORT VEHICLES).

(a) SPACE SUPPORT VEHICLE DEFINITIONS.—Section 50902 of title 51, United States Code, is amended—

(1) by redesignating paragraphs (21) through (25) as paragraphs (23) through (27), respectively; and

(2) by inserting after paragraph (20) the following:

“(21) ‘space support vehicle flight’ means a flight in the air that—

“(A) is not a launch or reentry; but

“(B) is conducted by a space support vehicle.

“(22) ‘space support vehicle’ means a vehicle that is—

“(A) a launch vehicle;

“(B) a reentry vehicle; or

“(C) a component of a launch or reentry vehicle.”.

(b) SPECIAL RULE FOR CERTAIN AIRCRAFT OPERATIONS.—

(1) IN GENERAL.—Chapter 447, of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“§ 44737. Special rule for certain aircraft operations.

“(a) IN GENERAL.—The operator of an aircraft with a special airworthiness certification in the experimental category may—

“(1) operate the aircraft for the purpose of conducting a space support vehicle flight (as that term is defined in chapter 50902 of title 51); and

“(2) conduct such flight under such certificate carrying persons or property for compensation or hire —

“(A) notwithstanding any rule or term of a certificate issued by the Administrator of the Federal Aviation Administration that would prohibit flight for compensation or hire; or

“(B) without obtaining a certificate issued by the Administrator to conduct air carrier or commercial operations.

“(b) LIMITED APPLICABILITY.—Subsection (a) shall apply only to a space support vehicle flight that satisfies each of the following:

“(1) (I) The aircraft conducting the space support vehicle flight—

“(A) takes flight and lands at a single site that is operated by an entity licensed for operation under chapter 509 of title 51;

“(B) is owned or operated by a launch or reentry vehicle operator licensed under chapter 509 of title 51, or on behalf of a launch or reentry vehicle operator licensed under chapter 509 of title 51;

“(C) is a launch vehicle, a reentry vehicle, or a component of a launch or reentry vehicle licensed for operations pursuant to chapter 509 of title 51; and

“(D) is used only to simulate space flight conditions in support of—

“(i) training for potential space flight participants, government astronauts, or crew (as those terms are defined in chapter 509 of title 51);

“(ii) the testing of hardware to be used in space flight; or

“(iii) research and development tasks, which require the unique capabilities of the aircraft conducting the flight.

“(c) RULES OF CONSTRUCTION.—

“(1) SPACE SUPPORT VEHICLES.—Section 44711(a)(1) shall not apply to a person conducting a space support vehicle flight under this section only to the extent that a term of the experimental certificate under which the person is operating the space support vehicle prohibits the carriage of persons or property for compensation or hire.

“(2) AUTHORITY OF ADMINISTRATOR.—Nothing in this section shall be construed to limit the authority of the Administrator of the Federal Aviation Administration to exempt a person from a regulatory prohibition on the carriage of persons or property for compensation or hire subject to terms and conditions other than those described in this section”.

(2) TECHNICAL AMENDMENT.—The table of contents of 447 of title 49, United States Code, as amended by this Act, is further amended by adding at the end the following:

“Sec. 44737. Special rule for certain aircraft operations.”.

(3) RULE OF CONSTRUCTION RELATING TO ROLE OF NASA.—Nothing in this subsection shall be construed as limiting the ability of National Aeronautics and Space Administration (NASA) to place conditions on or otherwise qualify the operations of NASA contractors providing NASA services.

SEC. 582. PORTABILITY OF REPAIRMAN CERTIFICATES.

(a) IN GENERAL.—The Administrator shall assign to the Aviation Rulemaking Advisory

Committee the task of making recommendations with respect to the regulatory and policy changes, as appropriate, to allow a repairman certificate issued under section 65.101 of title 14, Code of Federal Regulations, to be portable from one employing certificate holder to another.

(b) **ACTION BASED ON RECOMMENDATIONS.**—Not later than 1 year after receiving recommendations under subsection (a), the Administrator may take such action as the Administrator considers appropriate with respect to those recommendations.

SEC. 583. UNDECLARED HAZARDOUS MATERIALS PUBLIC AWARENESS CAMPAIGN.

(a) **IN GENERAL.**—The Secretary of Transportation shall carry out a public awareness campaign to reduce the amount of undeclared hazardous materials traveling through air commerce.

(b) **CAMPAIGN REQUIREMENTS.**—The public awareness campaign required under subsection (a) shall do the following:

(1) Focus on targeting segments of the hazardous materials industry with high rates of undeclared shipments through air commerce and educate air carriers, shippers, manufacturers, and other relevant stakeholders of such segments on properly packaging and classifying such shipments.

(2) Educate the public on proper ways to declare and ship hazardous materials, examples of everyday items that are considered hazardous materials, and penalties associated with intentional shipments of undeclared hazardous materials.

(c) **INTERAGENCY WORKING GROUP.**—

(1) **ESTABLISHMENT.**—Not later than 30 days after the date of enactment of this Act, the Secretary of Transportation shall establish an interagency working group to promote collaboration and engagement between the Department of Transportation and other relevant agencies, and develop recommendations and guidance on how best to conduct the public awareness campaign required under subsection (a).

(2) **DUTIES.**—The interagency working group shall consult with relevant stakeholders, including cargo air carriers, passenger air carriers, and labor organizations representing pilots for cargo and passenger air carriers operating under part 121 of title 14, Code of Federal Regulations.

(d) **UPDATE.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Transportation shall provide to the appropriate committees of Congress an update on the status of the public awareness campaign required under subsection (a).

SEC. 584. LIABILITY PROTECTION FOR VOLUNTEER PILOTS WHO FLY FOR THE PUBLIC BENEFIT.

Section 4 of the Volunteer Protection Act of 1997 (42 U.S.C. 14503) is amended—

(1) by redesignating subsections (b) through (f) as subsections (c) through (g), respectively;

(2) in subsection (a), by striking “subsections (b) and (d)” and inserting “subsections (b), (c), and (e)”;

(3) by inserting after subsection (a) the following:

“(b) **LIABILITY PROTECTION FOR PILOTS THAT FLY FOR PUBLIC BENEFIT.**—Except as provided in subsections (c) and (e), no volunteer of a volunteer pilot nonprofit organization that arranges flights for public benefit shall be liable for harm caused by an act or omission of the volunteer on behalf of the organization if, at the time of the act or omission, the volunteer—

“(1) was operating an aircraft in furtherance of the purpose of, and acting within the scope of the volunteer’s responsibilities on behalf of, the nonprofit organization to provide patient and medical transport (including medical transport for veterans), disaster

relief, humanitarian assistance, or other similar charitable missions;

“(2) was properly licensed and insured for the operation of the aircraft;

“(3) was in compliance with all requirements of the Federal Aviation Administration for recent flight experience; and

“(4) did not cause the harm through willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious, flagrant indifference to the rights or safety of the individual harmed by the volunteer.”; and

(4) in subsection (g)(2), as redesignated, by striking “(e)” and inserting “(f)”.

TITLE VI—AVIATION WORKFORCE

Subtitle A—Youth in Aviation

SEC. 601. STUDENT OUTREACH REPORT.

Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report that describes the Administration’s existing outreach efforts, such as the STEM Aviation and Space Education Outreach Program, to elementary and secondary students who are interested in careers in science, technology, engineering, art, and mathematics—

(1) to prepare and inspire such students for aviation and aeronautical careers; and

(2) to mitigate an anticipated shortage of pilots and other aviation professionals.

SEC. 602. YOUTH ACCESS TO AMERICAN JOBS IN AVIATION TASK FORCE.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a Youth Access to American Jobs in Aviation Task Force (in this section referred to as the “Task Force”).

(b) **DUTIES.**—Not later than 12 months after its establishment under subsection (a), the Task Force shall develop and submit to the Administrator recommendations and strategies for the Administration to—

(1) facilitate and encourage high school students in the United States, beginning in their junior year, to enroll in and complete career and technical education courses, including STEM, that would prepare them to enroll in a course of study related to an aviation career at an institution of higher education, including a community college or trade school;

(2) facilitate and encourage the students described in paragraph (1) to enroll in a course of study related to an aviation career, including aviation manufacturing, engineering and maintenance, at an institution of higher education, including a community college or trade school; and

(3) identify and develop pathways for students who complete a course of study described in paragraph (2) to secure registered apprenticeships, workforce development programs, or careers in the aviation industry of the United States.

(c) **CONSIDERATIONS.**—When developing recommendations and strategies under subsection (b), the Task Force shall—

(1) identify industry trends that encourage or discourage youth in the United States from pursuing careers in aviation;

(2) consider how the Administration; air carriers; aircraft, powerplant, and avionics manufacturers; aircraft repair stations; and other aviation stakeholders can coordinate efforts to support youth in pursuing careers in aviation;

(3) identify methods of enhancing aviation apprenticeships, job skills training, mentorship, education, and outreach programs that are exclusive to youth in the United States; and

(4) identify potential sources of government and private sector funding, including grants and scholarships, that may be used to

carry out the recommendations and strategies described in subsection (b) and to support youth in pursuing careers in aviation.

(d) **REPORT.**—Not later than 30 days after submission of the recommendations and strategies under subsection (b), the Task Force shall submit to the appropriate committees of Congress a report outlining such recommendations and strategies.

(e) **COMPOSITION OF TASK FORCE.**—The Administrator shall appoint members of the Task Force, including representatives from the following:

(1) Air carriers.

(2) Aircraft, powerplant, and avionics manufacturers.

(3) Aircraft repair stations.

(4) Local educational agencies or high schools.

(5) Institutions of higher education, including community colleges and aviation trade schools.

(6) Such other aviation and educational stakeholders and experts as the Administrator considers appropriate.

(f) **PERIOD OF APPOINTMENT.**—Members shall be appointed to the Task Force for the duration of the existence of the Task Force.

(g) **COMPENSATION.**—Task Force members shall serve without compensation.

(h) **SUNSET.**—The Task Force shall terminate upon the submittal of the report pursuant to subsection (d).

(i) **DEFINITION OF STEM.**—The term “STEM” means—

(1) science, technology, engineering, and mathematics; and

(2) other career and technical education subjects that build on the subjects described in paragraph (1).

Subtitle B—Women in Aviation

SEC. 611. SENSE OF CONGRESS REGARDING WOMEN IN AVIATION.

It is the sense of Congress that the aviation industry should explore all opportunities, including pilot training, science, technology, engineering, and mathematics education, and mentorship programs, to encourage and support female students and aviators to pursue a career in aviation.

SEC. 612. SUPPORTING WOMEN’S INVOLVEMENT IN THE AVIATION FIELD.

(a) **ADVISORY BOARD.**—To encourage women and girls to enter the field of aviation, the Administrator of the Federal Aviation Administration shall create and facilitate the Women in Aviation Advisory Board (referred to in this section as the “Board”), with the objective of promoting organizations and programs that are providing education, training, mentorship, outreach, and recruitment of women into the aviation industry.

(b) **COMPOSITION.**—The Board shall consist of members whose diverse background and expertise allow them to contribute balanced points of view and ideas regarding the strategies and objectives set forth in subsection (f).

(c) **SELECTION.**—Not later than 9 months after the date of enactment of this Act, the Administrator shall appoint members of the Board, including representatives from the following:

(1) Major airlines and aerospace companies.

(2) Nonprofit organizations within the aviation industry.

(3) Aviation business associations.

(4) Engineering business associations.

(5) United States Air Force Auxiliary, Civil Air Patrol.

(6) Institutions of higher education and aviation trade schools.

(d) **PERIOD OF APPOINTMENT.**—Members shall be appointed to the Board for the duration of the existence of the Board.

(e) **COMPENSATION.**—Board members shall serve without compensation.

(f) **DUTIES.**—Not later than 18 months after the date of enactment of this Act, the Board

shall present a comprehensive plan for strategies the Administration can take, which include the following objectives:

(1) Identifying industry trends that directly or indirectly encourage or discourage women from pursuing careers in aviation.

(2) Coordinating the efforts of airline companies, nonprofit organizations, and aviation and engineering associations to facilitate support for women pursuing careers in aviation.

(3) Creating opportunities to expand existing scholarship opportunities for women in the aviation industry.

(4) Enhancing aviation training, mentorship, education, and outreach programs that are exclusive to women.

(g) REPORTS.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Board shall submit a report outlining the comprehensive plan for strategies pursuant to subsection (f) to the Administrator and the appropriate committees of Congress.

(2) AVAILABILITY ONLINE.—The Administrator shall make the report publicly available online and in print.

(h) SUNSET.—The Board shall terminate upon the submittal of the report pursuant to subsection (g).

Subtitle C—Future of Aviation Workforce

SEC. 621. AVIATION AND AEROSPACE WORKFORCE OF THE FUTURE.

(a) FINDINGS.—Congress finds that—

(1) in 2016, United States air carriers carried a record high number of passengers on domestic flights, 719 million passengers;

(2) the United States aerospace and defense industry employed 1.7 million workers in 2015, or roughly 2 percent of the Nation's total employment base;

(3) the average salary of an employee in the aerospace and defense industry is 44 percent above the national average;

(4) in 2015, the aerospace and defense industry contributed nearly \$202.4 billion in value added to the United States economy;

(5) an effective aviation industry relies on individuals with unique skill sets, many of which can be directly obtained through career and technical education opportunities; and

(6) industry and the Federal Government have taken some actions to attract qualified individuals to careers in aviation and aerospace and to retain qualified individuals in such careers.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) public and private education institutions should make available to students and parents information on approved programs of study and career pathways, including career exploration, work-based learning opportunities, dual and concurrent enrollment opportunities, and guidance and advisement resources;

(2) public and private education institutions should partner with aviation and aerospace companies to promote career paths available within the industry and share information on the unique benefits and opportunities the career paths offer;

(3) aviation companies, including air carriers, manufacturers, commercial space companies, unmanned aircraft system companies, and repair stations, should create opportunities, through apprenticeships or other mechanisms, to attract young people to aviation and aerospace careers and to enable individuals to gain the critical skills needed to thrive in such professions; and

(4) the Federal Government should consider the needs of men and women interested in pursuing careers in the aviation and aerospace industry, the long-term personnel needs of the aviation and aerospace industry, and the role of aviation in the United States

economy in the creation and administration of educational and financial aid programs.

SEC. 622. AVIATION AND AEROSPACE WORKFORCE OF THE FUTURE STUDY.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States shall initiate a study—

(1) to evaluate the current and future supply of individuals in the aviation and aerospace workforce;

(2) to identify the factors influencing the supply of individuals pursuing a career in the aviation or aerospace industry, including barriers to entry into the workforce; and

(3) to identify methods to increase the future supply of individuals in the aviation and aerospace workforce, including best practices or programs to incentivize, recruit, and retain young people in aviation and aerospace professions.

(b) CONSULTATION.—The Comptroller General shall conduct the study in consultation with—

(1) appropriate Federal agencies; and

(2) the aviation and aerospace industry, institutions of higher education, and labor stakeholders.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study and related recommendations.

SEC. 623. SENSE OF CONGRESS ON HIRING VETERANS.

It is the sense of Congress that the aviation industry, including certificate holders under parts 121, 135, and 145 of title 14, Code of Federal Regulations, should hire more of the Nation's veterans.

SEC. 624. AVIATION MAINTENANCE INDUSTRY TECHNICAL WORKFORCE.

(a) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall issue a final rule to modernize training programs at aviation maintenance technician schools governed by part 147 of title 14, Code of Federal Regulations.

(b) GUIDANCE.—Not later than 180 days after the date of enactment of this Act, the Administrator shall coordinate with government, educational institutions, labor organizations representing aviation maintenance workers, and businesses to develop and publish guidance or model curricula for aviation maintenance technician schools referred to in subsection (a) to ensure workforce readiness for industry needs, including curricula related to training in avionics, troubleshooting, and other areas of industry needs.

(c) REVIEW AND PERIODIC UPDATES.—The Administrator shall—

(1) ensure training programs referred to in subsection (a) are revised and updated in correlation with aviation maintenance technician airman certification standards as necessary to reflect current technology and maintenance practices; and

(2) publish updates to the guidance or model curricula required under subsection (b) at least once every 2 years, as necessary, from the date of initial publication.

(d) REPORT TO CONGRESS.—If the Administrator does not issue such final rule by the deadline specified in subsection (a), the Administrator shall, not later than 30 days after such deadline, submit to the appropriate committees of Congress a report containing—

(1) an explanation as to why such final rule was not issued by such deadline; and

(2) a schedule for issuing such final rule.

(e) STUDY.—The Comptroller General of the United States shall conduct a study on technical workers in the aviation maintenance industry.

(f) CONTENTS.—In conducting the study under subsection (e), the Comptroller General shall—

(1) analyze the current Standard Occupational Classification system with regard to the aviation profession, particularly technical workers in the aviation maintenance industry;

(2) analyze how changes to the Federal employment classification of aviation maintenance industry workers might affect government data on unemployment rates and wages;

(3) analyze how changes to the Federal employment classification of aviation maintenance industry workers might affect projections for future aviation maintenance industry workforce needs and project technical worker shortfalls;

(4) analyze the impact of Federal regulation, including Federal Aviation Administration oversight of certification, testing, and education programs, on employment of technical workers in the aviation maintenance industry;

(5) develop recommendations on how Federal Aviation Administration regulations and policies could be improved to modernize training programs at aviation maintenance technical schools and address aviation maintenance industry needs for technical workers;

(6) develop recommendations for better coordinating actions by government, educational institutions, and businesses to support workforce growth in the aviation maintenance industry; and

(7) develop recommendations for addressing the needs for government funding, private investment, equipment for training purposes, and other resources necessary to strengthen existing training programs or develop new training programs to support workforce growth in the aviation industry.

(g) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appropriate committees of Congress a report on the results of the study.

(h) DEFINITIONS.—In this section, the following definitions apply:

(1) AVIATION MAINTENANCE INDUSTRY.—The term “aviation maintenance industry” means repair stations certificated under part 145 of title 14, Code of Federal Regulations.

(2) TECHNICAL WORKER.—The term “technical worker” means an individual authorized under part 43 of title 14, Code of Federal Regulations, to maintain, rebuild, alter, or perform preventive maintenance on an aircraft, airframe, aircraft engine, propeller, appliance, or component part or employed by an entity so authorized to perform such a function.

SEC. 625. AVIATION WORKFORCE DEVELOPMENT PROGRAMS.

(a) IN GENERAL.—The Secretary of Transportation shall establish—

(1) a program to provide grants for eligible projects to support the education of future aircraft pilots and the development of the aircraft pilot workforce; and

(2) a program to provide grants for eligible projects to support the education and recruitment of aviation maintenance technical workers and the development of the aviation maintenance workforce.

(b) PROJECT GRANTS.—

(1) IN GENERAL.—Out of amounts made available under section 48105 of title 49, United States Code, not more than \$5,000,000 for each of fiscal years 2019 through 2023 is authorized to be expended to provide grants under the program established under subsection (a)(1), and \$5,000,000 for each of fiscal years 2019 through 2023 is authorized to provide grants under the program established under subsection (a)(2).

(2) DOLLAR AMOUNT LIMIT.—Not more than \$500,000 shall be available for any 1 grant in any 1 fiscal year under the programs established under subsection (a).

(c) ELIGIBLE APPLICATIONS.—

(1) An application for a grant under the program established under subsection (a)(1) shall be submitted, in such form as the Secretary may specify, by—

(A) an air carrier, as defined in section 40102 of title 49, United States Code, or a labor organization representing aircraft pilots;

(B) an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U. S. C. 1001)) or a high school or secondary school (as defined in section 7801 of the Higher Education Act of 1965 (20 U.S.C. 7801));

(C) a flight school that provides flight training, as defined in part 61 of title 14, Code of Federal Regulations, or that holds a pilot school certificate under part 141 of title 14, Code of Federal Regulations; or

(D) a State or local governmental entity.

(2) An application for a grant under the pilot program established under subsection (a)(2) shall be submitted, in such form as the Secretary may specify, by—

(A) a holder of a certificate issued under part 21, 121, 135, or 145 of title 14, Code of Federal Regulations or a labor organization representing aviation maintenance workers;

(B) an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or a high school or secondary school (as defined in section 7801 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)); and

(C) a State or local governmental entity.

(d) ELIGIBLE PROJECTS.—

(1) For purposes of the program established under subsection (a)(1), an eligible project is a project—

(A) to create and deliver curriculum designed to provide high school students with meaningful aviation education that is designed to prepare the students to become aircraft pilots, aerospace engineers, or unmanned aircraft systems operators; or

(B) to support the professional development of teachers using the curriculum described in subparagraph (A).

(2) For purposes of the pilot program established under subsection (a)(2), an eligible project is a project—

(A) to establish new educational programs that teach technical skills used in aviation maintenance, including purchasing equipment, or to improve existing such programs;

(B) to establish scholarships or apprenticeships for individuals pursuing employment in the aviation maintenance industry;

(C) to support outreach about careers in the aviation maintenance industry to—

(i) primary, secondary, and post-secondary school students; or

(ii) to communities underrepresented in the industry;

(D) to support educational opportunities related to aviation maintenance in economically disadvantaged geographic areas;

(E) to support transition to careers in aviation maintenance, including for members of the Armed Forces; or

(F) to otherwise enhance aviation maintenance technical education or the aviation maintenance industry workforce.

(e) GRANT APPLICATION REVIEW.—In reviewing and selecting applications for grants under the programs established under subsection (a), the Secretary shall—

(1) prior to selecting among competing applications, consult, as appropriate, with representatives of aircraft repair stations, design and production approval holders, air carriers, labor organizations, business aviation, general aviation, educational institu-

tions, and other relevant aviation sectors; and

(2) ensure that the applications selected for projects established under subsection (a)(1) will allow participation from a diverse collection of public and private schools in rural, suburban, and urban areas.

Subtitle D—Unmanned Aircraft Systems Workforce

SEC. 631. COMMUNITY AND TECHNICAL COLLEGE CENTERS OF EXCELLENCE IN SMALL UNMANNED AIRCRAFT SYSTEM TECHNOLOGY TRAINING.

(a) DESIGNATION.—Not later than 180 days after the date of enactment of this Act, the Secretary of Transportation, in consultation with the Secretary of Education and the Secretary of Labor, shall establish a process to designate consortia of public, 2-year institutions of higher education as Community and Technical College Centers of Excellence in Small Unmanned Aircraft System Technology Training (in this section referred to as the “Centers of Excellence”).

(b) FUNCTIONS.—A Center of Excellence designated under subsection (a) shall have the capacity to train students for career opportunities in industry and government service related to the use of small unmanned aircraft systems.

(c) EDUCATION AND TRAINING REQUIREMENTS.—In order to be designated as a Center of Excellence under subsection (a), a consortium shall be able to address education and training requirements associated with various types of small unmanned aircraft systems, components, and related equipment, including with respect to—

(1) multirotor and fixed-wing small unmanned aircraft;

(2) flight systems, radio controllers, components, and characteristics of such aircraft;

(3) routine maintenance, uses and applications, privacy concerns, safety, and insurance for such aircraft;

(4) hands-on flight practice using small unmanned aircraft systems and computer simulator training;

(5) use of small unmanned aircraft systems in various industry applications and local, State, and Federal government programs and services, including in agriculture, law enforcement, monitoring oil and gas pipelines, natural disaster response and recovery, fire and emergency services, and other emerging areas;

(6) Federal policies concerning small unmanned aircraft;

(7) dual credit programs to deliver small unmanned aircraft training opportunities to secondary school students; or

(8) training with respect to sensors and the processing, analyzing, and visualizing of data collected by small unmanned aircraft.

(d) COLLABORATION.—Each Center of Excellence shall seek to collaborate with institutions participating in the Alliance for System Safety of UAS through Research Excellence of the Federal Aviation Administration and with the test ranges defined under section 44801 of title 49, United States Code, as added by this Act.

(e) INSTITUTION OF HIGHER EDUCATION.—In this section, the term “institution of higher education” has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

SEC. 632. COLLEGIATE TRAINING INITIATIVE PROGRAM FOR UNMANNED AIRCRAFT SYSTEMS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall establish a collegiate training initiative program relating to unmanned aircraft systems by making new agreements or continuing existing agreements with institutions of higher education

(as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) under which the institutions prepare students for careers involving unmanned aircraft systems. The Administrator may establish standards for the entry of such institutions into the program and for their continued participation in the program.

(b) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term “unmanned aircraft system” has the meaning given that term by section 44801 of title 49, United States Code, as added by this Act.

TITLE VII—FLIGHT R&D ACT

Subtitle A—General Provisions

SEC. 701. SHORT TITLE.

This title may be cited as the “FAA Leadership in Groundbreaking High-Tech Research and Development Act” or the “FLIGHT R&D Act”.

SEC. 702. DEFINITIONS.

In this title, the following definitions apply:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Aviation Administration.

(2) FAA.—The term “FAA” means the Federal Aviation Administration.

(3) NASA.—The term “NASA” means the National Aeronautics and Space Administration.

(4) SECRETARY.—The term “Secretary” means the Secretary of Transportation.

SEC. 703. AUTHORIZATION OF APPROPRIATIONS.

(a) AUTHORIZATIONS.—Section 48102(a) of title 49, United States Code, is amended—

(1) in the matter preceding paragraph (1), by striking “and, for each of fiscal years 2012 through 2015, under subsection (g)”;

(2) in paragraph (9), by striking “and” at the end; and

(3) by striking paragraph (10) and inserting the following:

“(10) \$189,000,000 for fiscal year 2018;

“(11) \$194,000,000 for fiscal year 2019;

“(12) \$199,000,000 for fiscal year 2020;

“(13) \$204,000,000 for fiscal year 2021;

“(14) \$209,000,000 for fiscal year 2022; and

“(15) \$214,000,000 for fiscal year 2023.”.

(b) RESEARCH PRIORITIES.—Section 48102(b) of title 49, United States Code, is amended—

(1) in paragraph (1), by striking “consider” and inserting “prioritize safety in considering”;

(2) by striking paragraph (3);

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following:

“(2) As safety related activities shall be the highest research priority, at least 70 percent of the amount appropriated under subsection (a) of this section shall be for safety research and development projects.”.

(c) ANNUAL SUBMISSION OF THE NATIONAL AVIATION RESEARCH PLAN.—Section 48102(g) of title 49, United States Code, is amended to read as follows:

“(g) ANNUAL SUBMISSION OF THE NATIONAL AVIATION RESEARCH PLAN.—The Administrator shall submit the national aviation research plan to Congress no later than the date of submission of the President’s budget request to Congress for that fiscal year, as required under section 44501(c).”.

Subtitle B—FAA Research and Development Organization

SEC. 711. ASSISTANT ADMINISTRATOR FOR RESEARCH AND DEVELOPMENT.

(a) APPOINTMENT.—Not later than 3 months after the date of enactment of this Act, the Administrator shall appoint an Assistant Administrator for Research and Development.

(b) RESPONSIBILITIES.—The Assistant Administrator for Research and Development shall, at a minimum, be responsible for—

(1) management and oversight of all the FAA's research and development programs and activities; and

(2) production of all congressional reports from the FAA relevant to research and development, including the national aviation research plan required under section 44501(c) of title 49, United States Code.

(c) **DUAL APPOINTMENT.**—The Assistant Administrator for Research and Development may be a dual-appointment, holding the responsibilities of another Assistant Administrator.

SEC. 712. RESEARCH ADVISORY COMMITTEE.

(a) **ADVICE AND RECOMMENDATIONS.**—Section 44508(a)(1)(A) of title 49, United States Code, is amended to read as follows:

“(A) provide advice and recommendations to the Administrator of the Federal Aviation Administration and Congress about needs, objectives, plans, approaches, content, and accomplishments of all aviation research and development activities and programs carried out, including those under sections 40119, 44504, 44505, 44507, 44511–44513, and 44912 of this title;”.

(b) **WRITTEN REPLY TO RESEARCH ADVISORY COMMITTEE.**—Section 44508 of title 49, United States Code, is amended by adding at the end the following:

“(f) **WRITTEN REPLY.**—

“(1) **IN GENERAL.**—Not later than 60 days after receiving any recommendation from the research advisory committee, the Administrator shall provide a written reply to the research advisory committee that, at a minimum—

“(A) clearly states whether the Administrator accepts or rejects the recommendation;

“(B) explains the rationale for the Administrator's decision;

“(C) sets forth the timeframe in which the Administrator will implement the recommendation; and

“(D) describes the steps the Administrator will take to implement the recommendation.

“(2) **TRANSPARENCY.**—The written reply to the research advisory committee, when transmitted to the research advisory committee, shall be—

“(A) made publicly available on the research advisory committee website; and

“(B) transmitted to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

“(3) **NATIONAL AVIATION RESEARCH PLAN.**—The national aviation research plan required under section 44501(c) shall include a summary of all research advisory committee recommendations and a description of the status of their implementation.”.

Subtitle C—Unmanned Aircraft Systems

SEC. 721. UNMANNED AIRCRAFT SYSTEMS RESEARCH AND DEVELOPMENT ROADMAP.

The Secretary shall submit the unmanned aircraft systems roadmap to Congress on an annual basis as required under section 48802(a) of title 49, United States Code, as added by this Act.

Subtitle D—Cybersecurity and Responses to Other Threats

SEC. 731. CYBER TESTBED.

Not later than 6 months after the date of enactment of this Act, the Administrator shall develop an integrated Cyber Testbed for research, development, evaluation, and validation of air traffic control modernization technologies, before they enter the national airspace system, as being compliant with FAA data security regulations. The Cyber Testbed shall be part of an integrated research and development test environment capable of creating, identifying, defending,

and solving cybersecurity-related problems for the national airspace system. This integrated test environment shall incorporate integrated test capacities within the FAA related to the national airspace system and NextGen.

SEC. 732. STUDY ON THE EFFECT OF EXTREME WEATHER ON AIR TRAVEL.

(a) **STUDY REQUIRED.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration and the Administrator of the Federal Aviation Administration shall jointly complete a study on the effect of extreme weather on commercial air travel.

(b) **ELEMENTS.**—The study required by subsection (a) shall include assessment of the following:

(1) Whether extreme weather may result in an increase in turbulence.

(2) The effect of extreme weather on current commercial air routes.

(3) The effect of extreme weather on domestic airports, air traffic control facilities, and associated facilities.

Subtitle E—FAA Research and Development Activities

SEC. 741. RESEARCH PLAN FOR THE CERTIFICATION OF NEW TECHNOLOGIES INTO THE NATIONAL AIRSPACE SYSTEM.

Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with NASA, shall transmit a comprehensive research plan for the certification of new technologies into the national airspace system to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate. This plan shall identify research necessary to support the certification and implementation of NextGen, including both ground and air elements, and explain the plan's relationship to other activities and procedures required for certification and implementation of new technologies into the national airspace system. This plan shall be informed by the recommendations of the National Research Council report titled “Transformation in the Air—A Review of the FAA Research Plan”, issued on June 8, 2015. This plan shall include, at a minimum—

(1) a description of the strategic and prescriptive value of the research plan;

(2) an explanation of the expected outcomes from executing the plan;

(3) an assessment of the FAA's plan to use research and development to improve cybersecurity over the next 5 years;

(4) an assessment of the current software assurance practices, and the desired level or attributes to target in the software assurance program; and

(5) best practices in research and development used by other organizations, such as NASA, NavCanada, and Eurocontrol.

SEC. 742. TECHNOLOGY REVIEW.

(a) **REVIEW.**—

(1) **IN GENERAL.**—The Administrator of the Federal Aviation Administration, in coordination with the Administrator of the National Aeronautics and Space Administration, shall conduct a review of current and planned research on the use of advanced aircraft technologies, innovative materials, alternative fuels, additive manufacturing, and novel aircraft designs, to increase aircraft fuel efficiency.

(2) **SUMMARIES.**—The review conducted under paragraph (1) shall include summaries of projects and missions to examine—

(A) the effectiveness of such technologies, materials, fuels, and aircraft designs to enhance fuel efficiency and aerodynamic performance, and reduce drag, weight, noise, and fuel consumption; and

(B) the potential for novel flight pattern planning and communications systems to reduce aircraft taxiing and airport circling.

(3) **RECOMMENDATIONS.**—The review conducted under paragraph (1) shall identify potential opportunities for additional research and development, public or private, to increase aircraft fuel efficiency.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator of the Federal Aviation Administration shall submit to the appropriate committees of Congress a report containing the results of the review conducted under subsection (a).

SEC. 743. CLEEN AIRCRAFT AND ENGINE TECHNOLOGY PARTNERSHIP.

(a) **COOPERATIVE AGREEMENT.**—Subchapter I of chapter 475 of title 49, United States Code, is amended by adding at the end the following:

“§47511. CLEEN engine and airframe technology partnership

“(a) **IN GENERAL.**—The Administrator of the Federal Aviation Administration shall enter into a cost-sharing cooperative agreement, using a competitive process, with institutions, entities, or consortiums to carry out a program for the development, maturation, and testing of certifiable CLEEN aircraft, engine technologies, and jet fuels for civil subsonic airplanes.

“(b) **CLEEN ENGINE AND AIRFRAME TECHNOLOGY DEFINED.**—In this section, the term ‘CLEEN aircraft and engine technology’ means continuous lower energy, emissions, and noise aircraft and engine technology.

“(c) **PERFORMANCE OBJECTIVE.**—The Administrator shall establish the performance objectives for the program in terms of the specific objectives to reduce fuel burn, emissions and noise.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of contents of subchapter I of chapter 475 is amended by inserting after the item relating to section 47510 the following:

“47511. CLEEN engine and airframe technology partnership.”.

SEC. 744. RESEARCH AND DEPLOYMENT OF CERTAIN AIRFIELD PAVEMENT TECHNOLOGIES.

Using amounts made available under section 48102(a) of title 49, United States Code, the Administrator of the Federal Aviation Administration may carry out a program for the research and development of aircraft pavement technologies under which the Administrator makes grants to, and enters into cooperative agreements with, institutions of higher education and nonprofit organizations that—

(1) research concrete and asphalt airfield pavement technologies that extend the life of airfield pavements;

(2) develop and conduct training;

(3) provide for demonstration projects; and

(4) promote the latest airfield pavement technologies to aid in the development of safer, more cost effective, and more durable airfield pavements.

Subtitle F—Geospatial Data

SEC. 751. SHORT TITLE; FINDINGS.

(a) **SHORT TITLE.**—This subtitle may be cited as the “Geospatial Data Act of 2018”.

(b) **FINDINGS.**—Congress finds that—

(1) open and publicly available data is essential to the successful operation of the GeoPlatform;

(2) the private sector in the United States, for the purposes of acquiring and producing quality geospatial data and geospatial data services, has been and continues to be invaluable in carrying out the varying missions of Federal departments and agencies, as well as contributing positively to the United States economy; and

(3) over the last 2 decades, Congress has passed legislation that promotes greater access and use of Government information and data, which has—

(A) sparked new, innovative start-ups and services;

(B) spurred economic growth in many sectors, such as in the geospatial services;

(C) advanced scientific research;

(D) promoted public access to Federally funded services and data; and

(E) improved access to geospatial data for the purposes of promoting public health, weather forecasting, economic development, environmental protection, flood zone research, and other purposes.

SEC. 752. DEFINITIONS.

In this subtitle—

(1) the term “Advisory Committee” means the National Geospatial Advisory Committee established under section 754(a);

(2) the term “Committee” means the Federal Geographic Data Committee established under section 753(a);

(3) the term “covered agency”—

(A) means—

(i) an Executive department, as defined in section 101 of title 5, United States Code, that collects, produces, acquires, maintains, distributes, uses, or preserves geospatial data on paper or in electronic form to fulfill the mission of the Executive department, either directly or through a relationship with another organization, including a State, local government, Indian tribe, institution of higher education, business partner or contractor of the Federal Government, and the public;

(ii) the National Aeronautics and Space Administration; or

(iii) the General Services Administration; and

(B) does not include the Department of Defense (including 30 components and agencies performing national missions) or any element of the intelligence community;

(4) the term “GeoPlatform” means the GeoPlatform described in section 758(a);

(5) the term “geospatial data”—

(A) means information that is tied to a location on the Earth, including by identifying the geographic location and characteristics of natural or constructed features and boundaries on the Earth, and that is generally represented in vector datasets by points, lines, polygons, or other complex geographic features or phenomena;

(B) may be derived from, among other things, remote sensing, mapping, and surveying technologies;

(C) includes images and raster datasets, aerial photographs, and other forms of geospatial data or datasets in digitized or non-digitized form; and

(D) does not include—

(i) geospatial data and activities of an Indian tribe not carried out, in whole or in part, using Federal funds, as determined by the tribal government;

(ii) classified national security-related geospatial data and activities of the Department of Defense, unless declassified;

(iii) classified national security-related geospatial data and activities of the Department of Energy, unless declassified;

(iv) geospatial data and activities under chapter 22 of title 10, United States Code, or section 110 of the National Security Act of 1947 (50 U.S.C. 3045);

(v) intelligence geospatial data and activities, as determined by the Director of National Intelligence; or

(vi) certain declassified national security-related geospatial data and activities of the intelligence community, as determined by the Secretary of Defense, the Secretary of Energy, or the Director of National Intelligence;

(6) the term “Indian tribe” has the meaning given that term under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b);

(7) the term “institution of higher education” has the meaning given that term under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002);

(8) the term “intelligence community” has the meaning given that term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003);

(9) the term “lead covered agency” means a lead covered agency for a National Geospatial Data Asset data theme designated under section 756(b)(1);

(10) the term “local government” means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State;

(11) the term “metadata for geospatial data” means information about geospatial data, including the content, source, vintage, accuracy, condition, projection, method of collection, and other characteristics or descriptions of the geospatial data;

(12) the term “National Geospatial Data Asset data theme” means the National Geospatial Data Asset core geospatial datasets (including electronic records and coordinates) relating to a topic or subject designated under section 756;

(13) the term “National Spatial Data Infrastructure” means the technology, policies, criteria, standards, and employees necessary to promote geospatial data sharing throughout the Federal Government, State, tribal, and local governments, and the private sector (including nonprofit organizations and institutions of higher education); and

(14) the term “proven practices” means methods and activities that advance the use of geospatial data for the benefit of society.

SEC. 753. FEDERAL GEOGRAPHIC DATA COMMITTEE.

(a) IN GENERAL.—There is established within the Department of the Interior an interagency committee to be known as the Federal Geographic Data Committee, which shall act as the lead entity in the executive branch for the development, implementation, and review of policies, practices, and standards relating to geospatial data.

(b) MEMBERSHIP.—

(1) CHAIRPERSON AND VICE CHAIRPERSON.—The Secretary of the Interior and the Director of the Office of Management and Budget shall serve as Chairperson of the Committee and Vice Chairperson of the Committee, respectively.

(2) OTHER MEMBERS.—

(A) IN GENERAL.—The head of each covered agency and the Director of the National Geospatial-Intelligence Agency shall each designate a representative of their respective agency to serve as a member of the Committee.

(B) REQUIREMENT FOR APPOINTMENTS.—An officer appointed to serve as a member of the Committee shall hold a position as an assistant secretary, or an equivalent position, or a higher ranking position.

(3) GUIDANCE.—Not later than 1 year after the date of enactment of this Act, and as needed thereafter, the Director of the Office of Management and Budget shall update guidance with respect to membership of the Committee and the roles of members of the Committee.

(c) DUTIES.—The Committee shall—

(1) lead the development and management of and operational decision making for the National Spatial Data Infrastructure strategic plan and geospatial data policy in accordance with section 755;

(2) designate National Geospatial Data Asset data themes and oversee the coordinated management of the National

Geospatial Data Asset data themes in accordance with section 756;

(3) establish and maintain geospatial data standards in accordance with section 757;

(4) periodically review and determine the extent to which covered agencies comply with geospatial data standards;

(5) ensure that the GeoPlatform operates in accordance with section 758;

(6) direct and facilitate national implementation of the system of National Geospatial Data Asset data themes;

(7) communicate with and foster communication among covered agencies and other entities and individuals relating to geospatial data technology development, transfer, and exchange in order to—

(A) identify and meet the needs of users of geospatial data;

(B) promote cost-effective data collection, documentation, maintenance, distribution, and preservation strategies; and

(C) leverage Federal and non-Federal resources, such as promoting Federal shared services and cross-agency coordination for marketplace solutions;

(8) define roles and responsibilities and promote and guide cooperation and coordination among agencies of the Federal Government, State, tribal, and local governments, institutions of higher education, and the private sector in the collection, production, sharing, and use of geospatial information, the implementation of the National Spatial Data Infrastructure, and the identification of proven practices;

(9) coordinate with international organizations having an interest in the National Spatial Data Infrastructure or global spatial data infrastructures;

(10) make available online and update at least annually—

(A) a summary of the status for each National Geospatial Data Asset data theme, based on the report submitted by the applicable lead covered agency under section 756(b)(3)(E)(i)(I), which shall include—

(i) an evaluation of the progress of each lead covered agency in achieving the requirements under subparagraphs (A), (B), (C), and (D) of section 756(b)(3); and

(ii) a determination of whether, for each of subparagraphs (A), (B), (C), and (D) of section 756(b)(3), each lead covered agency meets expectations, has made progress toward expectations, or fails to meet expectations;

(B) a summary and evaluation of the achievements of each covered agency, based on the annual report submitted by the covered agency under section 759(b)(1), which shall include a determination of whether the covered agency meets expectations, has made progress toward expectations, or fails to meet expectations for each of paragraphs (1) through (13) of section 759(a);

(C) a collection of periodic technical publications, management articles, and reports related to the National Spatial Data Infrastructure; and

(D) a membership directory for the Committee, including identifying members of any subcommittee or working group of the Committee;

(11)(A) make available to and request comments from the Advisory Committee regarding the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10);

(B) if requested by the Advisory Committee, respond to any comments by the Advisory Committee; and

(C) not less than once every 2 years, submit to Congress a report that includes the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10), the comments of the Advisory Committee, and the responses of the Committee to the comments;

(12)(A) make available to and request comments from covered agencies regarding the summaries and evaluations required under subparagraphs (A) and (B) of paragraph (10); and

(B) not less than once every 2 years, submit to Congress a report that includes the comments of the covered agencies and the responses of the Committee to the comments; and

(13) support and promote the infrastructure of networks, systems, services, and standards that provide a digital representation of the Earth to users for many applications.

(d) **STAFF SUPPORT.**—The Committee shall establish an Office of the Secretariat within the Department of the Interior to provide administrative support, strategic planning, funding, and technical support to the Committee.

SEC. 754. NATIONAL GEOSPATIAL ADVISORY COMMITTEE.

(a) **ESTABLISHMENT.**—The Secretary of the Interior shall establish within the Department of the Interior the National Geospatial Advisory Committee to provide advice and recommendations to the Chairperson of the Committee.

(b) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Advisory Committee shall be composed of not more than 30 members, at least one of which will be from the National Geospatial-Intelligence Agency, who shall—

(A) be appointed by the Chairperson of the Committee;

(B) be selected—

(i) to generally achieve a balanced representation of the viewpoints of various interested parties involved in national geospatial activities and the development of the National Spatial Data Infrastructure; and

(ii) with consideration of a geographic balance of residence of the members; and

(C) be selected from among groups involved in the geospatial community, including—

- (i) States;
- (ii) local governments;
- (iii) regional governments;
- (iv) tribal governments;
- (v) private sector entities;
- (vi) geospatial information user industries;
- (vii) professional associations;
- (viii) scholarly associations;
- (ix) nonprofit organizations;
- (x) academia;
- (xi) licensed geospatial data acquisition professionals; and
- (xii) the Federal Government.

(2) **CHAIRPERSON.**—The Chairperson of the Committee shall appoint the Chairperson of the Advisory Committee.

(3) **PERIOD OF APPOINTMENT; VACANCIES.**—

(A) **IN GENERAL.**—Members shall be appointed for a term of 3 years, with the term of $\frac{1}{3}$ of the members expiring each year.

(B) **VACANCIES.**—Any vacancy in the Advisory Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(4) **LIMIT ON TERMS.**—Except for the member from the National Geospatial-Intelligence Agency, an individual—

(A) may not be appointed to more than 2 consecutive terms as a member of the Advisory Committee; and

(B) after serving for 2 consecutive terms, is eligible to be appointed as a member of the Advisory Committee on and after the date that is 2 years after the end of the second consecutive term of the individual as a member of the Advisory Committee.

(5) **ETHICAL REQUIREMENTS.**—A member of the Advisory Committee may not participate in any specific-party matter (including a lease, license, permit, contract, claim, agree-

ment, or related litigation) with the Department of the Interior in which the member has a direct financial interest.

(6) **INCUMBENTS.**—

(A) **IN GENERAL.**—An individual serving on the day before the date of enactment of this Act as a member of the National Geospatial Advisory Committee established by the Secretary of the Interior may serve as a member of the Advisory Committee until the end of the term of the individual under the appointment.

(B) **LIMIT ON TERMS.**—Any period of service as a member of the National Geospatial Advisory Committee established by the Secretary of the Interior shall be considered a period of service as a member of the Advisory Committee for purposes of paragraph (4).

(c) **SUBCOMMITTEES.**—A subcommittee of the Advisory Committee—

(1) may be formed for the purposes of compiling information or conducting research;

(2) shall be composed of members appointed by the Chairperson of the Advisory Committee;

(3) shall act under the direction of the Chairperson of the Advisory Committee and the officer or employee designated under section 10(e) of the Federal Advisory Committee Act (5 U.S.C. App.) with respect to the Advisory Committee;

(4) shall report the recommendations of the subcommittee to the Advisory Committee for consideration; and

(5) shall meet as necessary to accomplish the objectives of the subcommittee, subject to the approval of the Chairperson of the Advisory Committee and the availability of resources.

(d) **MEETINGS.**—

(1) **IN GENERAL.**—The Advisory Committee shall meet at the call of the Chairperson, not less than 1 time each year and not more than 4 times each year.

(2) **QUORUM.**—A majority of the members of the Advisory Committee shall constitute a quorum, but a lesser number of members may hold meetings or hearings.

(e) **DUTIES OF THE ADVISORY COMMITTEE.**—The Advisory Committee shall—

(1) provide advice and recommendations relating to—

(A) the management of Federal and national geospatial programs;

(B) the development of the National Spatial Data Infrastructure; and

(C) implementation of this subtitle;

(2) review and comment on geospatial policy and management issues; and

(3) ensure the views of representatives of non-Federal interested parties involved in national geospatial activities are conveyed to the Committee.

(f) **POWERS OF THE ADVISORY COMMITTEE.**—

(1) **MEETINGS.**—The Advisory Committee may hold meetings (which shall be open to the public) and sit and act at such times and places as the Advisory Committee considers advisable to carry out this subtitle.

(2) **INFORMATION FROM COVERED AGENCIES.**—

(A) **IN GENERAL.**—The Advisory Committee, with the concurrence of the Chairperson of the Committee, may secure directly from any covered agency such information as the Advisory Committee considers necessary to carry out this subtitle. Upon request of the Chairperson of the Advisory Committee, the head of such agency shall furnish such information to the Advisory Committee.

(B) **NONCOOPERATION.**—The Advisory Committee shall include in the comments of the Advisory Committee submitted under section 753(c)(11) a discussion of any failure by a covered agency to furnish information in response to a request under subparagraph (A) of this paragraph.

(3) **POSTAL SERVICES.**—The Advisory Committee may use the United States mails in

the same manner and under the same conditions as other agencies of the Federal Government.

(g) **ADVISORY COMMITTEE PERSONNEL MATTERS.**—

(1) **NO COMPENSATION OF MEMBERS.**—

(A) **NON-FEDERAL EMPLOYEES.**—A member of the Advisory Committee who is not an officer or employee of the Federal Government shall serve without compensation.

(B) **FEDERAL EMPLOYEES.**—A member of the Advisory Committee who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(2) **TRAVEL EXPENSES.**—The members of the Advisory Committee shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Advisory Committee.

(3) **DETAIL OF GOVERNMENT EMPLOYEES.**—Any Federal Government employee may be detailed to the Committee to support the Advisory Committee without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) **STAFF SUPPORT.**—The Office of the Secretariat established by the Committee under section 753(d) shall provide administrative support to the Advisory Committee.

(h) **APPLICABILITY OF FACA.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Advisory Committee.

(2) **NO TERMINATION.**—Section 14(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee.

(i) **TERMINATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the Advisory Committee shall terminate 10 years after the date of enactment of this Act.

(2) **CONTINUATION.**—The Advisory Committee may be continued for successive 10-year periods by action taken by the Secretary of the Interior to renew the Advisory Committee before the date on which the Advisory Committee would otherwise terminate.

SEC. 755. NATIONAL SPATIAL DATA INFRASTRUCTURE.

(a) **IN GENERAL.**—The National Spatial Data Infrastructure shall ensure that geospatial data from multiple sources (including the covered agencies, State, local, and tribal governments, the private sector, and institutions of higher education) is available and easily integrated to enhance the understanding of the physical and cultural world.

(b) **GOALS.**—The goals of the National Spatial Data Infrastructure are to—

(1) ensure—

(A) that geospatial data are reviewed prior to disclosure to ensure—

(i) compliance with section 552a of title 5 (commonly known as the “Privacy Act of 1974”); and

(ii) that personally identifiable information is not disclosed, which shall include an assessment of re-identification risk when determining what data constitute personally identifiable information;

(B) that geospatial data are designed to enhance the accuracy of statistical information, both in raw form and in derived information products;

(C) free and open access for the public to geospatial data, information, and interpretive products, in accordance with Office of

Management and Budget Circular A-130, or any successor thereto;

(D) the protection of proprietary interests related to licensed information and data; and

(E) the interoperability and sharing capabilities of Federal information systems and data to enable the drawing of resources from covered agencies and partners of covered agencies; and

(2) support and advance the establishment of a Global Spatial Data Infrastructure, consistent with national security, national defense, national intelligence, and international trade requirements, including ensuring that covered agencies develop international geospatial data in accordance with international voluntary consensus standards, as defined in Office of Management and Budget Circular A-119, or any successor thereto.

(c) **STRATEGIC PLAN.**—The Committee shall prepare and maintain a strategic plan for the development and implementation of the National Spatial Data Infrastructure in a manner consistent with national security, national defense, and emergency preparedness program policies regarding data accessibility.

(d) **ADVISORY ROLE.**—The Committee shall advise Federal and non-Federal users of geospatial data on their responsibilities relating to implementation of the National Spatial Data Infrastructure.

SEC. 756. NATIONAL GEOSPATIAL DATA ASSET DATA THEMES.

(a) **IN GENERAL.**—The Committee shall designate as National Geospatial Data Asset data themes the primary topics and subjects for which the coordinated development, maintenance, and dissemination of geospatial data will benefit the Federal Government and the interests of the people of the United States, which shall—

(1) be representations of conceptual topics describing digital spatial information for the Nation; and

(2) contain associated datasets (with attribute records and coordinates)—

(A) that are documented, verifiable, and officially designated to meet recognized standards;

(B) that may be used in common; and

(C) from which other datasets may be derived.

(b) **LEAD COVERED AGENCIES.**—

(1) **IN GENERAL.**—For each National Geospatial Data Asset data theme, the Committee shall designate one or more covered agencies as the lead covered agencies for the National Geospatial Data Asset data theme.

(2) **GENERAL RESPONSIBILITY.**—The lead covered agencies for a National Geospatial Data Asset data theme shall be responsible for ensuring the coordinated management of the data, supporting resources (including technology and personnel), and related services and products of the National Geospatial Data Asset data theme.

(3) **SPECIFIC RESPONSIBILITIES.**—To assist in fulfilling the responsibilities under paragraph (2) with respect to a National Geospatial Data Asset data theme, the lead covered agencies shall—

(A) provide leadership and facilitate the development and implementation of geospatial data standards for the National Geospatial Data Asset data theme, with a particular emphasis on a data content standard for the National Geospatial Data Asset data theme, including by—

(i) assessing existing standards;

(ii) identifying anticipated or needed data standards; and

(iii) developing a plan to originate and implement needed standards with relevant community and international practices—

(I) in accordance with Office of Management and Budget Circular A-119, or any successor thereto; and

(II) consistent with or as a part of the plan described in subparagraph (B);

(B) provide leadership and facilitate the development and implementation of a plan for nationwide population of the National Geospatial Data Asset data theme, which shall—

(i) include developing partnership programs with States, Indian tribes, institutions of higher education, private sector entities, other Federal agencies, and local governments;

(ii) meet the needs of users of geospatial data;

(iii) address human and financial resource needs;

(iv) identify needs relating to standards, metadata for geospatial data within the National Geospatial Data Asset data theme, and the GeoPlatform; and

(v) expedite the development of necessary National Geospatial Data Asset data themes;

(C) establish goals that support the strategic plan for the National Spatial Data Infrastructure prepared under section 755(c);

(D) as necessary, collect and analyze information from users of geospatial data within the National Geospatial Data Asset data theme regarding the needs of the users for geospatial data and incorporate the needs of users in strategies relating to the National Geospatial Data Asset data theme; and

(E) as part of administering the National Geospatial Data Asset data theme—

(i) designate a point of contact within the lead covered agency who shall be responsible for developing, maintaining, coordination relating to, and disseminating data using the GeoPlatform;

(ii) submit to the Committee—

(I) a performance report, at least annually, that documents the activities relating to and implementation of the National Geospatial Data Asset data theme, including progress in achieving the requirements under subparagraphs (A), (B), (C), and (D); and

(II) comments, as appropriate, regarding the summary and evaluation of the performance report provided by the Committee under section 753(c)(12);

(iii) publish maps or comparable graphics online (in accordance with the mapping conventions specified by the Committee) showing the extent and status of the National Geospatial Data Asset data themes for which the covered agency is a lead covered agency;

(iv) encourage individuals and entities that are a source of geospatial data or metadata for geospatial data for the National Geospatial Data Asset data theme to provide access to such data through the GeoPlatform;

(v) coordinate with the GeoPlatform; and

(vi) identify and publish proven practices for the use and application of geospatial data of the lead covered agency.

SEC. 757. GEOSPATIAL DATA STANDARDS.

(a) **IN GENERAL.**—In accordance with section 216 of the E-Government Act of 2002 (44 U.S.C. 3501 note), the Committee shall establish standards for each National Geospatial Data Asset data theme, which—

(1) shall include—

(A) rules, conditions, guidelines, and characteristics for the geospatial data within the National Geospatial Data Asset data theme and related processes, technology, and organization; and

(B) content standards for metadata for geospatial data within the National Geospatial Data Asset data theme;

(2) to the maximum extent practicable, shall be consistent with international standards and protocols;

(3) shall include universal data standards that shall be acceptable for the purposes of declassified intelligence community data; and

(4) the Committee shall periodically review and update as necessary for the standards to remain current, relevant, and effective.

(b) **DEVELOPMENT OF STANDARDS.**—The Committee shall—

(1) develop and promulgate standards under this section—

(A) in accordance with Office of Management and Budget Circular A-119, or any successor thereto; and

(B) after consultation with a broad range of data users and providers;

(2) to the maximum extent possible, use national and international standards adopted by voluntary standards consensus bodies; and

(3) establish new standards only to the extent standards described in paragraph (2) do not exist.

(c) **EXCLUSION.**—The Secretary of the Interior shall withhold from public disclosure any information the disclosure of which reasonably could be expected to cause damage to the national interest, security, or defense of the United States, including information relating to geospatial intelligence data activities, as determined in consultation with the Director of National Intelligence.

SEC. 758. GEOPLATFORM.

(a) **IN GENERAL.**—The Committee shall operate an electronic service that provides access to geospatial data and metadata for geospatial data to the general public, to be known as the GeoPlatform.

(b) **IMPLEMENTATION.**—

(1) **IN GENERAL.**—The GeoPlatform—

(A) shall—

(i) be available through the internet and other communications means;

(ii) be accessible through a common interface;

(iii) include metadata for all geospatial data collected by covered agencies, directly or indirectly;

(iv) include download access to all open geospatial data directly or indirectly collected by covered agencies; and

(v) include a set of programming instructions and standards providing an automated means of accessing available geospatial data, which—

(I) harmonize sources and data standards associated with geospatial data, including metadata; and

(II) to the maximum extent practicable, as determined by the Chairperson of the Committee, shall be made publicly available;

(B) may include geospatial data from a source other than a covered agency, if determined appropriate by the Committee; and

(C) shall not store or serve proprietary information or data acquired under a license by the Federal Government, unless authorized by the data provider.

(2) **MANAGING PARTNER.**—The Chairperson of the Committee shall designate an agency to serve as the managing partner for developing and operating the GeoPlatform, taking direction from the Committee on the scope, functionality, and performance of the GeoPlatform.

(c) **CLARIFICATION.**—Although the GeoPlatform is intended to include all National Geospatial Data Asset and other Federal datasets, nothing in this subtitle shall be construed to prevent a covered agency from also presenting, providing, or disseminating data that is—

(1) specific to the functions of the covered agency; or

(2) targeted to information consumers that directly interface with the services, portals, or other mechanisms of the covered agency.

SEC. 759. COVERED AGENCY RESPONSIBILITIES.

(a) **IN GENERAL.**—Each covered agency shall—

(1) prepare, maintain, publish, and implement a strategy for advancing geographic in-

formation and related geospatial data and activities appropriate to the mission of the covered agency, in support of the strategic plan for the National Spatial Data Infrastructure prepared under section 755(c);

(2) collect, maintain, disseminate, and preserve geospatial data such that the resulting data, information, or products can be readily shared with other Federal agencies and non-Federal users;

(3) promote the integration of geospatial data from all sources;

(4) ensure that data information products and other records created in geospatial data and activities are included on agency record schedules that have been approved by the National Archives and Records Administration;

(5) allocate resources to fulfill the responsibilities of effective geospatial data collection, production, and stewardship with regard to related activities of the covered agency, and as necessary to support the activities of the Committee;

(6) use the geospatial data standards, including the standards for metadata for geospatial data, and other appropriate standards, including documenting geospatial data with the relevant metadata and making metadata available through the GeoPlatform;

(7) coordinate and work in partnership with other Federal agencies, agencies of State, tribal, and local governments, institutions of higher education, and the private sector to efficiently and cost-effectively collect, integrate, maintain, disseminate, and preserve geospatial data, building upon existing non-Federal geospatial data to the extent possible;

(8) use geospatial information to—
(A) make Federal geospatial information and services more useful to the public;

(B) enhance operations;

(C) support decision making; and

(D) enhance reporting to the public and to Congress;

(9) protect personal privacy and maintain confidentiality in accordance with Federal policy and law;

(10) participate in determining, when applicable, whether declassified data can contribute to and become a part of the National Spatial Data Infrastructure;

(11) search all sources, including the GeoPlatform, to determine if existing Federal, State, local, or private geospatial data meets the needs of the covered agency before expending funds for geospatial data collection;

(12) to the maximum extent practicable, ensure that a person receiving Federal funds for geospatial data collection provides high-quality data; and

(13) appoint a contact to coordinate with the lead covered agencies for collection, acquisition, maintenance, and dissemination of the National Geospatial Data Asset data themes used by the covered agency.

(b) REPORTING.—

(1) IN GENERAL.—Each covered agency shall submit to the Committee an annual report regarding the achievements of the covered agency in preparing and implementing the strategy described in subsection (a)(1) and complying with the other requirements under subsection (a).

(2) BUDGET SUBMISSION.—Each covered agency shall—

(A) include geospatial data in preparing the budget submission of the covered agency to the President under sections 1105(a) and 1108 of title 31, United States Code;

(B) maintain an inventory of all geospatial data assets in accordance with OMB Circular A-130, or any successor thereto; and

(C) prepare an annual report to Congress identifying Federal-wide geospatial data assets, as defined in OMB Circular A-16, as set

forth in OMB memo M-11-03, Issuance of OMB Circular A-16 Supplemental Guidance (November 10, 2010), or any successor thereto.

(3) DISCLOSURE.—Each covered agency shall disclose each contract, cooperative agreement, grant, or other transaction that deals with geospatial data, which may include posting information relating to the contract, cooperative agreement, grant, or other transaction on www.USAspending.gov and www.itdashboard.gov, or any successors thereto.

(4) OMB REVIEW.—In reviewing the annual budget justifications submitted by covered agencies, the Office of Management and Budget shall take into consideration the summary and evaluations required under subparagraphs (A) and (B) of section 753(c)(10), comments, and replies to comments as required under paragraphs (11) and (12) of section 753(c), in its annual evaluation of the budget justification of each covered agency.

(5) REPORTING.—The Office of Management and Budget shall include a discussion of the summaries and evaluation of the progress in establishing the National Spatial Data Infrastructure in each E-Government status report submitted under section 3606 of title 44, United States Code.

(c) AUDITS.—Not less than once every 2 years, the inspector general of a covered agency (or senior ethics official of the covered agency for a covered agency without an inspector general) shall submit to Congress an audit of the collection, production, acquisition, maintenance, distribution, use, and preservation of geospatial data by the covered agency, which shall include a review of—

(1) the compliance of the covered agency with the standards for geospatial data, including metadata for geospatial data, established under section 757;

(2) the compliance of the covered agency with the requirements under subsection (a); and

(3) the compliance of the covered agency on the limitation on the use of Federal funds under section 759A.

SEC. 759A. LIMITATION ON USE OF FEDERAL FUNDS.

(a) DEFINITION.—In this section, the term “implementation date” means the date that is 5 years after the date on which standards for each National Geospatial Data Asset data theme are established under section 757.

(b) LIMITATION.—Except as provided otherwise in this section, on and after the implementation date, a covered agency may not use Federal funds for the collection, production, acquisition, maintenance, or dissemination of geospatial data that does not comply with the applicable standards established under section 757, as determined by the Committee.

(c) EXCEPTION FOR EXISTING GEOSPATIAL DATA.—On and after the implementation date, a covered agency may use Federal funds to maintain and disseminate geospatial data that does not comply with the applicable standards established under section 757 if the geospatial data was collected, produced, or acquired by the covered agency before the implementation date.

(d) WAIVER.—

(1) IN GENERAL.—The Chairperson of the Committee may grant a waiver of the limitation under subsection (b), upon a request from a covered agency submitted in accordance with paragraph (2).

(2) REQUIREMENTS.—A request for a waiver under paragraph (1) shall—

(A) be submitted not later than 30 days before the implementation date;

(B) provide a detailed explanation of the reasons for seeking a waiver;

(C) provide a detailed plan to achieve compliance with the applicable standards established under section 757; and

(D) provide the date by which the covered agency shall achieve compliance with the applicable standards established under section 757.

(e) BEST EFFORTS TO COMPLY DURING TRANSITION.—During the period beginning on the date on which standards for a National Geospatial Data Asset data theme are established under section 757 and ending on the implementation date, each covered agency, to the maximum extent practicable, shall collect, produce, acquire, maintain, and disseminate geospatial data within the National Geospatial Data Asset data theme in accordance with the standards.

SEC. 759B. SAVINGS PROVISION.

Nothing in this subtitle shall repeal, amend, or supersede any existing law unless specifically provided in this subtitle.

SEC. 759C. PRIVATE SECTOR.

The Committee and each covered agency may, to the maximum extent practical, rely upon and use the private sector in the United States for the provision of geospatial data and services.

Subtitle G—Miscellaneous

SEC. 761. NEXTGEN RESEARCH.

Not later than 1 year after the date of enactment of this Act, the Administrator shall submit to the Committee on Science, Space, and Technology and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report specifying the top 5 priority research areas for the implementation and advancement of NextGen, including—

(1) an assessment of why the research areas are a priority for the implementation and advancement of NextGen;

(2) an identification of the other Federal agencies and private organizations assisting the Administration with the research; and

(3) an estimate of when the research will be completed.

SEC. 762. ADVANCED MATERIALS CENTER OF EXCELLENCE.

(a) IN GENERAL.—Chapter 445 of title 49, United States Code, is amended by adding at the end the following:

“§ 44518. Advanced Materials Center of Excellence

“(a) IN GENERAL.—The Administrator of the Federal Aviation Administration shall continue operation of the Advanced Materials Center of Excellence (referred to in this section as the ‘Center’) under its structure as in effect on March 1, 2016, which shall focus on applied research and training on the durability and maintainability of advanced materials in transport airframe structures.

“(b) RESPONSIBILITIES.—The Center shall—

“(1) promote and facilitate collaboration among academia, the Transportation Division of the Federal Aviation Administration, and the commercial aircraft industry, including manufacturers, commercial air carriers, and suppliers; and

“(2) establish goals set to advance technology, improve engineering practices, and facilitate continuing education in relevant areas of study.”

(b) TABLE OF CONTENTS.—The table of contents for chapter 445 of title 49, United States Code, is amended by adding at the end the following:

“44518. Advanced Materials Center of Excellence.”

TITLE VIII—AVIATION REVENUE PROVISIONS

SEC. 801. EXPENDITURE AUTHORITY FROM AIRPORT AND AIRWAY TRUST FUND.

(a) IN GENERAL.—Section 9502(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) in the matter preceding subparagraph (A) by striking “October 1, 2018” and inserting “October 1, 2023”; and

(2) in subparagraph (A) by striking the semicolon at the end and inserting “or the FAA Reauthorization Act of 2018;”.

(b) CONFORMING AMENDMENT.—Section 9502(e)(2) of such Code is amended by striking “October 1, 2018” and inserting “October 1, 2023”.

SEC. 802. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Section 4081(d)(2)(B) of the Internal Revenue Code of 1986 is amended by striking “September 30, 2018” and inserting “September 30, 2023”.

(b) TICKET TAXES.—

(1) PERSONS.—Section 4261(k)(1)(A)(ii) of such Code is amended by striking “September 30, 2018” and inserting “September 30, 2023”.

(2) PROPERTY.—Section 4271(d)(1)(A)(ii) of such Code is amended by striking “September 30, 2018” and inserting “September 30, 2023”.

(c) FRACTIONAL OWNERSHIP PROGRAMS.—

(1) FUEL TAX.—Section 4043(d) of such Code is amended by striking “September 30, 2021” and inserting “September 30, 2023”.

(2) TREATMENT AS NONCOMMERCIAL AVIATION.—Section 4083(b) of such Code is amended by striking “October 1, 2018” and inserting “October 1, 2023”.

(3) EXEMPTION FROM TICKET TAXES.—Section 4261(j) of such Code is amended by striking “September 30, 2018” and inserting “September 30, 2023”.

DIVISION C—NATIONAL TRANSPORTATION SAFETY BOARD REAUTHORIZATION ACT OF 2018

SEC. 1101. SHORT TITLE.

This division may be cited as the “National Transportation Safety Board Reauthorization Act”.

SEC. 1102. DEFINITIONS.

In this division, the following definitions apply:

(1) BOARD.—The term “Board” means the National Transportation Safety Board.

(2) CHAIRMAN.—The term “Chairman” means the Chairman of the National Transportation Safety Board.

(3) MOST WANTED LIST.—The term “Most Wanted List” means the Board publication entitled “Most Wanted List”.

SEC. 1103. AUTHORIZATION OF APPROPRIATIONS.

Section 1118(a) of title 49, United States Code, is amended to read as follows:

“(a) IN GENERAL.—There are authorized to be appropriated for the purposes of this chapter \$111,400,000 for fiscal year 2019, \$112,400,000 for fiscal year 2020, \$113,400,000 for fiscal year 2021, and \$114,400,000 for fiscal year 2022. Such sums shall remain available until expended.”.

SEC. 1104. STILL IMAGES.

(a) STILL IMAGES, VOICE RECORDERS, AND VIDEO RECORDERS.—

(1) COCKPIT RECORDINGS AND TRANSCRIPTS.—Section 1114(c) of title 49, United States Code, is amended—

(A) by redesignating paragraph (2) as paragraph (3);

(B) in paragraph (3), as so redesignated, by inserting “REFERENCES TO INFORMATION IN MAKING SAFETY RECOMMENDATIONS.—” before “This”; and

(C) in paragraph (1)—

(i) in the first sentence, by striking “The Board” and inserting “CONFIDENTIALITY OF RECORDINGS.—Except as provided in paragraph (2), the Board”; and

(ii) by amending the second sentence to read as follows:

“(2) EXCEPTION.—Subject to subsections (b) and (g), the Board shall make public any part of a transcript, any written depiction of

visual information obtained from a video recorder, or any still image obtained from a video recorder the Board decides is relevant to the accident or incident—

“(A) if the Board holds a public hearing on the accident or incident, at the time of the hearing; or

“(B) if the Board does not hold a public hearing, at the time a majority of the other factual reports on the accident or incident are placed in the public docket.”.

(2) SURFACE VEHICLE RECORDINGS AND TRANSCRIPTS.—Section 1114(d) of title 49, United States Code, is amended—

(A) by redesignating paragraph (2) as paragraph (3); and

(B) in paragraph (1)—

(i) in the first sentence, by striking “The Board” and inserting “Except as provided in paragraph (2), the Board”; and

(ii) by amending the second sentence to read as follows:

“(2) EXCEPTION.—Subject to subsections (b) and (g), the Board shall make public any part of a transcript, any written depiction of visual information obtained from a video recorder, or any still image obtained from a video recorder the Board decides is relevant to the accident—

“(A) if the Board holds a public hearing on the accident, at the time of the hearing; or

“(B) if the Board does not hold a public hearing, at the time a majority of the other factual reports on the accident are placed in the public docket.”.

(3) PRIVACY PROTECTIONS.—Section 1114 of title 49, United States Code, is amended by adding at the end the following:

“(g) PRIVACY PROTECTIONS.—Before making public any still image obtained from a video recorder under subsection (c)(2) or subsection (d)(2), the Board shall take such action as appropriate to protect from public disclosure any information that readily identifies an individual, including a decedent.”.

(b) COCKPIT AND SURFACE VEHICLE RECORDINGS AND TRANSCRIPTS.—Section 1154(a) of title 49, United States Code, is amended—

(1) in the heading, by striking “TRANSCRIPTS AND RECORDINGS” and inserting “IN GENERAL”; and

(2) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before subparagraph (B), as so redesignated, the following:

“(A) any still image that the National Transportation Safety Board has not made available to the public under section 1114(c) or 1114(d) of this title;”;

(3) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “recorder recording” and inserting “recorder recording, including with regard to a video recording any still image that the National Transportation Safety Board has not made available to the public under section 1114(c) or 1114(d) of this title;”;

(B) in subparagraph (B), by striking “recorder recording” and inserting “recorder recording, including with regard to a video recording any still image that the National Transportation Safety Board has not made available to the public under section 1114(c) or 1114(d) of this title;”;

(4) in paragraph (4)—

(A) in subparagraph (A)—

(i) by inserting “a still image or” before “a part of a cockpit”; and

(ii) by striking “the part of the transcript or the recording” each place it appears and inserting “the still image, the part of the transcript, or the recording”; and

(B) in subparagraph (B)—

(i) by inserting “a still image or” before “a part of a cockpit”; and

(ii) by striking “the part of the transcript or the recording” each place it appears and inserting “the still image, the part of the transcript, or the recording”; and

(5) in paragraph (6)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) by inserting after subparagraph (A) the following:

“(B) STILL IMAGE.—The term ‘still image’ means any still image obtained from a video recorder.”.

SEC. 1105. ELECTRONIC RECORDS.

Section 1134(a)(2) of title 49, United States Code, is amended by inserting “including an electronic record,” after “record.”.

SEC. 1106. REPORT ON MOST WANTED LIST METHODOLOGY.

(a) IN GENERAL.—Not later than the date on which the first Most Wanted List to be published after the date of enactment of this Act is published, the Chairman shall publish on a publicly available website of the Board and submit to appropriate committees of Congress a report on the methodology used to prioritize and select recommendations to be included by the Board in the Most Wanted List.

(b) ELEMENTS.—The report under subsection (a) shall include—

(1) a detailed description of how the Board accounts for the risk to safety addressed in each of its recommendations, including the extent to which the Board considers—

(A) the types of data and other information, including studies and reports, used to identify the amount and probability of risk to safety;

(B) the reduction of the risk to safety, estimated over a period of time, by implementing each recommendation;

(C) the practicality and feasibility of achieving the reduction of the risk to safety described in subparagraph (B); and

(D) any alternate means of reducing the risk;

(2) a detailed description of the extent to which the Board considers any prior, related investigation, safety recommendation, or other safety action when prioritizing and selecting recommendations; and

(3) a description of the extent of coordination and consultation when prioritizing and selecting the recommendations.

(c) GAO REPORT.—Not later than 15 months after the date that the methodology report is published under subsection (a), the Comptroller General of the United States shall submit to the appropriate committees of Congress a report examining the methodology used by the Board to prioritize and select safety recommendations for inclusion in the Most Wanted List.

SEC. 1107. METHODOLOGY.

(a) REDESIGNATION.—Section 1116 of title 49, United States Code, is amended by adding at the end the following:

“(c) ANNUAL REPORT.—The National Transportation Safety Board shall submit a report to Congress on July 1 of each year. The report shall include—

“(1) a statistical and analytical summary of the transportation accident investigations conducted and reviewed by the Board during the prior calendar year;

“(2) a survey and summary of the recommendations made by the Board to reduce the likelihood of recurrence of those accidents together with the observed response to each recommendation;

“(3) a detailed appraisal of the accident investigation and accident prevention activities of other departments, agencies, and instrumentalities of the United States Government and State and local governmental authorities having responsibility for those activities under a law of the United States or a State;

“(4) a description of the activities and operations of the National Transportation Safety Board Training Center during the prior calendar year;

“(5) a list of accidents, during the prior calendar year, that the Board was required to investigate under section 1131 but did not investigate and an explanation of why they were not investigated; and

“(6) a list of ongoing investigations that have exceeded the expected time allotted for completion by Board order and an explanation for the additional time required to complete each such investigation.”.

(b) **METHODOLOGY.**—

(1) **IN GENERAL.**—Section 1117 of title 49, United States Code, is amended to read as follows:

“§ 1117. Methodology

“(a) **IN GENERAL.**—Not later than 2 years after the date of enactment of the National Transportation Safety Board Reauthorization Act, the Chairman shall include with each investigative report in which a recommendation is issued by the Board a methodology section detailing the process and information underlying the selection of each recommendation.

“(b) **ELEMENTS.**—Except as provided in subsection (c), the methodology section under subsection (a) shall include, for each recommendation—

“(1) a brief summary of the Board’s collection and analysis of the specific accident investigation information most relevant to the recommendation;

“(2) a description of the Board’s use of external information, including studies, reports, and experts, other than the findings of a specific accident investigation, if any were used to inform or support the recommendation, including a brief summary of the specific safety benefits and other effects identified by each study, report, or expert; and

“(3) a brief summary of any examples of actions taken by regulated entities before the publication of the safety recommendation, to the extent such actions are known to the Board, that were consistent with the recommendation.

“(c) **ACCEPTABLE LIMITATION.**—If the Board knows of more than 3 examples taken by regulated entities before the publication of the safety recommendation that were consistent with the recommendation, the brief summary under subsection (b)(3) may be limited to only 3 of those examples.

“(d) **EXCEPTION.**—Subsection (a) shall not apply if the recommendation is only for a person to disseminate information on—

“(1) an existing agency best practices document; or

“(2) an existing regulatory requirement.

“(e) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to require any change to a recommendation made by the Board before the date of enactment of the National Transportation Safety Board Reauthorization Act, unless the recommendation is a repeat recommendation issued on or after the date of enactment of such Act.

“(f) **SAVINGS CLAUSE.**—Nothing in this section may be construed—

“(1) to delay publication of the findings, cause, or probable cause of a Board investigation;

“(2) to delay the issuance of an urgent recommendation that the Board has determined must be issued to avoid immediate loss, death, or injury; or

“(3) to limit the number of examples the Board may consider before issuing a recommendation.”.

(2) **CLERICAL AMENDMENT.**—The analysis for chapter 11 of title 49, United States Code, is amended by inserting after the item relating to section 1116 the following:

“117. Methodology.”.

SEC. 1108. MULTIMODAL ACCIDENT DATABASE MANAGEMENT SYSTEM.

(a) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this Act, the Board shall establish and maintain a multimodal accident database management system for Board investigators.

(b) **PURPOSES.**—The purposes of the system shall be to support the Board in improving—

(1) the quality of accident data the Board makes available to the public; and

(2) the selection of accidents for investigation and allocation of limited resources.

(c) **REQUIREMENTS.**—The system shall—

(1) maintain a historical record of accidents that are investigated by the Board; and

(2) be capable of the secure storage, retrieval, and management of information associated with the investigations of such accidents.

SEC. 1109. ADDRESSING THE NEEDS OF FAMILIES OF INDIVIDUALS INVOLVED IN ACCIDENTS.

(a) **AIR CARRIERS HOLDING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY.**—Section 4113 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “a major” and inserting “any”; and

(2) in subsection (b)—

(A) in paragraph (9), by striking “(and any other victim of the accident)” and inserting “(and any other victim of the accident, including any victim on the ground)”;

(B) in paragraph (16), by striking “major” and inserting “any”; and

(C) in paragraph (17)(A), by striking “significant” and inserting “any”.

(b) **FOREIGN AIR CARRIERS PROVIDING FOREIGN AIR TRANSPORTATION.**—Section 41313 of title 49, United States Code, is amended—

(1) in subsection (b), by striking “a major” and inserting “any”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking “a significant” and inserting “any”;

(B) in paragraph (2), by striking “a significant” and inserting “any”;

(C) by amending paragraph (9) to read as follows:

“(9) **EQUAL TREATMENT OF PASSENGERS.**—An assurance that the treatment of the families of nonrevenue passengers (and any other victim of the accident, including any victim on the ground) will be the same as the treatment of the families of revenue passengers.”;

(D) in paragraph (16)—

(i) by striking “major” and inserting “any”; and

(ii) by striking “the foreign air carrier will consult” and inserting “will consult”; and

(E) in paragraph (17)(A), by striking “significant” and inserting “any”.

(c) **ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN AIRCRAFT ACCIDENTS.**—Section 1136 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “aircraft accident within the United States involving an air carrier or foreign air carrier and resulting in a major loss of life” and inserting “aircraft accident involving an air carrier or foreign air carrier, resulting in any loss of life, and for which the National Transportation Safety Board will serve as the lead investigative agency”; and

(2) in subsection (h)—

(A) by amending paragraph (1) to read as follows:

“(1) **AIRCRAFT ACCIDENT.**—The term ‘aircraft accident’ means any aviation disaster, regardless of its cause or suspected cause, for which the National Transportation Safety Board is the lead investigative agency.”; and

(B) in paragraph (2)—

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

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

(iii) by adding at the end the following:

“(C) any other person injured or killed in the aircraft accident, as determined appropriate by the Board.”.

(d) **ASSISTANCE TO FAMILIES OF PASSENGERS INVOLVED IN RAIL PASSENGER ACCIDENTS.**—Section 1139 of title 49, United States Code, is amended—

(1) in subsection (a), by striking “resulting in a major loss of life” and inserting “resulting in any loss of life, and for which the National Transportation Safety Board will serve as the lead investigative agency”; and

(2) by amending subsection (h)(1) to read as follows:

“(1) **RAIL PASSENGER ACCIDENT.**—The term ‘rail passenger accident’ means any rail passenger disaster that—

“(A) results in any loss of life;

“(B) the National Transportation Safety Board will serve as the lead investigative agency for; and

“(C) occurs in the provision of—

“(i) interstate intercity rail passenger transportation (as such term is defined in section 24102); or

“(ii) high-speed rail (as such term is defined in section 26105) transportation, regardless of its cause or suspected cause.”.

(e) **INFORMATION FOR FAMILIES OF INDIVIDUALS INVOLVED IN ACCIDENTS.**—

(1) **IN GENERAL.**—Subchapter III of chapter 11 of subtitle II of title 49, United States Code, is amended by adding at the end the following:

“§ 1140. Information for families of individuals involved in accidents

“In the course of an investigation of an accident described in section 1131(a)(1), except an aircraft accident described in section 1136 or a rail passenger accident described in section 1139, the Board may, to the maximum extent practicable, ensure that the families of individuals involved in the accident, and other individuals the Board deems appropriate—

“(1) are informed as to the roles, with respect to the accident and the post-accident activities, of the Board;

“(2) are briefed, before any public briefing, about the accident, its causes, and any other findings from the investigation; and

“(3) are individually informed of and allowed to attend any public hearings and meetings of the Board about the accident.”.

(2) **TABLE OF CONTENTS.**—The table of contents of chapter 11 of subtitle II of title 49, United States Code, is amended by inserting after the item relating to section 1139 the following:

“1140. Information for families of individuals involved in accidents.”.

SEC. 1110. GOVERNMENT ACCOUNTABILITY OFFICE REPORT ON INVESTIGATION LAUNCH DECISION-MAKING PROCESSES.

Section 1138 of title 49, United States Code, is amended—

(1) in subsection (b)—

(A) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively; and

(B) by inserting after paragraph (4) the following:

“(5) the process and procedures to select an accident to investigate.”; and

(2) in subsection (c), by inserting a comma after “Science”.

SEC. 1111. PERIODIC REVIEW OF SAFETY RECOMMENDATIONS.

(a) **REPORTS.**—Section 1116 of title 49, United States Code, as amended by this Act, is further amended—

(1) in the heading, by striking “and studies” and inserting “, studies, and retrospective reviews”; and

(2) by adding at the end the following:

“(d) **RETROSPECTIVE REVIEWS.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), not later than June 1, 2019, and at least every

5 years thereafter, the Chairman shall complete a retrospective review of recommendations issued by the Board that are classified as open by the Board.

“(2) CONTENTS.—A review under paragraph (1) shall include—

“(A) a determination of whether the recommendation should be updated, closed, or reissued in light of—

“(i) changed circumstances;

“(ii) more recently issued recommendations;

“(iii) the availability of new technologies; or

“(iv) new information making the recommendation ineffective or insufficient for achieving its objective; and

“(B) a justification for each determination under subparagraph (A).

“(3) REPORT.—Not later than 180 days after the date a review under paragraph (1) is complete, the Chairman shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report that includes—

“(A) the findings of the review under paragraph (1);

“(B) each determination under paragraph (2)(A) and justification under paragraph (2)(B); and

“(C) if applicable, a schedule for updating, closing, or reissuing a recommendation.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 11 of title 49, United States Code, is amended by striking the item relating to section 1116 and inserting the following:

“1116. Reports, studies, and retrospective reviews.”.

(c) SAVINGS CLAUSE.—Nothing in this section or the amendments made by this section may be construed to limit or otherwise affect the authority of the Board to update, close, or reissue a recommendation.

SEC. 1112. GENERAL ORGANIZATION.

(a) TERMS OF THE CHAIRMAN AND VICE CHAIRMAN.—Section 1111(d) of title 49, United States Code, is amended by striking “2 years” and inserting “3 years”.

(b) NONPUBLIC COLLABORATIVE DISCUSSIONS.—Section 1111 of such title is further amended by adding at the end the following:

“(k) OPEN MEETINGS.—

“(1) IN GENERAL.—The Board shall be deemed to be an agency for purposes of section 552b of title 5.

“(2) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(A) IN GENERAL.—Notwithstanding section 552b of title 5, a majority of the members may hold a meeting that is not open to public observation to discuss official agency business if—

“(i) no formal or informal vote or other official agency action is taken at the meeting;

“(ii) each individual present at the meeting is a member or an employee of the Board;

“(iii) at least 1 member of the Board from each political party is present at the meeting, if applicable; and

“(iv) the General Counsel of the Board is present at the meeting.

“(B) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under subparagraphs (C) and (D), not later than 2 business days after the conclusion of a meeting under subparagraph (A), the Board shall make available to the public, in a place easily accessible to the public—

“(i) a list of the individuals present at the meeting; and

“(ii) a summary of the matters, including key issues, discussed at the meeting, except for any matter the Board properly determines may be withheld from the public under section 552b(c) of title 5.

“(C) SUMMARY.—If the Board properly determines a matter may be withheld from the

public under section 552b(c) of title 5, the Board shall provide a summary with as much general information as possible on each matter withheld from the public.

“(D) ACTIVE INVESTIGATIONS.—If a discussion under subparagraph (A) directly relates to an active investigation, the Board shall make the disclosure under subparagraph (B) on the date the Board adopts the final report.

“(E) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this paragraph may be construed to limit the applicability of section 552b of title 5 with respect to a meeting of the members other than that described in this paragraph.

“(F) STATUTORY CONSTRUCTION.—Nothing in this paragraph may be construed—

“(i) to limit the applicability of section 552b of title 5 with respect to any information which is proposed to be withheld from the public under subparagraph (B)(ii); or

“(ii) to authorize the Board to withhold from any individual any record that is accessible to that individual under section 552a of title 5.”.

(c) AUTHORITY TO ACQUIRE SMALL UNMANNED AIRCRAFT SYSTEMS FOR INVESTIGATION PURPOSES.—Section 1113(b)(1) of such title is amended—

(1) in subparagraph (H), by striking “and” at the end;

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

(3) by adding at the end the following:

“(J) notwithstanding section 1343 of title 31, acquire 1 or more small unmanned aircraft (as defined in section 44801) for use in investigations under this chapter.”.

(d) INVESTIGATIVE OFFICERS.—Section 1113 of such title is amended by striking subsection (h).

(e) TECHNICAL AMENDMENT.—Section 1113(a)(1) of such title is amended by striking “subpena” and inserting “subpoena”.

SEC. 1113. TECHNICAL AND CONFORMING AMENDMENTS.

(a) TABLE OF CONTENTS.—The table of contents of subchapter III of chapter 11 of subtitle II of title 49, United States Code, is amended in the item relating to section 1138 by striking “Board” and inserting “Board.”.

(b) GENERAL AUTHORITY.—Section 1131(a)(1)(A) of title 49, United States Code, is amended by striking “a public aircraft as defined by section 40102(a)(37) of this title” and inserting “a public aircraft as defined by section 40102(a) of this title”.

DIVISION D—DISASTER RECOVERY REFORM

SEC. 1201. SHORT TITLE.

This division may be cited as the “Disaster Recovery Reform Act of 2018”.

SEC. 1202. APPLICABILITY.

(a) APPLICABILITY FOR STAFFORD ACT.—Except as otherwise expressly provided, the amendments in this division to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) apply to each major disaster and emergency declared by the President on or after August 1, 2017, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

(b) DIVISION APPLICABILITY.—Except as otherwise expressly provided, the authorities provided under this division apply to each major disaster and emergency declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act on or after January 1, 2016.

SEC. 1203. DEFINITIONS.

In this division:

(1) ADMINISTRATOR.—The term “Administrator” means the Administrator of the Federal Emergency Management Agency.

(2) AGENCY.—The term “Agency” means the Federal Emergency Management Agency.

(3) STATE.—The term “State” has the meaning given that term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

SEC. 1204. WILDFIRE PREVENTION.

(a) MITIGATION ASSISTANCE.—Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) is amended—

(1) by redesignating subsection (d) as subsection (e); and

(2) by inserting after subsection (c) the following:

“(d) HAZARD MITIGATION ASSISTANCE.—Whether or not a major disaster is declared, the President may provide hazard mitigation assistance in accordance with section 404 in any area affected by a fire for which assistance was provided under this section.”.

(b) CONFORMING AMENDMENTS.—The Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended—

(1) in section 404(a) (42 U.S.C. 5170c(a)) (as amended by this division)—

(A) by inserting before the first period “, or any area affected by a fire for which assistance was provided under section 420”; and

(B) in the third sentence by inserting “or event under section 420” after “major disaster” each place it appears; and

(2) in section 322(e)(1) (42 U.S.C. 5165(e)(1)), by inserting “or event under section 420” after “major disaster” each place it appears.

(c) REPORTING REQUIREMENT.—Not later than 1 year after the date of enactment of this Act and annually thereafter, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committees on Appropriations of the Senate and the House of Representatives a report containing a summary of any projects carried out, and any funding provided to those projects, under subsection (d) of section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5187) (as amended by this section).

SEC. 1205. ADDITIONAL ACTIVITIES.

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) is amended by adding at the end the following:

“(f) USE OF ASSISTANCE.—Recipients of hazard mitigation assistance provided under this section and section 203 may use the assistance to conduct activities to help reduce the risk of future damage, hardship, loss, or suffering in any area affected by a wildfire or windstorm, such as—

“(1) reseeding ground cover with quick-growing or native species;

“(2) mulching with straw or chipped wood;

“(3) constructing straw, rock, or log dams in small tributaries to prevent flooding;

“(4) placing logs and other erosion barriers to catch sediment on hill slopes;

“(5) installing debris traps to modify road and trail drainage mechanisms;

“(6) modifying or removing culverts to allow drainage to flow freely;

“(7) adding drainage dips and constructing emergency spillways to keep roads and bridges from washing out during floods;

“(8) planting grass to prevent the spread of noxious weeds;

“(9) installing warning signs;

“(10) establishing defensible space measures;

“(11) reducing hazardous fuels;

“(12) mitigating windstorm damage, including replacing or installing electrical transmission or distribution utility pole structures with poles that are resilient to extreme wind and combined ice and wind loadings for the basic wind speeds and ice conditions associated with the relevant location;

“(13) removing standing burned trees; and
 “(14) replacing water systems that have been burned and have caused contamination.”.

SEC. 1206. ELIGIBILITY FOR CODE IMPLEMENTATION AND ENFORCEMENT.

(a) IN GENERAL.—Section 402 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170a) is amended—

(1) in paragraph (4), by striking “and” at the end;

(2) by redesignating paragraph (5) as paragraph (6); and

(3) by inserting after paragraph (4) the following:

“(5) provide assistance to State and local governments for building code and floodplain management ordinance administration and enforcement, including inspections for substantial damage compliance; and”.

(b) REPAIR, RESTORATION, AND REPLACEMENT OF DAMAGED FACILITIES.—Section 406(a)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(a)(2)) is amended—

(1) in subparagraph (B), by striking “and” at the end;

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

(3) by adding at the end the following:

“(D) base and overtime wages for extra hires to facilitate the implementation and enforcement of adopted building codes for a period of not more than 180 days after the major disaster is declared.”.

SEC. 1207. PROGRAM IMPROVEMENTS.

(a) HAZARD MITIGATION.—Section 406(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(c)) is amended—

(1) in paragraph (1)(A), by striking “90 percent of”; and

(2) in paragraph (2)(A), by striking “75 percent of”.

(b) FLOOD INSURANCE.—Section 406(d)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(d)(1)) is amended by adding at the end the following: “This section shall not apply to more than one building of a multi-structure educational, law enforcement, correctional, fire, or medical campus, for any major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) on or after January 1, 2016, through December 31, 2018.”.

(c) PARTICIPATION.—Section 428(d) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189f(d)) is amended—

(1) by striking “Participation in” and inserting the following:

“(1) IN GENERAL.—Participation in”; and

(2) by adding at the end the following:

“(2) NO CONDITIONS.—The President may not condition the provision of Federal assistance under this Act on the election by a State, local, or Indian tribal government, or owner or operator of a private nonprofit facility to participate in the alternative procedures adopted under this section.”.

(d) CERTIFICATION.—Section 428(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189f(e)(1)) is amended—

(1) in subparagraph (E), by striking “and” at the end;

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

(3) by adding at the end the following:

“(G) once certified by a professionally licensed engineer and accepted by the Administrator, the estimates on which grants made pursuant to this section are based shall be presumed to be reasonable and eligible costs, as long as there is no evidence of fraud.”.

SEC. 1208. PRIORITIZATION OF FACILITIES.

Not later than 180 days after the date of enactment of this Act, the Administrator shall provide guidance and training on an annual basis to State, local, and Indian tribal governments, first responders, and utility companies on—

(1) the need to prioritize assistance to hospitals, nursing homes, and other long-term care facilities to ensure that such health care facilities remain functioning or return to functioning as soon as practicable during power outages caused by natural hazards, including severe weather events;

(2) how hospitals, nursing homes and other long-term care facilities should adequately prepare for power outages during a major disaster or emergency, as those terms are defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); and

(3) how State, local, and Indian tribal governments, first responders, utility companies, hospitals, nursing homes, and other long-term care facilities should develop a strategy to coordinate emergency response plans, including the activation of emergency response plans, in anticipation of a major disaster, including severe weather events.

SEC. 1209. GUIDANCE ON EVACUATION ROUTES.

(a) IN GENERAL.—

(1) IDENTIFICATION.—The Administrator, in coordination with the Administrator of the Federal Highway Administration, shall develop and issue guidance for State, local, and Indian tribal governments regarding the identification of evacuation routes.

(2) GUIDANCE.—The Administrator of the Federal Highway Administration, in coordination with the Administrator, shall revise existing guidance or issue new guidance as appropriate for State, local, and Indian tribal governments regarding the design, construction, maintenance, and repair of evacuation routes.

(b) CONSIDERATIONS.—

(1) IDENTIFICATION.—In developing the guidance under subsection (a)(1), the Administrator shall consider—

(A) whether evacuation routes have resisted impacts and recovered quickly from disasters, regardless of cause;

(B) the need to evacuate special needs populations, including—

(i) individuals with a physical or mental disability;

(ii) individuals in schools, daycare centers, mobile home parks, prisons, nursing homes and other long-term care facilities, and detention centers;

(iii) individuals with limited-English proficiency;

(iv) the elderly; and

(v) individuals who are tourists, seasonal workers, or homeless;

(C) the sharing of information and other public communications with evacuees during evacuations;

(D) the sheltering of evacuees, including the care, protection, and sheltering of animals;

(E) the return of evacuees to their homes; and

(F) such other items the Administrator considers appropriate.

(2) DESIGN, CONSTRUCTION, MAINTENANCE, AND REPAIR.—In revising or issuing guidance under subsection (a)(2), the Administrator of the Federal Highway Administration shall consider—

(A) methods that assist evacuation routes to—

(i) withstand likely risks to viability, including flammability and hydrostatic forces;

(ii) improve durability, strength (including the ability to withstand tensile stresses and compressive stresses), and sustainability; and

(iii) provide for long-term cost savings;

(B) the ability of evacuation routes to effectively manage contraflow operations;

(C) for evacuation routes on public lands, the viewpoints of the applicable Federal land management agency regarding emergency operations, sustainability, and resource protection; and

(D) such other items the Administrator of the Federal Highway Administration considers appropriate.

(c) STUDY.—The Administrator, in coordination with the Administrator of the Federal Highway Administration and State, local, territorial, and Indian tribal governments, may—

(1) conduct a study of the adequacy of available evacuation routes to accommodate the flow of evacuees; and

(2) submit recommendations on how to help with anticipated evacuation route flow, based on the study conducted under paragraph (1), to—

(A) the Federal Highway Administration;

(B) the Agency;

(C) State, local, territorial, and Indian tribal governments; and

(D) Congress.

SEC. 1210. DUPLICATION OF BENEFITS.

(a) IN GENERAL.—

(1) AUTHORITY.—Section 312(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155(b)) is amended by adding at the end the following:

“(4) WAIVER OF GENERAL PROHIBITION.—

“(A) IN GENERAL.—The President may waive the general prohibition provided in subsection (a) upon request of a Governor on behalf of the State or on behalf of a person, business concern, or any other entity suffering losses as a result of a major disaster or emergency, if the President finds such waiver is in the public interest and will not result in waste, fraud, or abuse. In making this decision, the President may consider the following:

“(i) The recommendations of the Administrator of the Federal Emergency Management Agency made in consultation with the Federal agency or agencies administering the duplicative program.

“(ii) If a waiver is granted, the assistance to be funded is cost effective.

“(iii) Equity and good conscience.

“(iv) Other matters of public policy considered appropriate by the President.

“(B) GRANT OR DENIAL OF WAIVER.—A request under subparagraph (A) shall be granted or denied not later than 45 days after submission of such request.

“(C) PROHIBITION ON DETERMINATION THAT LOAN IS A DUPLICATION.—Notwithstanding subsection (c), in carrying out subparagraph (A), the President may not determine that a loan is a duplication of assistance, provided that all Federal assistance is used toward a loss suffered as a result of the major disaster or emergency.”.

(2) LIMITATION.—This subsection, including the amendment made by paragraph (1), shall not be construed to apply to section 406 or 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172, 5174).

(3) APPLICABILITY.—The amendment made by paragraph (1) shall apply to any major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) between January 1, 2016, and December 31, 2021.

(4) SUNSET.—On the date that is 5 years after the date of enactment of this Act, section 312(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155(b)) is amended by striking paragraph (4), as added by subsection (a)(1) of this section.

(5) REPORT.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator, in coordination with other relevant Federal agencies, shall submit to the congressional committees of jurisdiction a report conducted by all relevant Federal agencies to improve the comprehensive delivery of disaster assistance to individuals following a major disaster or emergency declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act.

(B) CONTENTS.—The report required under subparagraph (A) shall include both administrative actions taken, or planned to be taken, by the agencies as well as legislative proposals, where appropriate, of the following:

(i) Efforts to improve coordination between the Agency and other relevant Federal agencies when delivering disaster assistance to individuals.

(ii) Clarify the sequence of delivery of disaster assistance to individuals from the Agency, and other relevant Federal agencies.

(iii) Clarify the interpretation and implementation of section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155) when providing disaster assistance to individuals, including providing a common interpretation across the Agency, and other relevant Federal agencies, of the definitions and requirements under such section 312.

(iv) Increase the effectiveness of communication to applicants for assistance programs for individuals after a disaster declaration, including the breadth of programs available and the potential impacts of utilizing one program versus another.

(C) REPORT UPDATE.—Not later than 4 years after the date of enactment of this subsection, the Administrator, in coordination with other relevant Federal agencies, shall submit to the congressional committees of jurisdiction an update to the report required under subparagraph (A).

(b) FUNDING OF A FEDERALLY AUTHORIZED WATER RESOURCES DEVELOPMENT PROJECT.—

(1) ELIGIBLE ACTIVITIES.—Notwithstanding section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155) and its implementing regulations, assistance provided pursuant to section 404 of such Act may be used to fund activities authorized for construction within the scope of a federally authorized water resources development project of the Army Corps of Engineers if such activities are also eligible activities under such section.

(2) FEDERAL FUNDING.—All Federal funding provided under section 404 pursuant to this section shall be applied toward the Federal share of such project.

(3) NON-FEDERAL MATCH.—All non-Federal matching funds required under section 404 pursuant to this section shall be applied toward the non-Federal share of such project.

(4) TOTAL FEDERAL SHARE.—Funding provided under section 404 pursuant to this section may not exceed the total Federal share for such project.

(5) NO EFFECT.—Nothing in this section shall—

(A) affect the cost-share requirement of a hazard mitigation measure under section 404;

(B) affect the eligibility criteria for a hazard mitigation measure under section 404;

(C) affect the cost share requirements of a federally authorized water resources development project; and

(D) affect the responsibilities of a non-Federal interest with respect to the project, including those related to the provision of lands, easements, rights-of-way, dredge material disposal areas, and necessary relocations.

(6) LIMITATION.—If a federally authorized water resources development project of the

Army Corps of Engineers is constructed with funding provided under section 404 pursuant to this subsection, no further Federal funding shall be provided for construction of such project

SEC. 1211. STATE ADMINISTRATION OF ASSISTANCE FOR DIRECT TEMPORARY HOUSING AND PERMANENT HOUSING CONSTRUCTION.

(a) STATE ROLE.—Section 408(f) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(f)) is amended—

(1) in paragraph (1)—

(A) by striking the paragraph heading and inserting “STATE- OR INDIAN TRIBAL GOVERNMENT-ADMINISTERED ASSISTANCE AND OTHER NEEDS ASSISTANCE.”;

(B) in subparagraph (A)—

(i) by striking “financial”;

(ii) by striking “subsection (e)” and inserting “subsections (c)(1)(B), (c)(4), and (e) if the President and the State or Indian tribal government comply, as determined by the Administrator, with paragraph (3)”;

(C) in subparagraph (B)—

(i) by striking “financial”;

(ii) by striking “subsection (e)” and inserting “subsections (c)(1)(B), (c)(4), and (e)”;

and

(2) by adding at the end the following:

“(3) REQUIREMENTS.—

“(A) APPLICATION.—A State or Indian tribal government desiring to provide assistance under subsection (c)(1)(B), (c)(4), or (e) shall submit to the President an application for a grant to provide financial assistance under the program.

“(B) CRITERIA.—The President, in consultation and coordination with State and Indian tribal governments, shall establish criteria for the approval of applications submitted under subparagraph (A). The criteria shall include, at a minimum—

“(i) a requirement that the State or Indian tribal government submit a housing strategy under subparagraph (C);

“(ii) the demonstrated ability of the State or Indian tribal government to manage the program under this section;

“(iii) there being in effect a plan approved by the President as to how the State or Indian tribal government will comply with applicable Federal laws and regulations and how the State or Indian tribal government will provide assistance under its plan;

“(iv) a requirement that the State or Indian tribal government comply with rules and regulations established pursuant to subsection (j); and

“(v) a requirement that the President, or the designee of the President, comply with subsection (i).

“(C) REQUIREMENT OF HOUSING STRATEGY.—

“(i) IN GENERAL.—A State or Indian tribal government submitting an application under this paragraph shall have an approved housing strategy, which shall be developed and submitted to the President for approval.

“(ii) REQUIREMENTS.—The housing strategy required under clause (i) shall—

“(I) outline the approach of the State in working with Federal partners, Indian tribal governments, local communities, nongovernmental organizations, and individual disaster survivors to meet disaster-related sheltering and housing needs; and

“(II) include the establishment of an activation plan for a State Disaster Housing Task Force, as outlined in the National Disaster Housing Strategy, to bring together State, tribal, local, Federal, nongovernmental, and private sector expertise to evaluate housing requirements, consider potential solutions, recognize special needs populations, and propose recommendations.

“(D) QUALITY ASSURANCE.—Before approving an application submitted under this section, the President, or the designee of the

President, shall institute adequate policies, procedures, and internal controls to prevent waste, fraud, abuse, and program mismanagement for this program and for programs under subsections (c)(1)(B), (c)(4), and (e). The President shall monitor and conduct quality assurance activities on a State or Indian tribal government's implementation of programs under subsections (c)(1)(B), (c)(4), and (e). If, after approving an application of a State or Indian tribal government submitted under this paragraph, the President determines that the State or Indian tribal government is not administering the program established by this section in a manner satisfactory to the President, the President shall withdraw the approval.

“(E) AUDITS.—The Inspector General of the Department of Homeland Security shall provide for periodic audits of the programs administered by States and Indian tribal governments under this subsection.

“(F) APPLICABLE LAWS.—All Federal laws applicable to the management, administration, or contracting of the programs by the Federal Emergency Management Agency under this section shall be applicable to the management, administration, or contracting by a non-Federal entity under this section.

“(G) REPORT ON EFFECTIVENESS.—Not later than 18 months after the date of enactment of this paragraph, the Inspector General of the Department of Homeland Security shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the State or Indian tribal government's role to provide assistance under this section. The report shall contain an assessment of the effectiveness of the State or Indian tribal government's role in providing assistance under this section, including—

“(i) whether the State or Indian tribal government's role helped to improve the general speed of disaster recovery;

“(ii) whether the State or Indian tribal government providing assistance under this section had the capacity to administer this section; and

“(iii) recommendations for changes to improve the program if the State or Indian tribal government's role to administer the programs should be continued.

“(H) REPORT ON INCENTIVES.—Not later than 12 months after the date of enactment of this paragraph, the Administrator of the Federal Emergency Management Agency shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on a potential incentive structure for awards made under this section to encourage participation by eligible States and Indian tribal governments. In developing this report, the Administrator of the Federal Emergency Management Agency shall consult with State, local, and Indian tribal entities to gain their input on any such incentive structure to encourage participation and shall include this information in the report. This report should address, among other options, potential adjustments to the cost-share requirement and management costs to State and Indian tribal governments.

“(I) PROHIBITION.—The President may not condition the provision of Federal assistance under this Act on a State or Indian tribal government requesting a grant under this section.

“(J) MISCELLANEOUS.—

“(i) NOTICE AND COMMENT.—The Administrator of the Federal Emergency Management Agency may waive notice and comment rulemaking with respect to rules to carry out this section, if the Administrator

determines doing so is necessary to expeditiously implement this section, and may carry out this section as a pilot program until such regulations are promulgated.

“(ii) **FINAL RULE.**—Not later than 2 years after the date of enactment of this paragraph, the Administrator of the Federal Emergency Management Agency shall issue final regulations to implement this subsection as amended by the Disaster Recovery Reform Act of 2018.

“(iii) **WAIVER AND EXPIRATION.**—The authority under clause (i) and any pilot program implemented pursuant to such clause shall expire 2 years after the date of enactment of this paragraph or upon issuance of final regulations pursuant to clause (ii), whichever occurs sooner.”.

(b) **REIMBURSEMENT.**—The Federal Emergency Management Agency (FEMA) shall reimburse State and local units of government (for requests received within a period of 3 years after the declaration of a major disaster under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170)) upon determination that a locally implemented housing solution, implemented by State or local units of government—

(1) costs 50 percent of comparable FEMA solution or whatever the locally implemented solution costs, whichever is lower;

(2) complies with local housing regulations and ordinances; and

(3) the housing solution was implemented within 90 days of the disaster.

SEC. 1212. ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS.

Section 408(h) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(h)) is amended—

(1) in paragraph (1), by inserting “, excluding financial assistance to rent alternate housing accommodations under subsection (c)(1)(A)(i) and financial assistance to address other needs under subsection (e)” after “disaster”;

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

“(2) **OTHER NEEDS ASSISTANCE.**—The maximum financial assistance any individual or household may receive under subsection (e) shall be equivalent to the amount set forth in paragraph (1) with respect to a single major disaster.”;

(4) in paragraph (3) (as so redesignated), by striking “paragraph (1)” and inserting “paragraphs (1) and (2)”;

(5) by inserting after paragraph (3) (as so redesignated) the following:

“(4) **EXCLUSION OF NECESSARY EXPENSES FOR INDIVIDUALS WITH DISABILITIES.**—

“(A) **IN GENERAL.**—The maximum amount of assistance established under paragraph (1) shall exclude expenses to repair or replace damaged accessibility-related improvements under paragraphs (2), (3), and (4) of subsection (c) for individuals with disabilities.

“(B) **OTHER NEEDS ASSISTANCE.**—The maximum amount of assistance established under paragraph (2) shall exclude expenses to repair or replace accessibility-related personal property under subsection (e)(2) for individuals with disabilities.”.

SEC. 1213. MULTIFAMILY LEASE AND REPAIR ASSISTANCE.

(a) **LEASE AND REPAIR OF RENTAL UNITS FOR TEMPORARY HOUSING.**—Section 408(c)(1)(B)(ii)(II) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)(ii)(II)) is amended to read as follows:

“(II) **IMPROVEMENTS OR REPAIRS.**—Under the terms of any lease agreement for property entered into under this subsection, the value of the improvements or repairs shall be

deducted from the value of the lease agreement.”.

(b) **RENTAL PROPERTIES IMPACTED.**—Section 408(c)(1)(B)(ii)(I)(aa) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)(ii)(I)(aa)) is amended to read as follows:

“(aa) enter into lease agreements with owners of multifamily rental property impacted by a major disaster or located in areas covered by a major disaster declaration to house individuals and households eligible for assistance under this section; and”.

(c) **INSPECTOR GENERAL REPORT.**—Not later than 2 years after the date of the enactment of this Act, the inspector general of the Department of Homeland Security shall—

(1) assess the use of the authority provided under section 408(c)(1)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)(1)(B)), as amended by this division, including the adequacy of any benefit-cost analysis done to justify the use of this alternative; and

(2) submit a report on the results of the assessment conducted under paragraph (1) to the appropriate committees of Congress.

SEC. 1214. PRIVATE NONPROFIT FACILITY.

Section 102(1)(B) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(1)(B)) is amended by inserting “food banks,” after “shelter workshops,”.

SEC. 1215. MANAGEMENT COSTS.

Section 324 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5165b) is amended—

(1) in subsection (a) by striking “any administrative expense, and any other expense not directly chargeable to” and inserting “any direct administrative cost, and any other administrative expense associated with”; and

(2) in subsection (b)—

(A) by striking “Notwithstanding” and inserting the following:

“(1) **IN GENERAL.**—Notwithstanding”;

(B) in paragraph (1), as added by subparagraph (A), by striking “establish” and inserting “implement”; and

(C) by adding at the end the following:

“(2) **SPECIFIC MANAGEMENT COSTS.**—The Administrator of the Federal Emergency Management Agency shall provide the following percentage rates, in addition to the eligible project costs, to cover direct and indirect costs of administering the following programs:

“(A) **HAZARD MITIGATION.**—A grantee under section 404 may be reimbursed not more than 15 percent of the total amount of the grant award under such section of which not more than 10 percent may be used by the grantee and 5 percent by the subgrantee for such costs.

“(B) **PUBLIC ASSISTANCE.**—A grantee under sections 403, 406, 407, and 502 may be reimbursed not more than 12 percent of the total award amount under such sections, of which not more than 7 percent may be used by the grantee and 5 percent by the subgrantee for such costs.”.

SEC. 1216. FLEXIBILITY.

(a) **WAIVER AUTHORITY.**—

(1) **DEFINITION.**—In this subsection, the term “covered assistance” means assistance provided—

(A) under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174); and

(B) in relation to a major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) on or after October 28, 2012.

(2) **AUTHORITY.**—Notwithstanding section 3716(e) of title 31, United States Code, the Administrator—

(A) subject to subparagraph (B), may waive a debt owed to the United States related to covered assistance provided to an individual or household if—

(i) the covered assistance was distributed based on an error by the Agency;

(ii) there was no fault on behalf of the debtor; and

(iii) the collection of the debt would be against equity and good conscience; and

(B) may not waive a debt under subparagraph (A) if the debt involves fraud, the presentation of a false claim, or misrepresentation by the debtor or any party having an interest in the claim.

(3) **MONITORING OF COVERED ASSISTANCE DISTRIBUTED BASED ON ERROR.**—

(A) **IN GENERAL.**—The Inspector General of the Department of Homeland Security shall monitor the distribution of covered assistance to individuals and households to determine the percentage of such assistance distributed based on an error.

(B) **REMOVAL OF WAIVER AUTHORITY BASED ON EXCESSIVE ERROR RATE.**—If the Inspector General of the Department of Homeland Security determines, with respect to any 12-month period, that the amount of covered assistance distributed based on an error by the Agency exceeds 4 percent of the total amount of covered assistance distributed—

(i) the Inspector General shall notify the Administrator and publish the determination in the Federal Register; and

(ii) with respect to any major disaster or emergency declared by the President under section 401 or section 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170; 42 U.S.C. 5191) after the date on which the determination is published under subparagraph (A), the authority of the Administrator to waive debt under paragraph (2) shall no longer be effective.

(b) **RECOUPMENT OF CERTAIN ASSISTANCE PROHIBITED.**—

(1) **IN GENERAL.**—Notwithstanding section 3716(e) of title 31, United States Code, and unless there is evidence of civil or criminal fraud, the Agency may not take any action to recoup covered assistance from the recipient of such assistance if the receipt of such assistance occurred on a date that is more than 3 years before the date on which the Agency first provides to the recipient written notification of an intent to recoup.

(2) **COVERED ASSISTANCE DEFINED.**—In this subsection, the term “covered assistance” means assistance provided—

(A) under section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174); and

(B) in relation to a major disaster or emergency declared by the President under section 401 or 501, respectively, of such Act (42 U.S.C. 5170; 42 U.S.C. 5191) on or after January 1, 2012.

(c) **STATUTE OF LIMITATIONS.**—

(1) **IN GENERAL.**—Section 705 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205) is amended—

(A) in subsection (a)(1)—

(i) by striking “Except” and inserting “Notwithstanding section 3716(e) of title 31, United States Code, and except”; and

(ii) by striking “report for the disaster or emergency” and inserting “report for project completion as certified by the grantee”; and

(B) in subsection (b)—

(i) in paragraph (1) by striking “report for the disaster or emergency” and inserting “report for project completion as certified by the grantee”; and

(ii) in paragraph (3) by inserting “for project completion as certified by the grantee” after “final expenditure report”.

(2) **APPLICABILITY.**—

(A) **IN GENERAL.**—With respect to disaster or emergency assistance provided to a State

or local government on or after January 1, 2004—

(i) no administrative action may be taken to recover a payment of such assistance after the date of enactment of this Act if the action is prohibited under section 705(a)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205(a)(1)), as amended by paragraph (1); and

(ii) any administrative action to recover a payment of such assistance that is pending on such date of enactment shall be terminated if the action is prohibited under section 705(a)(1) of that Act, as amended by paragraph (1).

(B) LIMITATION.—This section, including the amendments made by this section, may not be construed to invalidate or otherwise affect any administration action completed before the date of enactment of this Act.

SEC. 1217. ADDITIONAL DISASTER ASSISTANCE.

(a) DISASTER MITIGATION.—Section 209 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3149) is amended by adding at the end the following:

“(e) DISASTER MITIGATION.—In providing assistance pursuant to subsection (c)(2), if appropriate and as applicable, the Secretary may encourage hazard mitigation in assistance provided pursuant to such subsection.”.

(b) EMERGENCY MANAGEMENT ASSISTANCE COMPACT GRANTS.—Section 661(d) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 761(d)) is amended by striking “for fiscal year 2008” and inserting “for each of fiscal years 2018 through 2022”.

(c) EMERGENCY MANAGEMENT PERFORMANCE GRANTS PROGRAM.—Section 662(f) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 762(f)) is amended by striking “the program” and all that follows through “2012” and inserting “the program, for each of fiscal years 2018 through 2022”.

(d) TECHNICAL AMENDMENT.—Section 403(a)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b(a)(3)) is amended by striking the second subparagraph (J).

SEC. 1218. NATIONAL VETERINARY EMERGENCY TEAMS.

(a) IN GENERAL.—The Administrator of the Federal Emergency Management Agency may establish one or more national veterinary emergency teams at accredited colleges of veterinary medicine.

(b) RESPONSIBILITIES.—A national veterinary emergency team shall—

(1) deploy with a team of the National Urban Search and Rescue Response System to assist with—

(A) veterinary care of canine search teams;

(B) locating and treating companion animals, service animals, livestock, and other animals; and

(C) surveillance and treatment of zoonotic diseases;

(2) recruit, train, and certify veterinary professionals, including veterinary students, in accordance with an established set of plans and standard operating guidelines to carry out the duties associated with planning for and responding to major disasters and emergencies as described in paragraph (1);

(3) assist State governments, Indian tribal governments, local governments, and non-profit organizations in developing emergency management and evacuation plans that account for the care and rescue of animals and in improving local readiness for providing veterinary medical response during an emergency or major disaster; and

(4) coordinate with the Department of Homeland Security, the Department of Health and Human Services, the Department of Agriculture, State, local, and Indian tribal

governments (including departments of animal and human health), veterinary and health care professionals, and volunteers.

SEC. 1219. RIGHT OF ARBITRATION.

Section 423 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189a) is amended by adding at the end the following:

“(d) RIGHT OF ARBITRATION.—

“(1) IN GENERAL.—Notwithstanding this section, an applicant for assistance under this title may request arbitration to dispute the eligibility for assistance or repayment of assistance provided for a dispute of more than \$500,000 for any disaster that occurred after January 1, 2016. Such arbitration shall be conducted by the Civilian Board of Contract Appeals and the decision of such Board shall be binding.

“(2) REVIEW.—The Civilian Board of Contract Appeals shall consider from the applicant all original and additional documentation, testimony, or other such evidence supporting the applicant's position at any time during arbitration.

“(3) RURAL AREAS.—For an applicant for assistance in a rural area under this title, the assistance amount eligible for arbitration pursuant to this subsection shall be \$100,000.

“(4) RURAL AREA DEFINED.—For the purposes of this subsection, the term ‘rural area’ means an area with a population of less than 200,000 outside an urbanized area.

“(5) ELIGIBILITY.—To participate in arbitration under this subsection, an applicant—

“(A) shall submit the dispute to the arbitration process established under the authority granted under section 601 of Public Law 111-5; and

“(B) may submit a request for arbitration after the completion of the first appeal under subsection (a) at any time before the Administrator of the Federal Emergency Management Agency has issued a final agency determination or 180 days after the Administrator's receipt of the appeal if the Administrator has not provided the applicant with a final determination on the appeal. The applicant's request shall contain documentation from the administrative record for the first appeal and may contain additional documentation supporting the applicant's position.”.

SEC. 1220. UNIFIED FEDERAL ENVIRONMENTAL AND HISTORIC PRESERVATION REVIEW.

(a) REVIEW AND ANALYSIS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall review the Unified Federal Environmental and Historic Preservation review process established pursuant to section 429 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189g), and submit a report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate that includes the following:

(1) An analysis of whether and how the unified process has expedited the interagency review process to ensure compliance with the environmental and historic requirements under Federal law relating to disaster recovery projects.

(2) A survey and analysis of categorical exclusions used by other Federal agencies that may be applicable to any activity related to a major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191).

(3) Recommendations on any further actions, including any legislative proposals, needed to expedite and streamline the review process.

(b) REGULATIONS.—After completing the review, survey, and analyses under subsection (a), but not later than 2 years after the date of enactment of this Act, and after providing notice and opportunity for public comment, the Administrator shall issue regulations to implement any regulatory recommendations, including any categorical exclusions identified under subsection (a), to the extent that the categorical exclusions meet the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations, and section II of DHS Instruction Manual 023-01-001-01.

SEC. 1221. CLOSEOUT INCENTIVES.

(a) FACILITATING CLOSEOUT.—Section 705 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5205) is amended by adding at the end the following:

“(d) FACILITATING CLOSEOUT.—

“(1) INCENTIVES.—The Administrator of the Federal Emergency Management Agency may develop incentives and penalties that encourage State, local, or Indian tribal governments to close out expenditures and activities on a timely basis related to disaster or emergency assistance.

“(2) AGENCY REQUIREMENTS.—The Federal Emergency Management Agency shall, consistent with applicable regulations and required procedures, meet its responsibilities to improve closeout practices and reduce the time to close disaster program awards.”.

(b) REGULATIONS.—The Administrator shall issue regulations to implement the amendment made by this section.

SEC. 1222. PERFORMANCE OF SERVICES.

Section 306 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5149) is amended by adding at the end the following:

“(c) The Administrator of the Federal Emergency Management Agency is authorized to appoint temporary personnel, after serving continuously for 3 years, to positions in the Federal Emergency Management Agency in the same manner that competitive service employees with competitive status are considered for transfer, reassignment, or promotion to such positions. An individual appointed under this subsection shall become a career-conditional employee, unless the employee has already completed the service requirements for career tenure.”.

SEC. 1223. STUDY TO STREAMLINE AND CONSOLIDATE INFORMATION COLLECTION.

Not later than 1 year after the date of enactment of this Act, the Administrator—

(1) in coordination with the Small Business Administration, the Department of Housing and Urban Development, the Disaster Assistance Working Group of the Council of the Inspectors General on Integrity and Efficiency, and other appropriate agencies, conduct a study and develop a plan, consistent with law, under which the collection of information from disaster assistance applicants and grantees will be modified, streamlined, expedited, efficient, flexible, consolidated, and simplified to be less burdensome, duplicative, and time consuming for applicants and grantees;

(2) in coordination with the Small Business Administration, the Department of Housing and Urban Development, the Disaster Assistance Working Group of the Council of the Inspectors General on Integrity and Efficiency, and other appropriate agencies, develop a plan for the regular collection and reporting of information on Federal disaster assistance awarded, including the establishment and maintenance of a website for presenting the information to the public; and

(3) submit the plans developed under paragraphs (1) and (2) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.

SEC. 1224. AGENCY ACCOUNTABILITY.

Title IV of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 et seq.) is amended by adding at the end the following:

“SEC. 430. AGENCY ACCOUNTABILITY.

“(a) PUBLIC ASSISTANCE.—Not later than 5 days after an award of a public assistance grant is made under section 406 that is in excess of \$1,000,000, the Administrator of the Federal Emergency Management Agency shall publish on the website of the Federal Emergency Management Agency the specifics of each such grant award, including—

“(1) identifying the Federal Emergency Management Agency Region;

“(2) the disaster or emergency declaration number;

“(3) the State, county, and applicant name;

“(4) if the applicant is a private nonprofit organization;

“(5) the damage category code;

“(6) the amount of the Federal share obligated; and

“(7) the date of the award.

“(b) MISSION ASSIGNMENTS.—

“(1) IN GENERAL.—Not later than 5 days after the issuance of a mission assignment or mission assignment task order, the Administrator of the Federal Emergency Management Agency shall publish on the website of the Federal Emergency Management Agency any mission assignment or mission assignment task order to another Federal department or agency regarding a major disaster in excess of \$1,000,000, including—

“(A) the name of the impacted State or Indian Tribe;

“(B) the disaster declaration for such State or Indian Tribe;

“(C) the assigned agency;

“(D) the assistance requested;

“(E) a description of the disaster;

“(F) the total cost estimate;

“(G) the amount obligated;

“(H) the State or Indian tribal government cost share, if applicable;

“(I) the authority under which the mission assignment or mission assignment task order was directed; and

“(J) if applicable, the date a State or Indian Tribe requested the mission assignment.

“(2) RECORDING CHANGES.—Not later than 10 days after the last day of each month until a mission assignment or mission assignment task order described in paragraph (1) is completed and closed out, the Administrator of the Federal Emergency Management Agency shall update any changes to the total cost estimate and the amount obligated.

“(c) DISASTER RELIEF MONTHLY REPORT.—Not later than 10 days after the first day of each month, the Administrator of the Federal Emergency Management Agency shall publish on the website of the Federal Emergency Management Agency reports, including a specific description of the methodology and the source data used in developing such reports, including—

“(1) an estimate of the amounts for the fiscal year covered by the President's most recent budget pursuant to section 1105(a) of title 31, United States Code, including—

“(A) the unobligated balance of funds to be carried over from the prior fiscal year to the budget year;

“(B) the unobligated balance of funds to be carried over from the budget year to the budget year plus 1;

“(C) the amount of obligations for non-catastrophic events for the budget year;

“(D) the amount of obligations for the budget year for catastrophic events delineated by event and by State;

“(E) the total amount that has been previously obligated or will be required for cat-

astrophic events delineated by event and by State for all prior years, the current fiscal year, the budget year, and each fiscal year thereafter;

“(F) the amount of previously obligated funds that will be recovered for the budget year;

“(G) the amount that will be required for obligations for emergencies, as described in section 102(1), major disasters, as described in section 102(2), fire management assistance grants, as described in section 420, surge activities, and disaster readiness and support activities; and

“(H) the amount required for activities not covered under section 251(b)(2)(D)(iii) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(D)(iii)); and

“(2) an estimate or actual amounts, if available, of the following for the current fiscal year, which shall be submitted not later than the fifth day of each month, published by the Administrator of the Federal Emergency Management Agency on the website of the Federal Emergency Management Agency not later than the fifth day of each month:

“(A) A summary of the amount of appropriations made available by source, the transfers executed, the previously allocated funds recovered, and the commitments, allocations, and obligations made.

“(B) A table of disaster relief activity delineated by month, including—

“(i) the beginning and ending balances;

“(ii) the total obligations to include amounts obligated for fire assistance, emergencies, surge, and disaster support activities;

“(iii) the obligations for catastrophic events delineated by event and by State; and

“(iv) the amount of previously obligated funds that are recovered.

“(C) A summary of allocations, obligations, and expenditures for catastrophic events delineated by event.

“(D) The cost of the following categories of spending:

“(i) Public assistance.

“(ii) Individual assistance.

“(iii) Mitigation.

“(iv) Administrative.

“(v) Operations.

“(vi) Any other relevant category (including emergency measures and disaster resources) delineated by disaster.

“(E) The date on which funds appropriated will be exhausted.

“(d) CONTRACTS.—

“(1) INFORMATION.—Not later than 10 days after the first day of each month, the Administrator of the Federal Emergency Management Agency shall publish on the website of the Federal Emergency Management Agency the specifics of each contract in excess of \$1,000,000 that the Federal Emergency Management Agency enters into, including—

“(A) the name of the party;

“(B) the date the contract was awarded;

“(C) the amount and scope of the contract;

“(D) if the contract was awarded through a competitive bidding process;

“(E) if no competitive bidding process was used, the reason why competitive bidding was not used; and

“(F) the authority used to bypass the competitive bidding process.

The information shall be delineated by disaster, if applicable, and specify the damage category code, if applicable.

“(2) REPORT.—Not later than 10 days after the last day of the fiscal year, the Administrator of the Federal Emergency Management Agency shall provide a report to the appropriate committees of Congress summarizing the following information for the preceding fiscal year:

“(A) The number of contracts awarded without competitive bidding.

“(B) The reasons why a competitive bidding process was not used.

“(C) The total amount of contracts awarded with no competitive bidding.

“(D) The damage category codes, if applicable, for contracts awarded without competitive bidding.

“(e) COLLECTION OF PUBLIC ASSISTANCE RECIPIENT AND SUBRECIPIENT CONTRACTS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Administrator of the Federal Emergency Management Agency shall initiate and maintain an effort to collect and store information, prior to the project close-out phase on any contract entered into by a public assistance recipient or subrecipient that through the base award, available options, or any subsequent modifications has an estimated value of more than \$1,000,000 and is funded through section 324, 403, 404, 406, 407, 428, or 502, including—

“(A) the disaster number, project worksheet number, and the category of work associated with each contract;

“(B) the name of each party;

“(C) the date the contract was awarded;

“(D) the amount of the contract;

“(E) the scope of the contract;

“(F) the period of performance for the contract; and

“(G) whether the contract was awarded through a competitive bidding process.

“(2) AVAILABILITY OF INFORMATION COLLECTED.—The Administrator of the Federal Emergency Management Agency shall make the information collected and stored under paragraph (1) available to the Inspector General of the Department of Homeland Security, the Government Accountability Office, and appropriate committees of Congress, upon request.

“(3) REPORT.—Not later than 365 days after the date of enactment of this subsection, the Administrator of the Federal Emergency Management Agency shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the efforts of the Federal Emergency Management Agency to collect the information described in paragraph (1).”

SEC. 1225. AUDIT OF CONTRACTS.

Notwithstanding any other provision of law, the Administrator of the Federal Emergency Management Agency shall not reimburse a State or local government, an Indian tribal government (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), or the owner or operator of a private nonprofit facility (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) for any activities made pursuant to a contract entered into after August 1, 2017, that prohibits the Administrator or the Comptroller General of the United States from auditing or otherwise reviewing all aspects relating to the contract.

SEC. 1226. INSPECTOR GENERAL AUDIT OF FEMA CONTRACTS FOR TARPS AND PLASTIC SHEETING.

(a) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Inspector General of the Department of Homeland Security shall initiate an audit of the contracts awarded by the Agency for tarps and plastic sheeting for the Commonwealth of Puerto Rico and the United States Virgin Islands in response to Hurricane Irma and Hurricane Maria.

(b) CONSIDERATIONS.—In carrying out the audit under subsection (a), the inspector general shall review—

(1) the contracting process used by the Agency to evaluate offerors and award the relevant contracts to contractors;

(2) the assessment conducted by the Agency of the past performance of the contractors, including any historical information showing that the contractors had supported large-scale delivery quantities in the past;

(3) the assessment conducted by the Agency of the capacity of the contractors to carry out the relevant contracts, including with respect to inventory, production, and financial capabilities;

(4) how the Agency ensured that the contractors met the terms of the relevant contracts; and

(5) whether the failure of the contractors to meet the terms of the relevant contracts and the subsequent cancellation by the Agency of the relevant contracts affected the provision of tarps and plastic sheeting to the Commonwealth of Puerto Rico and the United States Virgin Islands.

(c) **REPORT.**—Not later than 270 days after the date of initiation of the audit under subsection (a), the inspector general shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the results of the audit, including findings and recommendations.

SEC. 1227. RELIEF ORGANIZATIONS.

Section 309 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5152) is amended—

(1) in subsection (a), by striking “and other relief or” and inserting “long-term recovery groups, domestic hunger relief, and other relief, or”; and

(2) in subsection (b), by striking “and other relief or” and inserting “long-term recovery groups, domestic hunger relief, and other relief, or”.

SEC. 1228. GUIDANCE ON INUNDATED AND SUBMERGED ROADS.

The Administrator of the Federal Emergency Management Agency, in coordination with the Administrator of the Federal Highway Administration, shall develop and issue guidance for State, local, and Indian tribal governments regarding repair, restoration, and replacement of inundated and submerged roads damaged or destroyed by a major disaster, and for associated expenses incurred by the Government, with respect to roads eligible for assistance under section 406 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172).

SEC. 1229. EXTENSION OF ASSISTANCE.

(a) **IN GENERAL.**—Notwithstanding any other provision of law, in the case of an individual eligible to receive unemployment assistance under section 410(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177(a)) as a result of a disaster declaration made for Hurricane Irma and Hurricane Maria in the Commonwealth of Puerto Rico and the United States Virgin Islands, the President shall make such assistance available for 52 weeks after the date of the disaster declaration effective as if enacted at the time of the disaster declaration.

(b) **NO ADDITIONAL FUNDS AUTHORIZED.**—No additional funds are authorized to carry out the requirements of this section.

SEC. 1230. GUIDANCE AND RECOMMENDATIONS.

(a) **GUIDANCE.**—The Administrator shall provide guidance to a common interest community that provides essential services of a governmental nature on actions that a common interest community may take in order to be eligible to receive reimbursement from a grantee that receives funds from the Agency for certain activities performed after an event that results in a major disaster declared by the President under section 401 of

the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

(b) **RECOMMENDATIONS.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall provide to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a legislative proposal on how to provide eligibility for disaster assistance with respect to common areas of condominiums and housing cooperatives.

(c) **EFFECTIVE DATE.**—This section shall be effective on the date of enactment of this Act.

SEC. 1231. GUIDANCE ON HAZARD MITIGATION ASSISTANCE.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall issue guidance regarding the acquisition of property for open space as a mitigation measure under section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c) that includes—

(1) a process by which the State hazard mitigation officer appointed for such an acquisition shall, not later than 60 days after the applicant for assistance enters into an agreement with the Administrator regarding the acquisition, provide written notification to each affected unit of local government for such acquisition that includes—

(A) the location of the acquisition;

(B) the State-local assistance agreement for the hazard mitigation grant program;

(C) a description of the acquisition; and

(D) a copy of the deed restriction; and

(2) recommendations for entering into and implementing a memorandum of understanding between units of local government and covered entities that includes provisions to allow an affected unit of local government notified under paragraph (1) to—

(A) use and maintain the open space created by such a project, consistent with section 404 (including related regulations, standards, and guidance) and consistent with all adjoining property, subject to the notification of the adjoining property, so long as the cost of the maintenance is borne by the local government; and

(B) maintain the open space pursuant to standards exceeding any local government standards defined in the agreement with the Administrator described under paragraph (1).

(b) **DEFINITIONS.**—In this section:

(1) **AFFECTED UNIT OF LOCAL GOVERNMENT.**—The term “affected unit of local government” means any entity covered by the definition of local government in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), that has jurisdiction over the property subject to the acquisition described in subsection (a).

(2) **COVERED ENTITY.**—The term “covered entity” means—

(A) the grantee or subgrantee receiving assistance for an open space project described in subsection (a);

(B) the State in which such project is located; and

(C) the applicable Regional Administrator of the Agency.

SEC. 1232. LOCAL IMPACT.

(a) **IN GENERAL.**—In making recommendations to the President regarding a major disaster declaration, the Administrator of the Federal Emergency Management Agency shall give greater consideration to severe local impact or recent multiple disasters. Further, the Administrator shall make corresponding adjustments to the Agency’s policies and regulations regarding such consideration. Not later than 1 year after the date of enactment of this section, the Administrator

shall report to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate on the changes made to regulations and policies and the number of declarations that have been declared based on the new criteria.

(b) **EFFECTIVE DATE.**—This section shall be effective on the date of enactment of this Act.

SEC. 1233. ADDITIONAL HAZARD MITIGATION ACTIVITIES.

Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c), as amended by this division, is further amended by adding at the end the following:

“(g) **USE OF ASSISTANCE FOR EARTHQUAKE HAZARDS.**—Recipients of hazard mitigation assistance provided under this section and section 203 may use the assistance to conduct activities to help reduce the risk of future damage, hardship, loss, or suffering in any area affected by earthquake hazards, including—

“(1) improvements to regional seismic networks in support of building a capability for earthquake early warning;

“(2) improvements to geodetic networks in support of building a capability for earthquake early warning; and

“(3) improvements to seismometers, Global Positioning System receivers, and associated infrastructure in support of building a capability for earthquake early warning.”.

SEC. 1234. NATIONAL PUBLIC INFRASTRUCTURE PREDISASTER HAZARD MITIGATION.

(a) **PREDISASTER HAZARD MITIGATION.**—Section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended—

(1) in subsection (c) by inserting “Public Infrastructure” after “the National”; and

(2) in subsection (e)(1)(B)—

(A) by striking “or” at the end of clause (ii);

(B) by striking the period at the end of clause (iii) and inserting “; or”; and

(C) by adding at the end the following:

“(iv) to establish and carry out enforcement activities and implement the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings’ users against disasters.”;

(3) in subsection (f)—

(A) in paragraph (1) by inserting “for mitigation activities that are cost effective” after “competitive basis”; and

(B) by adding at the end the following:

“(3) **REDISTRIBUTION OF UNOBLIGATED AMOUNTS.**—The President may—

“(A) withdraw amounts of financial assistance made available to a State (including amounts made available to local governments of a State) under this subsection that remain unobligated by the end of the third fiscal year after the fiscal year for which the amounts were allocated; and

“(B) in the fiscal year following a fiscal year in which amounts were withdrawn under subparagraph (A), add the amounts to any other amounts available to be awarded on a competitive basis pursuant to paragraph (1).”;

(4) in subsection (g)—

(A) by inserting “provide financial assistance only in States that have received a major disaster declaration in the previous 7 years, or to any Indian tribal government located partially or entirely within the bound-

aries of such States, and” after “the President shall”;

(B) in paragraph (9) by striking “and” at the end;

(C) by redesignating paragraph (10) as paragraph (12); and

(D) by adding after paragraph (9) the following:

“(10) the extent to which the State, local, Indian tribal, or territorial government has facilitated the adoption and enforcement of the latest published editions of relevant consensus-based codes, specifications, and standards, including amendments made by State, local, Indian tribal, or territorial governments during the adoption process that incorporate the latest hazard-resistant designs and establish criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purpose of protecting the health, safety, and general welfare of the buildings’ users against disasters;

“(11) the extent to which the assistance will fund activities that increase the level of resiliency; and”;

(5) by striking subsection (i) and inserting the following:

“(i) NATIONAL PUBLIC INFRASTRUCTURE PREDISASTER MITIGATION ASSISTANCE.—

“(1) IN GENERAL.—The President may set aside from the Disaster Relief Fund, with respect to each major disaster, an amount equal to 6 percent of the estimated aggregate amount of the grants to be made pursuant to sections 403, 406, 407, 408, 410, 416, and 428 for the major disaster in order to provide technical and financial assistance under this section and such set aside shall be deemed to be related to activities carried out pursuant to major disasters under this Act.

“(2) ESTIMATED AGGREGATE AMOUNT.—Not later than 180 days after each major disaster declaration pursuant to this Act, the estimated aggregate amount of grants for purposes of paragraph (1) shall be determined by the President and such estimated amount need not be reduced, increased, or changed due to variations in estimates.

“(3) NO REDUCTION IN AMOUNTS.—The amount set aside pursuant to paragraph (1) shall not reduce the amounts otherwise made available for sections 403, 404, 406, 407, 408, 410, 416, and 428 under this Act.”; and

(6) by striking subsections (j) and (m);

(7) by redesignating subsections (k), (l), and (n) as subsections (j), (k), and (l), respectively and

(8) by adding at the end the following:

“(m) LATEST PUBLISHED EDITIONS.—For purposes of subsections (e)(1)(B)(iv) and (g)(10), the term ‘latest published editions’ means, with respect to relevant consensus-based codes, specifications, and standards, the 2 most recently published editions.”.

(b) APPLICABILITY.—The amendments made to section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) by paragraphs (3) and (5) of subsection (a) shall apply to funds appropriated on or after the date of enactment of this Act.

(c) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) all funding expended from the National Public Infrastructure Predisaster Mitigation Assistance created by Section 203(i)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), as added by this section, shall not be considered part of FEMA’s regular appropriations for non-Stafford activities, also known as the Federal Emergency Management Agency’s Disaster Relief Fund base; and

(2) the President should have the funds related to the National Public Infrastructure Predisaster Mitigation Assistance created by Section 203(i)(1) of the Robert T. Stafford

Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133), as added by this section, identified in and allocated from the Federal Emergency Management Agency’s Disaster Relief Fund for major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

(d) SUNSET.—On the date that is 5 years after the date of enactment of this Act, section 203 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5133) is amended by striking subsection (m), as added by subsection (a)(8) of this section.

SEC. 1235. ADDITIONAL MITIGATION ACTIVITIES.

(a) HAZARD MITIGATION CLARIFICATION.—Section 404(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170c(a)) is amended by striking the first sentence and inserting the following: “The President may contribute up to 75 percent of the cost of hazard mitigation measures which the President has determined are cost effective and which substantially reduce the risk of, or increase resilience to, future damage, hardship, loss, or suffering in any area affected by a major disaster.”.

(b) ELIGIBLE COST.—Section 406(e)(1)(A) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(e)(1)(A)) is amended—

(1) in the matter preceding clause (i), by inserting after “section,” the following: “for disasters declared on or after August 1, 2017, or a disaster in which a cost estimate has not yet been finalized for a project, or for any project for which the finalized cost estimate is on appeal.”;

(2) in clause (i), by striking “and” at the end;

(3) in clause (ii)—

(A) by striking “codes, specifications, and standards” and inserting “the latest published editions of relevant consensus-based codes, specifications, and standards that incorporate the latest hazard-resistant designs and establish minimum acceptable criteria for the design, construction, and maintenance of residential structures and facilities that may be eligible for assistance under this Act for the purposes of protecting the health, safety, and general welfare of a facility’s users against disasters”;

(B) by striking “applicable at the time at which the disaster occurred”; and

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

(4) by adding at the end the following:

“(iii) in a manner that allows the facility to meet the definition of resilient developed pursuant to this subsection.”.

(c) OTHER ELIGIBLE COST.—Section 406(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(e)(1)) is further amended by adding at the end the following:

“(C) CONTRIBUTIONS.—Contributions for the eligible cost made under this section may be provided on an actual cost basis or on cost-estimation procedures.”.

(d) NEW RULES.—Section 406(e) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5172(e)) is further amended by adding at the end the following:

“(5) NEW RULES.—

“(A) IN GENERAL.—Not later than 18 months after the date of enactment of this paragraph, the President, acting through the Administrator of the Federal Emergency Management Agency, and in consultation with the heads of relevant Federal departments and agencies, shall issue a final rulemaking that defines the terms ‘resilient’ and ‘resiliency’ for purposes of this subsection.

“(B) INTERIM GUIDANCE.—Not later than 60 days after the date of enactment of this

paragraph, the Administrator shall issue interim guidance to implement this subsection. Such interim guidance shall expire 18 months after the date of enactment of this paragraph or upon issuance of final regulations pursuant to subparagraph (A), whichever occurs first.

“(C) GUIDANCE.—Not later than 90 days after the date on which the Administrator issues the final rulemaking under this paragraph, the Administrator shall issue any necessary guidance related to the rulemaking.

“(D) REPORT.—Not later than 2 years after the date of enactment of this paragraph, the Administrator shall submit to Congress a report summarizing the regulations and guidance issued pursuant to this paragraph.”.

(e) CONFORMING AMENDMENT.—Section 205(d)(2) of the Disaster Mitigation Act of 2000 (42 U.S.C. 5172 note) is amended by inserting “(B)” after “except that paragraph (1)”.

SEC. 1236. GUIDANCE AND TRAINING BY FEMA ON COORDINATION OF EMERGENCY RESPONSE PLANS.

(a) TRAINING REQUIREMENT.—The Administrator, in coordination with other relevant agencies, shall provide guidance and training on an annual basis to State, local, and Indian tribal governments, first responders, and facilities that store hazardous materials on coordination of emergency response plans in the event of a major disaster or emergency, including severe weather events. The guidance and training shall include the following:

(1) Providing a list of equipment required in the event a hazardous substance is released into the environment.

(2) Outlining the health risks associated with exposure to hazardous substances to improve treatment response.

(3) Publishing best practices for mitigating further danger to communities from hazardous substances.

(b) IMPLEMENTATION.—The requirement of subsection (a) shall be implemented not later than 180 days after the date of enactment of this Act.

SEC. 1237. CERTAIN RECOUPMENT PROHIBITED.

(a) IN GENERAL.—Notwithstanding any other provision of law, the Agency shall deem any covered disaster assistance to have been properly procured, provided, and utilized, and shall restore any funding of covered disaster assistance previously provided but subsequently withdrawn or deobligated.

(b) COVERED DISASTER ASSISTANCE DEFINED.—In this section, the term “covered disaster assistance” means assistance—

(1) provided to a local government pursuant to section 403, 406, or 407 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, or 5173); and

(2) with respect to which the inspector general of the Department of Homeland Security has determined, after an audit, that—

(A) the Agency deployed to the local government a Technical Assistance Contractor to review field operations, provide eligibility advice, and assist with day-to-day decisions;

(B) the Technical Assistance Contractor provided inaccurate information to the local government; and

(C) the local government relied on the inaccurate information to determine that relevant contracts were eligible, reasonable, and reimbursable.

(c) EFFECTIVE DATE.—This section shall be effective on the date of enactment of this Act.

SEC. 1238. FEDERAL ASSISTANCE TO INDIVIDUALS AND HOUSEHOLDS AND NON-PROFIT FACILITIES.

(a) CRITICAL DOCUMENT FEE WAIVER.—

(1) IN GENERAL.—Notwithstanding section 1 of the Passport Act of June 4, 1920 (22 U.S.C.

214) or any other provision of law, the President, in consultation with the Governor of a State, may provide a waiver under this subsection to an individual or household described in section 408(e)(1) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(e)(1)) for the following document replacement fees:

(A) The passport application fee for individuals who lost their United States passport in a major disaster within the preceding three calendar years.

(B) The file search fee for a United States passport.

(C) The Application for Waiver of Passport and/or Visa form (Form I-193) fee.

(D) The Permanent Resident Card replacement form (Form I-90) filing fee.

(E) The Declaration of Intention form (Form N-300) filing fee.

(F) The Naturalization/Citizenship Document replacement form (Form N-565) filing fee.

(G) The Employment Authorization form (Form I-765) filing fee.

(H) The biometric service fee.

(2) **EXEMPTION FROM FORM REQUIREMENT.**—The authority of the President to waive fees under subparagraphs (C) through (H) of paragraph (1) applies regardless of whether the individual or household qualifies for a Form I-912 Request for Fee Waiver, or any successor thereto.

(3) **EXEMPTION FROM ASSISTANCE MAXIMUM.**—The assistance limit in section 408(h) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(h)) shall not apply to any fee waived under this subsection.

(4) **REPORT.**—Not later than 365 days after the date of enactment of this subsection, the Administrator and the head of any other agency given critical document fee waiver authority under this subsection shall submit a report to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives on the costs associated with providing critical document fee waivers as described in paragraph (1).

(b) **FEDERAL ASSISTANCE TO PRIVATE NON-PROFIT CHILDCARE FACILITIES.**—Section 102(11)(A) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(11)(A)) is amended—

(1) in the second subparagraph (A) (as added by Public Law 115-123), by inserting “center-based childcare,” after “facility,”; and

(2) in the first subparagraph (A), by striking “(A) IN GENERAL.—The term ‘private nonprofit facility’ means private nonprofit educational, utility” and all that follows through “President.”.

(c) **APPLICABILITY.**—The amendment made by subsection (b)(1) shall apply to any major disaster or emergency declared by the President under section 401 or 501, respectively, of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170, 5191) on or after the date of enactment of this Act.

SEC. 1239. COST OF ASSISTANCE ESTIMATES.

(a) **IN GENERAL.**—Not later than 270 days after the date of enactment of this Act, the Administrator shall review the factors considered when evaluating a request for a major disaster declaration under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), specifically the estimated cost of the assistance, and provide a report and briefing to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

(b) **RULEMAKING.**—Not later than 2 years after the date of enactment of this Act, the

Administrator shall review and initiate a rulemaking to update the factors considered when evaluating a Governor’s request for a major disaster declaration, including reviewing how the Agency estimates the cost of major disaster assistance, and consider other impacts on the capacity of a jurisdiction to respond to disasters. In determining the capacity of a jurisdiction to respond to disasters, and prior to the issuance of such a rule, the Administrator shall engage in meaningful consultation with relevant representatives of State, regional, local, and Indian tribal government stakeholders.

SEC. 1240. REPORT ON INSURANCE SHORTFALLS.

Not later than 2 years after the date of enactment of this section, and each year thereafter until 2023, the Administrator of the Federal Emergency Management Agency shall submit a report to Congress on the number of instances and the estimated amounts involved, by State, for cases in which self-insurance amounts have been insufficient to address flood damages.

SEC. 1241. POST DISASTER BUILDING SAFETY ASSESSMENT.

(a) **BUILDING SAFETY ASSESSMENT TEAM.**—

(1) **IN GENERAL.**—The Administrator shall coordinate with State and local governments and organizations representing design professionals, such as architects and engineers, to develop guidance, including best practices, for post-disaster assessment of buildings by licensed architects and engineers to ensure the design professionals properly analyze the structural integrity and livability of buildings and structures.

(2) **PUBLICATION.**—The Administrator shall publish the guidance required to be developed under paragraph (1) not later than 1 year after the date of enactment of this Act.

(b) **NATIONAL INCIDENT MANAGEMENT SYSTEM.**—The Administrator shall revise or issue guidance as required to the National Incident Management System Resource Management component to ensure the functions of post-disaster building safety assessment, such as those functions performed by design professionals are accurately resource typed within the National Incident Management System.

(c) **EFFECTIVE DATE.**—This section shall be effective on the date of enactment of this Act.

SEC. 1242. FEMA UPDATES ON NATIONAL PREPAREDNESS ASSESSMENT.

Not later than 6 months after the date of enactment of this Act, and every 6 months thereafter until completion, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives an update on the progress of the Agency in completing action 6 with respect to the report published by the Government Accountability Office entitled “2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue” (February 28, 2012), which recommends the Agency to—

(1) complete a national preparedness assessment of capability gaps at each level based on tiered, capability-specific performance objectives to enable prioritization of grant funding; and

(2) identify the potential costs for establishing and maintaining those capabilities at each level and determine what capabilities Federal agencies should provide.

SEC. 1243. FEMA REPORT ON DUPLICATION IN NON-NATURAL DISASTER PREPAREDNESS GRANT PROGRAMS.

Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committees on Homeland Security and Governmental Affairs of

the Senate and the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives a report on the results of the efforts of the Agency to identify and prevent unnecessary duplication within and across the non-natural disaster preparedness grant programs of the Agency, as recommended in the report published by the Government Accountability Office entitled “2012 Annual Report: Opportunities to Reduce Duplication, Overlap and Fragmentation, Achieve Savings, and Enhance Revenue” (February 28, 2012), including with respect to—

(1) the Urban Area Security Initiative established under section 2003 of the Homeland Security Act of 2002 (6 U.S.C. 604);

(2) the Port Security Grant Program authorized under section 70107 of title 46, United States Code;

(3) the State Homeland Security Grant Program established under section 2004 of the Homeland Security Act of 2002 (6 U.S.C. 605); and

(4) the Transit Security Grant Program authorized under titles XIV and XV of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1131 et seq.).

SEC. 1244. STUDY AND REPORT.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall enter into a contract with the National Academy of Medicine to conduct a study and prepare a report as described in subsection (b).

(b) **STUDY AND REPORT.**—

(1) **STUDY.**—

(A) **IN GENERAL.**—The study described in this subsection shall be a study of matters concerning best practices in mortality counts as a result of a major disaster (as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122)).

(B) **CONTENTS.**—The study described in this subsection shall address approaches to quantifying mortality and significant morbidity among populations affected by major disasters, which shall include best practices and policy recommendations for—

(i) equitable and timely attribution, in order to facilitate access to available benefits, among other things;

(ii) timely prospective tracking of population levels of mortality and significant morbidity, and their causes, in order to continuously inform response efforts; and

(iii) a retrospective study of disaster-related mortality and significant morbidity to inform after-action analysis and improve subsequent preparedness efforts.

(2) **REPORT.**—Not later than 2 years after the date on which the contract described in subsection (a) is entered into, the National Academy of Medicine shall complete and transmit to the Administrator a report on the study described in paragraph (1).

(c) **NO ADDITIONAL FUNDS AUTHORIZED.**—No additional funds are authorized to carry out the requirements of this section.

SEC. 1245. REVIEW OF ASSISTANCE FOR DAMAGED UNDERGROUND WATER INFRASTRUCTURE.

(a) **DEFINITION OF PUBLIC ASSISTANCE GRANT PROGRAM.**—The term “public assistance grant program” means the public assistance grant program authorized under sections 403, 406, 407, 428, and 502(a) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170b, 5172, 5173, 5192(a)).

(b) **REVIEW AND BRIEFING.**—Not later than 60 days after the date of enactment of this Act, the Administrator shall—

(1) conduct a review of the assessment and eligibility process under the public assistance grant program with respect to assistance provided for damaged underground

water infrastructure as a result of a major disaster declared under section 401 of such Act (42 U.S.C. 5170), including wildfires, and shall include the extent to which local technical memoranda, prepared by a local unit of government in consultation with the relevant State or Federal agencies, identified damaged underground water infrastructure that should be eligible for the public assistance grant program; and

(2) provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a briefing on the review conducted under paragraph (1).

(c) **REPORT AND RECOMMENDATIONS.**—The Administrator shall—

(1) not later than 180 days after the date of enactment of this Act, issue a report on the review conducted under subsection (b)(1); and

(2) not later than 180 days after the date on which the Administrator issues the report required under paragraph (1), initiate a rule-making, if appropriate, to address any recommendations contained in the report.

SEC. 1246. EXTENSION.

The Administrator shall extend the deadlines to implement the reasonable and prudent alternative outlined in the jeopardy biological opinion dated April 14, 2016, by up to 3 years from the date of enactment of this Act. Within 18 months from the date of enactment of this Act, the Administrator shall submit to the Committee on Homeland Security and Governmental Affairs, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Environment and Public Works of the Senate; and the Committee on Homeland Security, the Committee on Natural Resources, and the Committee on Transportation and Infrastructure of the House of Representatives a report on the status of implementing these reasonable and prudent alternatives.

DIVISION E—CONCRETE MASONRY

SEC. 1301. SHORT TITLE.

This division may be cited as the “Concrete Masonry Products Research, Education, and Promotion Act of 2018”.

SEC. 1302. DECLARATION OF POLICY.

(a) **PURPOSE.**—The purpose of this division is to authorize the establishment of an orderly program for developing, financing, and carrying out an effective, continuous, and coordinated program of research, education, and promotion, including funds for marketing and market research activities, that is designed to—

(1) strengthen the position of the concrete masonry products industry in the domestic marketplace;

(2) maintain, develop, and expand markets and uses for concrete masonry products in the domestic marketplace; and

(3) promote the use of concrete masonry products in construction and building.

(b) **LIMITATION.**—Nothing in this division may be construed to provide for the control of production or otherwise limit the right of any person to manufacture concrete masonry products.

SEC. 1303. DEFINITIONS.

For the purposes of this division:

(1) **BLOCK MACHINE.**—The term “block machine” means a piece of equipment that utilizes vibration and compaction to form concrete masonry products.

(2) **BOARD.**—The term “Board” means the Concrete Masonry Products Board established under section 1305.

(3) **CAVITY.**—The term “cavity” means the open space in the mold of a block machine capable of forming a single concrete masonry unit having nominal plan dimensions of 8 inches by 16 inches.

(4) **CONCRETE MASONRY PRODUCTS.**—The term “concrete masonry products” refers to

a broader class of products, including concrete masonry units as well as hardscape products such as concrete pavers and segmental retaining wall units, manufactured on a block machine using dry-cast concrete.

(5) **CONCRETE MASONRY UNIT.**—The term “concrete masonry unit”—

(A) means a concrete masonry product that is a manmade masonry unit having an actual width of 3 inches or greater and manufactured from dry-cast concrete using a block machine; and

(B) includes concrete block and related concrete units used in masonry applications.

(6) **CONFLICT OF INTEREST.**—The term “conflict of interest” means, with respect to a member or employee of the Board, a situation in which such member or employee has a direct or indirect financial or other interest in a person that performs a service for, or enters into a contract with, for anything of economic value.

(7) **DEPARTMENT.**—The term “Department” means the Department of Commerce.

(8) **DRY-CAST CONCRETE.**—The term “dry-cast concrete” means a composite material that is composed essentially of aggregates embedded in a binding medium composed of a mixture of cementitious materials (including hydraulic cement, pozzolans, or other cementitious materials) and water of such a consistency to maintain its shape after forming in a block machine.

(9) **EDUCATION.**—The term “education” means programs that will educate or communicate the benefits of concrete masonry products in safe and environmentally sustainable development, advancements in concrete masonry product technology and development, and other information and programs designed to generate increased demand for commercial, residential, multifamily, and institutional projects using concrete masonry products and to generally enhance the image of concrete masonry products.

(10) **MACHINE CAVITIES.**—The term “machine cavities” means the cavities with which a block machine could be equipped.

(11) **MACHINE CAVITIES IN OPERATION.**—The term “machine cavities in operation” means those machine cavities associated with a block machine that have produced concrete masonry units within the last 6 months of the date set for determining eligibility and is fully operable and capable of producing concrete masonry units.

(12) **MANUFACTURER.**—The term “manufacturer” means any person engaged in the manufacturing of commercial concrete masonry products in the United States.

(13) **MASONRY UNIT.**—The term “masonry unit” means a noncombustible building product intended to be laid by hand or joined using mortar, grout, surface bonding, post-tensioning or some combination of these methods.

(14) **ORDER.**—The term “order” means an order issued under section 1304.

(15) **PERSON.**—The term “person” means any individual, group of individuals, partnership, corporation, association, cooperative, or any other entity.

(16) **PROMOTION.**—The term “promotion” means any action, including paid advertising, to advance the image and desirability of concrete masonry products with the express intent of improving the competitive position and stimulating sales of concrete masonry products in the marketplace.

(17) **RESEARCH.**—The term “research” means studies testing the effectiveness of market development and promotion efforts, studies relating to the improvement of concrete masonry products and new product development, and studies documenting the performance of concrete masonry.

(18) **SECRETARY.**—The term “Secretary” means the Secretary of Commerce.

(19) **UNITED STATES.**—The term “United States” means the several States and the District of Columbia.

SEC. 1304. ISSUANCE OF ORDERS.

(a) **IN GENERAL.**—

(1) **ISSUANCE.**—The Secretary, subject to the procedures provided in subsection (b), shall issue orders under this division applicable to manufacturers of concrete masonry products.

(2) **SCOPE.**—Any order shall be national in scope.

(3) **ONE ORDER.**—Not more than 1 order shall be in effect at any one time.

(b) **PROCEDURES.**—

(1) **DEVELOPMENT OR RECEIPT OF PROPOSED ORDER.**—A proposed order with respect to the generic research, education, and promotion with regards to concrete masonry products may be—

(A) proposed by the Secretary at any time; or

(B) requested by or submitted to the Secretary by—

(i) an existing national organization of concrete masonry product manufacturers; or

(ii) any person that may be affected by the issuance of an order.

(2) **PUBLICATION OF PROPOSED ORDER.**—If the Secretary determines that a proposed order received in accordance with paragraph (1)(B) is consistent with and will effectuate the purpose of this division, the Secretary shall publish such proposed order in the Federal Register not later than 90 days after receiving the order, and give not less than 30 days notice and opportunity for public comment on the proposed order.

(3) **ISSUANCE OF ORDER.**—

(A) **IN GENERAL.**—After notice and opportunity for public comment are provided in accordance with paragraph (2), the Secretary shall issue the order, taking into consideration the comments received and including in the order such provisions as are necessary to ensure that the order is in conformity with this division.

(B) **EFFECTIVE DATE.**—If there is an affirmative vote in a referendum as provided in section 1307, the Secretary shall issue the order and such order shall be effective not later than 140 days after publication of the proposed order.

(c) **AMENDMENTS.**—The Secretary may, from time to time, amend an order. The provisions of this division applicable to an order shall be applicable to any amendment to an order.

SEC. 1305. REQUIRED TERMS IN ORDERS.

(a) **IN GENERAL.**—Any order issued under this division shall contain the terms and provisions specified in this section.

(b) **CONCRETE MASONRY PRODUCTS BOARD.**—

(1) **ESTABLISHMENT AND MEMBERSHIP.**—

(A) **ESTABLISHMENT.**—The order shall provide for the establishment of a Concrete Masonry Products Board to carry out a program of generic promotion, research, and education regarding concrete masonry products.

(B) **MEMBERSHIP.**—

(i) **NUMBER OF MEMBERS.**—The Board shall consist of not fewer than 15 and not more than 25 members.

(ii) **APPOINTMENT.**—The members of the Board shall be appointed by the Secretary from nominations submitted as provided in the order.

(iii) **COMPOSITION.**—The Board shall consist of manufacturers. No employee of an industry trade organization exempt from tax under paragraph (3) or (6) of section 501(c) of the Internal Revenue Code of 1986 representing the concrete masonry industry or related industries shall serve as a member of the Board and no member of the Board may serve concurrently as an officer of the board of directors of a national concrete masonry products industry trade association. Only 2

individuals from any single company or its affiliates may serve on the Board at any one time.

(2) DISTRIBUTION OF APPOINTMENTS.—

(A) REPRESENTATION.—To ensure fair and equitable representation of the concrete masonry products industry, the composition of the Board shall reflect the geographical distribution of the manufacture of concrete masonry products in the United States, the types of concrete masonry products manufactured, and the range in size of manufacturers in the United States.

(B) ADJUSTMENT IN BOARD REPRESENTATION.—Three years after the assessment of concrete masonry products commences pursuant to an order, and at the end of each 3-year period thereafter, the Board, subject to the review and approval of the Secretary, shall, if warranted, recommend to the Secretary the reapportionment of the Board membership to reflect changes in the geographical distribution of the manufacture of concrete masonry products and the types of concrete masonry products manufactured.

(3) NOMINATIONS PROCESS.—The Secretary may make appointments from nominations by manufacturers pursuant to the method set forth in the order.

(4) FAILURE TO APPOINT.—If the Secretary fails to make an appointment to the Board within 60 days of receiving nominations for such appointment, the first nominee for such appointment shall be deemed appointed, unless the Secretary provides reasonable justification for the delay to the Board and to Congress and provides a reasonable date by which approval or disapproval will be made.

(5) ALTERNATES.—The order shall provide for the selection of alternate members of the Board by the Secretary in accordance with procedures specified in the order.

(6) TERMS.—

(A) IN GENERAL.—The members and any alternates of the Board shall each serve for a term of 3 years, except that members and any alternates initially appointed to the Board shall serve for terms of not more than 2, 3, and 4 years, as specified by the order.

(B) LIMITATION ON CONSECUTIVE TERMS.—A member or an alternate may serve not more than 2 consecutive terms.

(C) CONTINUATION OF TERM.—Notwithstanding subparagraph (B), each member or alternate shall continue to serve until a successor is appointed by the Secretary.

(D) VACANCIES.—A vacancy arising before the expiration of a term of office of an incumbent member or alternate of the Board shall be filled in a manner provided for in the order.

(7) DISQUALIFICATION FROM BOARD SERVICE.—The order shall provide that if a member or alternate of the Board who was appointed as a manufacturer ceases to qualify as a manufacturer, such member or alternate shall be disqualified from serving on the Board.

(8) COMPENSATION.—

(A) IN GENERAL.—Members and any alternates of the Board shall serve without compensation.

(B) TRAVEL EXPENSES.—If approved by the Board, members or alternates shall be reimbursed for reasonable travel expenses, which may include per diem allowance or actual subsistence incurred while away from their homes or regular places of business in the performance of services for the Board.

(C) POWERS AND DUTIES OF THE BOARD.—The order shall specify the powers and duties of the Board, including the power and duty—

(1) to administer the order in accordance with its terms and conditions and to collect assessments;

(2) to develop and recommend to the Secretary for approval such bylaws as may be necessary for the functioning of the Board and such rules as may be necessary to ad-

minister the order, including activities authorized to be carried out under the order;

(3) to meet, organize, and select from among members of the Board a chairperson, other officers, and committees and subcommittees, as the Board determines appropriate;

(4) to establish regional organizations or committees to administer regional initiatives;

(5) to establish working committees of persons other than Board members;

(6) to employ such persons, other than the members, as the Board considers necessary, and to determine the compensation and specify the duties of the persons;

(7) to prepare and submit for the approval of the Secretary, before the beginning of each fiscal year, rates of assessment under section 1306 and an annual budget of the anticipated expenses to be incurred in the administration of the order, including the probable cost of each promotion, research, and information activity proposed to be developed or carried out by the Board;

(8) to borrow funds necessary for the startup expenses of the order;

(9) to carry out generic research, education, and promotion programs and projects relating to concrete masonry products, and to pay the costs of such programs and projects with assessments collected under section 1306;

(10) subject to subsection (e), to enter into contracts or agreements to develop and carry out programs or projects of research, education, and promotion relating to concrete masonry products;

(11) to keep minutes, books, and records that reflect the actions and transactions of the Board, and promptly report minutes of each Board meeting to the Secretary;

(12) to receive, investigate, and report to the Secretary complaints of violations of the order;

(13) to furnish the Secretary with such information as the Secretary may request;

(14) to recommend to the Secretary such amendments to the order as the Board considers appropriate; and

(15) to provide the Secretary with advance notice of meetings to permit the Secretary, or the representative of the Secretary, to attend the meetings.

(D) PROGRAMS AND PROJECTS; BUDGETS; EXPENSES.—

(1) PROGRAMS AND PROJECTS.—

(A) IN GENERAL.—The order shall require the Board to submit to the Secretary for approval any program or project of research, education, or promotion relating to concrete masonry products.

(B) STATEMENT REQUIRED.—Any educational or promotional activity undertaken with funds provided by the Board shall include a statement that such activities were supported in whole or in part by the Board.

(2) BUDGETS.—

(A) SUBMISSION.—The order shall require the Board to submit to the Secretary for approval a budget of the anticipated expenses and disbursements of the Board in the implementation of the order, including the projected costs of concrete masonry products research, education, and promotion programs and projects.

(B) TIMING.—The budget shall be submitted before the beginning of a fiscal year and as frequently as may be necessary after the beginning of the fiscal year.

(C) APPROVAL.—If the Secretary fails to approve or reject a budget within 60 days of receipt, such budget shall be deemed approved, unless the Secretary provides to the Board and to Congress, in writing, reasonable justification for the delay and provides a reasonable date by which approval or disapproval will be made.

(3) ADMINISTRATIVE EXPENSES.—

(A) INCURRING EXPENSES.—The Board may incur the expenses described in paragraph (2) and other expenses for the administration, maintenance, and functioning of the Board as authorized by the Secretary.

(B) PAYMENT OF EXPENSES.—Expenses incurred under subparagraph (A) shall be paid by the Board using assessments collected under section 1306, earnings obtained from assessments, and other income of the Board. Any funds borrowed by the Board shall be expended only for startup costs and capital outlays.

(C) LIMITATION ON SPENDING.—For fiscal years beginning 3 or more years after the date of the establishment of the Board, the Board may not expend for administration (except for reimbursement to the Secretary required under subparagraph (D)), maintenance, and functioning of the Board in a fiscal year an amount that exceeds 10 percent of the assessment and other income received by the Board for the fiscal year.

(D) REIMBURSEMENT OF SECRETARY.—The order shall require that the Secretary be reimbursed by the Board from assessments for all expenses incurred by the Secretary in the implementation, administration, and supervision of the order, including all referendum costs incurred in connection with the order.

(e) CONTRACTS AND AGREEMENTS.—

(1) IN GENERAL.—The order shall provide that, with the approval of the Secretary, the Board may—

(A) enter into contracts and agreements to carry out generic research, education, and promotion programs and projects relating to concrete masonry products, including contracts and agreements with manufacturer associations or other entities as considered appropriate by the Secretary;

(B) enter into contracts and agreements for administrative services; and

(C) pay the cost of approved generic research, education, and promotion programs and projects using assessments collected under section 1306, earnings obtained from assessments, and other income of the Board.

(2) REQUIREMENTS.—Each contract or agreement shall provide that any person who enters into the contract or agreement with the Board shall—

(A) develop and submit to the Board a proposed program or project together with a budget that specifies the cost to be incurred to carry out the program or project;

(B) keep accurate records of all transactions relating to the contract or agreement;

(C) account for funds received and expended in connection with the contract or agreement;

(D) make periodic reports to the Board of activities conducted under the contract or agreement; and

(E) make such other reports as the Board or the Secretary considers relevant.

(3) FAILURE TO APPROVE.—If the Secretary fails to approve or reject a contract or agreement entered into under paragraph (1) within 60 days of receipt, the contract or agreement shall be deemed approved, unless the Secretary provides to the Board and to Congress, in writing, reasonable justification for the delay and provides a reasonable date by which approval or disapproval will be made.

(f) BOOKS AND RECORDS OF BOARD.—

(1) IN GENERAL.—The order shall require the Board to—

(A) maintain such books and records (which shall be available to the Secretary for inspection and audit) as the Secretary may require;

(B) collect and submit to the Secretary, at any time the Secretary may specify, any information the Secretary may request; and

(C) account for the receipt and disbursement of all funds in the possession, or under the control, of the Board.

(2) AUDITS.—The order shall require the Board to have—

(A) the books and records of the Board audited by an independent auditor at the end of each fiscal year; and

(B) a report of the audit submitted directly to the Secretary.

(g) PROHIBITED ACTIVITIES.—

(1) IN GENERAL.—Subject to paragraph (2), the Board shall not engage in any program or project to, nor shall any funds received by the Board under this division be used to—

(A) influence legislation, elections, or governmental action;

(B) engage in an action that would be a conflict of interest;

(C) engage in advertising that is false or misleading;

(D) engage in any promotion, research, or education that would be disparaging to other construction materials; or

(E) engage in any promotion or project that would benefit any individual manufacturer.

(2) EXCEPTIONS.—Paragraph (1) does not preclude—

(A) the development and recommendation of amendments to the order;

(B) the communication to appropriate government officials of information relating to the conduct, implementation, or results of research, education, and promotion activities under the order except communications described in paragraph (1)(A); or

(C) any lawful action designed to market concrete masonry products directly to a foreign government or political subdivision of a foreign government.

(h) PERIODIC EVALUATION.—The order shall require the Board to provide for the independent evaluation of all research, education, and promotion programs or projects undertaken under the order, beginning 5 years after the date of enactment of this Act and every 3 years thereafter. The Board shall submit to the Secretary and make available to the public the results of each such evaluation.

(i) OBJECTIVES.—The Board shall establish annual research, education, and promotion objectives and performance metrics for each fiscal year subject to approval by the Secretary.

(j) BIENNIAL REPORT.—Every 2 years the Board shall prepare and make publicly available a comprehensive and detailed report that includes an identification and description of all programs and projects undertaken by the Board during the previous 2 years as well as those planned for the subsequent 2 years and detail the allocation or planned allocation of Board resources for each such program or project. Such report shall also include—

(1) the overall financial condition of the Board;

(2) a summary of the amounts obligated or expended during the 2 preceding fiscal years; and

(3) a description of the extent to which the objectives of the Board were met according to the metrics required under subsection (i).

(k) BOOKS AND RECORDS OF PERSONS COVERED BY ORDER.—

(1) IN GENERAL.—The order shall require that manufacturers shall—

(A) maintain records sufficient to ensure compliance with the order and regulations; and

(B) make the records described in subparagraph (A) available, during normal business hours, for inspection by employees or agents of the Board or the Department.

(2) TIME REQUIREMENT.—Any record required to be maintained under paragraph (1) shall be maintained for such time period as the Secretary may prescribe.

(3) CONFIDENTIALITY OF INFORMATION.—

(A) IN GENERAL.—Except as otherwise provided in this paragraph, trade secrets and commercial or financial information that is privileged or confidential reported to, or otherwise obtained by the Board or the Secretary (or any representative of the Board or the Secretary) under this division shall not be disclosed by any officers, employees, and agents of the Department or the Board.

(B) SUITS AND HEARINGS.—Information referred to in subparagraph (A) may be disclosed only if—

(i) the Secretary considers the information relevant; and

(ii) the information is revealed in a judicial proceeding or administrative hearing brought at the direction or on the request of the Secretary or to which the Secretary or any officer of the Department is a party.

(C) GENERAL STATEMENTS AND PUBLICATIONS.—This paragraph does not prohibit—

(i) the issuance of general statements based on reports or on information relating to a number of persons subject to an order if the statements do not identify the information furnished by any person; or

(ii) the publication, by direction of the Secretary, of the name of any person violating any order and a statement of the particular provisions of the order violated by the person.

(D) PENALTY.—Any officer, employee, or agent of the Department of Commerce or any officer, employee, or agent of the Board who willfully violates this paragraph shall be fined not more than \$1,000 and imprisoned for not more than 1 year, or both.

(4) WITHHOLDING INFORMATION.—This subsection does not authorize the withholding of information from Congress.

SEC. 1306. ASSESSMENTS.

(a) ASSESSMENTS.—The order shall provide that assessments shall be paid by a manufacturer if the manufacturer has manufactured concrete masonry products during a period of at least 180 days prior to the date the assessment is to be remitted.

(b) COLLECTION.—

(1) IN GENERAL.—Assessments required under the order shall be remitted by the manufacturer to the Board in the manner prescribed by the order.

(2) TIMING.—The order shall provide that assessments required under the order shall be remitted to the Board not less frequently than quarterly.

(3) RECORDS.—As part of the remittance of assessments, manufacturers shall identify the total amount due in assessments on all sales receipts, invoices or other commercial documents of sale as a result of the sale of concrete masonry units in a manner as prescribed by the Board to ensure compliance with the order.

(c) ASSESSMENT RATES.—With respect to assessment rates, the order shall contain the following terms:

(1) INITIAL RATE.—The assessment rate on concrete masonry products shall be \$0.01 per concrete masonry unit sold.

(2) CHANGES IN THE RATE.—

(A) AUTHORITY TO CHANGE RATE.—The Board shall have the authority to change the assessment rate. A two-thirds majority of voting members of the Board shall be required to approve a change in the assessment rate.

(B) LIMITATION ON INCREASES.—An increase or decrease in the assessment rate with respect to concrete masonry products may not exceed \$0.01 per concrete masonry unit sold.

(C) MAXIMUM RATE.—The assessment rate shall not be in excess of \$0.05 per concrete masonry unit.

(D) LIMITATION ON FREQUENCY OF CHANGES.—The assessment rate may not be increased or decreased more than once annually.

(d) LATE-PAYMENT AND INTEREST CHARGES.—

(1) IN GENERAL.—Late-payment and interest charges may be levied on each person subject to the order who fails to remit an assessment in accordance with subsection (b).

(2) RATE.—The rate for late-payment and interest charges shall be specified by the Secretary.

(e) INVESTMENT OF ASSESSMENTS.—Pending disbursement of assessments under a budget approved by the Secretary, the Board may invest assessments collected under this section in—

(1) obligations of the United States or any agency of the United States;

(2) general obligations of any State or any political subdivision of a State;

(3) interest-bearing accounts or certificates of deposit of financial institutions that are members of the Federal Reserve System; or

(4) obligations fully guaranteed as to principal and interest by the United States.

(f) ASSESSMENT FUNDS FOR REGIONAL INITIATIVES.—

(1) IN GENERAL.—The order shall provide that not less than 50 percent of the assessments (less administration expenses) paid by a manufacturer shall be used to support research, education, and promotion programs and projects in support of the geographic region of the manufacturer.

(2) GEOGRAPHIC REGIONS.—The order shall provide for the following geographic regions:

(A) Region I shall comprise Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, and West Virginia.

(B) Region II shall comprise Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

(C) Region III shall comprise Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Nebraska, North Dakota, Ohio, South Dakota, and Wisconsin.

(D) Region IV shall comprise Arizona, Arkansas, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas.

(E) Region V shall comprise Alaska, California, Colorado, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, and Wyoming.

(3) ADJUSTMENT OF GEOGRAPHIC REGIONS.—The order shall provide that the Secretary may, upon recommendation of the Board, modify the composition of the geographic regions described in paragraph (2).

SEC. 1307. REFERENDA.

(a) INITIAL REFERENDUM.—

(1) REFERENDUM REQUIRED.—During the 60-day period immediately preceding the proposed effective date of the order issued under section 1304, the Secretary shall conduct a referendum among manufacturers eligible under subsection (b)(2) subject to assessments under section 1306.

(2) APPROVAL OF ORDER NEEDED.—The order shall become effective only if the Secretary determines that the order has been approved by a majority of manufacturers voting who also represent a majority of the machine cavities in operation of those manufacturers voting in the referendum.

(b) VOTES PERMITTED.—

(1) IN GENERAL.—Each manufacturer eligible to vote in a referendum conducted under this section shall be entitled to cast 1 vote.

(2) ELIGIBILITY.—For purposes of paragraph (1), a manufacturer shall be considered to be eligible to vote if the manufacturer has manufactured concrete masonry products during a period of at least 180 days prior to the first day of the period during which voting in the referendum will occur.

(c) MANNER OF CONDUCTING REFERENDA.—

(1) IN GENERAL.—Referenda conducted pursuant to this section shall be conducted in a manner determined by the Secretary.

(2) ADVANCE REGISTRATION.—A manufacturer who chooses to vote in any referendum conducted under this section shall register with the Secretary prior to the voting period, after receiving notice from the Secretary concerning the referendum under paragraph (4).

(3) VOTING.—The Secretary shall establish procedures for voting in any referendum conducted under this section. The ballots and other information or reports that reveal or tend to reveal the identity or vote of voters shall be strictly confidential.

(4) NOTICE.—Not later than 30 days before a referendum is conducted under this section with respect to an order, the Secretary shall notify all manufacturers, in such a manner as determined by the Secretary, of the period during which voting in the referendum will occur. The notice shall explain any registration and voting procedures established under this subsection.

(d) SUBSEQUENT REFERENDA.—If an order is approved in a referendum conducted under subsection (a), the Secretary shall conduct a subsequent referendum—

(1) at the request of the Board, subject to the voting requirements of subsections (b) and (c), to ascertain whether eligible manufacturers favor suspension, termination, or continuance of the order; or

(2) effective beginning on the date that is 5 years after the date of the approval of the order, and at 5-year intervals thereafter, at the request of 25 percent or more of the total number of persons eligible to vote under subsection (b).

(e) SUSPENSION OR TERMINATION.—If, as a result of a referendum conducted under subsection (d), the Secretary determines that suspension or termination of the order is favored by a majority of all votes cast in the referendum as provided in subsection (a)(2), the Secretary shall—

(1) not later than 180 days after the referendum, suspend or terminate, as appropriate, collection of assessments under the order; and

(2) suspend or terminate, as appropriate, programs and projects under the order as soon as practicable and in an orderly manner.

(f) COSTS OF REFERENDA.—The Board established under an order with respect to which a referendum is conducted under this section shall reimburse the Secretary from assessments for any expenses incurred by the Secretary to conduct the referendum.

SEC. 1308. PETITION AND REVIEW.

(a) PETITION.—

(1) IN GENERAL.—A person subject to an order issued under this division may file with the Secretary a petition—

(A) stating that the order, any provision of the order, or any obligation imposed in connection with the order, is not established in accordance with law; and

(B) requesting a modification of the order or an exemption from the order.

(2) HEARING.—The Secretary shall give the petitioner an opportunity for a hearing on the petition, in accordance with regulations issued by the Secretary.

(3) RULING.—After the hearing, the Secretary shall make a ruling on the petition. The ruling shall be final, subject to review as set forth in subsection (b).

(4) LIMITATION ON PETITION.—Any petition filed under this subsection challenging an order, any provision of the order, or any obligation imposed in connection with the order, shall be filed not less than 2 years after the effective date of the order, provision, or obligation subject to challenge in the petition.

(b) REVIEW.—

(1) COMMENCEMENT OF ACTION.—The district courts of the United States in any district in which a person who is a petitioner under subsection (a) resides or conducts business shall have jurisdiction to review the ruling of the Secretary on the petition of the person, if a complaint requesting the review is filed no later than 30 days after the date of the entry of the ruling by the Secretary.

(2) PROCESS.—Service of process in proceedings under this subsection shall be conducted in accordance with the Federal Rules of Civil Procedure.

(3) REMANDS.—If the court in a proceeding under this subsection determines that the ruling of the Secretary on the petition of the person is not in accordance with law, the court shall remand the matter to the Secretary with directions—

(A) to make such ruling as the court shall determine to be in accordance with law; or

(B) to take such further action as, in the opinion of the court, the law requires.

(c) ENFORCEMENT.—The pendency of proceedings instituted under this section shall not impede, hinder, or delay the Attorney General or the Secretary from obtaining relief under section 1309.

SEC. 1309. ENFORCEMENT.

(a) JURISDICTION.—A district court of the United States shall have jurisdiction to enforce, and to prevent and restrain any person from violating, this division or an order or regulation issued by the Secretary under this division.

(b) REFERRAL TO ATTORNEY GENERAL.—A civil action authorized to be brought under this section shall be referred to the Attorney General of the United States for appropriate action.

(c) CIVIL PENALTIES AND ORDERS.—

(1) CIVIL PENALTIES.—A person who willfully violates an order or regulation issued by the Secretary under this division may be assessed by the Secretary a civil penalty of not more than \$5,000 for each violation.

(2) SEPARATE OFFENSE.—Each violation and each day during which there is a failure to comply with an order or regulation issued by the Secretary shall be considered to be a separate offense.

(3) CEASE-AND-DESIST ORDERS.—In addition to, or in lieu of, a civil penalty, the Secretary may issue an order requiring a person to cease and desist from violating the order or regulation.

(4) NOTICE AND HEARING.—No order assessing a penalty or cease-and-desist order may be issued by the Secretary under this subsection unless the Secretary provides notice and an opportunity for a hearing on the record with respect to the violation.

(5) FINALITY.—An order assessing a penalty or a cease-and-desist order issued under this subsection by the Secretary shall be final and conclusive unless the person against whom the order is issued files an appeal from the order with the appropriate district court of the United States.

(d) ADDITIONAL REMEDIES.—The remedies provided in this division shall be in addition to, and not exclusive of, other remedies that may be available.

SEC. 1310. INVESTIGATION AND POWER TO SUBPOENA.

(a) INVESTIGATIONS.—The Secretary may conduct such investigations as the Secretary considers necessary for the effective administration of this division, or to determine whether any person has engaged or is engaging in any act that constitutes a violation of this division or any order or regulation issued under this division.

(b) SUBPOENAS, OATHS, AND AFFIRMATIONS.—

(1) INVESTIGATIONS.—For the purpose of conducting an investigation under subsection (a), the Secretary may administer

oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The production of the records may be required from any place in the United States.

(2) ADMINISTRATIVE HEARINGS.—For the purpose of an administrative hearing held under section 1308(a)(2) or section 1309(c)(4), the presiding officer may administer oaths and affirmations, subpoena witnesses, compel the attendance of witnesses, take evidence, and require the production of any records that are relevant to the inquiry. The attendance of witnesses and the production of the records may be required from any place in the United States.

(c) AID OF COURTS.—

(1) IN GENERAL.—In the case of contumacy by, or refusal to obey a subpoena issued under subsection (b) to, any person, the Secretary may invoke the aid of any court of the United States within the jurisdiction of which the investigation or proceeding is conducted, or where the person resides or conducts business, in order to enforce a subpoena issued under subsection (b).

(2) ORDER.—The court may issue an order requiring the person referred to in paragraph (1) to comply with a subpoena referred to in paragraph (1).

(3) FAILURE TO OBEY.—Any failure to obey the order of the court may be punished by the court as a contempt of court.

(4) PROCESS.—Process in any proceeding under this subsection may be served in the United States judicial district in which the person being proceeded against resides or conducts business, or wherever the person may be found.

SEC. 1311. SUSPENSION OR TERMINATION.

(a) MANDATORY SUSPENSION OR TERMINATION.—The Secretary shall suspend or terminate an order or a provision of an order if the Secretary finds that an order or provision of an order obstructs or does not tend to effectuate the purpose of this division, or if the Secretary determines that the order or a provision of an order is not favored by a majority of all votes cast in the referendum as provided in section 1307(a)(2).

(b) IMPLEMENTATION OF SUSPENSION OR TERMINATION.—If, as a result of a referendum conducted under section 1307, the Secretary determines that the order is not approved, the Secretary shall—

(1) not later than 180 days after making the determination, suspend or terminate, as the case may be, collection of assessments under the order; and

(2) as soon as practicable, suspend or terminate, as the case may be, activities under the order in an orderly manner.

SEC. 1312. AMENDMENTS TO ORDERS.

The provisions of this division applicable to the order shall be applicable to any amendment to the order, except that section 1308 shall not apply to an amendment.

SEC. 1313. EFFECT ON OTHER LAWS.

This division shall not affect or preempt any other Federal or State law authorizing research, education, and promotion relating to concrete masonry products.

SEC. 1314. REGULATIONS.

The Secretary may issue such regulations as may be necessary to carry out this division and the power vested in the Secretary under this division.

SEC. 1315. LIMITATION ON EXPENDITURES FOR ADMINISTRATIVE EXPENSES.

Funds appropriated to carry out this division may not be used for the payment of the expenses or expenditures of the Board in administering the order.

SEC. 1316. LIMITATIONS ON OBLIGATION OF FUNDS.

(a) IN GENERAL.—In each fiscal year of the covered period, the Board may not obligate an amount greater than the sum of—

(1) 73 percent of the amount of assessments estimated to be collected under section 1306 in such fiscal year;

(2) 73 percent of the amount of assessments actually collected under section 1306 in the most recent fiscal year for which an audit report has been submitted under section 1305(f)(2)(B) as of the beginning of the fiscal year for which the amount that may be obligated is being determined, less the estimate made pursuant to paragraph (1) for such most recent fiscal year; and

(3) amounts permitted in preceding fiscal years to be obligated pursuant to this subsection that have not been obligated.

(b) **EXCESS AMOUNTS DEPOSITED IN ESCROW ACCOUNT.**—Assessments collected under section 1306 in excess of the amount permitted to be obligated under subsection (a) in a fiscal year shall be deposited in an escrow account for the duration of the covered period.

(c) **TREATMENT OF AMOUNTS IN ESCROW ACCOUNT.**—During the covered period, the Board may not obligate, expend, or borrow against amounts required under subsection (b) to be deposited in the escrow account. Any interest earned on such amounts shall be deposited in the escrow account and shall be unavailable for obligation for the duration of the covered period.

(d) **RELEASE OF AMOUNTS IN ESCROW ACCOUNT.**—After the covered period, the Board may withdraw and obligate in any fiscal year an amount in the escrow account that does not exceed $\frac{1}{2}$ of the amount in the escrow account on the last day of the covered period.

(e) **SPECIAL RULE FOR ESTIMATES FOR PARTICULAR FISCAL YEARS.**—

(1) **RULE.**—For purposes of subsection (a)(1), the amount of assessments estimated to be collected under section 1306 in a fiscal year specified in paragraph (2) shall be equal to 62 percent of the amount of assessments actually collected under such section in the most recent fiscal year for which an audit report has been submitted under section 1305(f)(2)(B) as of the beginning of the fiscal year for which the amount that may be obligated is being determined.

(2) **FISCAL YEARS SPECIFIED.**—The fiscal years specified in this paragraph are the 9th and 10th fiscal years that begin on or after the date of enactment of this Act.

(f) **COVERED PERIOD DEFINED.**—In this section, the term “covered period” means the period that begins on the date of enactment of this Act and ends on the last day of the 11th fiscal year that begins on or after such date of enactment.

SEC. 1317. STUDY AND REPORT BY THE GOVERNMENT ACCOUNTABILITY OFFICE.

Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare a study, and not later than 8 years after the date of enactment of this Act, the Comptroller General shall submit to Congress and the Secretary a report, examining—

(1) how the Board spends assessments collected;

(2) the extent to which the reported activities of the Board help achieve the annual objectives of the Board;

(3) any changes in demand for concrete masonry products relative to other building materials;

(4) any impact of the activities of the Board on the market share of competing products;

(5) any impact of the activities of the Board on the overall size of the market for building products;

(6) any impact of the activities of the Board on the total number of concrete-masonry-related jobs, including manufacturing, sales, and installation;

(7) any significant effects of the activities of the Board on downstream purchasers of

concrete masonry products and real property into which concrete masonry products are incorporated;

(8) effects on prices of concrete masonry products as a result of the activities of the Board;

(9) the cost to the Federal Government of an increase in concrete masonry product prices, if any, as a result of the program established by this division;

(10) the extent to which key statutory requirements are met;

(11) the extent and strength of Federal oversight of the program established by this division;

(12) the appropriateness of administering the program from within the Office of the Secretary of Commerce and the appropriateness of administering the program from within any division of the Department, including whether the Department has the expertise, knowledge, or other capabilities necessary to adequately administer the program; and

(13) any other topic that the Comptroller General considers appropriate.

SEC. 1318. STUDY AND REPORT BY THE DEPARTMENT OF COMMERCE.

Not later than 3 years after the date of enactment of this Act, the Secretary shall prepare a study and submit to Congress a report examining the appropriateness and effectiveness of applying the commodity check-off program model (such as those programs established under the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7411 et seq.)) to a nonagricultural industry, taking into account the program established by this division and any other check-off program involving a non-agricultural industry.

DIVISION F—BUILD ACT OF 2018

SEC. 1401. SHORT TITLE.

This division may be cited as the “Better Utilization of Investments Leading to Development Act of 2018” or the “BUILD Act of 2018”.

SEC. 1402. DEFINITIONS.

In this division:

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

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(2) **LESS DEVELOPED COUNTRY.**—The term “less developed country” means a country with a low-income economy, lower-middle-income economy, or upper-middle-income economy, as defined by the International Bank for Reconstruction and Development and the International Development Association (collectively referred to as the “World Bank”).

(3) **PREDECESSOR AUTHORITY.**—The term “predecessor authority” means authorities repealed by title VI.

(4) **QUALIFYING SOVEREIGN ENTITY.**—The term “qualifying sovereign entity” means—

(A) any agency or instrumentality of a foreign state (as defined in section 1603 of title 28, United States Code) that has a purpose that is similar to the purpose of the Corporation as described in section 1412(b); or

(B) any international financial institution (as defined in section 1701(c) of the International Financial Institutions Act (22 U.S.C. 262r(c))).

TITLE I—ESTABLISHMENT

SEC. 1411. STATEMENT OF POLICY.

It is the policy of the United States to facilitate market-based private sector development and inclusive economic growth in less developed countries through the provision of credit, capital, and other financial support—

(1) to mobilize private capital in support of sustainable, broad-based economic growth, poverty reduction, and development through demand-driven partnerships with the private sector that further the foreign policy interests of the United States;

(2) to finance development that builds and strengthens civic institutions, promotes competition, and provides for public accountability and transparency;

(3) to help private sector actors overcome identifiable market gaps and inefficiencies without distorting markets;

(4) to achieve clearly defined economic and social development outcomes;

(5) to coordinate with institutions with purposes similar to the purposes of the Corporation to leverage resources of those institutions to produce the greatest impact;

(6) to provide countries a robust alternative to state-directed investments by authoritarian governments and United States strategic competitors using best practices with respect to transparency and environmental and social safeguards, and which take into account the debt sustainability of partner countries;

(7) to leverage private sector capabilities and innovative development tools to help countries transition from recipients of bilateral development assistance toward increased self-reliance; and

(8) to complement and be guided by overall United States foreign policy, development, and national security objectives, taking into account the priorities and needs of countries receiving support.

SEC. 1412. UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.

(a) **ESTABLISHMENT.**—There is established in the executive branch the United States International Development Finance Corporation (in this division referred to as the “Corporation”), which shall be a wholly owned Government corporation for purposes of chapter 91 of title 31, United States Code, under the foreign policy guidance of the Secretary of State.

(b) **PURPOSE.**—The purpose of the Corporation shall be to mobilize and facilitate the participation of private sector capital and skills in the economic development of less developed countries, as described in subsection (c), and countries in transition from nonmarket to market economies, in order to complement the development assistance objectives, and advance the foreign policy interests, of the United States. In carrying out its purpose, the Corporation, utilizing broad criteria, shall take into account in its financing operations the economic and financial soundness and development objectives of projects for which it provides support under title II.

(c) **LESS DEVELOPED COUNTRY FOCUS.**—

(1) **IN GENERAL.**—The Corporation shall prioritize the provision of support under title II in less developed countries with a low-income economy or a lower-middle-income economy.

(2) **SUPPORT IN UPPER-MIDDLE-INCOME COUNTRIES.**—The Corporation shall restrict the provision of support under title II in a less developed country with an upper-middle-income economy unless—

(A) the President certifies to the appropriate congressional committees that such support furthers the national economic or foreign policy interests of the United States; and

(B) such support is designed to produce significant developmental outcomes or provide developmental benefits to the poorest population of that country.

SEC. 1413. MANAGEMENT OF CORPORATION.

(a) **STRUCTURE OF CORPORATION.**—There shall be in the Corporation a Board of Direc-

tors (in this division referred to as the "Board"), a Chief Executive Officer, a Deputy Chief Executive Officer, a Chief Risk Officer, a Chief Development Officer, and such other officers as the Board may determine.

(b) BOARD OF DIRECTORS.—

(1) DUTIES.—All powers of the Corporation shall vest in and be exercised by or under the authority of the Board. The Board—

(A) shall perform the functions specified to be carried out by the Board in this division;

(B) may prescribe, amend, and repeal bylaws, rules, regulations, policies, and procedures governing the manner in which the business of the Corporation may be conducted and in which the powers granted to the Corporation by law may be exercised; and

(C) shall develop, in consultation with stakeholders, other interested parties, and the appropriate congressional committees, a publicly available policy with respect to consultations, hearings, and other forms of engagement in order to provide for meaningful public participation in the Board's activities.

(2) MEMBERSHIP OF BOARD.—

(A) IN GENERAL.—The Board shall consist of—

(i) the Chief Executive Officer of the Corporation;

(ii) the officers specified in subparagraph (B); and

(iii) four other individuals who shall be appointed by the President, by and with the advice and consent of the Senate, of which—

(I) one individual should be appointed from among a list of at least 5 individuals submitted by the majority leader of the Senate after consultation with the chairman of the Committee on Foreign Relations of the Senate;

(II) one individual should be appointed from among a list of at least 5 individuals submitted by the minority leader of the Senate after consultation with the ranking member of the Committee on Foreign Relations of the Senate;

(III) one individual should be appointed from among a list of at least 5 individuals submitted by the Speaker of the House of Representatives after consultation with the chairman of the Committee on Foreign Affairs of the House of Representatives; and

(IV) one individual should be appointed from among a list of at least 5 individuals submitted by the minority leader of the House of Representatives after consultation with the ranking member of the Committee on Foreign Affairs of the House of Representatives.

(B) OFFICERS SPECIFIED.—

(i) IN GENERAL.—The officers specified in this subparagraph are the following:

(I) The Secretary of State or a designee of the Secretary.

(II) The Administrator of the United States Agency for International Development or a designee of the Administrator.

(III) The Secretary of the Treasury or a designee of the Secretary.

(IV) The Secretary of Commerce or a designee of the Secretary.

(ii) REQUIREMENTS FOR DESIGNEES.—A designee under clause (i) shall be selected from among officers—

(I) appointed by the President, by and with the advice and consent of the Senate;

(II) whose duties relate to the programs of the Corporation; and

(III) who is designated by and serving at the pleasure of the President.

(C) REQUIREMENTS FOR NONGOVERNMENT MEMBERS.—A member of the Board described in subparagraph (A)(iii)—

(i) may not be an officer or employee of the United States Government;

(ii) shall have relevant experience, which may include experience relating to the pri-

vate sector, the environment, labor organizations, or international development, to carry out the purpose of the Corporation;

(iii) shall be appointed for a term of 3 years and may be reappointed for one additional term;

(iv) shall serve until the member's successor is appointed and confirmed;

(v) shall be compensated at a rate equivalent to that of level IV of the Executive Schedule under section 5315 of title 5, United States Code, when engaged in the business of the Corporation; and

(vi) may be paid per diem in lieu of subsistence at the applicable rate under the Federal Travel Regulation under subtitle F of title 41, Code of Federal Regulations, from time to time, while away from the home or usual place of business of the member.

(3) CHAIRPERSON.—The Secretary of State, or the designee of the Secretary under paragraph (2)(B)(i)(I), shall serve as the Chairperson of the Board.

(4) VICE CHAIRPERSON.—The Administrator of the United States Agency for International Development, or the designee of the Administrator under paragraph (2)(B)(i)(II), shall serve as the Vice Chairperson of the Board.

(5) QUORUM.—Five members of the Board shall constitute a quorum for the transaction of business by the Board.

(c) PUBLIC HEARINGS.—The Board shall hold at least 2 public hearings each year in order to afford an opportunity for any person to present views with respect to whether—

(1) the Corporation is carrying out its activities in accordance with this division; and

(2) any support provided by the Corporation under title II in any country should be suspended, expanded, or extended.

(d) CHIEF EXECUTIVE OFFICER.—

(1) APPOINTMENT.—There shall be in the Corporation a Chief Executive Officer, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall serve at the pleasure of the President.

(2) AUTHORITIES AND DUTIES.—The Chief Executive Officer shall be responsible for the management of the Corporation and shall exercise the powers and discharge the duties of the Corporation subject to the bylaws, rules, regulations, and procedures established by the Board.

(3) RELATIONSHIP TO BOARD.—The Chief Executive Officer shall report to and be under the direct authority of the Board.

(4) COMPENSATION.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

"Chief Executive Officer, United States International Development Finance Corporation."

(e) DEPUTY CHIEF EXECUTIVE OFFICER.—There shall be in the Corporation a Deputy Chief Executive Officer, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall serve at the pleasure of the President.

(f) CHIEF RISK OFFICER.—

(1) APPOINTMENT.—Subject to the approval of the Board, the Chief Executive Officer of the Corporation shall appoint a Chief Risk Officer, from among individuals with experience at a senior level in financial risk management, who—

(A) shall report directly to the Board; and

(B) shall be removable only by a majority vote of the Board.

(2) DUTIES.—The Chief Risk Officer shall, in coordination with the audit committee of the Board established under section 1441, develop, implement, and manage a comprehensive process for identifying, assessing, monitoring, and limiting risks to the Corporation, including the overall portfolio diversification of the Corporation.

(g) CHIEF DEVELOPMENT OFFICER.—

(1) APPOINTMENT.—Subject to the approval of the Board, the Chief Executive Officer, with the concurrence of the Administrator of the United States Agency for International Development, shall appoint a Chief Development Officer, from among individuals with experience in development, who—

(A) shall report directly to the Board; and

(B) shall be removable only by a majority vote of the Board.

(2) DUTIES.—The Chief Development Officer shall—

(A) coordinate the Corporation's development policies and implementation efforts with the United States Agency for International Development, the Millennium Challenge Corporation, and other relevant United States Government departments and agencies, including directly liaising with missions of the United States Agency for International Development, to ensure that departments, agencies, and missions have training, awareness, and access to the Corporation's tools in relation to development policy and projects in countries;

(B) under the guidance of the Chief Executive Officer, manage employees of the Corporation that are dedicated to structuring, monitoring, and evaluating transactions and projects co-designed with the United States Agency for International Development and other relevant United States Government departments and agencies;

(C) authorize and coordinate transfers of funds or other resources to and from such agencies, departments, or missions upon the concurrence of those institutions in support of the Corporation's projects or activities;

(D) manage the responsibilities of the Corporation under paragraphs (1) and (4) of section 1442(b) and paragraphs (1)(A) and (3)(A) of section 1443(b);

(E) coordinate and implement the activities of the Corporation under section 1445; and

(F) be an ex officio member of the Development Advisory Council established under subsection (i) and participate in or send a representative to each meeting of the Council.

(h) OFFICERS AND EMPLOYEES.—

(1) IN GENERAL.—Except as otherwise provided in this section, officers, employees, and agents shall be selected and appointed by the Corporation, and shall be vested with such powers and duties as the Corporation may determine.

(2) ADMINISTRATIVELY DETERMINED EMPLOYEES.—

(A) APPOINTMENT; COMPENSATION; REMOVAL.—Of officers and employees employed by the Corporation under paragraph (1), not more than 50 may be appointed, compensated, or removed without regard to title 5, United States Code.

(B) REINSTATEMENT.—Under such regulations as the President may prescribe, officers and employees appointed to a position under subparagraph (A) may be entitled, upon removal from such position (unless the removal was for cause), to reinstatement to the position occupied at the time of appointment or to a position of comparable grade and salary.

(C) ADDITIONAL POSITIONS.—Positions authorized by subparagraph (A) shall be in addition to those otherwise authorized by law, including positions authorized under section 5108 of title 5, United States Code.

(D) RATES OF PAY FOR OFFICERS AND EMPLOYEES.—The Corporation may set and adjust rates of basic pay for officers and employees appointed under subparagraph (A) without regard to the provisions of chapter 51 or subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, respectively.

(3) LIABILITY OF EMPLOYEES.—

(A) IN GENERAL.—An individual who is a member of the Board or an officer or employee of the Corporation has no liability under this division with respect to any claim arising out of or resulting from any act or omission by the individual within the scope of the employment of the individual in connection with any transaction by the Corporation.

(B) RULE OF CONSTRUCTION.—Subparagraph (A) shall not be construed to limit personal liability of an individual for criminal acts or omissions, willful or malicious misconduct, acts or omissions for private gain, or any other acts or omissions outside the scope of the individual's employment.

(C) CONFLICTS OF INTEREST.—The Corporation shall establish and publish procedures for avoiding conflicts of interest on the part of officers and employees of the Corporation and members of the Development Advisory Council established under subsection (i).

(D) SAVINGS PROVISION.—This paragraph shall not be construed—

(i) to affect—

(I) any other immunities and protections that may be available to an individual described in subparagraph (A) under applicable law with respect to a transaction described in that subparagraph; or

(II) any other right or remedy against the Corporation, against the United States under applicable law, or against any person other than an individual described in subparagraph (A) participating in such a transaction; or

(ii) to limit or alter in any way the immunities that are available under applicable law for Federal officers and employees not described in this paragraph.

(i) DEVELOPMENT ADVISORY COUNCIL.—

(1) IN GENERAL.—There is established a Development Advisory Council (in this subsection referred to as the “Council”) to advise the Board on development objectives of the Corporation.

(2) MEMBERSHIP.—Members of the Council shall be appointed by the Board, on the recommendation of the Chief Executive Officer and the Chief Development Officer, and shall be composed of not more than 9 members broadly representative of nongovernmental organizations, think tanks, advocacy organizations, foundations, and other institutions engaged in international development.

(3) FUNCTIONS.—The Board shall call upon members of the Council, either collectively or individually, to advise the Board regarding the extent to which the Corporation is meeting its development mandate and any suggestions for improvements in with respect to meeting that mandate, including opportunities in countries and project development and implementation challenges and opportunities.

(4) FEDERAL ADVISORY COMMITTEE ACT.—The Council shall not be subject to the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 1414. INSPECTOR GENERAL OF THE CORPORATION.

(a) IN GENERAL.—Section 8G(a)(2) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by inserting “the United States International Development Finance Corporation,” after “the Smithsonian Institution,”.

(b) OVERSIGHT INDEPENDENCE.—Section 8G(a)(4) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) in subparagraph (H), by striking “; and” and inserting a semicolon;

(2) in subparagraph (I), by striking the semicolon and inserting “; and”; and

(3) by adding at the end the following:

“(J) with respect to the United States International Development Finance Corporation, such term means the Board of Directors of the United States International Development Finance Corporation;”.

SEC. 1415. INDEPENDENT ACCOUNTABILITY MECHANISM.

(a) IN GENERAL.—The Board shall establish a transparent and independent accountability mechanism.

(b) FUNCTIONS.—The independent accountability mechanism established pursuant to subsection (a) shall—

(1) annually evaluate and report to the Board and Congress regarding compliance with environmental, social, labor, human rights, and transparency standards, consistent with Corporation statutory mandates;

(2) provide a forum for resolving concerns regarding the impacts of specific Corporation-supported projects with respect to such standards; and

(3) provide advice regarding Corporation projects, policies, and practices.

TITLE II—AUTHORITIES

SEC. 1421. AUTHORITIES RELATING TO PROVISION OF SUPPORT.

(a) IN GENERAL.—The authorities in this title shall only be exercised to—

(1) carry out of the policy of the United States in section 1411 and the purpose of the Corporation in section 1412;

(2) mitigate risks to United States taxpayers by sharing risks with the private sector and qualifying sovereign entities through co-financing and structuring of tools; and

(3) ensure that support provided under this title is additional to private sector resources by mobilizing private capital that would otherwise not be deployed without such support.

(b) LENDING AND GUARANTIES.—

(1) IN GENERAL.—The Corporation may make loans or guaranties upon such terms and conditions as the Corporation may determine.

(2) DENOMINATION.—Loans and guaranties issued under paragraph (1) may be denominated and repayable in United States dollars or foreign currencies. Foreign currency denominated loans and guaranties should only be provided if the Board determines there is a substantive policy rationale for such loans and guaranties.

(3) APPLICABILITY OF FEDERAL CREDIT REFORM ACT OF 1990.—Loans and guaranties issued under paragraph (1) shall be subject to the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.).

(c) EQUITY INVESTMENTS.—

(1) IN GENERAL.—The Corporation may, as a minority investor, support projects with funds or use other mechanisms for the purpose of purchasing, and may make and commitments to purchase, invest in, make pledges in respect of, or otherwise acquire, equity or quasi-equity securities or shares or financial interests of any entity, including as a limited partner or other investor in investment funds, upon such terms and conditions as the Corporation may determine.

(2) DENOMINATION.—Support provided under paragraph (1) may be denominated and repayable in United States dollars or foreign currency. Foreign currency denominated support provided by paragraph (1) should only be provided if the Board determines there is a substantive policy rationale for such support.

(3) GUIDELINES AND CRITERIA.—The Corporation shall develop guidelines and criteria to require that the use of the authority provided by paragraph (1) with respect to a project has a clearly defined development and foreign policy purpose, taking into account the following objectives:

(A) The support for the project would be more likely than not to substantially reduce or overcome the effect of an identified market failure in the country in which the project is carried out.

(B) The project would not have proceeded or would have been substantially delayed without the support.

(C) The support would meaningfully contribute to transforming local conditions to promote the development of markets.

(D) The support can be shown to be aligned with commercial partner incentives.

(E) The support can be shown to have significant developmental impact and will contribute to long-term commercial sustainability.

(F) The support furthers the policy of the United States described in section 1411.

(4) LIMITATIONS ON EQUITY INVESTMENTS.—

(A) PER PROJECT LIMIT.—The aggregate amount of support provided under this subsection with respect to any project shall not exceed 30 percent of the aggregate amount of all equity investment made to the project at the time that the Corporation approves support of the project.

(B) TOTAL LIMIT.—Support provided pursuant to this subsection shall be limited to not more than 35 percent of the Corporation's aggregate exposure on the date that such support is provided.

(5) SALES AND LIQUIDATION OF POSITION.—The Corporation shall seek to sell and liquidate any support for a project provided under this subsection as soon as commercially feasible, commensurate with other similar investors in the project and taking into consideration the national security interests of the United States.

(6) TIMETABLE.—The Corporation shall create a project-specific timetable for support provided under paragraph (1).

(d) INSURANCE AND REINSURANCE.—The Corporation may issue insurance or reinsurance, upon such terms and conditions as the Corporation may determine, to private sector entities and qualifying sovereign entities assuring protection of their investments in whole or in part against any or all political risks such as currency inconvertibility and transfer restrictions, expropriation, war, terrorism, civil disturbance, breach of contract, or nonhonoring of financial obligations.

(e) PROMOTION OF AND SUPPORT FOR PRIVATE INVESTMENT OPPORTUNITIES.—

(1) IN GENERAL.—In order to carry out the purpose of the Corporation described in section 1412(b), the Corporation may initiate and support, through financial participation, incentive grant, or otherwise, and on such terms and conditions as the Corporation may determine, feasibility studies for the planning, development, and management of, and procurement for, potential bilateral and multilateral development projects eligible for support under this title, including training activities undertaken in connection with such projects, for the purpose of promoting investment in such projects and the identification, assessment, surveying, and promotion of private investment opportunities, utilizing wherever feasible and effective, the facilities of private investors.

(2) CONTRIBUTIONS TO COSTS.—The Corporation shall, to the maximum extent practicable, require any person receiving funds under the authorities of this subsection to—

(A) share the costs of feasibility studies and other project planning services funded under this subsection; and

(B) reimburse the Corporation those funds provided under this section, if the person succeeds in project implementation.

(f) SPECIAL PROJECTS AND PROGRAMS.—The Corporation may administer and manage special projects and programs in support of specific transactions undertaken by the Corporation, including programs of financial and advisory support that provide private technical, professional, or managerial assistance in the development of human resources, skills, technology, capital savings, or intermediate financial and investment institutions or cooperatives, and including the initiation of incentives, grants, or studies for energy, women's economic empowerment,

microenterprise households, or other small business activities.

(g) ENTERPRISE FUNDS.—

(1) IN GENERAL.—The Corporation may, following consultation with the Secretary of State, the Administrator of the United States Agency for International Development, and the heads of other relevant departments or agencies, establish and operate enterprise funds in accordance with this subsection.

(2) PRIVATE CHARACTER OF FUNDS.—Nothing in this section shall be construed to make an enterprise fund an agency or establishment of the United States Government, or to make the officers, employees, or members of the Board of Directors of an enterprise fund officers or employees of the United States for purposes of title 5, United States Code.

(3) PURPOSES FOR WHICH SUPPORT MAY BE PROVIDED.—The Corporation, subject to the approval of the Board, may designate private, nonprofit organizations as eligible to receive support under this title for the following purposes:

(A) To promote development of economic freedom and private sectors, including small- and medium-sized enterprises and joint ventures with the United States and host country participants.

(B) To facilitate access to credit to small- and medium-sized enterprises with sound business plans in countries where there is limited means of accessing credit on market terms.

(C) To promote policies and practices conducive to economic freedom and private sector development.

(D) To attract foreign direct investment capital to further promote private sector development and economic freedom.

(E) To complement the work of the United States Agency for International Development and other donors to improve the overall business-enabling environment, financing the creation and expansion of the private business sector.

(F) To make financially sustainable investments designed to generate measurable social benefits and build technical capacity in addition to financial returns.

(4) OPERATION OF FUNDS.—

(A) EXPENDITURES.—Funds made available to an enterprise fund shall be expended at the minimum rate necessary to make timely payments for projects and activities carried out under this subsection.

(B) ADMINISTRATIVE EXPENSES.—Not more than 3 percent per annum of the funds made available to an enterprise fund may be obligated or expended for the administrative expenses of the enterprise fund.

(5) BOARD OF DIRECTORS.—Each enterprise fund established under this subsection should be governed by a Board of Directors comprised of private citizens of the United States or the host country, who—

(A) shall be appointed by the President after consultation with the chairmen and ranking members of the appropriate congressional committees; and

(B) have pursued careers in international business and have demonstrated expertise in international and emerging market investment activities.

(6) MAJORITY MEMBER REQUIREMENT.—The majority of the members of the Board of Directors shall be United States citizens who shall have relevant experience relating to the purposes described in paragraph (3).

(7) REPORTS.—Not later than one year after the date of the establishment of an enterprise fund under this subsection, and annually thereafter until the enterprise fund terminates in accordance with paragraph (10), the Board of Directors of the enterprise fund shall—

(A) submit to the appropriate congressional committees a report—

(i) detailing the administrative expenses of the enterprise fund during the year preceding the submission of the report;

(ii) describing the operations, activities, engagement with civil society and relevant local private sector entities, development objectives and outcomes, financial condition, and accomplishments of the enterprise fund during that year;

(iii) describing the results of any audit conducted under paragraph (8); and

(iv) describing how audits conducted under paragraph (8) are informing the operations and activities of the enterprise fund; and

(B) publish, on a publicly available internet website of the enterprise fund, each report required by subparagraph (A).

(8) OVERSIGHT.—

(A) INSPECTOR GENERAL PERFORMANCE AUDITS.—

(i) IN GENERAL.—The Inspector General of the Corporation shall conduct periodic audits of the activities of each enterprise fund established under this subsection.

(ii) CONSIDERATION.—In conducting an audit under clause (i), the Inspector General shall assess whether the activities of the enterprise fund—

(I) support the purposes described in paragraph (3);

(II) result in profitable private sector investing; and

(III) generate measurable social benefits.

(B) RECORDKEEPING REQUIREMENTS.—The Corporation shall ensure that each enterprise fund receiving support under this subsection—

(i) keeps separate accounts with respect to such support; and

(ii) maintains such records as may be reasonably necessary to facilitate effective audits under this paragraph.

(9) RETURN OF FUNDS TO TREASURY.—Any funds resulting from any liquidation, dissolution, or winding up of an enterprise fund, in whole or in part, shall be returned to the Treasury of the United States.

(10) TERMINATION.—The authority of an enterprise fund to provide support under this subsection shall terminate on the earlier of—

(A) the date that is 10 years after the date of the first expenditure of amounts from the enterprise fund; or

(B) the date on which the enterprise fund is liquidated.

(h) SUPERVISION OF SUPPORT.—Support provided under this title shall be subject to section 622(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2382(c)).

(i) SMALL BUSINESS DEVELOPMENT.—

(1) IN GENERAL.—The Corporation shall undertake, in cooperation with appropriate departments, agencies, and instrumentalities of the United States as well as private entities and others, to broaden the participation of United States small businesses and co-operators and other small United States investors in the development of small private enterprise in less developed friendly countries or areas.

(2) OUTREACH TO MINORITY-OWNED AND WOMEN-OWNED BUSINESSES.—

(A) IN GENERAL.—The Corporation shall collect data on the involvement of minority- and women-owned businesses in projects supported by the Corporation, including—

(i) the amount of insurance and financing provided by the Corporation to such businesses in connection with projects supported by the Corporation; and

(ii) to the extent such information is available, the involvement of such businesses in procurement activities conducted or supported by the Corporation.

(B) INCLUSION IN ANNUAL REPORT.—The Corporation shall include, in its annual report submitted to Congress under section 1443, the aggregate data collected under this paragraph, in such form as to quantify the effec-

tiveness of the Corporation's outreach activities to minority- and women-owned businesses.

SEC. 1422. TERMS AND CONDITIONS.

(a) IN GENERAL.—Except as provided in subsection (b), support provided by the Corporation under this title shall be on such terms and conditions as the Corporation may prescribe.

(b) REQUIREMENTS.—The following requirements apply to support provided by the Corporation under this title:

(1) The Corporation shall provide support using authorities under this title only if it is necessary—

(A) to alleviate a credit market imperfection; or

(B) to achieve specified development or foreign policy objectives of the United States Government by providing support in the most efficient way to meet those objectives on a case-by-case basis.

(2) The final maturity of a loan made or guaranteed by the Corporation shall not exceed the lesser of—

(A) 25 years; or

(B) debt servicing capabilities of the project to be financed by the loan (as determined by the Corporation).

(3) The Corporation shall, with respect to providing any loan guaranty to a project, require the parties to the project to bear the risk of loss in an amount equal to at least 20 percent of the guaranteed support by the Corporation in the project.

(4) The Corporation may not make or guarantee a loan unless the Corporation determines that the borrower or lender is responsible and that adequate provision is made for servicing the loan on reasonable terms and protecting the financial interest of the United States.

(5) The interest rate for direct loans and interest supplements on guaranteed loans shall be set by reference to a benchmark interest rate (yield) on marketable Treasury securities or other widely recognized or appropriate benchmarks with a similar maturity to the loans being made or guaranteed, as determined in consultation with the Director of the Office of Management and Budget and the Secretary of the Treasury. The Corporation shall establish appropriate minimum interest rates for loans, guaranties, and other instruments as necessary.

(6) The minimum interest rate for new loans as established by the Corporation shall be adjusted periodically to take account of changes in the interest rate of the benchmark financial instrument.

(7)(A) The Corporation shall set fees or premiums for support provided under this title at levels that minimize the cost to the Government while supporting achievement of the objectives of support.

(B) The Corporation shall review fees for loan guaranties periodically to ensure that the fees assessed on new loan guaranties are at a level sufficient to cover the Corporation's most recent estimates of its costs.

(8) Any loan guaranty provided by the Corporation shall be conclusive evidence that—

(A) the guaranty has been properly obtained;

(B) the loan qualified for the guaranty; and

(C) but for fraud or material misrepresentation by the holder of the guaranty, the guaranty is presumed to be valid, legal, and enforceable.

(9) The Corporation shall prescribe explicit standards for use in periodically assessing the credit risk of new and existing direct loans or guaranteed loans.

(10) The Corporation may not make loans or loan guaranties except to the extent that budget authority to cover the costs of the loans or guaranties is provided in advance in an appropriations Act, as required by section

504 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661c).

(11) The Corporation shall rely upon specific standards to assess the developmental and strategic value of projects for which it provides support and should only provide the minimum level of support necessary in order to support such projects.

(12) Any loan or loan guaranty made by the Corporation should be provided on a senior basis or *pari passu* with other senior debt unless there is a substantive policy rationale to provide such support otherwise.

SEC. 1423. PAYMENT OF LOSSES.

(a) PAYMENTS FOR DEFAULTS ON GUARANTEED LOANS.—

(1) IN GENERAL.—If the Corporation determines that the holder of a loan guaranteed by the Corporation suffers a loss as a result of a default by a borrower on the loan, the Corporation shall pay to the holder the percent of the loss, as specified in the guaranty contract, after the holder of the loan has made such further collection efforts and instituted such enforcement proceedings as the Corporation may require.

(2) SUBROGATION.—Upon making a payment described in paragraph (1), the Corporation shall ensure the Corporation will be subrogated to all the rights of the recipient of the payment.

(3) RECOVERY EFFORTS.—The Corporation shall pursue recovery from the borrower of the amount of any payment made under paragraph (1) with respect to the loan.

(b) LIMITATION ON PAYMENTS.—

(1) IN GENERAL.—Except as provided by paragraph (2), compensation for insurance, reinsurance, or a guaranty issued under this title shall not exceed the dollar value of the tangible or intangible contributions or commitments made in the project, plus interest, earnings, or profits actually accrued on such contributions or commitments, to the extent provided by such insurance, reinsurance, or guaranty.

(2) EXCEPTION.—

(A) IN GENERAL.—The Corporation may provide that—

(i) appropriate adjustments in the insured dollar value be made to reflect the replacement cost of project assets; and

(ii) compensation for a claim of loss under insurance of an equity investment under section 1421 may be computed on the basis of the net book value attributable to the equity investment on the date of loss.

(3) ADDITIONAL LIMITATION.—

(A) IN GENERAL.—Notwithstanding paragraph (2)(A)(ii) and except as provided in subparagraph (B), the Corporation shall limit the amount of direct insurance and reinsurance issued under section 1421 with respect to a project so as to require that the insured and its affiliates bear the risk of loss for at least 10 percent of the amount of the Corporation's exposure to that insured and its affiliates in the project.

(B) EXCEPTION.—The limitation under subparagraph (A) shall not apply to direct insurance or reinsurance of loans provided by banks or other financial institutions to unrelated parties.

(c) ACTIONS BY ATTORNEY GENERAL.—The Attorney General shall take such action as may be appropriate to enforce any right accruing to the United States as a result of the issuance of any loan or guaranty under this title.

(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude any forbearance for the benefit of a borrower that may be agreed upon by the parties to a loan guaranteed by the Corporation if budget authority for any resulting costs to the United States Government (as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) is available.

SEC. 1424. TERMINATION.

(a) IN GENERAL.—The authorities provided under this title terminate on the date that is 7 years after the date of the enactment of this Act.

(b) TERMINATION OF CORPORATION.—The Corporation shall terminate on the date on which the portfolio of the Corporation is liquidated.

TITLE III—ADMINISTRATIVE AND GENERAL PROVISIONS

SEC. 1431. OPERATIONS.

(a) BILATERAL AGREEMENTS.—The Corporation may provide support under title II in connection with projects in any country the government of which has entered into an agreement with the United States authorizing the Corporation to provide such support in that country.

(b) CLAIMS SETTLEMENT.—

(1) IN GENERAL.—Claims arising as a result of support provided under title II or under predecessor authority may be settled, and disputes arising as a result thereof may be arbitrated with the consent of the parties, on such terms and conditions as the Corporation may determine.

(2) SETTLEMENTS CONCLUSIVE.—Payment made pursuant to any settlement pursuant to paragraph (1), or as a result of an arbitration award, shall be final and conclusive notwithstanding any other provision of law.

(c) PRESUMPTION OF COMPLIANCE.—Each contract executed by such officer or officers as may be designated by the Board shall be conclusively presumed to be issued in compliance with the requirements of this division.

(d) ELECTRONIC PAYMENTS AND DOCUMENTS.—The Corporation shall implement policies to accept electronic documents and electronic payments in all of its programs.

SEC. 1432. CORPORATE POWERS.

(a) IN GENERAL.—The Corporation—

(1) may adopt, alter, and use a seal, to include an identifiable symbol of the United States;

(2) may make and perform such contracts, including no-cost contracts (as defined by the Corporation), grants, and other agreements notwithstanding division C of subtitle I of title 41, United States Code, with any person or government however designated and wherever situated, as may be necessary for carrying out the functions of the Corporation;

(3) may lease, purchase, or otherwise acquire, improve, and use such real property wherever situated, as may be necessary for carrying out the functions of the Corporation, except that, if the real property is for the Corporation's own occupancy, the lease, purchase, acquisition, improvement, or use of the real property shall be entered into or conducted in consultation with the Administrator of General Services;

(4) may accept cash gifts or donations of services or of property (real, personal, or mixed), tangible or intangible, for the purpose of carrying out the functions of the Corporation;

(5) may use the United States mails in the same manner and on the same conditions as the Executive departments (as defined in section 101 of title 5, United States Code);

(6) may contract with individuals for personal services, who shall not be considered Federal employees for any provision of law administered by the Director of the Office of Personnel Management;

(7) may hire or obtain passenger motor vehicles;

(8) may sue and be sued in its corporate name;

(9) may acquire, hold, or dispose of, upon such terms and conditions as the Corporation may determine, any property, real, personal, or mixed, tangible or intangible, or

any interest in such property, except that, in the case of real property that is for the Corporation's own occupancy, the acquisition, holding, or disposition of the real property shall be conducted in consultation with the Administrator of General Services;

(10) may lease office space for the Corporation's own use, with the obligation of amounts for such lease limited to the current fiscal year for which payments are due until the expiration of the current lease under predecessor authority, as of the day before the date of the enactment of this Act;

(11) may indemnify directors, officers, employees, and agents of the Corporation for liabilities and expenses incurred in connection with their activities on behalf of the Corporation;

(12) notwithstanding any other provision of law, may represent itself or contract for representation in any legal or arbitral proceeding;

(13) may exercise any priority of the Government of the United States in collecting debts from bankrupt, insolvent, or decedents' estates;

(14) may collect, notwithstanding section 3711(g)(1) of title 31, United States Code, or compromise any obligations assigned to or held by the Corporation, including any legal or equitable rights accruing to the Corporation;

(15) may make arrangements with foreign governments (including agencies, instrumentalities, or political subdivisions of such governments) or with multilateral organizations or institutions for sharing liabilities;

(16) may sell direct investments of the Corporation to private investors upon such terms and conditions as the Corporation may determine; and

(17) shall have such other powers as may be necessary and incident to carrying out the functions of the Corporation.

(b) TREATMENT OF PROPERTY.—Notwithstanding any other provision of law relating to the acquisition, handling, or disposal of property by the United States, the Corporation shall have the right in its discretion to complete, recondition, reconstruct, renovate, repair, maintain, operate, or sell any property acquired by the Corporation pursuant to the provisions of this division, except that, in the case of real property that is for the Corporation's own occupancy, the completion, reconditioning, reconstruction, renovation, repair, maintenance, operation, or sale of the real property shall be conducted in consultation with the Administrator of General Services.

SEC. 1433. MAXIMUM CONTINGENT LIABILITY.

The maximum contingent liability of the Corporation outstanding at any one time shall not exceed in the aggregate \$60,000,000,000.

SEC. 1434. CORPORATE FUNDS.

(a) CORPORATE CAPITAL ACCOUNT.—There is established in the Treasury of the United States a fund to be known as the "Corporate Capital Account" to carry out the purposes of the Corporation.

(b) FUNDING.—The Corporate Capital Account shall consist of—

(1) fees charged and collected pursuant to subsection (c);

(2) any amounts received pursuant to subsection (e);

(3) investments and returns on such investments pursuant to subsection (g);

(4) unexpended balances transferred to the Corporation pursuant to subsection (i);

(5) payments received in connection with settlements of all insurance and reinsurance claims of the Corporation; and

(6) all other collections transferred to or earned by the Corporation, excluding the cost, as defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a), of loans and loan guaranties.

(c) **FEE AUTHORITY.**—Fees may be charged and collected for providing services in amounts to be determined by the Corporation.

(d) **USES.**—

(1) **IN GENERAL.**—Subject to Acts making appropriations, the Corporation is authorized to pay—

(A) the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, of loans and loan guaranties;

(B) administrative expenses of the Corporation;

(C) for the cost of providing support authorized by subsections (c), (e), (f), and (g) of section 1421;

(D) project-specific transaction costs.

(2) **INCOME AND REVENUE.**—In order to carry out the purposes of the Corporation, all collections transferred to or earned by the Corporation, excluding the cost, as defined in section 502 of the Federal Credit Reform Act of 1990, of loans and loan guaranties, shall be deposited into the Corporate Capital Account and shall be available to carry out its purpose, including without limitation—

(A) payment of all insurance and reinsurance claims of the Corporation;

(B) repayments to the Treasury of amounts borrowed under subsection (e); and

(C) dividend payments to the Treasury under subsection (f).

(e) **FULL FAITH AND CREDIT.**—

(1) **IN GENERAL.**—All support provided pursuant to predecessor authorities or title II shall continue to constitute obligations of the United States, and the full faith and credit of the United States is hereby pledged for the full payment and performance of such obligations.

(2) **AUTHORITY TO BORROW.**—The Corporation is authorized to borrow from the Treasury such sums as may be necessary to fulfill such obligations of the United States and any such borrowing shall be at a rate determined by the Secretary of the Treasury, taking into consideration the current average market yields on outstanding marketable obligations of the United States of comparable maturities, for a period jointly determined by the Corporation and the Secretary, and subject to such terms and conditions as the Secretary may require.

(f) **DIVIDENDS.**—The Board, in consultation with the Director of the Office of Management and Budget, shall annually assess a dividend payment to the Treasury if the Corporation's insurance portfolio is more than 100 percent reserved.

(g) **INVESTMENT AUTHORITY.**—

(1) **IN GENERAL.**—The Corporation may request the Secretary of the Treasury to invest such portion of the Corporate Capital Account as is not, in the Corporation's judgment, required to meet the current needs of the Corporate Capital Account.

(2) **FORM OF INVESTMENTS.**—Such investments shall be made by the Secretary of the Treasury in public debt obligations, with maturities suitable to the needs of the Corporate Capital Account, as determined by the Corporation, and bearing interest at rates determined by the Secretary, taking into consideration current market yields on outstanding marketable obligations of the United States of comparable maturities.

(h) **COLLECTIONS.**—Interest earnings made pursuant to subsection (g), earnings collected related to equity investments, and amounts, excluding fees related to insurance or reinsurance, collected pursuant to subsection (c), shall not be collected for any fiscal year except to the extent provided in advance in appropriations Acts.

(i) **TRANSFER FROM PREDECESSOR AGENCIES AND PROGRAMS.**—By the end of the transition period described in title VI, the unexpended balances, assets, and responsibilities of any agency specified in the plan required by sec-

tion 1462 shall be transferred to the Corporation.

(j) **TRANSFER OF FUNDS.**—In order to carry out this division, funds authorized to be appropriated to carry out the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) may be transferred to the Corporation and funds authorized to be appropriated to the Corporation may be transferred to the Department of State and the United States Agency for International Development.

(k) **DEFINITION.**—In this section, the term "project-specific transaction costs"—

(1) means those costs incurred by the Corporation for travel, legal expenses, and direct and indirect costs incurred in claims settlements associated with the provision of support under title II and shall not be considered administrative expenses for the purposes of this section; and

(2) does not include information technology (as such term is defined in section 11101 of title 40, United States Code).

SEC. 1435. COORDINATION WITH OTHER DEVELOPMENT AGENCIES.

It is the sense of Congress that the Corporation should use relevant data of the Department of State, the Millennium Challenge Corporation, the United States Agency for International Development, and other departments and agencies that have development functions to better inform the decisions of the Corporation with respect to providing support under title II.

TITLE IV—MONITORING, EVALUATION, AND REPORTING

SEC. 1441. ESTABLISHMENT OF RISK AND AUDIT COMMITTEES.

(a) **IN GENERAL.**—To assist the Board to fulfill its duties and responsibilities under section 1421(a), the Corporation shall establish a risk committee and an audit committee.

(b) **DUTIES AND RESPONSIBILITIES OF RISK COMMITTEE.**—Subject to the direction of the Board, the risk committee established under subsection (a) shall have oversight responsibility of—

(1) formulating risk management policies of the operations of the Corporation;

(2) reviewing and providing guidance on operation of the Corporation's global risk management framework;

(3) developing policies for enterprise risk management, monitoring, and management of strategic, reputational, regulatory, operational, developmental, environmental, social, and financial risks;

(4) developing the risk profile of the Corporation, including a risk management and compliance framework and governance structure to support such framework; and

(5) developing policies and procedures for assessing, prior to providing, and for any period during which the Corporation provides, support to any foreign entities, whether such entities have in place sufficient enhanced due diligence policies and practices to prevent money laundering and corruption to ensure the Corporation does not provide support to persons that are—

(A) knowingly engaging in acts of corruption;

(B) knowingly providing material or financial support for terrorism, drug trafficking, or human trafficking; or

(C) responsible for ordering or otherwise directing serious or gross violations of human rights.

(c) **DUTIES AND RESPONSIBILITIES OF AUDIT COMMITTEE.**—Subject to the direction of the Board, the audit committee established under subsection (a) shall have the oversight responsibility of—

(1) the integrity of the Corporation's financial reporting and systems of internal controls regarding finance and accounting;

(2) the integrity of the Corporation's financial statements;

(3) the performance of the Corporation's internal audit function; and

(4) compliance with legal and regulatory requirements related to the finances of the Corporation.

SEC. 1442. PERFORMANCE MEASURES, EVALUATION, AND LEARNING.

(a) **IN GENERAL.**—The Corporation shall develop a performance measurement system to evaluate and monitor projects supported by the Corporation under title II and to guide future projects of the Corporation.

(b) **CONSIDERATIONS.**—In developing the performance measurement system required by subsection (a), the Corporation shall—

(1) develop a successor for the development impact measurement system of the Overseas Private Investment Corporation (as such system was in effect on the day before the date of the enactment of this Act);

(2) develop a mechanism for ensuring that support provided by the Corporation under title II is in addition to private investment;

(3) develop standards for, and a method for ensuring, appropriate financial performance of the Corporation's portfolio; and

(4) develop standards for, and a method for ensuring, appropriate development performance of the Corporation's portfolio, including—

(A) measurement of the projected and ex post development impact of a project; and

(B) the information necessary to comply with section 1443.

(c) **PUBLIC AVAILABILITY OF CERTAIN INFORMATION.**—The Corporation shall make available to the public on a regular basis information about support provided by the Corporation under title II and performance metrics about such support on a country-by-country basis.

(d) **CONSULTATION.**—In developing the performance measurement system required by subsection (a), the Corporation shall consult with the Development Advisory Council established under section 1413(i) and other stakeholders and interested parties engaged in sustainable economic growth and development.

SEC. 1443. ANNUAL REPORT.

(a) **IN GENERAL.**—After the end of each fiscal year, the Corporation shall submit to the appropriate congressional committees a complete and detailed report of its operations during that fiscal year, including an assessment of—

(1) the economic and social development impact, including with respect to matters described in subsections (d), (e), and (f) of section 1451, of projects supported by the Corporation under title II;

(2) the extent to which the operations of the Corporation complement or are compatible with the development assistance programs of the United States and qualifying sovereign entities;

(3) the Corporation's institutional linkages with other relevant United States Government department and agencies, including efforts to strengthen such linkages; and

(4) the compliance of projects supported by the Corporation under title II with human rights, environmental, labor, and social policies, or other such related policies that govern the Corporation's support for projects, promulgated or otherwise administered by the Corporation.

(b) **ELEMENTS.**—Each annual report required by subsection (a) shall include analyses of the effects of projects supported by the Corporation under title II, including—

(1) reviews and analyses of—

(A) the desired development outcomes for projects and whether or not the Corporation is meeting the associated metrics, goals, and development objectives, including, to the extent practicable, in the years after conclusion of projects; and

(B) the effect of the Corporation's support on access to capital and ways in which the Corporation is addressing identifiable market gaps or inefficiencies and what impact, if any, such support has on access to credit for a specific project, country, or sector;

(2) an explanation of any partnership arrangement or cooperation with a qualifying sovereign entity in support of each project;

(3) projections of—

(A) development outcomes, and whether or not support for projects are meeting the associated performance measures, both during the start-up phase and over the duration of the support, and to the extent practicable, measures of such development outcomes should be on a gender-disaggregated basis, such as changes in employment, access to financial services, enterprise development and growth, and composition of executive boards and senior leadership of enterprises receiving support under title II; and

(B) the value of private sector assets brought to bear relative to the amount of support provided by the Corporation and the value of any other public sector support; and

(4) an assessment of the extent to which lessons learned from the monitoring and evaluation activities of the Corporation, and from annual reports from previous years compiled by the Corporation, have been applied to projects.

SEC. 1444. PUBLICLY AVAILABLE PROJECT INFORMATION.

The Corporation shall—

(1) maintain a user-friendly, publicly available, machine-readable database with detailed project-level information, as appropriate and to the extent practicable, including a description of the support provided by the Corporation under title II, including, to the extent feasible, the information included in the report to Congress under section 1443 and project-level performance metrics; and

(2) include a clear link to information about each project supported by the Corporation under title II on the internet website of the Department of State, "ForeignAssistance.gov", or a successor website or other online publication.

SEC. 1445. ENGAGEMENT WITH INVESTORS.

(a) IN GENERAL.—The Corporation, acting through the Chief Development Officer, shall, in cooperation with the Administrator of the United States Agency for International Development—

(1) develop a strategic relationship with private sector entities focused at the nexus of business opportunities and development priorities;

(2) engage such entities and reduce business risks primarily through direct transaction support and facilitating investment partnerships;

(3) develop and support tools, approaches, and intermediaries that can mobilize private finance at scale in the developing world;

(4) pursue highly developmental projects of all sizes, especially those that are small but designed for work in the most underdeveloped areas, including countries with chronic suffering as a result of extreme poverty, fragile institutions, or a history of violence; and

(5) pursue projects consistent with the policy of the United States described in section 1411 and the Joint Strategic Plan and the Mission Country Development Cooperation Strategies of the United States Agency for International Development.

(b) ASSISTANCE.—To achieve the goals described in subsection (a), the Corporation shall—

(1) develop risk mitigation tools;

(2) provide transaction structuring support for blended finance models;

(3) support intermediaries linking capital supply and demand;

(4) coordinate with other Federal agencies to support or accelerate transactions;

(5) convene financial, donor, civil society, and public sector partners around opportunities for private finance within development priorities;

(6) offer strategic planning and programming assistance to catalyze investment into priority sectors;

(7) provide transaction structuring support;

(8) deliver training and knowledge management tools for engaging private investors;

(9) partner with private sector entities that provide access to capital and expertise; and

(10) identify and screen new investment partners.

(c) TECHNICAL ASSISTANCE.—The Corporation shall coordinate with the United States Agency for International Development and other agencies and departments, as necessary, on projects and programs supported by the Corporation that include technical assistance.

SEC. 1446. NOTIFICATIONS TO BE PROVIDED BY THE CORPORATION.

(a) IN GENERAL.—Not later than 15 days prior to the Corporation making a financial commitment associated with the provision of support under title II in an amount in excess of \$10,000,000, the Chief Executive Officer of the Corporation shall submit to the appropriate congressional committees a report in writing that contains the information required by subsection (b).

(b) INFORMATION REQUIRED.—The information required by this subsection includes—

(1) the amount of each such financial commitment;

(2) an identification of the recipient or beneficiary; and

(3) a description of the project, activity, or asset and the development goal or purpose to be achieved by providing support by the Corporation.

(c) BILATERAL AGREEMENTS.—The Chief Executive Officer of the Corporation shall notify the appropriate congressional committees not later than 30 days after entering into a new bilateral agreement described in section 1431(a).

TITLE V—CONDITIONS, RESTRICTIONS, AND PROHIBITIONS

SEC. 1451. LIMITATIONS AND PREFERENCES.

(a) LIMITATION ON SUPPORT FOR SINGLE ENTITY.—No entity receiving support from the Corporation under title II may receive more than an amount equal to 5 percent of the Corporation's maximum contingent liability authorized under section 1433.

(b) PREFERENCE FOR SUPPORT FOR PROJECTS SPONSORED BY UNITED STATES PERSONS.—

(1) IN GENERAL.—The Corporation should give preferential consideration to projects sponsored by or involving private sector entities that are United States persons.

(2) UNITED STATES PERSON DEFINED.—In this subsection, the term "United States person" means—

(A) a United States citizen; or

(B) an entity owned or controlled by an individual or individuals described in subparagraph (A).

(c) PREFERENCE FOR SUPPORT IN COUNTRIES IN COMPLIANCE WITH INTERNATIONAL TRADE OBLIGATIONS.—

(1) CONSULTATIONS WITH UNITED STATES TRADE REPRESENTATIVE.—Not less frequently than annually, the Corporation shall consult with the United States Trade Representative with respect to the status of countries eligible to receive support from the Corporation under title II and the compliance of those countries with their international trade obligations.

(2) PREFERENTIAL CONSIDERATION.—The Corporation shall give preferential consider-

ation to providing support under title II for projects in countries in compliance with or making substantial progress coming into compliance with their international trade obligations.

(d) WORKER RIGHTS.—

(1) IN GENERAL.—The Corporation shall only support projects under title II in countries that are taking steps to adopt and implement laws that extend internationally recognized worker rights (as defined in section 507 of the Trade Act of 1974 (19 U.S.C. 2467)) to workers in that country, including any designated zone in that country.

(2) REQUIRED CONTRACT LANGUAGE.—The Corporation shall also include the following language, in substantially the following form, in all contracts which the Corporation enters into with persons receiving support under title II: "The person receiving support agrees not to take actions to prevent employees of the foreign enterprise from lawfully exercising their right of association and their right to organize and bargain collectively. The person further agrees to observe applicable laws relating to a minimum age for employment of children, acceptable conditions of work with respect to minimum wages, hours of work, and occupational health and safety, and not to use forced labor or the worst forms of child labor (as defined in section 507 of the Trade Act of 1974 (19 U.S.C. 2467)). The person is not responsible under this paragraph for the actions of a foreign government."

(e) IMPACT NOTIFICATION.—The Board shall not vote in favor of any project proposed to be supported by the Corporation under title II that is likely to have significant adverse environmental or social impacts that are sensitive, diverse, or unprecedented, unless—

(1) at least 60 days before the date of the vote, an environmental and social impact assessment or initial environmental and social audit, analyzing the environmental and social impacts of the proposed project and of alternatives to the proposed project, including mitigation measures, is completed;

(2) such assessment or audit has been made available to the public of the United States, locally affected groups in the country in which the project will be carried out, and nongovernmental organizations in that country; and

(3) the Corporation, applying best practices with respect to environmental and social safeguards, includes in any contract relating to the project provisions to ensure the mitigation of any such adverse environmental or social impacts.

(f) WOMEN'S ECONOMIC EMPOWERMENT.—In utilizing its authorities under title II, the Corporation shall consider the impacts of its support on women's economic opportunities and outcomes and shall prioritize the reduction of gender gaps and maximize development impact by working to improve women's economic opportunities.

(g) PREFERENCE FOR PROVISION OF SUPPORT IN COUNTRIES EMBRACING PRIVATE ENTERPRISE.—

(1) IN GENERAL.—The Corporation should give preferential consideration to projects for which support under title II may be provided in countries the governments of which have demonstrated consistent support for economic policies that promote the development of private enterprise, both domestic and foreign, and maintaining the conditions that enable private enterprise to make a full contribution to the development of such countries, including—

(A) market-based economic policies;

(B) protection of private property rights;

(C) respect for the rule of law; and

(D) systems to combat corruption and bribery.

(2) SOURCES OF INFORMATION.—The Corporation should rely on both third-party indica-

tors and United States Government information, such as the Department of State's Investment Climate Statements, the Department of Commerce's Country Commercial Guides, or the Millennium Challenge Corporation's Constraints Analysis, to assess whether countries meet the conditions described in paragraph (1).

(h) **CONSIDERATION OF FOREIGN BOYCOTT PARTICIPATION.**—In providing support for projects under title II, the Corporation shall consider, using information readily available, whether the project is sponsored by or substantially affiliated with any person taking or knowingly agreeing to take actions, or having taken or knowingly agreed to take actions within the past 3 years, which demonstrate or otherwise evidence intent to comply with, further, or support any boycott described in section 1773(a) of the Export Control Reform Act of 2018 (subtitle B of title XVII of Public Law 115-232).

(i) **ENSURING OPPORTUNITIES FOR SMALL BUSINESSES IN FOREIGN DEVELOPMENT.**—The Corporation shall, using broad criteria, make, to the maximum extent possible consistent with this division, efforts—

(1) to give preferential consideration in providing support under title II to projects sponsored by or involving small businesses; and

(2) to ensure that the proportion of projects sponsored by or involving United States small businesses, including women-, minority-, and veteran-owned small businesses, is not less than 50 percent of all projects for which the Corporation provides support and that involve United States persons.

SEC. 1452. ADDITIONALITY AND AVOIDANCE OF MARKET DISTORTION.

(a) **IN GENERAL.**—Before the Corporation provides support for a project under title II, the Corporation shall ensure that private sector entities are afforded an opportunity to support the project.

(b) **SAFEGUARDS, POLICIES, AND GUIDELINES.**—The Corporation shall develop appropriate safeguards, policies, and guidelines to ensure that support provided by the Corporation under title II—

(1) supplements and encourages, but does not compete with, private sector support;

(2) operates according to internationally recognized best practices and standards with respect to ensuring the avoidance of market distorting government subsidies and the crowding out of private sector lending; and

(3) does not have a significant adverse impact on United States employment.

SEC. 1453. PROHIBITION ON SUPPORT IN COUNTRIES THAT SUPPORT TERRORISM OR VIOLATE HUMAN RIGHTS AND WITH SANCTIONED PERSONS.

(a) **IN GENERAL.**—The Corporation is prohibited from providing support under title II for a government, or an entity owned or controlled by a government, if the Secretary of State has determined that the government—

(1) has repeatedly provided support for acts of international terrorism for purposes of—

(A) section 1754(c)(1)(A)(i) of the Export Control Reform Act of 2018 (subtitle B of title XVII of Public Law 115-232);

(B) section 620A(a) of the Foreign Assistance Act of 1961 (22 U.S.C. 2371(a));

(C) section 40(d) of the Arms Export Control Act (22 U.S.C. 2780(d)); or

(D) any other relevant provision of law; or

(2) has engaged in a consistent pattern of gross violations of internationally recognized human rights for purposes of section 116(a) or 502B(a)(2) of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n(a) and 2304(a)(2)) or any other relevant provision of law.

(b) **PROHIBITION ON SUPPORT OF SANCTIONED PERSONS.**—The Corporation is prohibited from all dealings related to any project under title II prohibited under United States

sanctions laws or regulations, including dealings with persons on the list of specially designated persons and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, except to the extent otherwise authorized by the Secretary of the Treasury or the Secretary of State.

(c) **PROHIBITION ON SUPPORT OF ACTIVITIES SUBJECT TO SANCTIONS.**—The Corporation shall require any person receiving support under title II to certify that the person, and any entity owned or controlled by the person, is in compliance with all United States sanctions laws and regulations.

SEC. 1454. APPLICABILITY OF CERTAIN PROVISIONS OF LAW.

Subsections (g), (l), (m), and (n) of section 237 of the Foreign Assistance Act of 1961 (22 U.S.C. 2197) shall apply with respect to the Corporation to the same extent and in the same manner as such subsections applied with respect to the Overseas Private Investment Corporation on the day before the date of the enactment of this Act.

TITLE VI—TRANSITIONAL PROVISIONS

SEC. 1461. DEFINITIONS.

In this title:

(1) **AGENCY.**—The term “agency” includes any entity, organizational unit, program, or function.

(2) **TRANSITION PERIOD.**—The term “transition period” means the period—

(A) beginning on the date of the enactment of this Act; and

(B) ending on the effective date of the reorganization plan required by section 1462(e).

SEC. 1462. REORGANIZATION PLAN.

(a) **SUBMISSION OF PLAN.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, the President shall transmit to the appropriate congressional committees a reorganization plan regarding the following:

(A) The transfer of agencies, personnel, assets, and obligations to the Corporation pursuant to this title.

(B) Any consolidation, reorganization, or streamlining of agencies transferred to the Corporation pursuant to this title.

(C) Any efficiencies or cost savings achieved or additional costs incurred as a result of the transfer of agencies, personnel, assets, and obligations to the Corporation pursuant to this title, including reductions in unnecessary or duplicative operations, assets, and personnel.

(2) **CONSULTATION.**—Not later than 15 days before the date on which the plan is transmitted pursuant to this subsection, the President shall consult with the appropriate congressional committees on such plan.

(b) **PLAN ELEMENTS.**—The plan transmitted under subsection (a) shall contain, consistent with this division, such elements as the President deems appropriate, including the following:

(1) Identification of any functions of agencies transferred to the Corporation pursuant to this title that will not be transferred to the Corporation under the plan.

(2) Specification of the steps to be taken to organize the Corporation, including the delegation or assignment of functions transferred to the Corporation.

(3) Specification of the funds available to each agency that will be transferred to the Corporation as a result of transfers under the plan.

(4) Specification of the proposed allocations within the Corporation of unexpended funds transferred in connection with transfers under the plan.

(5) Specification of any proposed disposition of property, facilities, contracts, records, and other assets and obligations of agencies transferred under the plan.

(6) Specification of the number of authorized positions and personnel employed before

the end of the transition period that will be transferred to the Corporation, including plans to mitigate the impact of such transfers on the United States Agency for International Development.

(c) **REPORT ON COORDINATION.**—

(1) **IN GENERAL.**—The transfer of functions authorized by this section may occur only after the President and Chief Executive Officer of the Overseas Private Investment Corporation and the Administrator of the United States Agency for International Development jointly submit to the Committee on Foreign Affairs and Committee on Appropriations of the House of Representatives and Committee on Foreign Relations and Committee on Appropriations of the Senate a report in writing that contains the information required by paragraph (2).

(2) **INFORMATION REQUIRED.**—The information required by this paragraph includes a description in detail of the procedures to be followed after the transfer of functions authorized by this section have occurred to coordinate between the Corporation and the United States Agency for International Development in carrying out the functions so transferred.

(d) **MODIFICATION OF PLAN.**—The President shall consult with the appropriate congressional committees before making any material modification or revision to the plan before the plan becomes effective in accordance with subsection (e).

(e) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—The reorganization plan described in this section, including any modifications or revisions of the plan under subsection (c), shall become effective for an agency on the date specified in the plan (or the plan as modified pursuant to subsection (d)), except that such date may not be earlier than 90 days after the date the President has transmitted the reorganization plan to the appropriate congressional committees pursuant to subsection (a).

(2) **STATUTORY CONSTRUCTION.**—Nothing in this subsection may be construed to require the transfer of functions, personnel, records, balances of appropriations, or other assets of an agency on a single date.

SEC. 1463. TRANSFER OF FUNCTIONS.

(a) **IN GENERAL.**—Effective at the end of the transition period, there shall be transferred to the Corporation the functions, personnel, assets, and liabilities of—

(1) the Overseas Private Investment Corporation, as in existence on the day before the date of the enactment of this Act; and

(2) the following elements of the United States Agency for International Development:

(A) The Development Credit Authority.

(B) The existing Legacy Credit portfolio under the Urban Environment Program and any other direct loan programs and non-Development Credit Authority guaranty programs authorized by the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or other predecessor Acts, as in existence on the date of the enactment of this Act, other than any sovereign loan guaranties.

(b) **ADDITIONAL TRANSFER AUTHORITY.**—Effective at the end of the transition period, there is authorized to be transferred to the Corporation, with the concurrence of the Administrator of the United States Agency for International Development, the functions, personnel, assets, and liabilities of the following elements of the United States Agency for International Development:

(1) The Office of Private Capital and Micro-enterprise.

(2) The enterprise funds.

(c) **SOVEREIGN LOAN GUARANTY TRANSFER.**—

(1) **IN GENERAL.**—Effective at the end of the transition period, there is authorized to be

transferred to the Corporation or any other appropriate department or agency of the United States Government the loan accounts and the legal rights and responsibilities for the sovereign loan guaranty portfolio held by the United States Agency for International Development as in existence on the day before the date of the enactment of this Act.

(2) **INCLUSION IN REORGANIZATION PLAN.**—The President shall include in the reorganization plan submitted under section 1462 a description of the transfer authorized under paragraph (1).

(d) **BILATERAL AGREEMENTS.**—Any bilateral agreement of the United States in effect on the date of the enactment of this Act that serves as the basis for programs of the Overseas Private Investment Corporation and the Development Credit Authority shall be considered as satisfying the requirements of section 1431(a).

(e) **TRANSITION.**—During the transition period, the agencies specified in subsection (a) shall—

(1) continue to administer the assets and obligations of those agencies; and
(2) carry out such programs and activities authorized under this division as may be determined by the President.

SEC. 1464. TERMINATION OF OVERSEAS PRIVATE INVESTMENT CORPORATION AND OTHER SUPERCEDED AUTHORITIES.

Effective at the end of the transition period—

(1) the Overseas Private Investment Corporation is terminated; and

(2) title IV of chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2191 et seq.) (other than subsections (g), (l), (m), and (n) of section 237 of that Act) is repealed.

SEC. 1465. TRANSITIONAL AUTHORITIES.

(a) **PROVISION OF ASSISTANCE BY OFFICIALS.**—Until the transfer of an agency to the Corporation under section 1463, any official having authority over, or functions relating to, the agency on the day before the date of the enactment of this Act shall provide to the Corporation such assistance, including the use of personnel and assets, as the Corporation may request in preparing for the transfer and integration of the agency into the Corporation.

(b) **SERVICES AND PERSONNEL.**—During the transition period, upon the request of the Corporation, the head of any executive agency may, on a reimbursable or non-reimbursable basis, provide services or detail personnel to assist with the transition.

(c) **ACTING OFFICIALS.**—

(1) **IN GENERAL.**—During the transition period, pending the advice and consent of the Senate to the appointment of an officer required by this division to be appointed by and with such advice and consent, the President may designate any officer whose appointment was required to be made by and with such advice and consent and who was such an officer before the end of the transition period (and who continues in office) or immediately before such designation, to act in such office until the same is filled as provided in this division. While so acting, such officers shall receive compensation at the higher of—

(A) the rates provided by this division for the respective offices in which they act; or

(B) the rates provided for the offices held at the time of designation.

(2) **RULE OF CONSTRUCTION.**—Nothing in this division shall be construed to require the advice and consent of the Senate to the appointment by the President to a position in the Corporation of any officer whose agency is transferred to the Corporation pursuant to this title and whose duties following such transfer are germane to those performed before such transfer.

(d) **TRANSFER OF PERSONNEL, ASSETS, OBLIGATIONS, AND FUNCTIONS.**—Upon the transfer of an agency to the Corporation under section 1463—

(1) the personnel, assets, and obligations held by or available in connection with the agency shall be transferred to the Corporation for appropriate allocation, subject to the approval of the Director of the Office of Management and Budget and in accordance with section 1531(a)(2) of title 31, United States Code; and

(2) the Corporation shall have all functions—

(A) relating to the agency that any other official could by law exercise in relation to the agency immediately before such transfer; and

(B) vested in the Corporation by this division or other law.

SEC. 1466. SAVINGS PROVISIONS.

(a) **COMPLETED ADMINISTRATIVE ACTIONS.**—

(1) **IN GENERAL.**—Completed administrative actions of an agency shall not be affected by the enactment of this Act or the transfer of such agency to the Corporation under section 1463, but shall continue in effect according to their terms until amended, modified, superseded, terminated, set aside, or revoked in accordance with law by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(2) **COMPLETED ADMINISTRATIVE ACTION DEFINED.**—In this subsection, the term “completed administrative action” includes orders, determinations, rules, regulations, personnel actions, permits, agreements, grants, contracts, certificates, policies, licenses, registrations, and privileges.

(b) **PENDING PROCEEDINGS.**—

(1) **IN GENERAL.**—Pending proceedings in an agency, including notices of proposed rulemaking, and applications for licenses, permits, certificates, grants, and financial assistance, shall continue notwithstanding the enactment of this Act or the transfer of the agency to the Corporation, unless discontinued or modified under the same terms and conditions and to the same extent that such discontinuance could have occurred if such enactment or transfer had not occurred.

(2) **ORDERS.**—Orders issued in proceedings described in paragraph (1), and appeals therefrom, and payments made pursuant to such orders, shall issue in the same manner and on the same terms as if this division had not been enacted or the agency had not been transferred, and any such orders shall continue in effect until amended, modified, superseded, terminated, set aside, or revoked by an officer of the United States or a court of competent jurisdiction, or by operation of law.

(c) **PENDING CIVIL ACTIONS.**—Pending civil actions shall continue notwithstanding the enactment of this Act or the transfer of an agency to the Corporation, and in such civil actions, proceedings shall be had, appeals taken, and judgments rendered and enforced in the same manner and with the same effect as if such enactment or transfer had not occurred.

(d) **REFERENCES.**—References relating to an agency that is transferred to the Corporation under section 1463 in statutes, Executive orders, rules, regulations, directives, or delegations of authority that precede such transfer or the date of the enactment of this Act shall be deemed to refer, as appropriate, to the Corporation, to its officers, employees, or agents, or to its corresponding organizational units or functions. Statutory reporting requirements that applied in relation to such an agency immediately before the effective date of this division shall continue to apply following such transfer if they refer to the agency by name.

(e) **EMPLOYMENT PROVISIONS.**—

(1) **REGULATIONS.**—The Corporation may, in regulations prescribed jointly with the Director of the Office of Personnel Management, adopt the rules, procedures, terms, and conditions, established by statute, rule, or regulation before the date of the enactment of this Act, relating to employment in any agency transferred to the Corporation under section 1463.

(2) **EFFECT OF TRANSFER ON CONDITIONS OF EMPLOYMENT.**—Except as otherwise provided in this division, or under authority granted by this division, the transfer pursuant to this title of personnel shall not alter the terms and conditions of employment, including compensation, of any employee so transferred.

(f) **STATUTORY REPORTING REQUIREMENTS.**—Any statutory reporting requirement that applied to an agency transferred to the Corporation under this title immediately before the date of the enactment of this Act shall continue to apply following that transfer if the statutory requirement refers to the agency by name.

SEC. 1467. OTHER TERMINATIONS.

Except as otherwise provided in this division, whenever all the functions vested by law in any agency have been transferred pursuant to this title, each position and office the incumbent of which was authorized to receive compensation at the rates prescribed for an office or position at level II, III, IV, or V of the Executive Schedule under subchapter II of chapter 53 of title 5, United States Code, shall terminate.

SEC. 1468. INCIDENTAL TRANSFERS.

The Director of the Office of Management and Budget, in consultation with the Corporation, is authorized and directed to make such additional incidental dispositions of personnel, assets, and liabilities held, used, arising from, available, or to be made available, in connection with the functions transferred by this title, as the Director may determine necessary to accomplish the purposes of this division.

SEC. 1469. REFERENCE.

With respect to any function transferred under this title (including under a reorganization plan under section 1462) and exercised on or after the date of the enactment of this Act, reference in any other Federal law to any department, commission, or agency or any officer or office the functions of which are so transferred shall be deemed to refer to the Corporation or official or component of the Corporation to which that function is so transferred.

SEC. 1470. CONFORMING AMENDMENTS.

(a) **EXEMPT PROGRAMS.**—Section 255(g) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 905(g)) is amended by striking “Overseas Private Investment Corporation, Noncredit Account (71-4184-0-3-151).” and inserting “United States International Development Finance Corporation.”

(b) **EXECUTIVE SCHEDULE.**—Title 5, United States Code, is amended—

(1) in section 5314, by striking “President, Overseas Private Investment Corporation.”;

(2) in section 5315, by striking “Executive Vice President, Overseas Private Investment Corporation.”; and

(3) in section 5316, by striking “Vice Presidents, Overseas Private Investment Corporation (3).”

(c) **OFFICE OF INTERNATIONAL TRADE OF THE SMALL BUSINESS ADMINISTRATION.**—Section 22 of the Small Business Act (15 U.S.C. 649) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “the President of the Overseas Private Investment Corporation, Director” and inserting “the Board of Directors of the United States International Development Finance Corporation, the Director”; and

(2) by striking “Overseas Private Investment Corporation” each place it appears and inserting “United States International Development Finance Corporation”.

(d) UNITED STATES AND FOREIGN COMMERCIAL SERVICE.—Section 2301 of the Export Enhancement Act of 1988 (15 U.S.C. 4721) is amended by striking “Overseas Private Investment Corporation” each place it appears and inserting “United States International Development Finance Corporation”.

(e) TRADE PROMOTION COORDINATING COMMITTEE.—Section 2312(d)(1)(K) of the Export Enhancement Act of 1988 (15 U.S.C. 4727(d)(1)(K)) is amended by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”.

(f) INTERAGENCY TRADE DATA ADVISORY COMMITTEE.—Section 5402(b) of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4902(b)) is amended by striking “the President of the Overseas Private Investment Corporation” and inserting “the Chief Executive Officer of the United States International Development Finance Corporation”.

(g) MISUSE OF NAMES OF FEDERAL AGENCIES.—Section 709 of title 18, United States Code, is amended by striking “‘Overseas Private Investment’, ‘Overseas Private Investment Corporation’, or ‘OPIC’,” and inserting “‘United States International Development Finance Corporation’ or ‘DFC’”.

(h) ENGAGEMENT ON CURRENCY EXCHANGE RATE AND ECONOMIC POLICIES.—Section 701(c)(1)(A) of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4421(c)(1)(A)) is amended by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”.

(i) INTERNSHIPS WITH INSTITUTE FOR INTERNATIONAL PUBLIC POLICY.—Section 625 of the Higher Education Act of 1965 (20 U.S.C. 1131c(a)) is amended by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”.

(j) FOREIGN ASSISTANCE ACT OF 1961.—The Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended—

(1) in section 116—

(A) in subsection (a), by inserting “, and no support may be provided under title II of the Better Utilization of Investments Leading to Development Act of 2018,” after “this part”;

(B) in the first subsection (b)—

(i) by inserting “or title II of the Better Utilization of Investments Leading to Development Act of 2018” after “this part”;

(ii) by inserting “or the Chief Executive Officer of the United States International Development Finance Corporation, as applicable,” after “this Act”;

(iii) by inserting “or support” after “the assistance”; and

(iv) by inserting “or support” after “such assistance” each place it appears;

(C) in the second subsection (b), by inserting “under this part, and no support may be provided under title II of the Better Utilization of Investments Leading to Development Act of 2018,” after “provided”; and

(D) in subsection (c), by striking “under this part, the Administrator” and inserting “under this part, or support provided under title II of the Better Utilization of Investments Leading to Development Act of 2018, the Administrator, or the Chief Executive Officer of the United States International Development Finance Corporation, as applicable,”;

(2) in section 449B(b)(2) (22 U.S.C. 2296b(b)(2)), by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”; and

(3) in section 481(e)(4)(A) (22 U.S.C. 2291(e)(4)(A)), in the matter preceding clause

(i), by striking “(including programs under title IV of chapter 2, relating to the Overseas Private Investment Corporation)” and inserting “(and any support under title II of the Better Utilization of Investments Leading to Development Act of 2018, relating to the United States International Development Finance Corporation)”.

(k) ELECTRIFY AFRICA ACT OF 2015.—Sections 5 and 7 of the Electrify Africa Act of 2015 (Public Law 114-121; 22 U.S.C. 2293 note) are amended by striking “Overseas Private Investment Corporation” each place it appears and inserting “United States International Development Finance Corporation”.

(l) FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2016.—Section 2(3) of the Foreign Aid Transparency and Accountability Act of 2016 (Public Law 114-191; 22 U.S.C. 2394c note) is amended—

(1) in subparagraph (A), by striking “except for” and all that follows through “chapter 3” and insert “except for chapter 3”;

(2) in subparagraph (C), by striking “and” at the end;

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

(4) by adding at the end the following:

“(E) the Better Utilization of Investments Leading to Development Act of 2018.”.

(m) SUPPORT FOR EAST EUROPEAN DEMOCRACY (SEED) PROGRAM.—The Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5401 et seq.) is amended—

(1) in section 2(c) (22 U.S.C. 5401(c)), by striking paragraph (12) and inserting the following:

“(12) UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION.—Programs of the United States International Development Finance Corporation.”; and

(2) in section 201 (22 U.S.C. 5421), by striking subsection (e) and inserting the following:

“(e) GRANTS TO ENTERPRISE FUNDS.—Funds appropriated to the President pursuant to subsection (b) shall be granted to the Enterprise Funds to carry out the purposes specified in subsection (a) and for the administrative expenses of each Enterprise Fund—

“(1) except as provided in paragraph (2), by the United States Agency for International Development; or

“(2) if the Enterprise Funds are transferred to the United States International Development Finance Corporation pursuant to section 1463(b) of the Better Utilization of Investments Leading to Development Act of 2018, by the Corporation.”.

(n) CUBAN LIBERTY AND DEMOCRATIC SOLIDARITY (LIBERTAD) ACT OF 1996.—Section 202(b)(2)(B)(iv) of the Cuban Liberty and Democratic Solidarity (LIBERTAD) Act of 1996 (22 U.S.C. 6062(b)(2)(B)(iv)) is amended by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”.

(o) INTERNATIONAL RELIGIOUS FREEDOM ACT OF 1998.—Section 405(a)(10) of the International Religious Freedom Act of 1998 (22 U.S.C. 6445(a)(10)) is amended by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”.

(p) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—Section 103(8)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(8)(A)) is amended in clause (viii) to read as follows:

“(viii) any support under title II of the Better Utilization of Investments Leading to Development Act of 2018 relating to the United States International Development Finance Corporation; and”.

(q) TECHNOLOGY DEPLOYMENT IN DEVELOPING COUNTRIES.—Section 732(b) of the Global Environmental Protection Assistance Act

of 1989 (22 U.S.C. 7902(b)) is amended by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”.

(r) EXPANDED NONMILITARY ASSISTANCE FOR UKRAINE.—Section 7(c)(3) of the Ukraine Freedom Support Act of 2014 (22 U.S.C. 8926(c)(3)) is amended—

(1) in the paragraph heading, by striking “OVERSEAS PRIVATE INVESTMENT CORPORATION” and inserting “UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION”;

(2) in the matter preceding subparagraph (A), by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”; and

(3) in subparagraph (B), by striking “by eligible investors (as defined in section 238 of the Foreign Assistance Act of 1961 (22 U.S.C. 2198))”.

(s) GLOBAL FOOD SECURITY ACT OF 2016.—Section 4(7) of the Global Food Security Act of 2016 (22 U.S.C. 9303(7)) is amended by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”.

(t) SENSE OF CONGRESS ON EUROPEAN AND EURASIAN ENERGY SECURITY.—Section 257(c)(2)(B) of the Countering Russian Influence in Europe and Eurasia Act of 2017 (22 U.S.C. 9546(c)(2)(B)) is amended by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”.

(u) WHOLLY OWNED GOVERNMENT CORPORATION.—Section 9101(3) of title 31, United States Code, is amended by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”.

(v) ENERGY INDEPENDENCE AND SECURITY ACT OF 2007.—Title IX of the Energy Independence and Security Act of 2007 (42 U.S.C. 17321 et seq.) is amended—

(1) in section 914 (42 U.S.C. 17334)—

(A) in the section heading, by striking “OVERSEAS PRIVATE INVESTMENT CORPORATION” and inserting “UNITED STATES INTERNATIONAL DEVELOPMENT FINANCE CORPORATION”;

(B) in subsection (a), in the matter preceding paragraph (1), by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”; and

(C) in subsection (b), in the matter preceding paragraph (1), by striking “Overseas Private Investment Corporation shall include in its annual report required under section 240A of the Foreign Assistance Act of 1961 (22 U.S.C. 2200a)” and inserting “United States International Development Finance Corporation shall include in its annual report required under section 1443 of the Better Utilization of Investments Leading to Development Act of 2018”; and

(2) in section 916(a)(2)(I) (42 U.S.C. 17336(a)(2)(I)), by striking “Overseas Private Investment Corporation” and inserting “United States International Development Finance Corporation”.

(w) EFFECTIVE DATE.—The amendments made by this section shall take effect at the end of the transition period.

DIVISION G—SYRIA STUDY GROUP

SEC. 1501. SYRIA STUDY GROUP.

(a) ESTABLISHMENT.—There is established a working group to be known as the “Syria Study Group” (in this section referred to as the “Group”).

(b) PURPOSE.—The purpose of the Group is to examine and make recommendations on the military and diplomatic strategy of the United States with respect to the conflict in Syria.

(c) COMPOSITION.—

(1) MEMBERSHIP.—The Group shall be composed of 12 members, none of whom may be members of Congress, who shall be appointed as follows:

(A) One member appointed by the chair of the Committee on Armed Services of the Senate.

(B) One member appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(C) One member appointed by the chair of the Committee on Foreign Relations of the Senate.

(D) One member appointed by the ranking minority member of the Committee on Foreign Relations of the Senate.

(E) One member appointed by the chair of the Committee on Armed Services of the House of Representatives.

(F) One member appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(G) One member appointed by the chair of the Committee on Foreign Affairs of the House of Representatives.

(H) One member appointed by the ranking minority member of the Committee on Foreign Affairs of the House of Representatives.

(I) One member appointed by the majority leader of the Senate.

(J) One member appointed by the minority leader of the Senate.

(K) One member appointed by the Speaker of the House of Representatives.

(L) One member appointed by the minority leader of the House of Representatives.

(2) CO-CHAIRS.—

(A) Of the members of the Group, one co-chair shall be jointly designated by—

(i) the chairs of the Committee on Armed Services and the Committee on Foreign Relations of the Senate;

(ii) the chairs of the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives;

(iii) the majority leader of the Senate; and

(iv) the Speaker of the House of Representatives.

(B) Of the members of the Group, one co-chair shall be jointly designated by—

(i) the ranking minority members of the Committee on Armed Services and the Committee on Foreign Relations of the Senate;

(ii) the ranking minority members of the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives;

(iii) the minority leader of the Senate; and

(iv) the minority leader of the House of Representatives.

(3) PERIOD OF APPOINTMENT.—A member shall be appointed for the life of the Group.

(4) VACANCIES.—Any vacancy in the Group shall be filled in the same manner as the original appointment.

(d) DUTIES.—

(1) REVIEW.—The Group shall conduct a review on the current United States military and diplomatic strategy with respect to the conflict in Syria that includes a review of current United States objectives in Syria and the desired end state in Syria.

(2) ASSESSMENT AND RECOMMENDATIONS.—The Group shall—

(A) conduct a comprehensive assessment of the current situation in Syria, the impact of such situation on neighboring countries, the resulting regional and geopolitical threats to the United States, and current military, diplomatic, and political efforts to achieve a stable Syria; and

(B) develop recommendations on the military and diplomatic strategy of the United States with respect to the conflict in Syria.

(e) COOPERATION OF UNITED STATES GOVERNMENT.—

(1) IN GENERAL.—The Group shall receive the full and timely cooperation of the Secretary of Defense, the Secretary of State, and the Director of National Intelligence in providing the Group with analyses, briefings, and other information necessary for the discharge of the duties of the Group under subsection (d).

(2) LIAISON.—The Secretary of Defense, the Secretary of State, and the Director of National Intelligence shall each designate at least one officer or employee of the Department of Defense, the Department of State, and the Office of the Director of National Intelligence, respectively, to serve as a liaison to the Group.

(3) FACILITATION.—The United States Institute of Peace shall take appropriate actions to facilitate the Group in the discharge of the duties of the Group under this section.

(f) REPORTS.—

(1) FINAL REPORT.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Group shall submit to the President, the Secretary of Defense, the Committee on Armed Services and the Committee on Foreign Relations of the Senate, the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives, the majority and minority leaders of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives a report that sets forth the findings, conclusions, and recommendations of the Group under this section.

(B) ELEMENTS.—The report required by subparagraph (A) shall include each of the following:

(i) An assessment of the current security, political, humanitarian, and economic situations in Syria.

(ii) An assessment of the current participation and objectives of the various external actors in Syria.

(iii) An assessment of the consequences of continued conflict in Syria.

(iv) Recommendations for a resolution to the conflict in Syria, including—

(I) options for a gradual political transition to a post-Assad Syria; and

(II) actions necessary for reconciliation.

(v) A roadmap for a United States and coalition strategy to reestablish security and governance in Syria, including recommendations for the synchronization of stabilization, development, counterterrorism, and reconstruction efforts.

(vi) Any other matter with respect to the conflict in Syria that the Group considers to be appropriate.

(2) INTERIM REPORT.—Not later than 90 days after the date of enactment of this section, the Group shall submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate, the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives, the majority and minority leaders of the Senate, the Speaker of the House of Representatives, and the minority leader of the House of Representatives a report that describes the status of the review and assessment under subsection (d) and any interim recommendations developed by the Group as of the date of the briefing.

(3) FORM OF REPORT.—The report submitted to Congress under paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(g) TERMINATION.—The Group shall terminate on the date that is 180 days after the date on which the Group submits the report required by subsection (f)(1).

DIVISION H—PREVENTING EMERGING THREATS**SEC. 1601. SHORT TITLE.**

This division may be cited as the “Preventing Emerging Threats Act of 2018”.

SEC. 1602. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

(a) IN GENERAL.—Subtitle A of title II of the Homeland Security Act of 2002 (6 U.S.C. 121 et seq.) is amended by adding at the end the following:

“SEC. 210G. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

“(a) AUTHORITY.—Notwithstanding section 46502 of title 49, United States Code, or sections 32, 1030, 1367 and chapters 119 and 206 of title 18, United States Code, the Secretary and the Attorney General may, for their respective Departments, take, and may authorize personnel with assigned duties that include the security or protection of people, facilities, or assets, to take such actions as are described in subsection (b)(1) that are necessary to mitigate a credible threat (as defined by the Secretary or the Attorney General, in consultation with the Secretary of Transportation) that an unmanned aircraft system or unmanned aircraft poses to the safety or security of a covered facility or asset.

“(b) ACTIONS DESCRIBED.—

“(1) IN GENERAL.—The actions authorized in subsection (a) are the following:

“(A) During the operation of the unmanned aircraft system, detect, identify, monitor, and track the unmanned aircraft system or unmanned aircraft, without prior consent, including by means of intercept or other access of a wire communication, an oral communication, or an electronic communication used to control the unmanned aircraft system or unmanned aircraft.

“(B) Warn the operator of the unmanned aircraft system or unmanned aircraft, including by passive or active, and direct or indirect physical, electronic, radio, and electromagnetic means.

“(C) Disrupt control of the unmanned aircraft system or unmanned aircraft, without prior consent, including by disabling the unmanned aircraft system or unmanned aircraft by intercepting, interfering, or causing interference with wire, oral, electronic, or radio communications used to control the unmanned aircraft system or unmanned aircraft.

“(D) Seize or exercise control of the unmanned aircraft system or unmanned aircraft.

“(E) Seize or otherwise confiscate the unmanned aircraft system or unmanned aircraft.

“(F) Use reasonable force, if necessary, to disable, damage, or destroy the unmanned aircraft system or unmanned aircraft.

“(2) REQUIRED COORDINATION.—The Secretary and the Attorney General shall develop for their respective Departments the actions described in paragraph (1) in coordination with the Secretary of Transportation.

“(3) RESEARCH, TESTING, TRAINING, AND EVALUATION.—The Secretary and the Attorney General shall conduct research, testing, training on, and evaluation of any equipment, including any electronic equipment, to determine its capability and utility prior to the use of any such technology for any action described in subsection (b)(1).

“(4) COORDINATION.—The Secretary and the Attorney General shall coordinate with the Administrator of the Federal Aviation Administration when any action authorized by this section might affect aviation safety, civilian aviation and aerospace operations, aircraft airworthiness, or the use of the airspace.

“(c) **FORFEITURE.**—Any unmanned aircraft system or unmanned aircraft described in subsection (a) that is seized by the Secretary or the Attorney General is subject to forfeiture to the United States.

“(d) **REGULATIONS AND GUIDANCE.**—

“(1) **IN GENERAL.**—The Secretary, the Attorney General, and the Secretary of Transportation may prescribe regulations and shall issue guidance in the respective areas of each Secretary or the Attorney General to carry out this section.

“(2) **COORDINATION.**—

“(A) **COORDINATION WITH DEPARTMENT OF TRANSPORTATION.**—The Secretary and the Attorney General shall coordinate the development of their respective guidance under paragraph (1) with the Secretary of Transportation.

“(B) **EFFECT ON AVIATION SAFETY.**—The Secretary and the Attorney General shall respectively coordinate with the Secretary of Transportation and the Administrator of the Federal Aviation Administration before issuing any guidance, or otherwise implementing this section, if such guidance or implementation might affect aviation safety, civilian aviation and aerospace operations, aircraft airworthiness, or the use of airspace.

“(e) **PRIVACY PROTECTION.**—The regulations or guidance issued to carry out actions authorized under subsection (b) by each Secretary or the Attorney General, as the case may be, shall ensure that—

“(1) the interception or acquisition of, or access to, or maintenance or use of, communications to or from an unmanned aircraft system under this section is conducted in a manner consistent with the First and Fourth Amendments to the Constitution of the United States and applicable provisions of Federal law;

“(2) communications to or from an unmanned aircraft system are intercepted or acquired only to the extent necessary to support an action described in subsection (b)(1);

“(3) records of such communications are maintained only for as long as necessary, and in no event for more than 180 days, unless the Secretary of Homeland Security or the Attorney General determine that maintenance of such records is necessary to investigate or prosecute a violation of law, directly support an ongoing security operation, is required under Federal law, or for the purpose of any litigation;

“(4) such communications are not disclosed outside the Department of Homeland Security or the Department of Justice unless the disclosure—

“(A) is necessary to investigate or prosecute a violation of law;

“(B) would support the Department of Defense, a Federal law enforcement agency, or the enforcement activities of a regulatory agency of the Federal Government in connection with a criminal or civil investigation of, or any regulatory, statutory, or other enforcement action relating to an action described in subsection (b)(1);

“(C) is between the Department of Homeland Security and the Department of Justice in the course of a security or protection operation of either agency or a joint operation of such agencies; or

“(D) is otherwise required by law; and

“(5) to the extent necessary, the Department of Homeland Security and the Department of Justice are authorized to share threat information, which shall not include communications referred to in subsection (b), with State, local, territorial, or tribal law enforcement agencies in the course of a security or protection operation.

“(f) **BUDGET.**—The Secretary and the Attorney General shall submit to Congress, as a part of the homeland security or justice budget materials for each fiscal year after fiscal year 2019, a consolidated funding dis-

play that identifies the funding source for the actions described in subsection (b)(1) within the Department of Homeland Security or the Department of Justice. The funding display shall be in unclassified form, but may contain a classified annex.

“(g) **SEMIANNUAL BRIEFINGS AND NOTIFICATIONS.**—

“(1) **IN GENERAL.**—On a semiannual basis during the period beginning 6 months after the date of enactment of this section and ending on the date specified in subsection (i), the Secretary and the Attorney General shall, respectively, provide a briefing to the appropriate congressional committees on the activities carried out pursuant to this section.

“(2) **REQUIREMENT.**—Each briefing required under paragraph (1) shall be conducted jointly with the Secretary of Transportation.

“(3) **CONTENT.**—Each briefing required under paragraph (1) shall include—

“(A) policies, programs, and procedures to mitigate or eliminate impacts of such activities to the National Airspace System;

“(B) a description of instances in which actions described in subsection (b)(1) have been taken, including all such instances that may have resulted in harm, damage, or loss to a person or to private property;

“(C) a description of the guidance, policies, or procedures established to address privacy, civil rights, and civil liberties issues implicated by the actions allowed under this section, as well as any changes or subsequent efforts that would significantly affect privacy, civil rights or civil liberties;

“(D) a description of options considered and steps taken to mitigate any identified impacts to the national airspace system related to the use of any system or technology, including the minimization of the use of any technology that disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (b)(1);

“(E) a description of instances in which communications intercepted or acquired during the course of operations of an unmanned aircraft system were held for more than 180 days or shared outside of the Department of Justice or the Department of Homeland Security;

“(F) how the Secretary, the Attorney General, and the Secretary of Transportation have informed the public as to the possible use of authorities under this section;

“(G) how the Secretary, the Attorney General, and the Secretary of Transportation have engaged with Federal, State, and local law enforcement agencies to implement and use such authorities.

“(4) **UNCLASSIFIED FORM.**—Each briefing required under paragraph (1) shall be in unclassified form, but may be accompanied by an additional classified briefing.

“(5) **NOTIFICATION.**—Within 30 days of deploying any new technology to carry out the actions described in subsection (b)(1), the Secretary and the Attorney General shall, respectively, submit a notification to the appropriate congressional committees. Such notification shall include a description of options considered to mitigate any identified impacts to the national airspace system related to the use of any system or technology, including the minimization of the use of any technology that disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (b)(1).

“(h) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to—

“(1) vest in the Secretary or the Attorney General any authority of the Secretary of Transportation or the Administrator of the Federal Aviation Administration;

“(2) vest in the Secretary of Transportation or the Administrator of the Federal Aviation Administration any authority of the Secretary or the Attorney General;

“(3) vest in the Secretary of Homeland Security any authority of the Attorney General;

“(4) vest in the Attorney General any authority of the Secretary of Homeland Security; or

“(5) provide a new basis of liability for any State, local, territorial, or tribal law enforcement officers who participate in the protection of a mass gathering identified by the Secretary or Attorney General under subsection (k)(3)(C)(iii)(II), act within the scope of their authority, and do not exercise the authority granted to the Secretary and Attorney General by this section.

“(i) **TERMINATION.**—The authority to carry out this section with respect to a covered facility or asset specified in subsection (k)(3) shall terminate on the date that is 4 years after the date of enactment of this section.

“(j) **SCOPE OF AUTHORITY.**—Nothing in this section shall be construed to provide the Secretary or the Attorney General with additional authorities beyond those described in subsections (a) and (k)(3)(C)(iii).

“(k) **DEFINITIONS.**—In this section:

“(1) The term ‘appropriate congressional committees’ means—

“(A) the Committee on Homeland Security and Governmental Affairs, the Committee on Commerce, Science, and Transportation, and the Committee on the Judiciary of the Senate; and

“(B) the Committee on Homeland Security, the Committee on Transportation and Infrastructure, the Committee on Energy and Commerce, and the Committee on the Judiciary of the House of Representatives.

“(2) The term ‘budget’, with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

“(3) The term ‘covered facility or asset’ means any facility or asset that—

“(A) is identified as high-risk and a potential target for unlawful unmanned aircraft activity by the Secretary or the Attorney General, in coordination with the Secretary of Transportation with respect to potentially impacted airspace, through a risk-based assessment for purposes of this section (except that in the case of the missions described in subparagraph (C)(i)(II) and (C)(iii)(I), such missions shall be presumed to be for the protection of a facility or asset that is assessed to be high-risk and a potential target for unlawful unmanned aircraft activity);

“(B) is located in the United States (including the territories and possessions, territorial seas or navigable waters of the United States); and

“(C) directly relates to one or more—

“(i) missions authorized to be performed by the Department of Homeland Security, consistent with governing statutes, regulations, and orders issued by the Secretary, pertaining to—

“(I) security or protection functions of the U.S. Customs and Border Protection, including securing or protecting facilities, aircraft, and vessels, whether moored or underway;

“(II) United States Secret Service protection operations pursuant to sections 3056(a) and 3056A(a) of title 18, United States Code, and the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note); or

“(III) protection of facilities pursuant to section 1315(a) of title 40, United States Code;

“(ii) missions authorized to be performed by the Department of Justice, consistent with governing statutes, regulations, and orders issued by the Attorney General, pertaining to—

“(I) personal protection operations by—

“(aa) the Federal Bureau of Investigation as specified in section 533 of title 28, United States Code; and

“(bb) the United States Marshals Service of Federal jurists, court officers, witnesses, and other threatened persons in the interests of justice, as specified in section 566(e)(1)(A) of title 28, United States Code;

“(II) protection of penal, detention, and correctional facilities and operations conducted by the Federal Bureau of Prisons; or

“(III) protection of the buildings and grounds leased, owned, or operated by or for the Department of Justice, and the provision of security for Federal courts, as specified in section 566(a) of title 28, United States Code;

“(iii) missions authorized to be performed by the Department of Homeland Security or the Department of Justice, acting together or separately, consistent with governing statutes, regulations, and orders issued by the Secretary or the Attorney General, respectively, pertaining to—

“(I) protection of a National Special Security Event and Special Event Assessment Rating event;

“(II) the provision of support to State, local, territorial, or tribal law enforcement, upon request of the chief executive officer of the State or territory, to ensure protection of people and property at mass gatherings, that is limited to a specified timeframe and location, within available resources, and without delegating any authority under this section to State, local, territorial, or tribal law enforcement; or

“(III) protection of an active Federal law enforcement investigation, emergency response, or security function, that is limited to a specified timeframe and location; and

“(iv) missions authorized to be performed by the United States Coast Guard, including those described in clause (iii) as directed by the Secretary, and as further set forth in section 104 of title 14, United States Code, and consistent with governing statutes, regulations, and orders issued by the Secretary of the Department in which the Coast Guard is operating.

“(4) The terms ‘electronic communication’, ‘intercept’, ‘oral communication’, and ‘wire communication’ have the meaning given those terms in section 2510 of title 18, United States Code.

“(5) The term ‘homeland security or justice budget materials’, with respect to a fiscal year, means the materials submitted to Congress by the Secretary and the Attorney General in support of the budget for that fiscal year.

“(6) For purposes of subsection (a), the term ‘personnel’ means officers and employees of the Department of Homeland Security or the Department of Justice.

“(7) The terms ‘unmanned aircraft’ and ‘unmanned aircraft system’ have the meanings given those terms in section 44801, of title 49, United States Code.

“(8) For purposes of this section, the term ‘risk-based assessment’ includes an evaluation of threat information specific to a covered facility or asset and, with respect to potential impacts on the safety and efficiency of the national airspace system and the needs of law enforcement and national security at each covered facility or asset identified by the Secretary or the Attorney General, respectively, of each of the following factors:

“(A) Potential impacts to safety, efficiency, and use of the national airspace system, including potential effects on manned aircraft and unmanned aircraft systems, aviation safety, airport operations, infrastructure, and air navigation services related to the use of any system or technology for carrying out the actions described in subsection (b)(1).

“(B) Options for mitigating any identified impacts to the national airspace system related to the use of any system or technology, including minimizing when possible the use

of any technology which disrupts the transmission of radio or electronic signals, for carrying out the actions described in subsection (b)(1).

“(C) Potential consequences of the impacts of any actions taken under subsection (b)(1) to the national airspace system and infrastructure if not mitigated.

“(D) The ability to provide reasonable advance notice to aircraft operators consistent with the safety of the national airspace system and the needs of law enforcement and national security.

“(E) The setting and character of any covered facility or asset, including whether it is located in a populated area or near other structures, whether the facility is open to the public, whether the facility is also used for nongovernmental functions, and any potential for interference with wireless communications or for injury or damage to persons or property.

“(F) The setting, character, timeframe, and national airspace system impacts of National Special Security Event and Special Event Assessment Rating events.

“(G) Potential consequences to national security, public safety, or law enforcement if threats posed by unmanned aircraft systems are not mitigated or defeated.

“(1) DEPARTMENT OF HOMELAND SECURITY ASSESSMENT.—

“(1) REPORT.—Not later than 1 year after the date of the enactment of this section, the Secretary shall conduct, in coordination with the Attorney General and the Secretary of Transportation, an assessment to the appropriate congressional committees, including—

“(A) an evaluation of the threat from unmanned aircraft systems to United States critical infrastructure (as defined in this Act) and to domestic large hub airports (as defined in section 40102 of title 49, United States Code);

“(B) an evaluation of current Federal and State, local, territorial, or tribal law enforcement authorities to counter the threat identified in subparagraph (A), and recommendations, if any, for potential changes to existing authorities to allow State, local, territorial, and tribal law enforcement to assist Federal law enforcement to counter the threat where appropriate;

“(C) an evaluation of the knowledge of, efficiency of, and effectiveness of current procedures and resources available to owners of critical infrastructure and domestic large hub airports when they believe a threat from unmanned aircraft systems is present and what additional actions, if any, the Department of Homeland Security or the Department of Transportation could implement under existing authorities to assist these entities to counter the threat identified in subparagraph (A);

“(D) an assessment of what, if any, additional authorities are needed by each Department and law enforcement to counter the threat identified in subparagraph (A); and

“(E) an assessment of what, if any, additional research and development the Department needs to counter the threat identified in subparagraph (A).

“(2) UNCLASSIFIED FORM.—The report required under paragraph (1) shall be submitted in unclassified form, but may contain a classified annex.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 210F the following:

“Sec. 210G. Protection of certain facilities and assets from unmanned aircraft.”.

SEC. 1603. PROTECTING AGAINST UNMANNED AIRCRAFT.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by inserting after section 103 the following:

“§ 104. Protecting against unmanned aircraft

“For the purposes of section 210G(k)(3)(C)(iv) of the Homeland Security Act of 2002, the missions authorized to be performed by the United States Coast Guard shall be those related to—

“(1) functions of the U.S. Coast Guard relating to security or protection of facilities and assets assessed to be high-risk and a potential target for unlawful unmanned aircraft activity, including the security and protection of—

“(A) a facility, including a facility that is under the administrative control of the Commandant; and

“(B) a vessel (whether moored or underway) or an aircraft, including a vessel or aircraft—

“(i) that is operated by the Coast Guard, or that the Coast Guard is assisting or escorting; and

“(ii) that is directly involved in a mission of the Coast Guard pertaining to—

“(I) assisting or escorting a vessel of the Department of Defense;

“(II) assisting or escorting a vessel of national security significance, a high interest vessel, a high capacity passenger vessel, or a high value unit, as those terms are defined by the Secretary;

“(III) section 91(a) of this title;

“(IV) assistance in protecting the President or the Vice President (or other officer next in order of succession to the Office of the President) pursuant to the Presidential Protection Assistance Act of 1976 (18 U.S.C. 3056 note);

“(V) protection of a National Special Security Event and Special Event Assessment Rating events;

“(VI) air defense of the United States, including air sovereignty, ground-based air defense, and the National Capital Region integrated air defense system; or

“(VII) a search and rescue operation; and

“(2) missions directed by the Secretary pursuant to 210G(k)(3)(C)(iii) of the Homeland Security Act of 2002.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 14, United States Code, is amended by inserting after the item relating to section 103 the following:

“104. Protecting against unmanned aircraft.”.

DIVISION I—SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF, 2018

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2018, and for other purposes, namely:

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT

COMMUNITY DEVELOPMENT FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Community Development Fund”, \$1,680,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, and economic revitalization in the most impacted and distressed areas resulting from a major disaster declared in 2018 pursuant to the

Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That funds shall be awarded directly to the State or unit of general local government at the discretion of the Secretary: *Provided further*, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further*, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing and economic revitalization in the most impacted and distressed areas: *Provided further*, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a State or subdivision thereof may use up to 5 percent of its allocation for administrative costs: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, non-discrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: *Provided further*, That, notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408(c)(4), or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective

date of such waiver or alternative requirement: *Provided further*, That of the amounts made available under this heading, up to \$2,500,000 may be transferred, in aggregate, to "Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development" for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the amount designated under this heading as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available only if the President subsequently so designates such amount and transmits such designation to the Congress.

SEC. 1701. BUDGETARY EFFECTS.

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

(b) **SENATE PAYGO SCORECARDS.**—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) **CLASSIFICATION OF BUDGETARY EFFECTS.**—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(7) and (c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall be estimated for purposes of section 251 of such Act.

This division may be cited as the "Supplemental Appropriations for Disaster Relief Act, 2018".

DIVISION J—MARITIME SECURITY

SEC. 1801. SHORT TITLE.

This division may be cited as the "Maritime Security Improvement Act of 2018".

SEC. 1802. DEFINITIONS.

In this division:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term "appropriate committees of Congress" means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate;

(C) the Committee on Homeland Security of the House of Representatives; and

(D) the Committee on Transportation and Infrastructure of the House of Representatives.

(2) **TSA.**—The term "TSA" means the Transportation Security Administration.

SEC. 1803. COORDINATION WITH TSA ON MARITIME FACILITIES.

The Secretary of Homeland Security shall—

(1) provide the Administrator of the TSA with updates to vulnerability assessments required under section 70102(b)(3) of title 46, United States Code, to avoid any duplication of effort between the Coast Guard and the TSA; and

(2) identify any security gaps between authorities of operating entities within the Department of Homeland Security that a threat could exploit to cause a transportation security incident (as defined in section 70101 of title 46, United States Code).

SEC. 1804. STRATEGIC PLAN TO ENHANCE THE SECURITY OF THE INTERNATIONAL SUPPLY CHAIN.

Section 201 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 941) is amended—

(1) in subsection (a), by striking "as appropriate" and inserting "triennially"; and

(2) in subsection (g)—

(A) in the heading, by striking "REPORT" and inserting "REPORTS"; and

(B) by amending paragraph (2) to read as follows:

"(2) **UPDATES.**—Not later than 270 days after the date of enactment of the Maritime Security Improvement Act of 2018 and triennially thereafter, the Secretary shall submit to the appropriate congressional committees a report that contains any updates to the strategic plan under subsection (a) since the prior report."

SEC. 1805. CYBERSECURITY INFORMATION SHARING AND COORDINATION IN PORTS.

(a) **MARITIME CYBERSECURITY RISK ASSESSMENT MODEL.**—The Secretary of Homeland Security, through the Commandant of the Coast Guard and the Under Secretary responsible for overseeing the critical infrastructure protection, cybersecurity, and other related programs of the Department of Homeland Security, shall—

(1) not later than 1 year after the date of enactment of this Act, coordinate with the National Maritime Security Advisory Committee, the Area Maritime Security Advisory Committees, and other maritime stakeholders, as necessary, to develop and implement a maritime cybersecurity risk assessment model, consistent with the activities described in section 2(e) of the National Institute of Standards and Technology Act (15 U.S.C. 272(e)), to evaluate current and future cybersecurity risks that have the potential to affect the marine transportation system or that would cause a transportation security incident (as defined in section 70101 of title 46, United States Code) in ports; and

(2) not less than biennially thereafter, evaluate the effectiveness of the cybersecurity risk assessment model established under paragraph (1).

(b) **PORT SECURITY; DEFINITIONS.**—Section 70101 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(2) by inserting after paragraph (1) the following:

"(2) The term 'cybersecurity risk' has the meaning given the term in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148)."

(c) **NATIONAL MARITIME SECURITY ADVISORY COMMITTEE.**—

(1) **FUNCTIONS.**—Section 70112(a)(1)(A) of title 46, United States Code, is amended by inserting before the semicolon the following:

"including on enhancing the sharing of information related to cybersecurity risks that may cause a transportation security incident, between relevant Federal agencies and—

"(i) State, local, and tribal governments;

"(ii) relevant public safety and emergency response agencies;

"(iii) relevant law enforcement and security organizations;

"(iv) maritime industry;

"(v) port owners and operators; and

"(vi) terminal owners and operators;"

(2) **INFORMATION SHARING.**—The Commandant of the Coast Guard and the Under Secretary responsible for overseeing the critical infrastructure protection, cybersecurity, and other related programs of the Department of Homeland Security shall—

(A) ensure there is a process for each Area Maritime Security Advisory Committee es-

established under section 70112 of title 46, United States Code—

(i) to facilitate the sharing of information related to cybersecurity risks that may cause transportation security incidents;

(ii) to timely report transportation security incidents to the national level; and

(iii) to disseminate such reports across the entire maritime transportation system via the National Cybersecurity and Communications Integration Center; and

(B) issue voluntary guidance for the management of such cybersecurity risks in each Area Maritime Transportation Security Plan and facility security plan required under section 70103 of title 46, United States Code, approved after the date that the cybersecurity risk assessment model is developed under subsection (a) of this section.

(d) VULNERABILITY ASSESSMENTS AND SECURITY PLANS.—

(1) FACILITY AND VESSEL ASSESSMENTS.—Section 70102(b)(1) of title 46, United States Code, is amended—

(A) in the matter preceding subparagraph (A), by striking “and by not later than December 31, 2004”; and

(B) in subparagraph (C), by inserting “security against cybersecurity risks,” after “physical security.”.

(2) MARITIME TRANSPORTATION SECURITY PLANS.—Section 70103 of title 46, United States Code, is amended—

(A) in subsection (a)(1), by striking “Not later than April 1, 2005, the” and inserting “The”;

(B) in subsection (a)(2), by adding at the end the following:

“(K) A plan to detect, respond to, and recover from cybersecurity risks that may cause transportation security incidents.”;

(C) in subsection (b)(2)—

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

(ii) by redesignating subparagraph (H) as subparagraph (I); and

(iii) by inserting after subparagraph (G) the following:

“(H) include a plan for detecting, responding to, and recovering from cybersecurity risks that may cause transportation security incidents; and”;

(D) in subsection (c)(3)(C)—

(i) in clause (iv), by striking “; and” and inserting a semicolon;

(ii) by redesignating clause (v) as clause (vi); and

(iii) by inserting after clause (iv) the following:

“(v) detecting, responding to, and recovering from cybersecurity risks that may cause transportation security incidents; and”.

(3) APPLICABILITY.—The amendments made by this subsection shall apply to assessments or security plans, or updates to such assessments or plans, submitted after the date that the cybersecurity risk assessment model is developed under subsection (a).

(e) BRIEF TO CONGRESS.—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard and the Under Secretary responsible for overseeing the critical infrastructure protection, cybersecurity, and other related programs of the Department of Homeland Security shall provide to the appropriate committees of Congress a briefing on how the Coast Guard will assist in security and response in the port environment when a cyber-caused transportation security incident occurs, to include the use of cyber protection teams.

SEC. 1806. FACILITY INSPECTION INTERVALS.

Section 70103(c)(4)(D) of title 46, United States Code, is amended to read as follows:

“(D) subject to the availability of appropriations, periodically, but not less than one time per year, conduct a risk-based, no no-

tice facility inspection to verify the effectiveness of each such facility security plan.”.

SEC. 1807. UPDATES OF MARITIME OPERATIONS COORDINATION PLAN.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.) is amended by adding at the end the following:

“SEC. 435. MARITIME OPERATIONS COORDINATION PLAN.

“(a) IN GENERAL.—Not later than 180 days after the date of enactment of the Maritime Security Improvement Act of 2018, and biennially thereafter, the Secretary shall—

“(1) update the Maritime Operations Coordination Plan, published by the Department on July 7, 2011, to strengthen coordination, planning, information sharing, and intelligence integration for maritime operations of components and offices of the Department with responsibility for maritime security missions; and

“(2) submit each update to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives.

“(b) CONTENTS.—Each update shall address the following:

“(1) Coordinating the planning, integration of maritime operations, and development of joint maritime domain awareness efforts of any component or office of the Department with responsibility for maritime security missions.

“(2) Maintaining effective information sharing and, as appropriate, intelligence integration, with Federal, State, and local officials and the private sector, regarding threats to maritime security.

“(3) Cooperating and coordinating with Federal departments and agencies, and State and local agencies, in the maritime environment, in support of maritime security missions.

“(4) Highlighting the work completed within the context of other national and Department maritime security strategic guidance and how that work fits with the Maritime Operations Coordination Plan.”.

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2136) is amended by adding after the item relating to section 434 the following:

“435. Maritime operations coordination plan.”.

SEC. 1808. EVALUATION OF COAST GUARD DEPLOYABLE SPECIALIZED FORCES.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives a report on the state of the Coast Guard's Deployable Specialized Forces (referred to in this section as DSF).

(b) CONTENTS.—The report shall include, at a minimum, the following:

(1) For each of the past 3 fiscal years, and for each type of DSF, the following:

(A) A cost analysis, including training, operating, and travel costs.

(B) The number of personnel assigned.

(C) The total number of units.

(D) The total number of operations conducted.

(E) The number of operations requested by each of the following:

(i) Coast Guard.

(ii) Other components or offices of the Department of Homeland Security.

(iii) Other Federal departments or agencies.

(iv) State agencies.

(v) Local agencies.

(F) The number of operations fulfilled in support of each entity described in clauses (i) through (v) of subparagraph (E).

(2) An examination of alternative distributions of deployable specialized forces, including the feasibility, cost (including cost savings), and impact on mission capability of such distributions, including at a minimum the following:

(A) Combining deployable specialized forces, primarily focused on counterdrug operations, under one centralized command.

(B) Distributing counter-terrorism and anti-terrorism capabilities to deployable specialized forces in each major United States port.

(c) DEFINITION OF DEPLOYABLE SPECIALIZED FORCES OR DSF.—In this section, the term “deployable specialized forces” or “DSF” means the deployable specialized forces established under section 70106 of title 46, United States Code.

SEC. 1809. REPEAL OF INTERAGENCY OPERATIONAL CENTERS FOR PORT SECURITY AND SECURE SYSTEMS OF TRANSPORTATION.

(a) INTERAGENCY OPERATIONAL CENTERS FOR PORT SECURITY.—

(1) REPEAL.—Section 70107A of title 46, United States Code, is repealed.

(2) SAVINGS CLAUSE.—A repeal made by this subsection shall not affect an interagency operational center established before the date of enactment of this Act.

(3) NOTICE TO CONGRESS.—The Secretary of Homeland Security shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives at least 1 year before ceasing operations of any interagency operational center established before the date of enactment of the Security and Accountability for Every Port Act of 2006 (Public Law 109-347; 120 Stat. 1884).

(b) SECURE SYSTEMS OF TRANSPORTATION.—Section 70116 of title 46, United States Code, is repealed.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) TABLE OF CONTENTS.—The table of contents for chapter 701 of title 46, United States Code, is amended by striking the items relating to sections 70107A and 70116.

(2) REPORT REQUIREMENT.—Section 108 of the Security and Accountability for Every Port Act of 2006 (Public Law 109-347; 120 Stat. 1893) is amended by striking subsection (b) (46 U.S.C. 70107A note) and inserting the following:

“(b) [Reserved].”.

SEC. 1810. DUPLICATION OF EFFORTS IN THE MARITIME DOMAIN.

(a) GAO ANALYSIS.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct an analysis of all operations in the applicable location of—

(A) the Air and Marine Operations of the U.S. Customs and Border Protection; and

(B) any other agency of the Department of Homeland Security that operates air and marine assets;

(2) in conducting the analysis under paragraph (1)—

(A) examine the extent to which the Air and Marine Operations is synchronizing and deconflicting any duplicative flight hours or patrols with the agencies described in paragraph (1)(B); and

(B) include a sector-by-sector analysis of any potential costs savings or other benefits that would be derived through greater coordination of flight hours and patrols; and

(3) submit to the Secretary of Homeland Security and the appropriate committees of Congress a report on the analysis, including any recommendations.

(b) DHS REPORT.—Not later than 180 days after the date the report is submitted under subsection (a)(3), the Secretary of Homeland Security shall submit to the appropriate committees of Congress a report on what actions the Secretary plans to take in response to the findings of the analysis and recommendations of the Comptroller General.

(c) DEFINITION OF APPLICABLE LOCATION.—In this section, the term “applicable location” means any location in which the Air and Marine Operations of the U.S. Customs and Border Protection is based within 45 miles of a location in which any other agency of the Department of Homeland Security also operates air and marine assets.

SEC. 1811. MARITIME SECURITY CAPABILITIES ASSESSMENTS.

(a) IN GENERAL.—Subtitle C of title IV of the Homeland Security Act of 2002 (6 U.S.C. 231 et seq.), as amended by section 1807 of this Act, is further amended by adding at the end the following:

“SEC. 436. MARITIME SECURITY CAPABILITIES ASSESSMENTS.

“Not later than 180 days after the date of enactment of the Maritime Security Improvement Act of 2018, and annually thereafter, the Secretary shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Transportation and Infrastructure and the Committee on Homeland Security of the House of Representatives, an assessment of the number and type of maritime assets and the number of personnel required to increase the Department’s maritime response rate pursuant to section 1092 of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223).”

(b) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2136), as amended by section 1807 of this Act, is further amended by adding after the item relating to section 435 the following:

“436. Maritime security capabilities assessments.”

SEC. 1812. CONTAINER SECURITY INITIATIVE.

Section 205(1) of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 945) is amended—

- (1) by striking paragraph (2); and
- (2) in paragraph (1)—

(A) by striking “(1) IN GENERAL.—Not later than September 30, 2007,” and inserting “Not later than 270 days after the date of enactment of the Maritime Security Improvement Act of 2018,”; and

(B) by redesignating subparagraphs (A) through (H) as paragraphs (1) through (8), respectively.

SEC. 1813. MARITIME BORDER SECURITY REVIEW.

(a) DEFINITIONS.—In this section:

(1) MARITIME BORDER.—The term “maritime border” means—

(A) the transit zone; and

(B) the borders and territorial waters of Puerto Rico and the United States Virgin Islands.

(2) TRANSIT ZONE.—The term “transit zone” has the meaning given the term in section 1092(a) of the National Defense Authorization Act for Fiscal Year 2017 (6 U.S.C. 223(a)).

(b) MARITIME BORDER THREAT ANALYSIS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall submit to the appropriate committees of Congress a maritime border threat analysis that includes an identification and description of the following:

(A) Current and potential threats posed by the individuals and groups seeking to—

(i) enter the United States through the maritime border; or

(ii) exploit border vulnerabilities on the maritime border.

(B) Improvements needed at United States sea ports—

(i) to prevent terrorists and instruments of terror from entering the United States; and

(ii) to reduce criminal activity, as measured by the total flow of illegal goods and illicit drugs, related to the maritime border.

(C) Improvements needed with respect to the maritime border—

(i) to prevent terrorists and instruments of terror from entering the United States; and

(ii) reduce criminal activity related to the maritime border.

(D) Vulnerabilities in law, policy, cooperation between State, territorial, and local law enforcement, or international agreements that hinder effective and efficient border security, counterterrorism, anti-human trafficking efforts, and the flow of legitimate trade with respect to the maritime border.

(E) Metrics and performance parameters used by the Department of Homeland Security to evaluate maritime security effectiveness, as appropriate.

(2) ANALYSIS REQUIREMENTS.—In preparing the threat analysis under subsection (a), the Secretary of Homeland Security shall consider the following:

(A) Technology needs and challenges.

(B) Personnel needs and challenges.

(C) The role of State, territorial, and local law enforcement in maritime border security activities.

(D) The need for cooperation among Federal, State, territorial, local, and appropriate international law enforcement entities relating to maritime border security.

(E) The geographic challenges of the maritime border.

(F) The impact of Hurricanes Harvey, Irma, Maria, and Nate on general border security activities with respect to the maritime border.

(3) CLASSIFIED THREAT ANALYSIS.—

(A) IN GENERAL.—To the extent possible, the Secretary of Homeland Security shall submit the threat analysis under subsection (a) in unclassified form.

(B) CLASSIFIED.—The Secretary may submit a portion of the threat analysis in classified form if the Secretary determines that such form is appropriate for such portion.

SEC. 1814. MARITIME BORDER SECURITY CO-OPERATION.

The Secretary of the department in which the Coast Guard is operating shall, in accordance with law—

(1) partner with other Federal, State, and local government agencies to leverage existing technology, including existing sensor and camera systems and other sensors, in place along the maritime border to facilitate monitoring of high-risk maritime borders, as determined by the Secretary; and

(2) subject to the availability of appropriations, enter into such agreements as the Secretary considers necessary to ensure the monitoring described in paragraph (1).

SEC. 1815. TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL APPEALS PROCESS.

Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security shall transmit to the appropriate committees of Congress a report on the following:

(1) The average completion time of an appeal under the appeals process established under section 70105(c)(4) of title 46, United States Code.

(2) The most common reasons for any delays at each step in such process.

(3) Recommendations on how to resolve any such delays as expeditiously as possible.

SEC. 1816. TECHNICAL AND CONFORMING AMENDMENTS.

(a) STUDY TO IDENTIFY REDUNDANT BACKGROUND RECORDS CHECKS.—Section 105 of the Security and Accountability for Every Port Act of 2006 (Public Law 109-347; 120 Stat. 1891) and the item relating to that section in the table of contents for that Act are repealed.

(b) DOMESTIC RADIATION DETECTION AND IMAGING.—Section 121 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 921) is amended—

(1) by striking subsections (c), (d), and (e);

(2) by redesignating subsections (f), (g), (h), and (i) as subsections (c), (d), (e), and (f), respectively; and

(3) in subsection (e)(1)(B), as redesignated, by striking “(and updating, if any, of that strategy under subsection (c))”.

(c) INSPECTION OF CAR FERRIES ENTERING FROM ABROAD.—Section 122 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 922) and the item relating to that section in the table of contents for that Act are repealed.

(d) REPORT ON ARRIVAL AND DEPARTURE MANIFEST FOR CERTAIN COMMERCIAL VESSELS IN THE UNITED STATES VIRGIN ISLANDS.—Section 127 of the Security and Accountability for Every Port Act of 2006 (120 Stat. 1900) and the item relating to that section in the table of contents for that Act are repealed.

(e) INTERNATIONAL COOPERATION AND CO-ORDINATION.—

(1) IN GENERAL.—Section 233 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 983) is amended to read as follows:

“SEC. 233. INSPECTION TECHNOLOGY AND TRAINING.

“(a) IN GENERAL.—The Secretary, in coordination with the Secretary of State, the Secretary of Energy, and appropriate representatives of other Federal agencies, may provide technical assistance, equipment, and training to facilitate the implementation of supply chain security measures at ports designated under the Container Security Initiative.

“(b) ACQUISITION AND TRAINING.—Unless otherwise prohibited by law, the Secretary may—

“(1) lease, loan, provide, or otherwise assist in the deployment of nonintrusive inspection and radiation detection equipment at foreign land and sea ports under such terms and conditions as the Secretary prescribes, including nonreimbursable loans or the transfer of ownership of equipment; and

“(2) provide training and technical assistance for domestic or foreign personnel responsible for operating or maintaining such equipment.”

(2) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Security and Accountability for Every Port Act of 2006 (Public Law 109-347; 120 Stat. 1884) is amended by amending the item relating to section 233 to read as follows:

“Sec. 233. Inspection technology and training.”

(f) PILOT PROGRAM TO IMPROVE THE SECURITY OF EMPTY CONTAINERS.—Section 235 of the Security and Accountability for Every Port Act of 2006 (6 U.S.C. 984) and the item relating to that section in the table of contents for that Act are repealed.

(g) SECURITY PLAN FOR ESSENTIAL AIR SERVICE AND SMALL COMMUNITY AIRPORTS.—Section 701 of the Security and Accountability for Every Port Act of 2006 (Public Law 109-347; 120 Stat. 1943) and the item relating to that section in the table of contents for that Act are repealed.

(h) AIRCRAFT CHARTER CUSTOMER AND LESSEE PRESCREENING PROGRAM.—Section 708 of

the Security and Accountability for Every Port Act of 2006 (Public Law 109-347; 120 Stat. 1947) and the item relating to that section in the table of contents for that Act are repealed.

DIVISION K—TRANSPORTATION SECURITY

TITLE I—TRANSPORTATION SECURITY

SEC. 1901. SHORT TITLE; REFERENCES.

(a) **SHORT TITLE.**—This title may be cited as the “TSA Modernization Act”.

(b) **REFERENCES TO TITLE 49, UNITED STATES CODE.**—Except as otherwise expressly provided, wherever in this title an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

SEC. 1902. DEFINITIONS.

In this title:

(1) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the TSA.

(2) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Homeland Security and Governmental Affairs of the Senate; and

(C) the Committee on Homeland Security of the House of Representatives.

(3) **ASAC.**—The term “ASAC” means the Aviation Security Advisory Committee established under section 44946 of title 49, United States Code.

(4) **DEPARTMENT.**—The term “Department” means the Department of Homeland Security.

(5) **EXPLOSIVE DETECTION CANINE TEAM.**—The term “explosives detection canine team” means a canine and a canine handler that are trained to detect explosives and other threats as defined by the Secretary.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Homeland Security.

(7) **TSA.**—The term “TSA” means the Transportation Security Administration.

Subtitle A—Organization and Authorizations

SEC. 1903. AUTHORIZATION OF APPROPRIATIONS.

Section 114(w) is amended to read as follows:

“(w) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to the Transportation Security Administration for salaries, operations, and maintenance of the Administration—

“(1) \$7,849,247,000 for fiscal year 2019;

“(2) \$7,888,494,000 for fiscal year 2020; and

“(3) \$7,917,936,000 for fiscal year 2021.”

SEC. 1904. ADMINISTRATOR OF THE TRANSPORTATION SECURITY ADMINISTRATION; 5-YEAR TERM.

(a) **IN GENERAL.**—Section 114, as amended by section 1903 of this Act, is further amended—

(1) in subsection (a), by striking “Department of Transportation” and inserting “Department of Homeland Security”;

(2) by amending subsection (b) to read as follows:

“(b) **LEADERSHIP.**—

“(1) **HEAD OF TRANSPORTATION SECURITY ADMINISTRATION.**—

“(A) **APPOINTMENT.**—The head of the Administration shall be the Administrator of the Transportation Security Administration (referred to in this section as the “Administrator”). The Administrator shall be appointed by the President, by and with the advice and consent of the Senate.

“(B) **QUALIFICATIONS.**—The Administrator must—

“(i) be a citizen of the United States; and

“(ii) have experience in a field directly related to transportation or security.

“(C) **TERM.**—Effective with respect to any individual appointment by the President, by

and with the advice and consent of the Senate, after the date of enactment of the TSA Modernization Act, the term of office of an individual appointed as the Administrator shall be 5 years. The term of office of an individual serving as the Administrator on the date of enactment of the TSA Modernization Act shall be 5 years beginning on the date that the Administrator began serving.

“(2) **DEPUTY ADMINISTRATOR.**—

“(A) **APPOINTMENT.**—There is established in the Transportation Security Administration a Deputy Administrator, who shall assist the Administrator in the management of the Transportation Security Administration. The Deputy Administrator shall be appointed by the President.

“(B) **VACANCY.**—The Deputy Administrator shall be Acting Administrator during the absence or incapacity of the Administrator or during a vacancy in the office of Administrator.

“(C) **QUALIFICATIONS.**—The Deputy Administrator must—

“(i) be a citizen of the United States; and

“(ii) have experience in a field directly related to transportation or security.

“(3) **CHIEF COUNSEL.**—

“(A) **APPOINTMENT.**—There is established in the Transportation Security Administration a Chief Counsel, who shall advise the Administrator and other senior officials on all legal matters relating to the responsibilities, functions, and management of the Transportation Security Administration.

“(B) **QUALIFICATIONS.**—The Chief Counsel must be a citizen of the United States.”; and

(3) in subsections (c) through (n), (p), (q), and (r), by striking “Under Secretary” each place it appears and inserting “Administrator”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) **IN GENERAL.**—Section 114, as amended by subsection (a) of this section, is further amended—

(A) in subsection (g)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking “Subject to the direction and control of the Secretary” and inserting “Subject to the direction and control of the Secretary of Homeland Security”; and

(II) in subparagraph (D), by inserting “of Homeland Security” after “Secretary”; and

(ii) in paragraph (3), by inserting “of Homeland Security” after “Secretary”;

(B) in subsection (j)(1)(D), by inserting “of Homeland Security” after “Secretary”;

(C) in subsection (k), by striking “functions transferred, on or after the date of enactment of the Aviation and Transportation Security Act,” and inserting “functions assigned”;

(D) in subsection (l)(4)(B), by striking “Administrator under subparagraph (A)” and inserting “Administrator of the Federal Aviation Administration under subparagraph (A)”;

(E) in subsection (n), by striking “Department of Transportation” and inserting “Department of Homeland Security”;

(F) in subsection (o), by striking “Department of Transportation” and inserting “Department of Homeland Security”;

(G) in subsection (p)(4), by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;

(H) in subsection (s)—

(i) in paragraph (3)(B), by inserting “)” after “Act of 2007”; and

(ii) in paragraph (4)—

(I) in the heading, by striking “SUBMISSIONS OF PLANS TO CONGRESS” and inserting “SUBMISSION OF PLANS”;

(II) by striking subparagraph (A);

(III) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively;

(IV) in subparagraph (A), as redesignated—

(aa) in the heading, by striking “SUBSEQUENT VERSIONS” and inserting “IN GENERAL”;

(bb) by striking “After December 31, 2015, the” and inserting “The”; and

(V) in subparagraph (B)(ii)(III)(cc), as redesignated, by striking “for the Department” and inserting “for the Department of Homeland Security”;

(I) by redesignating subsections (u), (v), and (w) as subsections (t), (u), and (v), respectively;

(J) in subsection (t), as redesignated—

(i) in paragraph (1)—

(I) by striking subparagraph (D); and

(II) by redesignating subparagraph (E) as subparagraph (D);

(ii) in paragraph (2), by inserting “of Homeland Security” after “Plan, the Secretary”;

(iii) in paragraph (4)(B)—

(I) by inserting “of Homeland Security” after “agency within the Department”; and

(II) by inserting “of Homeland Security” after “Secretary”;

(iv) by amending paragraph (6) to read as follows:

“(6) **ANNUAL REPORT ON PLAN.**—The Secretary of Homeland Security shall annually submit to the appropriate congressional committees a report containing the Plan.”; and

(v) in paragraphs (7) and (8), by inserting “of Homeland Security” after “Secretary”; and

(K) in subsection (u), as redesignated—

(i) in paragraph (1)—

(I) in subparagraph (B), by inserting “or the Administrator” after “Secretary of Homeland Security”; and

(II) in subparagraph (C)(ii), by striking “Secretary’s designee” and inserting “Secretary of Defense’s designee”;

(III) in subparagraphs (B), (C), (D), and (E) of paragraph (3), by inserting “of Homeland Security” after “Secretary” each place it appears;

(ii) in paragraph (4)(A), by inserting “of Homeland Security” after “Secretary”;

(iii) in paragraph (5), by inserting “of Homeland Security” after “Secretary”; and

(iv) in paragraph (7)—

(I) in subparagraph (A), by striking “Not later than December 31, 2008, and annually thereafter, the Secretary” and inserting “The Secretary of Homeland Security”; and

(II) by striking subparagraph (D).

(2) **CONGRESSIONAL OVERSIGHT OF SECURITY ASSURANCE FOR PUBLIC AND PRIVATE STAKEHOLDERS.**—Section 1203(b)(1)(B) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (49 U.S.C. 114 note) is amended by striking “, under section 114(u)(7) of title 49, United States Code, as added by this section, or otherwise,”.

(c) **EXECUTIVE SCHEDULE.**—

(1) **ADMINISTRATOR OF THE TSA.**—

(A) **POSITIONS AT LEVEL II.**—Section 5313 of title 5, United States Code, is amended by inserting after the item relating to the Under Secretary of Homeland Security for Management the following:

“Administrator of the Transportation Security Administration.”

(B) **BONUS ELIGIBILITY.**—Section 101(c)(2) of the Aviation and Transportation Security Act (5 U.S.C. 5313 note) is amended—

(i) by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”;

(ii) by striking “on the Secretary’s” and inserting “on the Secretary of Homeland Security’s”; and

(iii) by striking “Under Secretary’s” and inserting “Administrator’s”.

(2) **DEPUTY ADMINISTRATOR OF THE TSA.**—Section 5314 of title 5, United States Code, is amended by inserting after the item relating

to Deputy Administrators, Federal Emergency Management Agency the following:

“Deputy Administrator, Transportation Security Administration.”

(3) **NONAPPLICABILITY.**—The amendment made by paragraph (2) of this subsection shall not affect the salary of an individual who is performing the duties of the Deputy Administrator on the date of enactment of this Act, even if that individual is subsequently appointed as Deputy Administrator.

SEC. 1905. TRANSPORTATION SECURITY ADMINISTRATION ORGANIZATION.

Section 114, as amended by sections 1903 and 1904 of this Act, is further amended by adding at the end the following:

“(w) **LEADERSHIP AND ORGANIZATION.**—

“(1) **IN GENERAL.**—For each of the areas described in paragraph (2), the Administrator of the Transportation Security Administration shall appoint at least 1 individual who shall—

“(A) report directly to the Administrator or the Administrator’s designated direct report; and

“(B) be responsible and accountable for that area.

“(2) **AREAS DESCRIBED.**—The areas described in this paragraph are as follows:

“(A) Aviation security operations and training, including risk-based, adaptive security—

“(i) focused on airport checkpoint and baggage screening operations;

“(ii) workforce training and development programs; and

“(iii) ensuring compliance with aviation security law, including regulations, and other specialized programs designed to secure air transportation.

“(B) Surface transportation security operations and training, including risk-based, adaptive security—

“(i) focused on accomplishing security systems assessments;

“(ii) reviewing and prioritizing projects for appropriated surface transportation security grants;

“(iii) operator compliance with surface transportation security law, including regulations, and voluntary industry standards; and

“(iv) workforce training and development programs, and other specialized programs designed to secure surface transportation.

“(C) Transportation industry engagement and planning, including the development, interpretation, promotion, and oversight of a unified effort regarding risk-based, risk-reducing security policies and plans (including strategic planning for future contingencies and security challenges) between government and transportation stakeholders, including airports, domestic and international airlines, general aviation, air cargo, mass transit and passenger rail, freight rail, pipeline, highway and motor carriers, and maritime.

“(D) International strategy and operations, including agency efforts to work with international partners to secure the global transportation network.

“(E) Trusted and registered traveler programs, including the management and marketing of the agency’s trusted traveler initiatives, including the PreCheck Program, and coordination with trusted traveler programs of other Department of Homeland Security agencies and the private sector.

“(F) Technology acquisition and deployment, including the oversight, development, testing, evaluation, acquisition, deployment, and maintenance of security technology and other acquisition programs.

“(G) Inspection and compliance, including the integrity, efficiency and effectiveness of the agency’s workforce, operations, and programs through objective audits, covert test-

ing, inspections, criminal investigations, and regulatory compliance.

“(H) Civil rights, liberties, and traveler engagement, including ensuring that agency employees and the traveling public are treated in a fair and lawful manner consistent with Federal laws and regulations protecting privacy and prohibiting discrimination and reprisal.

“(I) Legislative and public affairs, including communication and engagement with internal and external audiences in a timely, accurate, and transparent manner, and development and implementation of strategies within the agency to achieve congressional approval or authorization of agency programs and policies.

“(3) **NOTIFICATION.**—The Administrator shall submit to the appropriate committees of Congress—

“(A) not later than 180 days after the date of enactment of the TSA Modernization Act, a list of the names of the individuals appointed under paragraph (1); and

“(B) an update of the list not later than 5 days after any new individual is appointed under paragraph (1).”

SEC. 1906. TRANSPORTATION SECURITY ADMINISTRATION EFFICIENCY.

(a) **EFFICIENCY REVIEW.**—

(1) **IN GENERAL.**—Not later than 270 days after the date of enactment of this Act, the Administrator shall complete a comprehensive, agency-wide efficiency review of the TSA to identify and effectuate spending reductions and administrative savings that can be achieved by the streamlining or restructuring of TSA divisions.

(2) **REQUIREMENTS.**—In carrying out the review under paragraph (1), the Administrator shall consider the following:

(A) Eliminating unnecessarily duplicative or overlapping programs and initiatives.

(B) Eliminating unnecessary or obsolete rules, regulations, directives, or procedures.

(C) Reducing overall operating expenses of the TSA, including costs associated with the number of personnel, as a direct result of efficiencies gained through the implementation of risk-based screening or through any other means as determined appropriate by the Administrator in accordance with this section.

(D) Reducing, by 20 percent, the number of positions at the Senior Executive Service level at the TSA as calculated on the date of enactment of this Act.

(E) Such other matters the Administrator considers appropriate.

(b) **REPORT TO CONGRESS.**—Not later than 30 days after the date the efficiency review under subsection (a) is complete, the Administrator shall submit to the appropriate committees of Congress a report on the findings, including a description of any cost savings expected to be achieved by the streamlining or restructuring of TSA divisions.

SEC. 1907. PERSONNEL MANAGEMENT SYSTEM REVIEW.

(a) **IN GENERAL.**—Not later than 30 days after the date of enactment of this Act, the Administrator shall convene a working group consisting of representatives of the TSA and representatives of the labor organization representing security screening personnel to recommend reforms to the TSA’s personnel management system, including appeals to the Merit Systems Protection Board and grievance procedures.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the working group convened under subsection (a) shall submit to the Administrator and the appropriate committees of Congress a report containing proposed, mutually agreed-upon recommendations to reform the TSA’s personnel management system.

(c) **IMPLEMENTATION.**—To the extent authorized under law, the Administrator may

implement 1 or more of the recommendations submitted under subsection (b).

(d) **TERMINATION.**—The working group shall terminate on the date that the report is submitted under subsection (b).

SEC. 1908. TSA LEAP PAY REFORM.

(a) **DEFINITION OF BASIC PAY.**—Clause (ii) of section 8331(3)(E) of title 5, United States Code, is amended to read as follows:

“(ii) received after September 11, 2001, by a Federal air marshal or criminal investigator (as defined in section 5545a(a)(2)) of the Transportation Security Administration, subject to all restrictions and earning limitations imposed on criminal investigators receiving such pay under section 5545a, including the premium pay limitations under section 5547.”

(b) **EFFECTIVE DATE; APPLICABILITY.**—

(1) **IN GENERAL.**—Subject to paragraph (2), this section, and the amendments made by this section, shall take effect on the first day of the first pay period commencing on or after the date of enactment of this section.

(2) **RETROACTIVE APPLICATION.**—

(A) **IN GENERAL.**—Any availability pay received for any pay period commencing before the date of enactment of this Act by a Federal air marshal or criminal investigator employed by the Transportation Security Administration shall be deemed basic pay under section 8331(3) of title 5, United States Code, if the Transportation Security Administration treated such pay as retirement-creditable basic pay, but the Office of Personnel Management, based on an interpretation of section 8331(3) of title 5, United States Code, did not accept such pay as retirement-creditable basic pay.

(B) **IMPLEMENTATION.**—Not later than 3 months after the date of enactment of this Act, the Director of the Office of Personnel Management shall commence taking such actions as are necessary to implement the amendments made by this section with respect to availability pay deemed to be basic pay under subparagraph (A).

SEC. 1909. RANK AWARDS PROGRAM FOR TRANSPORTATION SECURITY ADMINISTRATION EXECUTIVES AND SENIOR PROFESSIONALS.

Section 114(n), as amended by section 1904 of this Act, is further amended—

(1) by inserting “(1) **IN GENERAL.**—” before “The personnel management system” and indenting appropriately; and

(2) by adding at the end the following:

“(2) **MERITORIOUS EXECUTIVE OR DISTINGUISHED EXECUTIVE RANK AWARDS.**—Notwithstanding section 40122(g)(2) of this title, the applicable sections of title 5 shall apply to the Transportation Security Administration personnel management system, except that—

“(A) for purposes of applying such provisions to the personnel management system—

“(i) the term ‘agency’ means the Department of Homeland Security;

“(ii) the term ‘senior executive’ means a Transportation Security Administration executive serving on a Transportation Security Executive Service appointment;

“(iii) the term ‘career appointee’ means a Transportation Security Administration executive serving on a career Transportation Security Executive Service appointment; and

“(iv) The term ‘senior career employee’ means a Transportation Security Administration employee covered by the Transportation Security Administration Core Compensation System at the L or M pay band;

“(B) receipt by a career appointee or a senior career employee of the rank of Meritorious Executive or Meritorious Senior Professional entitles the individual to a lump-sum payment of an amount equal to 20 percent of annual basic pay, which shall be in addition to the basic pay paid under the ap-

plicable Transportation Security Administration pay system; and

“(C) receipt by a career appointee or a senior career employee of the rank of Distinguished Executive or Distinguished Senior Professional entitles the individual to a lump-sum payment of an amount equal to 35 percent of annual basic pay, which shall be in addition to the basic pay paid under the applicable Transportation Security Administration pay system.

“(3) DEFINITION OF APPLICABLE SECTIONS OF TITLE 5.—In this subsection, the term ‘applicable sections of title 5’ means—

“(A) subsections (b), (c) and (d) of section 4507 of title 5; and

“(B) subsections (b) and (c) of section 4507a of title 5.”.

SEC. 1910. TRANSMITTALS TO CONGRESS.

With regard to each report, legislative proposal, or other communication of the Executive Branch related to the TSA and required to be submitted to Congress or the appropriate committees of Congress, the Administrator shall transmit such communication directly to the appropriate committees of Congress.

Subtitle B—Security Technology

SEC. 1911. THIRD PARTY TESTING AND VERIFICATION OF SCREENING TECHNOLOGY.

(a) IN GENERAL.—In carrying out the responsibilities under section 114(f)(9), the Administrator shall develop and implement, not later than 1 year after the date of enactment of this Act, a program to enable a vendor of related security screening technology to obtain testing and verification, including as an alternative to the TSA’s test and evaluation process, by an appropriate third party, of such technology before procurement or deployment.

(b) DETECTION TESTING.—

(1) IN GENERAL.—The third party testing and verification program authorized under subsection (a) shall include detection testing to evaluate the performance of the security screening technology system regarding the probability of detection, the probability of false alarm, and such other indicators that the system is able to meet the TSA’s mission needs.

(2) RESULTS.—The results of the third party detection testing under paragraph (1) shall be considered final if the results are approved by the Administration in accordance with approval standards developed by the Administrator.

(3) COORDINATION WITH FINAL TESTING.—To the extent practicable, but without compromising the integrity of the TSA test and evaluation process, the Administrator shall coordinate the third party detection testing under paragraph (1) with any subsequent, final Federal Government testing.

(4) INTERNATIONAL STANDARDS.—To the extent practicable and permissible under law and considering the national security interests of the United States, the Administrator shall—

(A) share detection testing information and standards with appropriate international partners; and

(B) coordinate with the appropriate international partners to align TSA testing and evaluation with relevant international standards to maximize the capability to detect explosives and other threats.

(c) OPERATIONAL TESTING.—

(1) IN GENERAL.—Subject to paragraph (2), the third party testing and verification program authorized under subsection (a) shall include operational testing.

(2) LIMITATION.—Third party operational testing under paragraph (1) may not exceed 1 year.

(d) ALTERNATIVE.—Third party testing under subsection (a) shall replace as an al-

ternative, at the discretion of the Administrator, the testing at the TSA Systems Integration Facility, including testing for—

(1) health and safety factors;

(2) operator interface;

(3) human factors;

(4) environmental factors;

(5) throughput;

(6) reliability, maintainability, and availability factors; and

(7) interoperability.

(e) TESTING AND VERIFICATION FRAMEWORK.—

(1) IN GENERAL.—The Administrator shall—

(A) establish a framework for the third party testing and for verifying a security technology is operationally effective and able to meet the TSA’s mission needs before it may enter or re-enter, as applicable, the operational context at an airport or other transportation facility;

(B) use phased implementation to allow the TSA and the third party to establish best practices; and

(C) oversee the third party testing and evaluation framework.

(2) RECOMMENDATIONS.—The Administrator shall request ASAC’s Security Technology Subcommittee, in consultation with representatives of the security manufacturers industry, to develop and submit to the Administrator recommendations for the third party testing and verification framework.

(f) FIELD TESTING.—The Administrator shall prioritize the field testing and evaluation, including by third parties, of security technology and equipment at airports and on site at security technology manufacturers whenever possible as an alternative to the TSA Systems Integration Facility.

(g) APPROPRIATE THIRD PARTIES.—

(1) CITIZENSHIP REQUIREMENT.—An appropriate third party under subsection (a) shall be—

(A) if an individual, a citizen of the United States; or

(B) if an entity, owned and controlled by a citizen of the United States.

(2) WAIVER.—The Administrator may waive the requirement under paragraph (1)(B) if the entity is a United States subsidiary of a parent company that has implemented a foreign ownership, control, or influence mitigation plan that has been approved by the Defense Security Service of the Department of Defense before applying to provide third party testing. The Administrator may reject any application to provide third party testing under subsection (a) submitted by an entity that requires a waiver under this paragraph.

(3) CONFLICTS OF INTEREST.—The Administrator shall ensure, to the extent possible, that an entity providing third party testing under this section does not have a contractual, business, or other pecuniary interest (exclusive of any such testing) in—

(A) the security screening technology subject to such testing; or

(B) the vendor of such technology.

(h) GAO REVIEW.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall submit to the appropriate committees of Congress a study on the third party testing program developed under this section

(2) REVIEW.—The study under paragraph (1) shall include a review of the following:

(A) Any efficiencies or gains in effectiveness achieved in TSA operations, including technology acquisition or screening operations, as a result of such program.

(B) The degree to which the TSA conducts timely and regular oversight of the appropriate third parties engaged in such testing.

(C) The effect of such program on the following:

(i) The introduction of innovative detection technologies into security screening operations.

(ii) The availability of testing for technologies developed by small to medium sized businesses.

(D) Any vulnerabilities associated with such program, including with respect to the following:

(i) National security.

(ii) Any conflicts of interest between the appropriate third parties engaged in such testing and the entities providing such technologies to be tested.

(iii) Waste, fraud, and abuse.

SEC. 1912. TRANSPORTATION SECURITY ADMINISTRATION SYSTEMS INTEGRATION FACILITY.

(a) IN GENERAL.—The Administrator shall continue to operate the Transportation Security Administration Systems Integration Facility (referred to in this section as the “TSIF”) for the purposes of testing and evaluating advanced transportation security screening technologies related to the mission of the TSA.

(b) REQUIREMENTS.—The TSIF shall—

(1) evaluate the technologies described in subsection (a) to enhance the security of transportation systems through screening and threat mitigation and detection;

(2) test the technologies described in subsection (a) to support identified mission needs of the TSA and to meet requirements for acquisitions and procurement;

(3) to the extent practicable, provide original equipment manufacturers with test plans to minimize requirement interpretation disputes and adhere to provided test plans;

(4) collaborate with other technical laboratories and facilities for purposes of augmenting the capabilities of the TSIF;

(5) deliver advanced transportation security screening technologies that enhance the overall security of domestic transportation systems; and

(6) to the extent practicable, provide funding and promote efforts to enable participation by a small business concern (as the term is described under section 3 of the Small Business Act (15 U.S.C. 632)) that—

(A) has an advanced technology or capability; but

(B) does not have adequate resources to participate in testing and evaluation processes.

(c) STAFFING AND RESOURCE ALLOCATION.—The Administrator shall ensure adequate staffing and resource allocations for the TSIF in a manner that—

(1) prevents unnecessary delays in the testing and evaluation of advanced transportation security screening technologies for acquisitions and procurement determinations;

(2) ensures the issuance of final paperwork certification no later than 45 days after the date such testing and evaluation has concluded; and

(3) ensures collaboration with technology stakeholders to close capabilities gaps in transportation security.

(d) DEADLINE.—

(1) IN GENERAL.—The Administrator shall notify the appropriate committees of Congress if testing and evaluation by the TSIF of an advanced transportation security screening technology under this section exceeds 180 days from the delivery date.

(2) NOTIFICATION.—The notification under paragraph (1) shall include—

(A) information relating to the delivery date;

(B) a justification for why the testing and evaluation process has exceeded 180 days; and

(C) the estimated date for completion of such testing and evaluation.

(3) **DEFINITION OF DELIVERY DATE.**—In this subsection, the term “delivery date” means the date that the owner of an advanced transportation security screening technology—

(A) after installation, delivers the technology to the TSA for testing and evaluation; and

(B) submits to the Administrator, in such form and manner as the Administrator prescribes, a signed notification of the delivery described in subparagraph (A).

(e) **RETESTING AND EVALUATION.**—Advanced transportation security screening technology that fails testing and evaluation by the TSIF may be retested and evaluated at the discretion of the Administrator.

(f) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to affect the authority or responsibility of an officer of the Department, or an officer of any other Federal department or agency, with respect to research, development, testing, and evaluation of technologies, including such authorities or responsibilities of the Undersecretary for Science and Technology of the Department and Assistant Secretary of the Countering Weapons of Mass Destruction Office of the Department.

SEC. 1913. OPPORTUNITIES TO PURSUE EXPANDED NETWORKS FOR BUSINESS.

(a) **STRATEGY.**—Subtitle B of title of title XVI of the Homeland Security Act of 2002 (6 U.S.C. 563 et seq.) is amended by adding at the end following:

“SEC. 1617. DIVERSIFIED SECURITY TECHNOLOGY INDUSTRY MARKETPLACE.

“(a) **IN GENERAL.**—Not later than 120 days after the date of enactment of the TSA Modernization Act, the Administrator shall develop and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a strategy to promote a diverse security technology industry marketplace upon which the Administrator can rely to acquire advanced transportation security technologies or capabilities, including by increased participation of small business innovators.

“(b) **CONTENTS.**—The strategy required under subsection (a) shall include the following:

“(1) Information on how existing Administration solicitation, testing, evaluation, piloting, acquisition, and procurement processes impact the Administrator’s ability to acquire from the security technology industry marketplace, including small business innovators that have not previously provided technology to the Administration, innovative technologies or capabilities with the potential to enhance transportation security.

“(2) Specific actions that the Administrator will take, including modifications to the processes described in paragraph (1), to foster diversification within the security technology industry marketplace.

“(3) Projected timelines for implementing the actions described in paragraph (2).

“(4) Plans for how the Administrator could, to the extent practicable, assist a small business innovator periodically during such processes, including when such an innovator lacks adequate resources to participate in such processes, to facilitate an advanced transportation security technology or capability being developed and acquired by the Administrator.

“(5) An assessment of the feasibility of partnering with an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code to provide venture capital to businesses, particularly small business innovators, for commercialization of innovative transportation security technologies that are expected to be ready for commercialization in the near term and within 36 months.

“(c) **FEASIBILITY ASSESSMENT.**—In conducting the feasibility assessment under subsection (b)(5), the Administrator shall consider the following:

“(1) Establishing an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code as a venture capital partnership between the private sector and the intelligence community to help businesses, particularly small business innovators, commercialize innovative security-related technologies.

“(2) Enhanced engagement through the Science and Technology Directorate of the Department of Homeland Security.

“(d) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed as requiring changes to the Transportation Security Administration standards for security technology.

“(e) **DEFINITIONS.**—In this section:

“(1) **INTELLIGENCE COMMUNITY.**—The term ‘intelligence community’ has the meaning given the term in section 3 of the National Security Act of 1947 (50 U.S.C. 3003).

“(2) **SMALL BUSINESS CONCERN.**—The term ‘small business concern’ has the meaning described under section 3 of the Small Business Act (15 U.S.C. 632).

“(3) **SMALL BUSINESS INNOVATOR.**—The term ‘small business innovator’ means a small business concern that has an advanced transportation security technology or capability.”

(b) **GAO REVIEW.**—Not later than 1 year after the date the strategy is submitted under section 1617 of the Homeland Security Act of 2002, the Comptroller General of the United States shall—

(1) review the extent to which the strategy—

(A) addresses the requirements of that section;

(B) has resulted in increased participation of small business innovators in the security technology industry marketplace; and

(C) has diversified the security technology industry marketplace; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives the findings of the review and any recommendations.

(c) **TABLE OF CONTENTS.**—The table of contents in section 1(b) of the Homeland Security Act of 2002 is amended by inserting after the item relating to section 1616 the following:

“1617. Diversified security technology industry marketplace.”

SEC. 1914. RECIPROCAL RECOGNITION OF SECURITY STANDARDS.

(a) **IN GENERAL.**—The Administrator, in coordination with appropriate international aviation security authorities, shall develop a validation process for the reciprocal recognition of security equipment technology approvals among international security partners or recognized certification authorities for deployment.

(b) **REQUIREMENT.**—The validation process shall ensure that the certification by each participating international security partner or recognized certification authority complies with detection, qualification, and information security, including cybersecurity, standards of the TSA, the Department of Homeland Security, and the National Institute of Standards and Technology.

SEC. 1915. TRANSPORTATION SECURITY LABORATORY.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary, in consultation with the Administrator and the Undersecretary for Science and Technology—

(1) shall conduct a review to determine whether the TSA is the most appropriate component within the Department to administer the Transportation Security Laboratory; and

(2) may direct the TSA to administer the Transportation Security Laboratory if the review under paragraph (1) identifies the TSA as the most appropriate component.

(b) **PERIODIC REVIEWS.**—The Secretary shall periodically review the screening technology test and evaluation process conducted at the Transportation Security Laboratory to improve the coordination, collaboration, and communication between the Transportation Security Laboratory and the TSA to identify factors contributing to acquisition inefficiencies, develop strategies to reduce acquisition inefficiencies, facilitate more expeditious initiation and completion of testing, and identify how laboratory practices can better support acquisition decisions.

(c) **REPORTS.**—The Secretary shall report the findings of each review under this section to the appropriate committees of Congress.

SEC. 1916. INNOVATION TASK FORCE.

(a) **IN GENERAL.**—The Administrator shall establish an innovation task force—

(1) to cultivate innovations in transportation security;

(2) to develop and recommend how to prioritize and streamline requirements for new approaches to transportation security;

(3) to accelerate the development and introduction of new innovative transportation security technologies and improvements to transportation security operations; and

(4) to provide industry with access to the airport environment during the technology development and assessment process to demonstrate the technology and to collect data to understand and refine technical operations and human factor issues.

(b) **ACTIVITIES.**—The task force shall—

(1) conduct activities to identify and develop an innovative technology, emerging security capability, or process designed to enhance transportation security, including—

(A) by conducting a field demonstration of such a technology, capability, or process in the airport environment;

(B) by gathering performance data from such a demonstration to inform the acquisition process; and

(C) by enabling a small business with an innovative technology or emerging security capability, but less than adequate resources, to participate in such a demonstration;

(2) conduct at least quarterly collaboration meetings with industry, including air carriers, airport operators, and other transportation security stakeholders to highlight and discuss best practices on innovative security operations and technology evaluation and deployment; and

(3) submit to the appropriate committees of Congress an annual report on the effectiveness of key performance data from task force-sponsored projects and checkpoint enhancements.

(c) **COMPOSITION.**—

(1) **APPOINTMENT.**—The Administrator, in consultation with the Chairperson of ASAC shall appoint the members of the task force.

(2) **CHAIRPERSON.**—The task force shall be chaired by the Administrator’s designee.

(3) **REPRESENTATION.**—The task force shall be comprised of representatives of—

(A) the relevant offices of the TSA;

(B) if considered appropriate by the Administrator, the Science and Technology Directorate of the Department of Homeland Security;

(C) any other component of the Department of Homeland Security that the Administrator considers appropriate; and

(D) such industry representatives as the Administrator considers appropriate.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to require the acquisition or deployment of an innovative technology, emerging security capability, or process identified, developed, or recommended under this section.

(e) **NONAPPLICABILITY OF FACA.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the task force established under this section.

SEC. 1917. 5-YEAR TECHNOLOGY INVESTMENT PLAN UPDATE.

Section 1611 of the Homeland Security Act of 2002 (6 U.S.C. 563) is amended—

(1) in subsection (g)—

(A) by striking the matter preceding paragraph (1) and inserting “The Administrator shall, in collaboration with relevant industry and government stakeholders, annually submit to Congress in an appendix to the budget request and publish in an unclassified format in the public domain—”;

(B) in paragraph (1), by striking “; and” and inserting a semicolon;

(C) in paragraph (2), by striking the period and inserting “; and”;

(D) by adding at the end the following:

“(3) information about acquisitions completed during the fiscal year preceding the fiscal year during which the report is submitted.”; and

(2) by adding at the end the following:

“(h) **ADDITIONAL UPDATE REQUIREMENTS.**—Updates and reports under subsection (g) shall—

“(1) be prepared in consultation with—

“(A) the persons described in subsection (b); and

“(B) the Surface Transportation Security Advisory Committee established under section 404; and

“(2) include—

“(A) information relating to technology investments by the Transportation Security Administration and the private sector that the Department supports with research, development, testing, and evaluation for aviation, including air cargo, and surface transportation security;

“(B) information about acquisitions completed during the fiscal year preceding the fiscal year during which the report is submitted;

“(C) information relating to equipment of the Transportation Security Administration that is in operation after the end of the lifecycle of the equipment specified by the manufacturer of the equipment; and

“(D) to the extent practicable, a classified addendum to report sensitive transportation security risks and associated capability gaps that would be best addressed by security-related technology described in subparagraph (A).”.

“(i) **NOTICE OF COVERED CHANGES TO PLAN.**—

“(1) **NOTICE REQUIRED.**—The Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives notice of any covered change to the Plan not later than 90 days after the date that the covered change is made.

“(2) **DEFINITION OF COVERED CHANGE.**—In this subsection, the term ‘covered change’ means—

“(A) an increase or decrease in the dollar amount allocated to the procurement of a technology; or

“(B) an increase or decrease in the number of a technology.”.

SEC. 1918. MAINTENANCE OF SECURITY-RELATED TECHNOLOGY.

(a) **IN GENERAL.**—Title XVI of the Homeland Security Act of 2002 (6 U.S.C. 561 et seq.), as amended by section 1913 of this Act, is further amended by adding at the end the following:

“Subtitle C—Maintenance of Security-related Technology

“SEC. 1621. MAINTENANCE VALIDATION AND OVERSIGHT.

“(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of the TSA Modernization Act, the Administrator shall develop and implement a preventive maintenance validation process for security-related technology deployed to airports.

“(b) **MAINTENANCE BY ADMINISTRATION PERSONNEL AT AIRPORTS.**—For maintenance to be carried out by Administration personnel at airports, the process referred to in subsection (a) shall include the following:

“(1) Guidance to Administration personnel at airports specifying how to conduct and document preventive maintenance actions.

“(2) Mechanisms for the Administrator to verify compliance with the guidance issued pursuant to paragraph (1).

“(c) **MAINTENANCE BY CONTRACTORS AT AIRPORTS.**—For maintenance to be carried by a contractor at airports, the process referred to in subsection (a) shall require the following:

“(1) Provision of monthly preventative maintenance schedules to appropriate Administration personnel at each airport that includes information on each action to be completed by contractor.

“(2) Notification to appropriate Administration personnel at each airport when maintenance action is completed by a contractor.

“(3) A process for independent validation by a third party of contractor maintenance.

“(d) **PENALTIES FOR NONCOMPLIANCE.**—The Administrator shall require maintenance for any contracts entered into 60 days after the date of enactment of the TSA Modernization Act or later for security-related technology deployed to airports to include penalties for noncompliance when it is determined that either preventive or corrective maintenance has not been completed according to contractual requirements and manufacturers’ specifications.”.

(b) **TABLE OF CONTENTS.**—The table of contents of the Homeland Security Act of 2002, as amended by section 1913 of this Act, is further amended by inserting after the item relating to section 1617 the following:

“Subtitle C—Maintenance of Security-related Technology

“1621. Maintenance validation and oversight.”.

SEC. 1919. BIOMETRICS EXPANSION.

(a) **IN GENERAL.**—The Administrator and the Commissioner of U.S. Customs and Border Protection shall consult with each other on the deployment of biometric technologies.

(b) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to permit the Commissioner of U.S. Customs and Border Protection to facilitate or expand the deployment of biometric technologies, or otherwise collect, use, or retain biometrics, not authorized by any provision of or amendment made by the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 118 Stat. 3638) or the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53; 121 Stat. 266).

(c) **REPORT REQUIRED.**—Not later than 270 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress, and to any Member of Congress upon the request of that Member, a report that includes specific assessments from the Administrator and the Commissioner of U.S. Customs and Border Protection with respect to the following:

(1) The operational and security impact of using biometric technology to identify travelers.

(2) The potential effects on privacy of the expansion of the use of biometric technology

under paragraph (1), including methods proposed or implemented to mitigate any risks to privacy identified by the Administrator or the Commissioner related to the active or passive collection of biometric data.

(3) Methods to analyze and address any matching performance errors related to race, gender, or age identified by the Administrator with respect to the use of biometric technology, including the deployment of facial recognition technology;

(4) With respect to the biometric entry-exit program, the following:

(A) Assessments of—

(i) the error rates, including the rates of false positives and false negatives, and accuracy of biometric technologies;

(ii) the effects of biometric technologies, to ensure that such technologies do not unduly burden categories of travelers, such as a certain race, gender, or nationality;

(iii) the extent to which and how biometric technologies could address instances of travelers to the United States overstaying their visas, including—

(I) an estimate of how often biometric matches are contained in an existing database;

(II) an estimate of the rate at which travelers using fraudulent credentials identifications are accurately rejected; and

(III) an assessment of what percentage of the detection of fraudulent identifications could have been accomplished using conventional methods;

(iv) the effects on privacy of the use of biometric technologies, including methods to mitigate any risks to privacy identified by the Administrator or the Commissioner of U.S. Customs and Border Protection related to the active or passive collection of biometric data; and

(v) the number of individuals who stay in the United States after the expiration of their visas each year.

(B) A description of—

(i) all audits performed to assess—

(I) error rates in the use of biometric technologies; or

(II) whether the use of biometric technologies and error rates in the use of such technologies disproportionately affect a certain race, gender, or nationality; and

(ii) the results of the audits described in clause (i).

(C) A description of the process by which domestic travelers are able to opt-out of scanning using biometric technologies.

(D) A description of—

(i) what traveler data is collected through scanning using biometric technologies, what agencies have access to such data, and how long the agencies possess such data;

(ii) specific actions that the Department and other relevant Federal departments and agencies take to safeguard such data; and

(iii) a short-term goal for the prompt deletion of the data of individual United States citizens after such data is used to verify traveler identities.

(d) **PUBLICATION OF ASSESSMENTS.**—The Secretary, the Administrator, and the Commissioner shall, if practicable, publish a public version of the assessment required by subsection (c)(2) on the Internet website of the TSA and of the U.S. Customs and Border Protection.

SEC. 1920. PILOT PROGRAM FOR AUTOMATED EXIT LANE TECHNOLOGY.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall establish a pilot program to implement and evaluate the use of automated exit lane technology at small hub airports and nonhub airports (as those terms are defined in section 40102 of title 49, United States Code).

(b) **PARTNERSHIP.**—The Administrator shall carry out the pilot program in partnership with the applicable airport directors.

(c) **COST SHARE.**—The Federal share of the cost of the pilot program under this section shall not exceed 85 percent of the total cost of the program.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out the pilot program under this section \$15,000,000 for each of fiscal years 2019 through 2021.

(e) **GAO REPORT.**—Not later than 2 years after the date the pilot program is implemented, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report on the pilot program, including—

(1) the extent of airport participation in the pilot program and how the program was implemented;

(2) the results of the pilot program and any reported benefits, including the impact on security and any cost-related efficiencies realized by TSA or at the participating airports; and

(3) the feasibility of expanding the pilot program to additional airports, including to medium and large hub airports.

SEC. 1921. AUTHORIZATION OF APPROPRIATIONS; EXIT LANE SECURITY.

There is authorized to be appropriated to carry out section 44903(n)(1) of title 49, United States Code, \$77,000,000 for each of fiscal years 2019 through 2021.

SEC. 1922. REAL-TIME SECURITY CHECKPOINT WAIT TIMES.

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this Act, the Administrator shall make available to the public information on wait times at each airport security checkpoint at which security screening operations are conducted or overseen by the TSA.

(b) **REQUIREMENTS.**—The information described in subsection (a) shall be provided in real time via technology and published—

(1) online; and

(2) in physical locations at applicable airport terminals.

(c) **CONSIDERATIONS.**—The Administrator shall only make the information described in subsection (a) available to the public if it can do so in a manner that does not increase public area security risks.

(d) **DEFINITION OF WAIT TIME.**—In this section, the term “wait time” means the period beginning when a passenger enters a queue for a screening checkpoint and ending when that passenger exits the checkpoint.

SEC. 1923. GAO REPORT ON DEPLOYMENT OF SCREENING TECHNOLOGIES ACROSS AIRPORTS.

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study whether the TSA allocates resources, including advanced imaging and computed tomography technologies, appropriately based on risk at Category X, I, II, III, and IV airports at which security screening operations are conducted or overseen by the TSA.

(b) **COST ANALYSIS.**—As a part of the study conducted under subsection (a), the Comptroller General shall analyze the costs allocated or incurred by the TSA at Category X, I, II, III, and IV airports—

(1) to purchase and deploy screening equipment and other assets, including advanced imaging and computed tomography technologies, at Category X, I, II, III, and IV airports;

(2) to install such equipment, including any related variant, and assets in the airport; and

(3) to maintain such equipment and assets.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to the appro-

priate committees of Congress a report on the findings of the study under subsection (a).

SEC. 1924. SCREENING TECHNOLOGY REVIEW AND PERFORMANCE OBJECTIVES.

(a) **REVIEW OF TECHNOLOGY ACQUISITIONS PROCESS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator, in coordination with relevant officials of the Department, shall conduct a review of existing advanced transportation security screening technology testing and evaluation, acquisitions, and procurement practices within TSA.

(2) **CONTENTS.**—Such review shall include—

(A) identifying process delays and obstructions within the Department and the Administration regarding how such technology is identified, tested and evaluated, acquired, and deployed;

(B) assessing whether the TSA can better leverage existing resources or processes of the Department for the purposes of technology testing and evaluation;

(C) assessing whether the TSA can further encourage innovation and competition among technology stakeholders, including through increased participation of and funding for small business concerns (as such term is described under section 3 of the Small Business Act (15 U.S.C. 632));

(D) identifying best practices of other Department components or United States Government entities; and

(E) a plan to address any problems or challenges identified by such review.

(b) **BRIEFING.**—The Administrator shall provide to the appropriate committees of Congress a briefing on the findings of the review required under this section and a plan to address any problems or challenges identified by such review.

(c) **ACQUISITIONS AND PROCUREMENT ENHANCEMENT.**—Incorporating the results of the review in subsection (a), the Administrator shall—

(1) engage in outreach, coordination, and collaboration with transportation stakeholders to identify and foster innovation of new advanced transportation security screening technologies;

(2) streamline the overall technology development, testing, evaluation, acquisitions, procurement, and deployment processes of the Administration; and

(3) ensure the effectiveness and efficiency of such processes.

(d) **ASSESSMENT.**—The Secretary, in consultation with the Chief Privacy Officer of the Department, shall submit to the appropriate committees of Congress a compliance assessment of the TSA acquisition process relating to the health and safety risks associated with implementation of screening technologies.

(e) **PERFORMANCE OBJECTIVES.**—The Administrator shall establish performance objectives for the testing and verification of security technology, including testing and verification conducted by appropriate third parties under section 1911, to ensure that progress is made, at a minimum, toward—

(1) reducing time for each phase of testing while maintaining security (including testing for detection testing, operational testing, testing and verification framework, and field testing);

(2) eliminating testing and verification delays; and

(3) increasing accountability.

(f) **TRACKING.**—

(1) **IN GENERAL.**—In carrying out subsection (e), the Administrator shall establish and continually track performance metrics for each type of security technology submitted for testing and verification, including testing and verification conducted by appropriate third parties under section 1911.

(2) **MEASURING PROGRESS TOWARD GOALS.**—The Administrator shall use the metrics established and tracked under paragraph (1) to generate data on an ongoing basis and to measure progress toward the achievement of the performance objectives established under subsection (e).

(3) **REPORT REQUIRED.**—

(A) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report assessing the extent to which the performance objectives established under subsection (e), as measured by the performance metrics established and tracked under paragraph (1) of this subsection, have been met.

(B) **ELEMENTS.**—The report required by subparagraph (A) shall include—

(i) a list of the performance metrics established under paragraph (1), including the length of time for each phase of testing and verification for each type of security technology; and

(ii) a comparison of the progress achieved for testing and verification of security technology conducted by the TSA and the testing and verification of security technology conducted by third parties.

(C) **PROPRIETARY INFORMATION.**—The report required by subparagraph (A) shall—

(i) not include identifying information regarding an individual or entity or equipment; and

(ii) protect proprietary information.

(g) **INFORMATION TECHNOLOGY SECURITY.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a plan to conduct recurring reviews of the operational, technical, and management security controls for Administration information technology systems at airports

SEC. 1925. COMPUTED TOMOGRAPHY PILOT PROGRAMS.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall carry out a pilot program to test the use of screening equipment using computed tomography technology to screen baggage at passenger screening checkpoints at airports.

(b) **FEASIBILITY STUDY.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the Administrator, in coordination with the Under Secretary for Science and Technology of the Department, shall submit to the appropriate committees of Congress a feasibility study regarding expanding the use of computed tomography technology for the screening of air cargo transported on passenger aircraft operated by an air carrier or foreign air carrier in air transportation, interstate air transportation, or interstate air commerce.

(2) **CONSIDERATIONS.**—In conducting the feasibility study under paragraph (1), the Administrator shall consider the following:

(A) Opportunities to leverage computed tomography systems used for screening passengers and baggage.

(B) Costs and benefits of using computed tomography technology for screening air cargo.

(C) An analysis of emerging computed tomography systems that may have potential to enhance the screening of air cargo, including systems that may address aperture challenges associated with screening certain categories of air cargo.

(D) An analysis of emerging screening technologies, in addition to computed tomography, that may be used to enhance the screening of air cargo.

(c) **PILOT PROGRAM.**—Not later than 120 days after the date the feasibility study is submitted under subsection (b), the Adminis-

trator shall initiate a 2-year pilot program to achieve enhanced air cargo security screening outcomes through the use of new or emerging screening technologies, such as computed tomography technology, as identified through such study.

(d) **UPDATES.**—Not later than 60 days after the date the pilot program under subsection (c) is initiated, and biannually thereafter for 2 years, the Administrator shall brief the appropriate committees of Congress on the progress of implementation of such pilot program.

(e) **DEFINITIONS.**—In this section:

(1) **AIR CARRIER.**—The term “air carrier” has the meaning given the term in section 40102 of title 49, United States Code.

(2) **AIR TRANSPORTATION.**—The term “air transportation” has the meaning given the term in section 40102 of title 49, United States Code.

(3) **FOREIGN AIR CARRIER.**—The term “foreign air carrier” has the meaning given the term in section 40102 of title 49, United States Code.

(4) **INTERSTATE AIR COMMERCE.**—The term “interstate air commerce” has the meaning given the term in section 40102 of title 49, United States Code.

(5) **INTERSTATE AIR TRANSPORTATION.**—The term “interstate air transportation” has the meaning given the term in section 40102 of title 49, United States Code.

Subtitle C—Public Area Security

SEC. 1926. DEFINITIONS.

In this subtitle:

(1) **BEHAVIORAL STANDARDS.**—The term “behavioral standards” means standards for the evaluation of explosives detection working canines for certain factors, including canine temperament, work drive, suitability for training, environmental factors used in evaluations, and canine familiarity with natural or man-made surfaces or working conditions relevant to the canine’s expected work area.

(2) **MEDICAL STANDARDS.**—The term “medical standards” means standards for the evaluation of explosives detection working canines for certain factors, including canine health, management of hereditary health conditions, breeding practices, genetics, pedigree, and long-term health tracking.

(3) **TECHNICAL STANDARDS.**—The term “technical standards” means standards for the evaluation of explosives detection working canines for certain factors, including canine search techniques, handler-canine communication, detection testing conditions and logistics, and learned explosive odor libraries.

SEC. 1927. EXPLOSIVES DETECTION CANINE CAPACITY BUILDING.

(a) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall establish a working group to determine ways to support decentralized, non-Federal domestic canine breeding capacity to produce high quality explosives detection canines and modernize canine training standards.

(b) **WORKING GROUP COMPOSITION.**—The working group established under subsection (a) shall be comprised of representatives from the following:

- (1) The TSA.
- (2) The Science and Technology Directorate of the Department.
- (3) National domestic canine associations with expertise in breeding and pedigree.
- (4) Universities with expertise related to explosives detection canines and canine breeding.
- (5) Domestic canine breeders and vendors.

(c) **CHAIRPERSONS.**—The Administrator shall approve of 2 individuals from among the representatives of the working group specified in subsection (b) to serve as the Chairpersons of the working group as follows:

(1) One Chairperson shall be from an entity specified in paragraph (1) or (2) of that subsection.

(2) One Chairperson shall be from an entity specified in paragraph (3), (4), or (5) of that subsection.

(d) **PROPOSED STANDARDS AND RECOMMENDATIONS.**—Not later than 180 days after the date the working group is established under subsection (a), the working group shall submit to the Administrator—

(1) proposed behavioral standards, medical standards, and technical standards for domestic canine breeding and canine training described in that subsection; and

(2) recommendations on how the TSA can engage stakeholders to further the development of such domestic non-Federal canine breeding capacity and training.

(e) **STRATEGY.**—Not later than 180 days after the date the recommendations are submitted under subsection (d), the Administrator shall develop and submit to the appropriate committees of Congress a strategy for working with non-Federal stakeholders to facilitate expanded the domestic canine breeding capacity described in subsection (a), based on such recommendations.

(f) **CONSULTATION.**—In developing the strategy under subsection (e), the Administrator shall consult with the Under Secretary for Science and Technology of the Department, the Commissioner for U.S. Customs and Border Protection, the Director of the United States Secret Service, and the heads of such other Federal departments or agencies as the Administrator considers appropriate to incorporate, to the extent practicable, mission needs across the Department for an expanded non-Federal domestic explosives detection canine breeding capacity that can be leveraged to help meet the Department’s operational needs.

(g) **TERMINATION.**—The working group established under subsection (a) shall terminate on the date that the strategy is submitted under subsection (e), unless the Administrator extends the termination date for the purposes of section 1928.

(h) **NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this Act.

SEC. 1928. THIRD PARTY DOMESTIC CANINES.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, to enhance the efficiency and efficacy of transportation security by increasing the supply of canine teams for use by the TSA and transportation stakeholders, the Administrator shall develop and issue behavioral standards, medical standards, and technical standards, based on the recommendations of the working group under section 1927, that a third party explosives detection canine must satisfy to be certified for the screening of individuals and property, including detection of explosive vapors among individuals and articles of property, in public areas of an airport under section 44901 of title 49, United States Code.

(b) **AUGMENTING PUBLIC AREA SECURITY.**—

(1) **IN GENERAL.**—The Administrator shall develop guidance on the coordination of development and deployment of explosives detection canine teams for use by transportation stakeholders to enhance public area security at transportation hubs, including airports.

(2) **CONSULTATION.**—In developing the guidance under paragraph (1), the Administrator shall consult with—

- (A) the working group established under section 1927;
- (B) the officials responsible for carrying out section 1941; and
- (C) such transportation stakeholders, canine providers, law enforcement, privacy

groups, and transportation security providers as the Administrator considers relevant.

(c) **AGREEMENT.**—Subject to subsections (d), (e), and (f), not later than 270 days after the issuance of standards under subsection (a), the Administrator shall, to the extent possible, enter into an agreement with at least 1 third party to test and certify the capabilities of canines in accordance with the standards under subsection (a).

(d) **EXPEDITED DEPLOYMENT.**—In entering into an agreement under subsection (c), the Administrator shall use—

(1) the other transaction authority under section 114(m) of title 49, United States Code; or

(2) such other authority of the Administrator as the Administrator considers appropriate to expedite the deployment of additional canine teams.

(e) **PROCESS.**—Before entering into an agreement under subsection (c), the Administrator shall—

(1) evaluate and verify the third party’s ability to effectively evaluate the capabilities of canines;

(2) designate key elements required for appropriate evaluation venues where third parties may conduct testing; and

(3) periodically assess the program at evaluation centers to ensure the proficiency of the canines beyond the initial testing and certification by the third party.

(f) **CONSULTATION.**—To determine best practices for the use of third parties to test and certify the capabilities of canines, the Administrator shall consult with the following persons before entering into an agreement under subsection (c):

- (1) The Secretary of State.
- (2) The Secretary of Defense.

(3) Non-profit organizations that train, certify, and provide the services of canines for various purposes.

(4) Institutions of higher education with research programs related to use of canines for the screening of individuals and property, including detection of explosive vapors among individuals and articles of property.

(g) **THIRD PARTY EXPLOSIVES DETECTION CANINE PROVIDER LIST.**—

(1) **IN GENERAL.**—Not later than 90 days after the date the Administrator enters into an agreement under subsection (c), the Administrator shall develop and maintain a list of the names of each third party from which the TSA procures explosive detection canines, including for each such third party the relevant contractual period of performance.

(2) **DISTRIBUTION.**—The Administrator shall make the list under paragraph (1) available to appropriate transportation stakeholders in such form and manner as the Administrator prescribes.

(h) **OVERSIGHT.**—The Administrator shall establish a process to ensure appropriate oversight of the certification program and compliance with the standards under subsection (a), including periodic audits of participating third parties.

(i) **AUTHORIZATION.**—

(1) **TSA.**—The Administrator shall develop and implement a process for the TSA to procure third party explosives detection canines certified under this section.

(2) **AVIATION STAKEHOLDERS.**—

(A) **IN GENERAL.**—The Administrator shall authorize an aviation stakeholder, under the oversight of and in coordination with the Federal Security Director at an applicable airport, to contract with, procure or purchase, and deploy one or more third party explosives detection canines certified under this section to augment public area security at that airport.

(B) **APPLICABLE LARGE HUB AIRPORTS.**—

(i) **IN GENERAL.**—Except as provided under subparagraph (ii), notwithstanding any law

to the contrary, and subject to the other provisions of this paragraph, an applicable large hub airport may provide a certified canine described in subparagraph (A) on an in-kind basis to the TSA to be deployed as a passenger screening canine at that airport unless the applicable large hub airport consents to the use of that certified canine elsewhere.

(ii) **EXCEPTION.**—The Administrator may, on a case-by-case basis, deploy a certified canine described in subparagraph (A) to a transportation facility other than the applicable large hub airport described in clause (i) for not more than 90 days per year if the Administrator—

(I) determines that such deployment is necessary to meet operational or security needs; and

(II) notifies the applicable large hub airport described in clause (i).

(iii) **NONDEPLOYABLE CANINES.**—Any certified canine provided to the TSA under clause (i) that does not complete training for deployment under that clause shall be the responsibility of the large hub airport unless the TSA agrees to a different outcome.

(C) **HANDLERS.**—Not later than 30 days before a canine begins training to become a certified canine under subparagraph (B), the airport shall notify the TSA of such training and the Administrator shall assign a TSA canine handler to participate in the training with that canine, as appropriate.

(D) **LIMITATION.**—The Administrator may not reduce the staffing allocation model for an applicable large hub airport based on that airport's provision of a certified canine under this paragraph.

(j) **DEFINITIONS.**—In this section:

(1) **APPLICABLE LARGE HUB AIRPORT.**—The term “applicable large hub airport” means a large hub airport (as defined in section 40102 of title 49, United States Code) that has less than 100 percent of the allocated passenger screening canine teams staffed by the TSA.

(2) **AVIATION STAKEHOLDER.**—The term “aviation stakeholder” includes an airport, airport operator, and air carrier.

SEC. 1929. TRACKING AND MONITORING OF CANINE TRAINING AND TESTING.

Not later than 180 days after the date of enactment of this Act, the Administrator shall use, to the extent practicable, a digital monitoring system for all training, testing, and validation or certification of public and private canine assets utilized or funded by the TSA to facilitate improved review, data analysis, and record keeping of canine testing performance and program administration.

SEC. 1930. VIPR TEAM STATISTICS.

(a) **VIPR TEAM STATISTICS.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, and annually thereafter, the Administrator shall notify the appropriate committees of Congress of the number of VIPR teams available for deployment at transportation facilities, including—

(A) the number of VIPR team operations that include explosive detection canine teams; and

(B) the distribution of VIPR team operations deployed across different modes of transportation.

(2) **ANNEX.**—The notification under paragraph (1) may contain a classified annex.

(3) **DEFINITION OF VIPR TEAM.**—In this subsection, the term “VIPR” means a Visible Intermodal Prevention and Response team authorized under section 1303 of the National Transit Systems Security Act of 2007 (6 U.S.C. 1112).

(b) **AUTHORIZATION OF VIPR TEAMS.**—Section 1303(b) of the National Transit Systems Security Act of 2007 (6 U.S.C. 1112(b)) is amended by striking “to the extent appropriated, including funds to develop not more

than 60 VIPR teams, for fiscal years 2016 through 2018” and inserting “such sums as necessary, including funds to develop at least 30, but not more than 60, VIPR teams, for fiscal years 2019 through 2021”.

SEC. 1931. PUBLIC AREA SECURITY WORKING GROUP.

(a) **DEFINITIONS.**—In this section:

(1) **PUBLIC AND PRIVATE STAKEHOLDERS.**—The term “public and private stakeholders” has the meaning given the term in section 114(t)(1)(C) of title 49, United States Code.

(2) **SURFACE TRANSPORTATION ASSET.**—The term “surface transportation asset” includes—

(A) facilities, equipment, or systems used to provide transportation services by—

(i) a public transportation agency (as the term is defined in section 1402 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1131));

(ii) a railroad carrier (as the term is defined in section 20102 of title 49, United States Code);

(iii) an owner or operator of—

(I) an entity offering scheduled, fixed-route transportation services by over-the road bus (as the term is defined in section 1501 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1151)); or

(II) a bus terminal; or

(B) other transportation facilities, equipment, or systems, as determined by the Secretary.

(b) **PUBLIC AREA SECURITY WORKING GROUP.**—

(1) **WORKING GROUP.**—The Administrator, in coordination with the National Protection and Programs Directorate, shall establish a working group to promote collaborative engagement between the TSA and public and private stakeholders to develop non-binding recommendations for enhancing security in public areas of transportation facilities (including facilities that are surface transportation assets), including recommendations regarding the following:

(A) Information sharing and interoperable communication capabilities among the TSA and public and private stakeholders with respect to terrorist or other threats.

(B) Coordinated incident response procedures.

(C) The prevention of terrorist attacks and other incidents through strategic planning, security training, exercises and drills, law enforcement patrols, worker vetting, and suspicious activity reporting.

(D) Infrastructure protection through effective construction design barriers and installation of advanced surveillance and other security technologies.

(2) **ANNUAL REPORT.**—

(A) **IN GENERAL.**—Not later than 1 year after the date the working group is established under paragraph (1), the Administrator shall submit to the appropriate committee of Congress a report, covering the 12-month period preceding the date of the report, on—

(i) the organization of the working group;

(ii) the activities of the working group;

(iii) the participation of the TSA and public and private stakeholders in the activities of the working group;

(iv) the findings of the working group, including any recommendations.

(B) **PUBLICATION.**—The Administrator may publish a public version of such report that describes the activities of the working group and such related matters as would be informative to the public, consistent with section 552(b) of title 5, United States Code.

(3) **NONAPPLICABILITY OF FACA.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under subsection (a) or any subcommittee thereof.

(c) **TECHNICAL ASSISTANCE.**—

(1) **IN GENERAL.**—The Secretary shall—

(A) inform owners and operators of surface transportation assets about the availability of technical assistance, including vulnerability assessment tools and cybersecurity guidelines, to help protect and enhance the resilience of public areas of such assets; and

(B) upon request, and subject to the availability of appropriations, provide such technical assistance to owners and operators of surface transportation assets.

(2) **BEST PRACTICES.**—Not later than 1 year after the date of enactment of this Act, and periodically thereafter, the Secretary shall publish on the Department website and widely disseminate, as appropriate, current best practices for protecting and enhancing the resilience of public areas of transportation facilities (including facilities that are surface transportation assets), including associated frameworks or templates for implementation.

(d) **REVIEW.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall—

(A) review of regulations, directives, policies, and procedures issued by the Administrator regarding the transportation of a firearm and ammunition; and

(B) submit to the appropriate committees of Congress a report on the findings of the review under subparagraph (A), including, as appropriate, information on any plans to modify any regulation, directive, policy, or procedure based on the review.

(2) **CONSULTATION.**—In preparing the report under paragraph (1), the Administrator shall consult with—

(A) ASAC;

(B) the Surface Transportation Security Advisory Committee under section 404 of the Homeland Security Act of 2002; and

(C) appropriate public and private stakeholders.

SEC. 1932. PUBLIC AREA BEST PRACTICES.

(a) **IN GENERAL.**—The Administrator shall, in accordance with law and as received or developed, periodically submit information, on any best practices developed by the TSA or appropriate transportation stakeholders related to protecting the public spaces of transportation infrastructure from emerging threats, to the following:

(1) Federal Security Directors at airports.

(2) Appropriate security directors for other modes of transportation.

(3) Other appropriate transportation security stakeholders.

(b) **INFORMATION SHARING.**—The Administrator shall, in accordance with law—

(1) in coordination with the Office of the Director of National Intelligence and industry partners, implement improvements to the Air Domain Intelligence and Analysis Center to encourage increased participation from stakeholders and enhance government and industry security information sharing on transportation security threats, including on cybersecurity threat awareness;

(2) expand and improve the City and Airport Threat Assessment or similar program to public and private stakeholders to capture, quantify, communicate, and apply applicable intelligence to inform transportation infrastructure mitigation measures, such as—

(A) quantifying levels of risk by airport that can be used to determine risk-based security mitigation measures at each location; and

(B) determining random and surge employee inspection operations based on changing levels of risk;

(3) continue to disseminate Transportation Intelligence Notes, tear-lines, and related intelligence products to appropriate transpor-

tation security stakeholders on a regular basis; and

(4) continue to conduct both regular routine and threat-specific classified briefings between the TSA and appropriate transportation sector stakeholders on an individual or group basis to provide greater information sharing between public and private sectors.

(c) **MASS NOTIFICATION.**—The Administrator shall encourage security stakeholders to utilize mass notification systems, including the Integrated Public Alert Warning System of the Federal Emergency Management Agency and social media platforms, to disseminate information to transportation community employees, travelers, and the general public, as appropriate.

(d) **PUBLIC AWARENESS PROGRAMS.**—The Secretary, in coordination with the Administrator, shall expand public programs of the Department of Homeland Security and the TSA that increase security threat awareness, education, and training to include transportation network public area employees, including airport and transportation vendors, local hotels, cab and limousine companies, ridesharing companies, cleaning companies, gas station attendants, cargo operators, and general aviation members.

SEC. 1933. AIRPORT WORKER ACCESS CONTROLS COST AND FEASIBILITY STUDY.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with ASAC, shall submit to the Comptroller General of the United States and the appropriate committees of Congress a study examining the shared cost and feasibility to airports, airlines, and the TSA of implementing enhanced employee inspection measures at all access points between non-secured areas and secured areas at a statistically significant number of Category I, II, III, IV, and X airports.

(b) **ASSESSMENT.**—To the extent practicable, in conducting the study, the Administrator shall assess the cost, operational efficiency, and security effectiveness of requiring all employees to present for inspection at every access point between non-secured areas and secured areas of airports, and of deploying some or all of the following screening measures and technologies:

(1) A secure door utilizing card and pin entry or biometric technology.

(2) Surveillance video recording capable of storing video data for at least 30 days.

(3) Advanced screening technologies, including at least 1 of the following:

(A) Magnetometer (walk-through or handheld).

(B) Explosives detection canines.

(C) Explosives trace detection swabbing.

(D) Advanced imaging technology.

(E) X-ray bag screening technology.

(4) The TSA's Advanced Threat Local Allocation Strategy (commonly known as "ATLAS").

(c) **CONTENTS.**—To the extent practicable, the study under subsection (a) shall include the following:

(1) Costs associated with establishing an operational minimum number of employee entry and exit points.

(2) A comparison of estimated costs and security effectiveness associated with implementing the security features specified in paragraphs (1), (2), (3), and (4) of subsection (b) based on information on the experiences from those category I, II, III, IV, and X airports that have already implemented or piloted enhanced employee inspection measures at access points between non-secured areas and secured areas of airports.

(d) **GAO REVIEW.**—Not later than 90 days after the date of receipt of the study under subsection (a), the Comptroller General of the United States shall—

(1) review the study to assess the quality and reliability of the study; and

(2) submit to the appropriate committees of Congress a report on the results of the review under paragraph (1).

SEC. 1934. SECURING AIRPORT WORKER ACCESS POINTS.

(a) **COOPERATIVE EFFORTS TO ENHANCE AIRPORT SECURITY AWARENESS.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall consult with air carriers, foreign air carriers, airport operators, and labor unions representing credentialed employees to enhance security awareness of credentialed airport populations regarding insider threats to aviation security and best practices related to airport access controls.

(b) **CREDENTIALING STANDARDS.**—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with air carriers, foreign air carriers, airport operators, and labor unions representing credentialed employees, shall assess credentialing standards, policies, and practices, including implementation of relevant credentialing updates required under the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 130 Stat. 615), to ensure that insider threats to aviation security are adequately addressed.

(c) **SIDA APPLICATIONS.**—

(1) **SOCIAL SECURITY NUMBERS REQUIRED.**—

(A) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Administrator shall revise the application submitted by an individual applying for a credential granting access to the Secure Identification Area of an airport to require the social security number of such individual in order to strengthen security vetting effectiveness.

(B) **FAILURE TO PROVIDE NUMBER.**—An applicant who does not provide such applicant's social security number may be denied such a credential.

(2) **SCREENING NOTICE.**—The Administrator shall issue requirements for an airport operator to include in each application for access to a Security Identification Display Area notification to the applicant that an employee holding a credential granting access to a Security Identification Display Area may be screened at any time while gaining access to, working in, or leaving a Security Identification Display Area.

(d) **SECURED AND STERILE AREAS OF AIRPORTS.**—The Administrator shall consult with airport operators and airline operators to identify advanced technologies, including biometric identification technologies, that could be used for securing employee access to the secured areas and sterile areas of airports.

(e) **RAP BACK VETTING.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall identify and submit to the appropriate committees of Congress the number of credentialed aviation worker populations at airports that are continuously vetted through the Federal Bureau of Investigation's Rap Back Service, consistent with section 3405(b)(2) of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44901 note).

(f) **INSIDER THREAT EDUCATION AND MITIGATION.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall identify means of enhancing the TSA's ability to leverage the resources of the Department and the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) to educate Administration personnel on insider threats to aviation security and how the TSA can better mitigate such insider threats.

(g) **EMPLOYEE INSPECTIONS.**—Consistent with the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 130 Stat. 615), the Administrator shall ensure that TSA-led, random employee physical inspection efforts of aviation workers are targeted, strategic, and focused on providing the greatest level of security effectiveness.

(h) **COVERT TESTING.**—

(1) **IN GENERAL.**—Consistent with the FAA Extension, Safety, and Security Act of 2016 (Public Law 114-190; 130 Stat. 615), the Administrator shall continue to conduct covert testing of TSA-led employee inspection operations at airports and measure existing levels of security effectiveness.

(2) **REQUIREMENTS.**—The Administrator shall provide—

(A) the results of such testing to—

(i) the airport operator for the airport that is the subject of any such testing; and

(ii) as appropriate, to air carriers and foreign air carriers that operate at the airport that is the subject of such testing; and

(B) recommendations and technical assistance for air carriers, foreign air carriers, and airport operators to conduct their own employee inspections, as needed.

(3) **ANNUAL REPORTING.**—The Administrator shall for each of fiscal years 2019 through 2021, submit to the appropriate committees of Congress a report on the frequency, methodology, strategy, and effectiveness of employee inspection operations at airports.

(i) **CENTRALIZED DATABASE.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with ASAC, shall—

(A) subject to paragraph (2), establish a national, centralized database of the names of each individual who—

(i) has had an airport-issued badge revoked for failure to comply with aviation security requirements; or

(ii) has had an aircraft operator-issued badge revoked for failure to comply with aviation security requirements;

(B) determine the appropriate reporting mechanisms for air carriers, foreign air carriers, and airport operators—

(i) to submit to the Administration data regarding an individual described in subparagraph (A); and

(ii) to access the database; and

(C) establish a process to allow an individual whose name is mistakenly entered into the database to correct the record and have the individual's name expunged from the database.

(2) **LIMITATION.**—The database shall not include the name of any individual whose badge has been revoked as a result of a termination or cessation of employment unrelated to—

(A) a violation of a security requirement; or

(B) a determination that the individual poses a threat to aviation security.

SEC. 1935. LAW ENFORCEMENT OFFICER REIMBURSEMENT PROGRAM.

(a) **IN GENERAL.**—In accordance with section 44903(c)(1) of title 49, United States Code, the Administrator shall increase the number of awards, and the total funding amount of each award, under the Law Enforcement Officer Reimbursement Program—

(1) to increase the presence of law enforcement officers in the public areas of airports, including baggage claim, ticket counters, and nearby roads;

(2) to increase the presence of law enforcement officers at screening checkpoints;

(3) to reduce the response times of law enforcement officers during security incidents; and

(4) to provide visible deterrents to potential terrorists.

(b) **COOPERATION BY ADMINISTRATOR.**—In carrying out subsection (a), the Adminis-

trator shall use the authority provided to the Administrator under section 114(m) of title 49, United States Code, that is the same authority as is provided to the Administrator of the Federal Aviation Administration under section 106(m) of that title.

(c) **ADMINISTRATIVE BURDENS.**—The Administrator shall review the regulations and compliance policies related to the Law Enforcement Officer Reimbursement Program and, if necessary, revise such regulations and policies to reduce any administrative burdens on applicants or recipients of such awards.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out section 44901(h) of title 49, United States Code, \$55,000,000 for each of fiscal years 2019 through 2021.

SEC. 1936. AIRPORT PERIMETER AND ACCESS CONTROL SECURITY.

(a) **RISK ASSESSMENTS OF AIRPORT SECURITY.**—

(1) **IN GENERAL.**—The Administrator shall—
(A) not later than 180 days after the date of enactment of this Act, update the Transportation Sector Security Risk Assessment (referred to in this section as the “TSSRA”); and

(B) not later than 90 days after the date the TSSRA is updated under subparagraph (A)—

(i) update with the most currently available intelligence information the Comprehensive Risk Assessment of Perimeter and Access Control Security (referred to in this section as the “Risk Assessment of Airport Security”);

(ii) establish a regular schedule for periodic updates to the Risk Assessment of Airport Security; and

(iii) conduct a system-wide assessment of airport access control points and airport perimeter security.

(2) **CONTENTS.**—The security risk assessments required under paragraph (1)(B) shall—

(A) include updates reflected in the TSSRA and Joint Vulnerability Assessment findings;

(B) reflect changes to the risk environment relating to airport access control points and airport perimeters;

(C) use security event data for specific analysis of system-wide trends related to airport access control points and airport perimeter security to better inform risk management decisions; and

(D) consider the unique geography of and current best practices used by airports to mitigate potential vulnerabilities.

(3) **REPORT.**—The Administrator shall report the results of the TSSRA and Risk Assessment of Airport Security under paragraph (1) to—

(A) the appropriate committees of Congress;

(B) relevant Federal departments and agencies; and

(C) airport operators.

(b) **AIRPORT SECURITY STRATEGY DEVELOPMENT.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Administrator shall update the 2012 National Strategy for Airport Perimeter and Access Control Security (referred to in this section as the “National Strategy”).

(2) **CONTENTS.**—The update to the National Strategy shall include—

(A) information from the Risk Assessment of Airport Security; and

(B) information on—

(i) airport security-related activities;

(ii) the status of TSA efforts to address the objectives of the National Strategy;

(iii) finalized outcome-based performance measures and performance levels for—

(I) each activity described in clause (i); and

(II) each objective described in clause (ii); and

(iv) input from airport operators.

(3) **UPDATES.**—Not later than 90 days after the date the update to the National Strategy is complete, the Administrator shall establish a regular schedule for determining if and when additional updates to the strategy under paragraph (1) are necessary.

Subtitle D—Passenger and Cargo Security SEC. 1937. PRECHECK PROGRAM.

(a) **IN GENERAL.**—Section 44919 is amended to read as follows:

“§ 44919. PreCheck Program

“(a) **IN GENERAL.**—The Administrator of the Transportation Security Administration shall continue to administer the PreCheck Program in accordance with section 109(a)(3) of the Aviation and Transportation Security Act (49 U.S.C. 114 note).

“(b) **EXPANSION.**—Not later than 180 days after the date of enactment of the TSA Modernization Act, the Administrator shall enter into an agreement, using other transaction authority under section 114(m) of this title, with at least 2 private sector entities to increase the methods and capabilities available for the public to enroll in the PreCheck Program.

“(c) **MINIMUM CAPABILITY REQUIREMENTS.**—At least 1 agreement under subsection (b) shall include the following capabilities:

“(1) Start-to-finish secure online or mobile enrollment capability.

“(2) Vetting of an applicant by means other than biometrics, such as a risk assessment, if—

“(A) such means—

“(i) are evaluated and certified by the Secretary of Homeland Security;

“(ii) meet the definition of a qualified anti-terrorism technology under section 865 of the Homeland Security Act of 2002 (6 U.S.C. 444); and

“(iii) are determined by the Administrator to provide a risk assessment that is as effective as a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation with respect to identifying individuals who are not qualified to participate in the PreCheck Program due to disqualifying criminal history; and

“(B) with regard to private sector risk assessments, the Secretary has certified that reasonable procedures are in place with regard to the accuracy, relevancy, and proper utilization of information employed in such risk assessments.

“(d) **ADDITIONAL CAPABILITY REQUIREMENTS.**—At least 1 agreement under subsection (b) shall include the following capabilities:

“(1) Start-to-finish secure online or mobile enrollment capability.

“(2) Vetting of an applicant by means of biometrics if the collection—

“(A) is comparable with the appropriate and applicable standards developed by the National Institute of Standards and Technology;

“(B) protects privacy and data security, including that any personally identifiable information is collected, retained, used, and shared in a manner consistent with section 552a of title 5, United States Code (commonly known as ‘Privacy Act of 1974’), and with agency regulations;

“(C) is evaluated and certified by the Secretary of Homeland Security; and

“(D) is determined by the Administrator to provide a risk assessment that is as effective as a fingerprint-based criminal history records check conducted through the Federal Bureau of Investigation with respect to identifying individuals who are not qualified to participate in the PreCheck Program due to disqualifying criminal history.

“(e) **TARGET ENROLLMENT.**—Subject to subsections (b), (c), and (d), the Administrator shall take actions to expand the total number of individuals enrolled in the PreCheck Program as follows:

“(1) 7,000,000 passengers before October 1, 2019.

“(2) 10,000,000 passengers before October 1, 2020.

“(3) 15,000,000 passengers before October 1, 2021.

“(f) **MARKETING OF PRECHECK PROGRAM.**—Not later than 90 days after the date of enactment of the TSA Modernization Act, the Administrator shall—

“(1) enter into at least 2 agreements, using other transaction authority under section 114(m) of this title, to market the PreCheck Program; and

“(2) implement a long-term strategy for partnering with the private sector to encourage enrollment in such program.

“(g) **IDENTITY VERIFICATION ENHANCEMENT.**—The Administrator shall—

“(1) coordinate with the heads of appropriate components of the Department to leverage Department-held data and technologies to verify the identity and citizenship of individuals enrolling in the PreCheck Program;

“(2) partner with the private sector to use biometrics and authentication standards, such as relevant standards developed by the National Institute of Standards and Technology, to facilitate enrollment in the program; and

“(3) consider leveraging the existing resources and abilities of airports to collect fingerprints for use in background checks to expedite identity verification.

“(h) **PRECHECK PROGRAM LANES OPERATION.**—The Administrator shall—

“(1) ensure that PreCheck Program screening lanes are open and available during peak and high-volume travel times at appropriate airports to individuals enrolled in the PreCheck Program; and

“(2) make every practicable effort to provide expedited screening at standard screening lanes during times when PreCheck Program screening lanes are closed to individuals enrolled in the program in order to maintain operational efficiency.

“(i) **ELIGIBILITY OF MEMBERS OF THE ARMED FORCES FOR EXPEDITED SECURITY SCREENING.**—

“(1) **IN GENERAL.**—Subject to paragraph (3), an individual specified in paragraph (2) is eligible for expedited security screening under the PreCheck Program.

“(2) **INDIVIDUALS SPECIFIED.**—An individual specified in this subsection is any of the following:

“(A) A member of the Armed Forces, including a member of a reserve component or the National Guard.

“(B) A cadet or midshipman of the United States Military Academy, the United States Naval Academy, the United States Air Force Academy, or the United States Coast Guard Academy.

“(C) A family member of an individual specified in subparagraph (A) or (B) who is younger than 12 years old and accompanying the individual.

“(3) **IMPLEMENTATION.**—The eligibility of an individual specified in paragraph (2) for expedited security screening under the PreCheck Program is subject to such policies and procedures as the Administrator may prescribe to carry out this subsection, in consultation with the Secretary of Defense and, with respect to the United States Coast Guard, the Commandant of the United States Coast Guard.

“(j) **VETTING FOR PRECHECK PROGRAM PARTICIPANTS.**—The Administrator shall initiate an assessment to identify any security vulnerabilities in the vetting process for the

PreCheck Program, including determining whether subjecting PreCheck Program participants to recurrent fingerprint-based criminal history records checks, in addition to recurrent checks against the terrorist watchlist, could be done in a cost-effective manner to strengthen the security of the PreCheck Program.

“(k) ASSURANCE OF SEPARATE PROGRAM.—In carrying out this section, the Administrator shall ensure that the additional private sector application capabilities under subsections (b), (c), and (d) are undertaken in addition to any other related TSA program, initiative, or procurement, including the Universal Enrollment Services program.

“(l) EXPENDITURE OF FUNDS.—Any Federal funds expended by the Administrator to expand PreCheck Program enrollment shall be expended in a manner that includes the requirements of this section.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) REPEAL.—Subtitle A of title III of the FAA Extension, Safety, and Security Act of 2016 (49 U.S.C. 44901 note) and the items relating to that subtitle in the table of contents of that Act are repealed.

(2) TABLE OF CONTENTS.—The table of contents of chapter 449 is amended by amending the item relating to section 44919 to read as follows:

“44919. PreCheck Program.”.

(3) SCREENING PASSENGERS AND PROPERTY.—Section 44901(a) is amended by striking “44919 or”.

SEC. 1938. PRECHECK EXPEDITED SCREENING.

(a) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Administrator shall ensure that only a traveler who is a member of a trusted traveler program specified in subsection (b) is permitted to use a TSA PreCheck security screening lane at a passenger screening checkpoint.

(b) TRUSTED TRAVELER PROGRAMS SPECIFIED.—A trusted traveler program specified in this subsection is any of the following:

(1) The PreCheck Program under section 44919 of title 49, United States Code.

(2) Any other program implemented by the TSA under section 109(a)(3) of the Aviation and Transportation Security Act (49 U.S.C. 114 note).

(3) Any other United States Government program that issues a unique identifier, such as a known traveler number, that the TSA accepts as validating that the individual holding such identifier is a member of a known low-risk population.

(c) EXCEPTIONS.—Nothing in this section shall affect—

(1) the authority of the Administrator, under section 44927 of title 49, United States Code, to carry out expedited screening for members of the Armed Forces with disabilities or severe injuries or veterans with disabilities or severe injuries; or

(2) the Honor Flight program under section 44928 of that title.

(d) LOW-RISK TRAVELERS.—Any traveler who is determined by the Administrator to be low risk based on the traveler's age and who is not a member of a trusted traveler program specified in subsection (b) shall be permitted to utilize TSA PreCheck security screening lanes at Transportation Security Administration checkpoints when traveling on the same reservation as a member of such a program.

(e) RISK MODIFIED SCREENING.—

(1) PILOT PROGRAM.—Not later than 60 days after the date of enactment of this Act and subject to paragraph (2), the Administrator shall commence a pilot program regarding a risk modified screening protocol for lanes other than designated TSA PreCheck security screening lanes at passenger screening

checkpoints, in airports of varying categories, to further segment passengers based on risk.

(2) ELIGIBILITY.—Only a low-risk passenger shall be eligible to participate in the risk modified screening pilot program under paragraph (1).

(3) DEFINITION OF LOW-RISK PASSENGER.—In this subsection, the term “low-risk passenger” means a passenger who—

(A) meets a risk-based, intelligence-driven criteria prescribed by the Administrator; or

(B) undergoes a canine enhanced screening upon arrival at the passenger screening checkpoint.

(4) TERMINATION.—The pilot program shall terminate on the date that is 120 days after the date it commences under paragraph (1).

(5) BRIEFING.—Not later than 30 days after the termination date under paragraph (4), the Administrator shall brief the appropriate committees of Congress on the findings of the pilot program, including—

(A) information relating to the security effectiveness and passenger facilitation effectiveness of the risk modified screening protocol;

(B) a determination regarding whether the risk modified screening protocol was effective; and

(C) if the Administrator determined that the protocol was effective, a plan for the deployment of the protocol at as many TSA passenger screening checkpoints as practicable.

(6) IMPLEMENTATION.—In determining whether deployment of the protocol at a TSA passenger screening checkpoint at an airport is practicable, the Administrator shall consider—

(A) the level of risk at the airport;

(B) the available space at the airport;

(C) passenger throughput levels at the airport;

(D) the checkpoint configuration at the airport; and

(E) adequate resources to appropriately serve passengers in TSA PreCheck security screening lanes at the passenger screening checkpoint.

(f) WORKING GROUP.—

(1) IN GENERAL.—In carrying out subsection (e), the Administrator shall establish a working group to advise the Administrator on the development of plans for the deployment of the protocol at TSA passenger screening checkpoints, other than designated TSA PreCheck security screening lanes, in the most effective and efficient manner practicable.

(2) MEMBERS.—The working group shall be comprised of representatives of Category X, I, II, III, and IV airports and air carriers (as the term is defined in section 40102 of title 49, United States Code).

(3) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this subsection.

(g) BRIEFINGS.—

(1) IN GENERAL.—The Administrator shall brief, on a biannual basis, the appropriate committees of Congress on the implementation of subsections (a) until the Administrator certifies that only travelers who are members of trusted traveler programs specified in subsection (b) are permitted to use TSA PreCheck security screening lanes at passenger screening checkpoints.

(2) CERTIFICATION.—Upon a determination by the Administrator that only travelers who are members of a trusted traveler program specified in subsection (b) are permitted to use TSA PreCheck security screening lanes at checkpoints in accordance with subsection (a), the Administrator shall submit to the appropriate committees of Congress a written certification relating to such determination.

(h) INSPECTOR GENERAL ASSESSMENTS.—The Inspector General of the Department shall assess and transmit to the appropriate committees of Congress the Administrator's implementation under subsection (a).

(i) EXPANSION OF TSA PRECHECK PROGRAM ENROLLMENT.—

(1) LONG-TERM STRATEGY.—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop and begin the implementation a long-term strategy to increase enrollment in the TSA PreCheck Program.

(2) CONSIDERATIONS.—In developing the strategy under paragraph (1), the Administrator shall consider the following:

(A) Partnering with air carriers (as the term is defined in section 40102 of title 49, United States Code) to incorporate PreCheck Program promotion opportunities in the reservation process described in section 1560.101 of title 49, Code of Federal Regulations;

(B) Including in the PreCheck Program of an individual who—

(i) holds a Secret, Top Secret, or Top Secret/Sensitive Compartmented Information clearance, unless the individual has had the individual's clearance revoked or did not pass a periodic reinvestigation; or

(ii) is a current, full-time Federal law enforcement officer.

(C) Providing PreCheck Program enrollment flexibility by offering secure mobile enrollment platforms that facilitate in-person identity verification and application data collection, such as through biometrics.

(D) Reducing travel time to PreCheck Program enrollment centers for applicants, including—

(i) by adjusting the locations and schedules of existing PreCheck Program enrollment centers to accommodate demand;

(ii) by seeking to colocate such enrollment centers with existing facilities that support the issuance of—

(I) United States passports; and

(II) Security Identification Display Area credentials (as the term is defined in section 1540.5 of title 49, Code of Federal Regulations) located in public, non-secure areas of airports if no systems of an airport operator are used in support of enrollment activities for such credentials; and

(iii) by increasing the availability of PreCheck Program enrollment platforms, such as kiosks, tablets, or staffed laptop stations.

(E) The feasibility of providing financial assistance or other incentives for PreCheck Program enrollment for—

(i) children who are at least 12 years or older, but less than 18 years old;

(ii) families consisting of 5 or more immediate family members;

(iii) private sector entities, including small businesses, to establish PreCheck Program enrollment centers in their respective facilities; and

(iv) private sector entities, including small business concerns (as the term is described in section 3 of the Small Business Act (15 U.S.C. 632)), to reimburse an employee for the cost of the PreCheck Program application.

SEC. 1939. TRUSTED TRAVELER PROGRAMS; COLLABORATION.

Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with the Commissioner of U.S. Customs and Border Protection, shall—

(1) review each trusted traveler program administered by U.S. Customs and Border Protection and the PreCheck Program;

(2) identify any improvements that can be made to such programs—

(A) to streamline and integrate the requirements and operations of such programs to reduce administrative burdens, including

applications for inclusion and determining whether a valid credential can satisfy the requirements for another credential;

(B) to increase information and data sharing across such programs; and

(C) to allow the public to access and link to the applications for enrollment in all of such programs from 1 online portal;

(3) identify any law, including regulations, policy, or procedure that may unnecessarily inhibit collaboration among Department of Homeland Security agencies regarding such programs or implementation of the improvements identified under paragraph (2);

(4) recommend any legislative, administrative, or other actions that can be taken to eliminate any unnecessary barriers to collaboration or implementation identified in paragraph (3); and

(5) submit to the appropriate committees of Congress a report on the review, including any unnecessary barriers to collaboration or implementation identified under paragraph (3), and any recommendations under paragraph (4).

SEC. 1940. PASSENGER SECURITY FEE.

Section 44940(c) is amended by adding at the end the following:

“(3) OFFSETTING COLLECTIONS.—Beginning on October 1, 2027, fees collected under subsection (a)(1) for any fiscal year shall be credited as offsetting collections to appropriations made for aviation security measures carried out by the Transportation Security Administration, to remain available until expended.”.

SEC. 1941. THIRD PARTY CANINE TEAMS FOR AIR CARGO SECURITY.

Section 1307 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1116) is amended by adding at the end the following:

“(h) THIRD PARTY CANINE TEAMS FOR AIR CARGO SECURITY.—

“(1) IN GENERAL.—In order to enhance the screening of air cargo and ensure that third party explosives detection canine assets are leveraged for such purpose, the Administrator shall, not later than 180 days after the date of enactment of the TSA Modernization Act—

“(A) develop and issue standards for the use of such third party explosives detection canine assets for the primary screening of air cargo;

“(B) develop a process to identify qualified non-Federal entities that will certify canine assets that meet the standards established by the Administrator under subparagraph (A);

“(C) ensure that entities qualified to certify canine assets shall be independent from entities that will train and provide canines to end users of such canine assets;

“(D) establish a system of Transportation Security Administration audits of the process developed under subparagraph (B); and

“(E) provide that canines certified for the primary screening of air cargo can be used by air carriers, foreign air carriers, freight forwarders, and shippers.

“(2) IMPLEMENTATION.—Beginning on the date that the development of the process under paragraph (1)(B) is complete, the Administrator shall—

“(A) facilitate the deployment of such assets that meet the certification standards of the Administration, as determined by the Administrator;

“(B) make such standards available to vendors seeking to train and deploy third party explosives detection canine assets; and

“(C) ensure that all costs for the training and certification of canines, and for the use of supplied canines, are borne by private industry and not the Federal Government.

“(3) DEFINITIONS.—In this subsection:

“(A) AIR CARRIER.—The term ‘air carrier’ has the meaning given the term in section 40102 of title 49, United States Code.

“(B) FOREIGN AIR CARRIER.—The term ‘foreign air carrier’ has the meaning given the term in section 40102 of title 49, United States Code.

“(C) THIRD PARTY EXPLOSIVES DETECTION CANINE ASSET.—The term ‘third party explosives detection canine asset’ means any explosives detection canine or handler not owned or employed, respectively, by the Transportation Security Administration.”.

SEC. 1942. KNOWN SHIPPER PROGRAM REVIEW.

The Administrator shall direct the Air Cargo Subcommittee of ASAC—

(1) to conduct a comprehensive review and security assessment of the Known Shipper Program;

(2) to recommend whether the Known Shipper Program should be modified or eliminated considering the full implementation of 100 percent screening under section 44901(g) of title 49, United States Code; and

(3) to report its findings and recommendations to the Administrator.

SEC. 1943. ESTABLISHMENT OF AIR CARGO SECURITY DIVISION.

(a) IN GENERAL.—Subchapter II of chapter 449 is amended by adding at the end the following:

“§ 44947. Air cargo security division

“(a) ESTABLISHMENT.—Not later than 90 days after the date of enactment of the TSA Modernization Act, the Administrator shall establish an air cargo security division to carry out and engage with stakeholders regarding the implementation of air cargo security programs established by the Administration.

“(b) LEADERSHIP; STAFFING.—The air cargo security division established pursuant to subsection (a) shall be headed by an individual in the executive service within the TSA and be staffed by not fewer than 4 full-time equivalents, including the head of the division.

“(c) STAFFING.—The Administrator of the Transportation Security Administration shall staff the air cargo security division with existing TSA personnel.”.

(b) TABLE OF CONTENTS.—The table of contents of chapter 449 is amended by inserting after the item related to section 44946 the following:

“44947. Air cargo security division.”.

SEC. 1944. AIR CARGO REGULATION REVIEW.

(a) REVIEW.—Not later than 150 days after the date of enactment of this Act, the Administrator shall—

(1) review the Certified Cargo Screening Program, including—

(A) consideration of the degree to which the Program is effective at fully addressing evolving threats to air cargo, particularly as air cargo volumes fluctuate; and

(B) identification of any vulnerabilities in the Program and effectiveness of information sharing with air cargo security stakeholders; and

(2) submit to the appropriate committees of Congress a report on the findings of the review under paragraph (1), including—

(A) a description of the actions the Administrator has taken to improve the Program; and

(B) a description of the actions the Administrator will take to address the findings of the review under paragraph (1), including any plans to issue new rulemaking, if necessary.

SEC. 1945. GAO REVIEW.

Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) review the Department’s analysis and intelligence pre-screening processes and pro-

cedures for air cargo entering the United States;

(2) review the pilot program conducted under section 1925;

(3) assess the effectiveness of the Department’s risk-based strategy for examining air cargo and ensuring compliance with air cargo security law, including regulations; and

(4) review the Department’s information sharing procedures and practices for disseminating information to relevant stakeholders on preventing, mitigating, and responding to air cargo related threats.

SEC. 1946. SCREENING PARTNERSHIP PROGRAM UPDATES.

(a) SECURITY SCREENING OPT-OUT PROGRAM.—Section 44920 is amended—

(1) in the heading by striking “Security screening opt-out program” and inserting “Screening partnership program”;

(2) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—An airport operator may submit to the Administrator of the Transportation Security Administration an application to carry out the screening of passengers and property at the airport under section 44901 by personnel of a qualified private screening company pursuant to a contract entered into with the Transportation Security Administration.”;

(3) in subsection (b)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—Not later than 60 days after the date of receipt of an application submitted by an airport operator under subsection (a), the Administrator shall approve or deny the application.”; and

(B) in paragraphs (2) and (3), by striking “Under Secretary” each place it appears and inserting “Administrator”;

(4) in subsection (d)—

(A) in the heading, by striking “STANDARDS” inserting “SELECTION OF CONTRACTS AND STANDARDS”;

(B) by redesignating paragraph (2) as paragraph (3);

(C) in paragraph (1)—

(i) by striking “The Under Secretary may enter” and all that follows through “certifies to Congress that—” and inserting “The Administrator shall, upon approval of the application, provide the airport operator with a list of qualified private screening companies.”; and

(ii) by inserting before subparagraphs (A) and (B) the following:

“(2) CONTRACTS.—The Administrator shall, to the extent practicable, enter into a contract with a private screening company from the list provided under paragraph (1) for the provision of screening at the airport not later than 120 days after the date of approval of an application submitted by the airport operator under subsection (a) if—”;

(D) in paragraph (2), as redesignated—

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

(ii) in subparagraph (B)—

(I) by striking “Under Secretary” and inserting “Administrator”;

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

(iii) by adding at the end the following:

“(C) the selected qualified private screening company offered contract price is equal to or less than the cost to the Federal Government to provide screening services at the airport.”; and

(E) in paragraph (3), as redesignated—

(i) by striking “paragraph (1)(B)” and inserting “paragraph (2)(B)”;

(ii) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(5) in subsection (e)—

(A) in the heading, by striking “SCREENED” and inserting “SCREENING”;

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

(C) by striking “The Under Secretary shall” and inserting “The Administrator shall—”;

(D) by inserting “(1)” before “provide Federal Government” and indenting appropriately; and

(E) by adding at the end the following:

“(2) undertake covert testing and remedial training support for employees of private screening companies providing screening at airports.”;

(6) in subsection (f)—

(A) in the heading, by inserting “OR SUSPENSION” after “TERMINATION”;

(B) by striking “terminate” and inserting “suspend or terminate, as appropriate.”; and

(C) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(7) by striking subsection (h) and inserting the following:

“(h) EVALUATION OF SCREENING COMPANY PROPOSALS FOR AWARD.—

“(1) IN GENERAL.—Except as provided in paragraph (2), notwithstanding any other provision of law, including title 48 of the Code of Federal Regulations and the Federal Advisory Committee Act (5 U.S.C. App.), an airport operator that has applied and been approved to have security screening services carried out by a qualified private screening company under contract with the Administrator may nominate to the head of the contracting activity an individual to participate in the evaluation of proposals for the award of such contract.

“(2) PARTICIPATION ON A PROPOSAL EVALUATION COMMITTEE.—Any participation on a proposal evaluation committee under paragraph (1) shall be conducted in accordance with chapter 21 of title 41.

“(i) INNOVATIVE SCREENING APPROACHES AND TECHNOLOGIES.—The Administrator shall encourage an airport operator to whom screening services are provided under this section to recommend to the Administrator innovative screening approaches and technologies. Upon receipt of any such recommendations, the Administrator shall review and, if appropriate, test, conduct a pilot project, and, if appropriate, deploy such approaches and technologies.”.

(b) FEASIBILITY ASSESSMENT.—

(1) IN GENERAL.—The Administrator, in consultation with airport operators and airlines, shall submit to the appropriate committees of Congress an assessment of the feasibility of modifying the Screening Partnership Program to allow an individual airport terminal to participate in the Screening Partnership Program.

(2) CONSIDERATIONS.—In conducting the assessment under paragraph (1), the Administrator shall consider—

(A) potential benefits and costs, including with respect to the efficacy of security operations, of such an approach;

(B) potential impacts on security operations; and

(C) potential impacts on recruitment, hiring, and retention.

(c) APPLICATIONS SUBMITTED BEFORE THE DATE OF ENACTMENT.—Not later than 30 days after the date of enactment of this Act, the Administrator shall approve or deny, in accordance with section 4492(b) of title 49, United States Code, as amended by this Act, each application submitted before the date of enactment of this Act, by an airport operator under subsection (a) of that section, that is awaiting such a determination.

SEC. 1947. SCREENING PERFORMANCE ASSESSMENTS.

Subject to part 1520 of title 49, Code of Federal Regulations, the Administrator shall

quarterly make available to the airport director of an airport—

(1) an assessment of the screening performance of that airport compared to the mean average performance of all airports in the equivalent airport category for screening performance data; and

(2) a briefing on the results of performance data reports, including—

(A) a scorecard of objective metrics developed by the Office of Security Operations to measure screening performance, such as results of annual proficiency reviews and covert testing, at the appropriate level of classification; and

(B) other performance data, including—

(i) passenger throughput;

(ii) wait times; and

(iii) employee attrition, absenteeism, injury rates, and any other human capital measures collected by the TSA.

SEC. 1948. TRANSPORTATION SECURITY TRAINING PROGRAMS.

(a) IN GENERAL.—Section 44935 is amended—

(1) by striking “(i) ACCESSIBILITY OF COMPUTER-BASED TRAINING FACILITIES.” and inserting “(k) ACCESSIBILITY OF COMPUTER-BASED TRAINING FACILITIES.”; and

(2) by adding at the end the following:

“(1) INITIAL AND RECURRING TRAINING.—

“(1) IN GENERAL.—The Administrator shall establish a training program for new security screening personnel located at the Transportation Security Administration Academy.

“(2) RECURRING TRAINING.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the TSA Modernization Act, the Administrator shall establish recurring training for security screening personnel regarding updates to screening procedures and technologies, including, in response to weaknesses identified in covert tests at airports—

“(i) methods to identify the verification of false or fraudulent travel documents; and

“(ii) training on emerging threats.

“(B) CONTENTS.—The training under subparagraph (A) shall include—

“(i) internal controls for monitoring and documenting compliance of transportation security officers with such training requirements; and

“(ii) such other matters as identified by the Administrator with regard to such training.”.

(b) GAO STUDY.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) examine the effectiveness of the new security screening personnel training under section 44935(1) of title 49, United States Code; and

(2) submit to the appropriate committees of Congress a report on the findings under paragraph (1), including any recommendations.

SEC. 1949. TRAVELER REDRESS IMPROVEMENT.

(a) REDRESS PROCESS.—

(1) IN GENERAL.—Not later than 30 days after the date of enactment of this Act, the Administrator, using existing resources, systems, and processes, shall ensure the availability of the Department of Homeland Security Traveler Redress Inquiry Program (referred to in this section as “DHS TRIP”) redress process to adjudicate an inquiry for an individual who—

(A) is a citizen of the United States or alien lawfully admitted for permanent residence;

(B) has filed the inquiry with DHS TRIP after receiving enhanced screening at an airport passenger security checkpoint more than 3 times in any 60-day period; and

(C) believes the individual has been wrongly identified as being a threat to aviation security.

(2) BRIEFING.—Not later than 180 days after the date of enactment of this Act, the Administrator shall brief the appropriate committees of Congress on the implementation of the redress process required under paragraph (1).

(b) PRIVACY IMPACT REVIEW AND UPDATE.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall review and update the Privacy Impact Assessment for the Secure Flight programs to ensure the assessment accurately reflects the operation of such programs.

(2) PUBLIC DISSEMINATION; FORM.—The Administrator shall—

(A) publish the Secure Flight Privacy Impact Assessment review and update required under paragraph (1) on a publicly-accessible internet webpage of the TSA; and

(B) submit the Secure Flight Privacy Impact Assessment review and update to the appropriate committees of Congress.

(c) RULE REVIEW AND NOTIFICATION PROCESS.—

(1) RULE REVIEW.—Not later than 60 days after the date of enactment of this Act, and every 120 days thereafter, the Assistant Administrator of the Office of Intelligence and Analysis of the TSA, in coordination with the entities specified in paragraph (3), shall identify and review the screening rules established by the Office of Intelligence and Analysis of TSA.

(2) NOTIFICATION PROCESS.—Not later than 2 days after the date that any change to a rule identified under paragraph (1) is made, the Assistant Administrator of the Office of Intelligence and Analysis of the TSA shall notify the entities specified in paragraph (3) of the change.

(3) ENTITIES SPECIFIED.—The entities specified in this paragraph are as follows:

(A) The Office of Civil Rights and Liberties, Ombudsman, and Traveler Engagement of the TSA.

(B) The Office of Civil Rights and Liberties of the Department.

(C) The Office of Chief Counsel of the TSA.

(D) The Office of General Counsel of the Department.

(E) The Privacy Office of the Administration.

(F) The Privacy Office of the Department.

(G) The Federal Air Marshal Service.

(H) The Traveler Redress Inquiry Program of the Department.

(d) FEDERAL AIR MARSHAL SERVICE COORDINATION.—

(1) IN GENERAL.—The Administrator shall ensure that the rules identified in subsection (c) are taken into account for Federal Air Marshal mission scheduling.

(2) REPORT.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on whether, and if so how, the rules identified in subsection (c) are incorporated in the risk analysis conducted during the Federal Air Marshal mission scheduling process.

(e) GAO REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) study the rules identified under subsection (c)(1), including—

(A) whether the rules are effective in mitigating potential threats to aviation security; and

(B) whether, and if so how, the TSA coordinates with the Department regarding any proposed change to a rule; and

(2) submit to the appropriate committees of Congress a report on the findings under

paragraph (1), including any recommendations.

SEC. 1950. IMPROVEMENTS FOR SCREENING OF PASSENGERS WITH DISABILITIES.

(a) REVISED TRAINING.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator, in consultation with nationally-recognized veterans and disability organizations, shall revise the training requirements for Transportation Security Officers related to the screening of passengers with disabilities, including passengers with disabilities who participate in the PreCheck program.

(2) TRAINING SPECIFICATIONS.—In revising the training requirements under paragraph (1), the Administrator shall address the proper screening, and any particular sensitivities related to the screening, of a passenger with a disability—

(A) traveling with a medical device, including an indwelling medical device;

(B) traveling with a prosthetic;

(C) traveling with a wheelchair, walker, scooter, or other mobility device;

(D) traveling with a service animal; or

(E) with sensitivities to touch, pressure, sound, or hypersensitivity to stimuli in the environment.

(3) TRAINING FREQUENCY.—The Administrator shall implement the revised training under paragraph (1) during initial and recurrent training of all Transportation Security Officers.

(b) BEST PRACTICES.—The individual at the TSA responsible for civil rights, liberties, and traveler engagement shall—

(1) record each complaint from a passenger with a disability regarding the screening practice of the TSA;

(2) identify the most frequent concerns raised, or accommodations requested, in the complaints;

(3) determine the best practices for addressing the concerns and requests identified in paragraph (2); and

(4) recommend appropriate training based on such best practices.

(c) SIGNAGE.—At each category X airport, the TSA shall place signage at each security checkpoint that—

(1) specifies how to contact the appropriate TSA employee at the airport designated to address complaints of screening mistreatment based on disability; and

(2) describes how to receive assistance from that individual or other qualified personnel at the security screening checkpoint.

(d) REPORTS TO CONGRESS.—Not later than September 30 of the first full fiscal year after the date of enactment of this Act, and each fiscal year thereafter, the Administrator shall submit to the appropriate committees of Congress a report on the checkpoint experiences of passengers with disabilities, including the following:

(1) The number and most frequent types of disability-related complaints received.

(2) The best practices recommended under subsection (b) to address the top areas of concern.

(3) The estimated wait times for assist requests for passengers with disabilities, including disabled passengers who participate in the PreCheck program.

SEC. 1951. AIR CARGO ADVANCE SCREENING PROGRAM.

(a) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection and the Administrator, consistent with the requirements of the Trade Act of 2002 (Public Law 107-210) shall—

(1) establish an air cargo advance screening program (referred to in this section as the “ACAS Program”) for the collection of advance electronic information from air carriers and other persons within the supply

chain regarding cargo being transported to the United States by air;

(2) under such program, require that such information be transmitted by such air carriers and other persons at the earliest point practicable prior to loading of such cargo onto an aircraft destined to or transiting through the United States;

(3) establish appropriate communications systems with freight forwarders, shippers, and air carriers;

(4) establish a system that will allow freight forwarders, shippers, and air carriers to provide shipment level data for air cargo, departing from any location that is inbound to the United States; and

(5) identify opportunities in which the information furnished in compliance with the ACAS Program could be used by the Administrator.

(b) INSPECTION OF HIGH-RISK CARGO.—Under the ACAS Program, the Commissioner of U.S. Customs and Border Protection and the Administrator shall ensure that all cargo that has been identified as high-risk is inspected—

(1) prior to the loading of such cargo onto aircraft at the last point of departure; or

(2) at an earlier point in the supply chain, before departing for the United States.

(c) CONSULTATION.—In carrying out the ACAS Program, the Commissioner of U.S. Customs and Border Protection and the Administrator shall consult with relevant stakeholders, as appropriate, to ensure that an operationally feasible and practical approach to—

(1) the collection of advance information with respect to cargo on aircraft departing for the United States is applied; and

(2) the inspection of high-risk cargo recognizes the significant differences among air cargo business models and modes of transportation.

(d) ANALYSIS.—The Commissioner of U.S. Customs and Border Protection and the Administrator may analyze the information described in subsection (a) in the Department of Homeland Security’s automated targeting system and integrate such information with other intelligence to enhance the accuracy of the risk assessment process under the ACAS Program.

(e) NO DUPLICATION.—The Commissioner of U.S. Customs and Border Protection and the Administrator shall carry out this section in a manner that, after the ACAS Program is fully in effect, ensures, to the greatest extent practicable, that the ACAS Program does not duplicate other Department programs or requirements relating to the submission of air cargo data or the inspection of high-risk cargo.

(f) CONSIDERATION OF INDUSTRY.—In carrying out the ACAS Program, the Commissioner of U.S. Customs and Border Protection and the Administrator shall—

(1) consider the content and timeliness of the available data may vary among entities in the air cargo industry and among countries;

(2) explore procedures to accommodate the variations described in paragraph (1) while maximizing the contribution of such data to the risk assessment process under the ACAS Program;

(3) test the business processes, technologies, and operational procedures required to provide advance information with respect to cargo on aircraft departing for the United States and carry out related inspection of high-risk cargo, while ensuring delays and other negative impacts on vital supply chains are minimized; and

(4) consider the cost, benefit, and feasibility before establishing any set time period for submission of certain elements of the data for air cargo under this section in line with the regulatory guidelines specified in

Executive Order 13563 or any successor Executive order or regulation.

(g) GUIDANCE.—The Commissioner of U.S. Customs and Border Protection and the Administrator shall provide guidance for participants in the ACAS Program regarding the requirements for participation, including requirements for transmitting shipment level data.

(h) USE OF DATA.—The Commissioner of U.S. Customs and Border Protection and the Administrator shall use the data provided under the ACAS Program for targeting shipments for screening and aviation security purposes only.

(i) FINAL RULE.—Not later than 180 days after the date of enactment of this Act, the Commissioner of U.S. Customs and Border Protection, in coordination with the Administrator, shall issue a final regulation to implement the ACAS Program to include the electronic transmission to U.S. Customs and Border Protection of data elements for targeting cargo, including appropriate security elements of shipment level data.

(j) REPORT.—Not later than 180 days after the date of the commencement of the ACAS Program, the Commissioner of U.S. Customs and Border Protection and the Administrator shall submit to the appropriate committees of Congress a report detailing the operational implementation of providing advance information under the ACAS Program and the value of such information in targeting cargo.

SEC. 1952. GENERAL AVIATION AIRPORTS.

(a) SHORT TITLE.—This section may be cited as the “Securing General Aviation and Charter Air Carrier Service Act”.

(b) ADVANCED PASSENGER PRESCREENING SYSTEM.—Not later than 120 days after the date of enactment of this Act, the Administrator shall submit to the appropriate committees of Congress a report on the status of the deployment of the advanced passenger prescreening system, and access thereto for certain aircraft charter operators, as required by section 44903(j)(2)(E) of title 49, United States Code, including—

(1) the reasons for the delay in deploying the system; and

(2) a detailed schedule of actions necessary for the deployment of the system.

(c) SCREENING SERVICES OTHER THAN IN PRIMARY PASSENGER TERMINALS.—

(1) IN GENERAL.—Subject to the provisions of this subsection, the Administrator may provide screening services to a charter air carrier in an area other than the primary passenger terminal of an applicable airport.

(2) REQUESTS.—A request for screening services under paragraph (1) shall be made at such time, in such form, and in such manner as the Administrator may require, except that the request shall be made to the Federal Security Director for the applicable airport at which the screening services are requested.

(3) AVAILABILITY.—A Federal Security Director may provide requested screening services under this section if the Federal Security Director determines such screening services are available.

(4) AGREEMENTS.—

(A) LIMITATION.—No screening services may be provided under this section unless a charter air carrier agrees in writing to compensate the TSA for all reasonable costs, including overtime, of providing the screening services.

(B) PAYMENTS.—Notwithstanding section 3302 of title 31, United States Code, payment received under subparagraph (A) shall be credited to the account that was used to cover the cost of providing the screening services. Amounts so credited shall be merged with amounts in that account, and shall be available for the same purposes, and

subject to the same conditions and limitations, as other amounts in that account.

(5) DEFINITIONS.—In this subsection:

(A) APPLICABLE AIRPORT.—The term “applicable airport” means an airport that—

(i) is not a commercial service airport; and

(ii) is receiving screening services for scheduled passenger aircraft.

(B) CHARTER AIR CARRIER.—The term “charter air carrier” has the meaning given the term in section 40102 of title 49, United States Code.

(C) SCREENING SERVICES.—The term “screening services” means the screening of passengers and property similar to the screening of passengers and property described in section 44901 of title 49, United States Code.

(d) REPORT.—Not later than 120 days after the date of enactment of this Act, the Administrator, in consultation with the ASAC, shall, consistent with the requirements of paragraphs (6) and (7) of section 44946(b) of title 49, United States Code, submit to the appropriate Committees of Congress an implementation plan, including an implementation schedule, for any of the following recommendations that were adopted by the ASAC and with which the Administrator has concurred before the date of the enactment of this Act:

(1) The recommendation regarding general aviation access to Ronald Reagan Washington National Airport, as adopted on February 17, 2015.

(2) The recommendation regarding the vetting of persons seeking flight training in the United States, as adopted on July 28, 2016.

(3) Any other such recommendations relevant to the security of general aviation adopted before the date of the enactment of this Act.

(e) DESIGNATED STAFFING.—The Administrator may designate 1 or more full-time employees of the TSA to liaise with, and respond to issues raised by, general aviation stakeholders.

(f) SECURITY ENHANCEMENTS.—Not later than 1 year after the date of enactment of this Act, the Administrator, in consultation with the ASAC, shall submit to the appropriate committees of Congress a report on the feasibility of requiring a security threat assessment before an individual could obtain training from a private flight school to operate an aircraft having a maximum certificated takeoff weight of more than 12,500 pounds.

Subtitle E—Foreign Airport Security

SEC. 1953. LAST POINT OF DEPARTURE AIRPORTS; SECURITY DIRECTIVES.

(a) NOTICE AND CONSULTATION.—

(1) IN GENERAL.—The Administrator shall, to the maximum extent practicable, consult and notify the following stakeholders prior to making changes to security standards via security directives and emergency amendments for last points of departure:

(A) Trade association representatives, for affected air carriers and airports, who hold the appropriate security clearances.

(B) The head of each relevant Federal department or agency, including the Administrator of the Federal Aviation Administration.

(2) TRANSMITTAL TO CONGRESS.—Not later than 3 days after the date that the Administrator issues a security directive or emergency amendment for a last point of departure, the Administrator shall transmit to the appropriate committees of Congress a description of the extent to which the Administrator consulted and notified the stakeholders under paragraph (1).

(b) GAO REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall re-

view the effectiveness of the TSA process to update, consolidate, or revoke security directives, emergency amendments, and other policies related to international aviation security at last point of departure airports and submit to the appropriate committees of Congress and the Administrator a report on the findings and recommendations.

(2) CONTENTS.—In conducting the review under paragraph (1), the Comptroller General shall—

(A) review current security directives, emergency amendments, and any other policies related to international aviation security at last point of departure airports;

(B) review the extent of intra-agency and interagency coordination, stakeholder outreach, coordination, and feedback; and

(C) review TSA’s process and criteria for, and implementation of, updating or revoking the policies described in subparagraph (A).

(c) RESCREENING.—Subject to section 44901(d)(4)(c) of title 49, United States Code, upon discovery of specific threat intelligence, the Administrator shall immediately direct TSA personnel to rescreen passengers and baggage arriving from an airport outside the United States and identify enhanced measures that should be implemented at that airport.

(d) NOTIFICATION TO CONGRESS.—Not later than 1 day after the date that the Administrator determines that a foreign air carrier is in violation of part 1546 of title 49, Code of Federal Regulations, or any other applicable security requirement, the Administrator shall notify the appropriate committees of Congress.

(e) DECISIONS NOT SUBJECT TO JUDICIAL REVIEW.—Notwithstanding any other provision of law, any decision of the Administrator under subsection (a)(1) relating to consultation or notification shall not be subject to judicial review.

SEC. 1954. LAST POINT OF DEPARTURE AIRPORT ASSESSMENT.

Section 44907(a)(2)(B) is amended by inserting “, including the screening and vetting of airport workers” before the semicolon.

SEC. 1955. TRACKING SECURITY SCREENING EQUIPMENT FROM LAST POINT OF DEPARTURE AIRPORTS.

(a) DONATION OF SCREENING EQUIPMENT TO PROTECT THE UNITED STATES.—Chapter 449 is amended—

(1) in subchapter I, by adding at the end the following:

“§ 44929. Donation of screening equipment to protect the United States

“(a) IN GENERAL.—Subject to subsection (b), the Administrator is authorized to donate security screening equipment to a foreign last point of departure airport operator if such equipment can be reasonably expected to mitigate a specific vulnerability to the security of the United States or United States citizens.

“(b) CONDITIONS.—Before donating any security screening equipment to a foreign last point of departure airport operator the Administrator shall—

“(1) ensure that the screening equipment has been restored to commercially available settings;

“(2) ensure that no TSA-specific security standards or algorithms exist on the screening equipment; and

“(3) verify that the appropriate officials have an adequate system—

“(A) to properly maintain and operate the screening equipment; and

“(B) to document and track any removal or disposal of the screening equipment to ensure the screening equipment does not come into the possession of terrorists or otherwise pose a risk to security.

“(c) REPORTS.—Not later than 30 days before any donation of security screening

equipment under subsection (a), the Administrator shall provide to the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a detailed written explanation of the following:

“(1) The specific vulnerability to the United States or United States citizens that will be mitigated by such donation.

“(2) An explanation as to why the recipient of such donation is unable or unwilling to purchase security screening equipment to mitigate such vulnerability.

“(3) An evacuation plan for sensitive technologies in case of emergency or instability in the country to which such donation is being made.

“(4) How the Administrator will ensure the security screening equipment that is being donated is used and maintained over the course of its life by the recipient.

“(5) The total dollar value of such donation.

“(6) How the appropriate officials will document and track any removal or disposal of the screening equipment by the recipient to ensure the screening equipment does not come into the possession of terrorists or otherwise pose a risk to security.”; and

(2) in the table of contents, by inserting after the item relating to section 44928 the following:

“44929. Donation of screening equipment to protect the United States.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Section 3204 of the Aviation Security Act of 2016 (49 U.S.C. 44901 note) and the item relating to that section in the table of contents of that Act are repealed.

(c) RAISING INTERNATIONAL STANDARDS.—Not later than 90 days after the date of enactment of this Act, the Administrator shall collaborate with other aviation authorities and the United States Ambassador or the Charge d’Affaires to the United States Mission to the International Civil Aviation Organization, as applicable, to advance a global standard for each international airport to document and track the removal and disposal of any security screening equipment to ensure the screening equipment does not come into the possession of terrorists or otherwise pose a risk to security.

SEC. 1956. INTERNATIONAL SECURITY STANDARDS.

(a) GLOBAL AVIATION SECURITY REVIEW.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator, in coordination with the Commissioner of the U.S. Customs and Border Protection, the Director of the Office of International Engagement of the Department of Homeland Security, and the Secretary of State, shall conduct a global aviation security review to improve aviation security standards, including standards intended to mitigate cybersecurity threats, across the global aviation system.

(2) BEST PRACTICES.—The global aviation security review shall establish best practices regarding the following:

(A) Collaborating with foreign partners to improve global aviation security capabilities and standards.

(B) Identifying foreign partners that—

(i) have not successfully implemented security protocols from the International Civil Aviation Organization or the Department of Homeland Security; and

(ii) have not taken steps to implement such security protocols;

(C) Improving the development, outreach, and implementation process for security directives or emergency amendments issued to domestic and foreign air carriers.

(D) Assessing the cybersecurity risk of security screening equipment.

(b) NOTIFICATION.—Not later than 90 days after the date of enactment of this Act, the Administrator, in consultation with the United States Ambassador to the International Civil Aviation Organization, shall notify the Committee on Commerce, Science, and Transportation and the Committee on Foreign Relations of the Senate, and the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives of the progress of the review under subsection (a) and any proposed international improvements to aviation security.

(c) ICAO.—Subject to subsection (a), the Administrator and Ambassador shall take such action at the International Civil Aviation Organization as the Administrator and Ambassador consider necessary to advance aviation security improvement proposals, including if practicable, introducing a resolution to raise minimum standards for aviation security.

(d) BRIEFINGS TO CONGRESS.—Beginning not later than 180 days after the date of enactment of this Act, and periodically thereafter, the Administrator, in consultation with the Ambassador with respect to subsection (c), shall brief the Committee on Commerce, Science, and Transportation and the Committee on Foreign Relations of the Senate, and the Committee on Homeland Security and the Committee on Foreign Affairs of the House of Representatives on the implementation of subsections (a) and (b).

SEC. 1957. AVIATION SECURITY IN CUBA.

(a) SECURITY OF PUBLIC CHARTER OPERATIONS.—The Administrator of the Transportation Security Administration, in coordination with the Secretary of Transportation and the Administrator of the Federal Aviation Administration, shall—

(1) direct all public charters operating flights between the United States and Cuba to provide updated flight schedules to, and maintain such schedules with, the Transportation Security Administration; and

(2) develop and implement a mechanism that corroborates and validates flight schedule data to more reliably track the public charter operations of air carriers between the United States and Cuba.

(b) BRIEFING ON SECURITY AT AIRPORTS IN CUBA.—The Administrator shall provide to Congress (including the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate) a confidential briefing on the following aspects of security measures at airports in Cuba that have air service to the United States:

(1) Details about the type of equipment used at screening checkpoints and an analysis of the capabilities and weaknesses of that equipment.

(2) Information about each such airport's canine screening program, if used.

(3) The frequency of training for screening and security personnel.

(4) Access controls in place to ensure only credentialed personnel have access to the secure and sterile areas of such airports.

(5) An assessment of the ability of known or suspected terrorists to use Cuba as a gateway to entering the United States.

(6) Security of such airports' perimeters.

(7) The vetting practices and procedures for airport employees.

(8) Any other information the Administrator considers relevant to the security practices, procedures, and equipment in place at such airports.

SEC. 1958. REPORT ON AIRPORTS USED BY MAHAN AIR.

(a) IN GENERAL.—Not later than 120 days after the date of enactment of this Act, and annually thereafter through 2021, the Sec-

retary of Homeland Security, in consultation with the Secretary of Transportation, the Secretary of State, the Secretary of the Treasury, and the Director of National Intelligence, shall submit to Congress a report that includes—

(1) a list of all airports at which aircraft owned or controlled by Mahan Air have landed during the 2 years preceding the submission of the report; and

(2) for each such airport—

(A) an assessment of whether aircraft owned or controlled by Mahan Air continue to conduct operations at that airport;

(B) an assessment of whether any of the landings of aircraft owned or controlled by Mahan Air were necessitated by an emergency situation;

(C) a determination regarding whether additional security measures should be imposed on flights to the United States that originate from that airport; and

(D) an explanation of the rationale for that determination.

(b) FORM OF REPORT.—Each report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(c) PUBLICATION OF LIST.—The list required by subsection (a)(1) shall be publicly and prominently posted on the website of the Department of Homeland Security on the date on which the report required by subsection (a) is submitted to Congress.

Subtitle F—Cockpit and Cabin Security

SEC. 1959. FEDERAL AIR MARSHAL SERVICE UPDATES.

(a) STANDARDIZATION.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of this Act, the Administrator shall develop a standard written agreement that shall be the basis of all negotiations and agreements that begin after the date of enactment of this Act between the United States and foreign governments or partners regarding the presence of Federal air marshals on flights to and from the United States, including deployment, technical assistance, and information sharing.

(2) WRITTEN AGREEMENTS.—Except as provided in paragraph (3), not later than 180 days after the date of enactment of this Act, all agreements between the United States and foreign governments or partners regarding the presence of Federal air marshals on flights to and from the United States shall be in writing and signed by the Administrator or other authorized United States Government representative.

(3) EXCEPTION.—The Administrator may schedule Federal air marshal service on flights operating to a foreign country with which no written agreement is in effect if the Administrator determines that—

(A) such mission is necessary for aviation security; and

(B) the requirements of paragraph (4)(B) are met.

(4) NOTIFICATION TO CONGRESS.—

(A) WRITTEN AGREEMENTS.—Not later than 30 days after the date that the Administrator enters into a written agreement under this section, the Administrator shall transmit to the appropriate committees of Congress a copy of the agreement.

(B) NO WRITTEN AGREEMENTS.—The Administrator shall submit to the appropriate committees of Congress—

(i) not later than 30 days after the date of enactment of this Act, a list of each foreign government or partner that does not have a written agreement under this section, including an explanation for why no written agreement exists and a justification for the determination that such a mission is necessary for aviation security; and

(ii) not later than 30 days after the date that the Administrator makes a determina-

tion to schedule Federal air marshal service on flights operating to a foreign country with which no written agreement is in effect under paragraph (3), the name of the applicable foreign government or partner, an explanation for why no written agreement exists, and a justification for the determination that such mission is necessary for aviation security.

(b) MISSION SCHEDULING AUTOMATION.—The Administrator shall endeavor to acquire automated capabilities or technologies for scheduling Federal air marshal service missions based on current risk modeling.

(c) IMPROVING FEDERAL AIR MARSHAL SERVICE DEPLOYMENTS.—

(1) AFTER-ACTION REPORTS.—The Administrator shall strengthen internal controls to ensure that all after-action reports on Federal air marshal service special mission coverage provided to stakeholders include documentation of supervisory review and approval, and mandatory narratives.

(2) STUDY.—The Administrator shall contract with an independent entity to conduct a validation and verification study of the risk analysis and risk-based determinations guiding Federal air marshal service deployment, including the use of risk-based strategies under subsection (d).

(3) COST-BENEFIT ANALYSIS.—The Administrator shall conduct a cost-benefit analysis regarding mitigation of aviation security threats through Federal air marshal service deployment.

(4) PERFORMANCE MEASURES.—The Administrator shall improve existing performance measures to better determine the effectiveness of in-flight operations in addressing the highest risks to aviation transportation based on current intelligence.

(5) LONG DISTANCE FLIGHTS.—Section 4917 is amended—

(A) by striking subsection (b); and

(B) by redesignating subsections (c) through (d) as subsections (b) through (c), respectively.

(d) USE OF RISK-BASED STRATEGIES.—

(1) IN GENERAL.—Section 4917(a) is amended—

(A) in paragraph (7), by striking “and” after the semicolon at the end;

(B) in paragraph (8), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(9) shall require the Federal Air Marshal Service to utilize a risk-based strategy when allocating resources between international and domestic flight coverage, including when initially setting its annual target numbers of average daily international and domestic flights to cover;

“(10) shall require the Federal Air Marshal Service to utilize a risk-based strategy to support domestic allocation decisions;

“(11) shall require the Federal Air Marshal Service to utilize a risk-based strategy to support international allocation decisions; and

“(12) shall ensure that the seating arrangements of Federal air marshals on aircraft are determined in a manner that is risk-based and most capable of responding to current threats to aviation security.”

(2) BRIEFING.—Not later than 270 days after the date of enactment of this Act, the Administrator shall brief the appropriate committees of Congress on the Federal Air Marshal Service's compliance with the requirements under paragraphs (9) through (12) of section 4917(a) of title 49, United States Code, as added by this Act, and the documented methodology used by the Federal Air Marshal Service to conduct risk assessments in accordance with such paragraphs.

(3) IMPLEMENTATION DEADLINE.—Not later than 180 days after the date of enactment of this Act, the Administrator shall begin implementing the requirements under para-

graphs (9) through (12) of section 44917(a), United States Code, as added by this Act.

SEC. 1960. CREW MEMBER SELF-DEFENSE TRAINING.

The Administrator, in consultation with the Administrator of the Federal Aviation Administration, shall continue to carry out and encourage increased participation by air carrier employees in the voluntary self-defense training program under section 44918(b) of title 49, United States Code.

SEC. 1961. FLIGHT DECK SAFETY AND SECURITY.

(a) **THREAT ASSESSMENT.**—Not later than 90 days after the date of enactment of this Act, the Administrator, in consultation with the Administrator of the Federal Aviation Administration, shall complete a detailed threat assessment to identify any safety or security risks associated with unauthorized access to the flight decks on commercial aircraft and any appropriate measures that should be taken based on the risks.

(b) **RTCA REPORT.**—The Administrator, in coordination with the Administrator of the Federal Aviation Administration, shall disseminate RTCA Document (DO-329) Aircraft Secondary Barriers and Alternative Flight Deck Security Procedure to aviation stakeholders, including air carriers and flight crew, to convey effective methods and best practices to protect the flight deck.

SEC. 1962. CARRIAGE OF WEAPONS, EXPLOSIVES, AND INCENDIARIES BY INDIVIDUALS.

(a) **INTERPRETIVE RULE.**—Subject to subsections (b) and (c), the Administrator shall periodically review and amend, as necessary, the interpretive rule (68 Fed. Reg. 7444) that provides guidance to the public on the types of property considered to be weapons, explosives, and incendiaries prohibited under section 1540.111 of title 49, Code of Federal Regulations.

(b) **CONSIDERATIONS.**—Before determining whether to amend the interpretive rule to include or remove an item from the prohibited list, the Administrator shall—

(1) research and evaluate—

(A) the impact, if any, the amendment would have on security risks;

(B) the impact, if any, the amendment would have on screening operations, including effectiveness and efficiency; and

(C) whether the amendment is consistent with international standards and guidance, including of the International Civil Aviation Organization; and

(2) consult with appropriate aviation security stakeholders, including ASAC.

(c) **EXCEPTIONS.**—Except for plastic or round bladed butter knives, the Administrator may not amend the interpretive rule described in subsection (a) to authorize any knife to be permitted in an airport sterile area or in the cabin of an aircraft.

(d) **NOTIFICATION.**—The Administrator shall—

(1) publish in the Federal Register any amendment to the interpretive rule described in subsection (a); and

(2) notify the appropriate committees of Congress of the amendment not later than 3 days before publication under paragraph (1).

SEC. 1963. FEDERAL FLIGHT DECK OFFICER PROGRAM IMPROVEMENTS.

(a) **IMPROVED ACCESS TO TRAINING FACILITIES.**—Section 44921(c)(2)(C)(ii) is amended—

(1) by striking “The training of” and inserting the following:

“(I) IN GENERAL.—The training of”;

(2) in subclause (I), as designated, by striking “approved by the Under Secretary”; and

(3) by adding at the end the following:

“(II) **ACCESS TO TRAINING FACILITIES.**—The Administrator shall designate additional firearms training facilities located in various regions of the United States for Federal flight deck officers for recurrent and requali-

fying training relative to the number of such facilities available on the day before such date of enactment.”.

(b) **FIREARMS REQUALIFICATION.**—Section 44921(c)(2)(C) is amended—

(1) in clause (iii)—

(A) by striking “The Under Secretary shall” and inserting the following:

“(I) IN GENERAL.—The Administrator shall”;

(B) in subclause (I), as designated by subparagraph (A), by striking “the Under Secretary” and inserting “the Administrator”; and

(C) by adding at the end the following:

“(II) **USE OF FACILITIES FOR REQUALIFICATION.**—The Administrator shall allow a Federal flight deck officer to requalify to carry a firearm under the program through training at a Transportation Security Administration-approved firearms training facility utilizing a Transportation Security Administration-approved contractor and a curriculum developed and approved by the Transportation Security Administration.”; and

(2) by adding at the end the following:

“(iv) **PERIODIC REVIEW.**—The Administrator shall periodically review requalification training intervals and assess whether it is appropriate and sufficient to adjust the time between each requalification training to facilitate continued participation in the program under this section while still maintaining effectiveness of the training, and update the training requirements as appropriate.”.

(c) **TRAINING REVIEW.**—Section 44921(c)(2) is amended by adding at the end the following:

“(D) **TRAINING REVIEW.**—Not later than 2 years after the date of enactment of the TSA Modernization Act, and biennially thereafter, the Administrator shall review training facilities and training requirements for initial and recurrent training for Federal flight deck officers and evaluate how training requirements, including the length of training, could be streamlined while maintaining the effectiveness of the training, and update the training requirements as appropriate.”.

(d) **OTHER MEASURES TO FACILITATE TRAINING.**—Section 44921(e) is amended—

(1) by striking “Pilots participating” and inserting the following:

“(1) IN GENERAL.—Pilots participating”; and

(2) by adding at the end the following:

“(2) **FACILITATION OF TRAINING.**—An air carrier shall permit a pilot seeking to be deputized as a Federal flight deck officer or a Federal flight deck officer to take a reasonable amount of leave to participate in initial, recurrent, or requalification training, as applicable, for the program. Leave required under this paragraph may be provided without compensation.”.

(e) **INTERNATIONAL HARMONIZATION.**—Section 44921(f) is amended—

(1) in paragraphs (1) and (3), by striking “Under Secretary” and inserting “Administrator”; and

(2) by adding at the end the following:

“(4) **CONSISTENCY WITH FEDERAL AIR MARSHAL PROGRAM.**—The Administrator shall harmonize, to the extent practicable and in a manner that does not jeopardize existing Federal air marshal agreements, the policies relating to the carriage of firearms on international flights by Federal flight deck officers with the policies of the Federal air marshal program for carrying firearms on such flights and carrying out the duties of a Federal flight deck officer, notwithstanding Annex 17 of the International Civil Aviation Organization.”.

(f) **PHYSICAL STANDARDS.**—Section 44921(d)(2) is amended—

(1) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii), respectively;

(2) in clause (ii), as redesignated, by striking “Under Secretary’s” and inserting “Administrator’s”;

(3) by striking “A pilot is” and inserting the following:

“(A) IN GENERAL.—A pilot is”; and

(4) by adding at the end the following:

“(B) **CONSISTENCY WITH REQUIREMENTS FOR CERTAIN MEDICAL CERTIFICATES.**—In establishing standards under subparagraph (A)(ii), the Administrator may not establish medical or physical standards for a pilot to become a Federal flight deck officer that are inconsistent with or more stringent than the requirements of the Federal Aviation Administration for the issuance of the required airman medical certificate under part 67 of title 14, Code of Federal Regulations (or any corresponding similar regulation or ruling).”.

(g) **TRANSFER OF STATUS.**—Section 44921(d) is amended by adding at the end the following:

“(5) **TRANSFER FROM INACTIVE TO ACTIVE STATUS.**—In accordance with any applicable Transportation Security Administration appeals processes, a pilot deputized as a Federal flight deck officer who moves to inactive status may return to active status upon successful completion of a recurrent training program administered within program guidelines.”.

(h) **TECHNICAL CORRECTIONS.**—Section 44921, as amended by this section, is further amended—

(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “Not later than 3 months after the date of enactment of this section, the Under Secretary” and inserting “The Administrator”;

(B) in paragraph (2), by striking “Beginning 3 months after the date of enactment of this section, the Under Secretary shall begin the process of training and deputizing” and inserting “The Administrator shall train and deputize”; and

(C) in paragraph (3)(N), by striking “Under Secretary’s” and inserting “Administrator’s”;

(3) in subsection (d)(4)—

(A) by striking “may,” and inserting “may”; and

(B) by striking “Under Secretary’s” and inserting “Administrator’s”;

(4) in subsection (i)(2), by striking “the Under Secretary may” and inserting “may”;

(5) in subsection (k)—

(A) by striking paragraphs (2) and (3); and

(B) by striking “APPLICABILITY.—” and all that follows through “This section” and inserting “APPLICABILITY.—This section”;

(6) by adding at the end the following:

“(1) **DEFINITIONS.**—In this section:

“(1) **ADMINISTRATOR.**—The term ‘Administrator’ means the Administrator of the Transportation Security Administration.

“(2) **AIR TRANSPORTATION.**—The term ‘air transportation’ includes all-cargo air transportation.

“(3) **FIREARMS TRAINING FACILITY.**—The term ‘firearms training facility’ means a private or government-owned gun range approved by the Administrator to provide recurrent or requalification training, as applicable, for the program, utilizing a Transportation Security Administration-approved contractor and a curriculum developed and approved by the Transportation Security Administration.

“(4) **PILOT.**—The term ‘pilot’ means an individual who has final authority and responsibility for the operation and safety of the flight or any other flight deck crew member.”; and

(7) by striking “Under Secretary” each place it appears and inserting “Administrator”.

(i) SENSITIVE SECURITY INFORMATION.—Not later than 180 days after the date of enactment of this Act—

(1) the Secretary of Transportation shall revise section 15.5(b)(11) of title 49, Code of Federal Regulations, to classify information about pilots deputized as Federal flight deck officers under section 44921 of title 49, United States Code, as sensitive security information in a manner consistent with the classification of information about Federal air marshals; and

(2) the Administrator shall revise section 1520.5(b)(11) of title 49, Code of Federal Regulations, to classify information about pilots deputized as Federal flight deck officers under section 44921 of title 49, United States Code, as sensitive security information in a manner consistent with the classification of information about Federal air marshals.

(j) REGULATIONS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall prescribe such regulations as may be necessary to carry out this section and the amendments made by this section.

Subtitle G—Surface Transportation Security
SEC. 1964. SURFACE TRANSPORTATION SECURITY ASSESSMENT AND IMPLEMENTATION OF RISK-BASED STRATEGY.

(a) SECURITY ASSESSMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Administrator shall complete an assessment of the vulnerabilities of and risks to surface transportation systems.

(2) CONSIDERATIONS.—In conducting the security assessment under paragraph (1), the Administrator shall, at a minimum—

(A) consider appropriate intelligence;

(B) consider security breaches and attacks at domestic and international surface transportation facilities;

(C) consider the vulnerabilities and risks associated with specific modes of surface transportation;

(D) evaluate the vetting and security training of—

(i) employees in surface transportation; and

(ii) other individuals with access to sensitive or secure areas of surface transportation networks; and

(E) consider input from—

(i) representatives of different modes of surface transportation;

(ii) representatives of critical infrastructure entities;

(iii) the Transportation Systems Sector Coordinating Council; and

(iv) the heads of other relevant Federal departments or agencies.

(b) RISK-BASED SURFACE TRANSPORTATION SECURITY STRATEGY.—

(1) IN GENERAL.—Not later than 180 days after the date the security assessment under subsection (a) is complete, the Administrator shall use the results of the assessment—

(A) to develop and implement a cross-cutting, risk-based surface transportation security strategy that includes—

(i) all surface transportation modes;

(ii) a mitigating strategy that aligns with each vulnerability and risk identified in subsection (a);

(iii) a planning process to inform resource allocation;

(iv) priorities, milestones, and performance metrics to measure the effectiveness of the risk-based surface transportation security strategy; and

(v) processes for sharing relevant and timely intelligence threat information with appropriate stakeholders;

(B) to develop a management oversight strategy that—

(i) identifies the parties responsible for the implementation, management, and oversight of the risk-based surface transportation security strategy; and

(ii) includes a plan for implementing the risk-based surface transportation security strategy; and

(C) to modify the risk-based budget and resource allocations, in accordance with section 1965(c), for the Transportation Security Administration.

(2) COORDINATED APPROACH.—In developing and implementing the risk-based surface transportation security strategy under paragraph (1), the Administrator shall coordinate with the heads of other relevant Federal departments or agencies, and stakeholders, as appropriate—

(A) to evaluate existing surface transportation security programs, policies, and initiatives, including the explosives detection canine teams, for consistency with the risk-based security strategy and, to the extent practicable, avoid any unnecessary duplication of effort;

(B) to determine the extent to which stakeholder security programs, policies, and initiatives address the vulnerabilities and risks to surface transportation systems identified in subsection (a); and

(C) subject to subparagraph (B), to mitigate each vulnerability and risk to surface transportation systems identified in subsection (a).

(c) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date the security assessment under subsection (a) is complete, the Administrator shall submit to the appropriate committees of Congress and the Inspector General of the Department a report that—

(A) describes the process used to complete the security assessment;

(B) describes the process used to develop the risk-based security strategy;

(C) describes the risk-based security strategy;

(D) includes the management oversight strategy;

(E) includes—

(i) the findings of the security assessment;

(ii) a description of the actions recommended or taken by the Administrator to mitigate the vulnerabilities and risks identified in subsection (a), including interagency coordination;

(iii) any recommendations for improving the coordinated approach to mitigating vulnerabilities and risks to surface transportation systems; and

(iv) any recommended changes to the National Infrastructure Protection Plan, the modal annexes to such plan, or relevant surface transportation security programs, policies, or initiatives; and

(F) may contain a classified annex.

(2) PROTECTIONS.—In preparing the report, the Administrator shall take appropriate actions to safeguard information described by section 552(b) of title 5, United States Code, or protected from disclosure by any other law of the United States.

(d) UPDATES.—Not less frequently than semiannually, the Administrator shall report to or brief the appropriate committees of Congress on the vulnerabilities of and risks to surface transportation systems and how those vulnerabilities and risks affect the risk-based security strategy.

SEC. 1965. RISK-BASED BUDGETING AND RESOURCE ALLOCATION.

(a) REPORT.—In conjunction with the submission of the Department's annual budget request to the Office of Management and Budget, the Administrator shall submit to the appropriate committees of Congress a re-

port that describes a risk-based budget and resource allocation plan for surface transportation sectors, within and across modes, that—

(1) reflects the risk-based surface transportation security strategy under section 1964(b); and

(2) is organized by appropriations account, program, project, and initiative.

(b) BUDGET TRANSPARENCY.—In submitting the annual budget of the United States Government under section 1105 of title 31, United States Code, the President shall clearly distinguish the resources requested for surface transportation security from the resources requested for aviation security.

(c) RESOURCE REALLOCATION.—

(1) IN GENERAL.—Not later than 15 days after the date on which the Transportation Security Administration allocates any resources or personnel, including personnel sharing, detailing, or assignment, or the use of facilities, technology systems, or vetting resources, for a nontransportation security purpose or National Special Security Event (as defined in section 2001 of Homeland Security Act of 2002 (6 U.S.C. 601)), the Secretary shall provide the notification described in paragraph (2) to the appropriate committees of Congress.

(2) NOTIFICATION.—A notification described in this paragraph shall include—

(A) the reason for and a justification of the resource or personnel allocation;

(B) the expected end date of the resource or personnel allocation; and

(C) the projected cost to the Transportation Security Administration of the personnel or resource allocation.

(d) 5-YEAR CAPITAL INVESTMENT PLAN.—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security of the House of Representatives a 5-year capital investment plan, consistent with the 5-year technology investment plan under section 1611 of title XVI of the Homeland Security Act of 2002, as amended by section 3 of the Transportation Security Acquisition Reform Act (Public Law 113-245; 128 Stat. 2871).

SEC. 1966. SURFACE TRANSPORTATION SECURITY MANAGEMENT AND INTERAGENCY COORDINATION REVIEW.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) review the staffing, budget, resource, and personnel allocation, and management oversight strategy of the Transportation Security Administration's surface transportation security programs;

(2) review the coordination between relevant entities of leadership, planning, policy, inspections, and implementation of security programs relating to surface transportation to reduce redundancy and regulatory burden; and

(3) submit to the appropriate committees of Congress a report on the findings of the reviews under paragraphs (1) and (2), including any recommendations for improving coordination between relevant entities and reducing redundancy and regulatory burden.

SEC. 1967. TRANSPARENCY.

(a) REGULATIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, and every 180 days thereafter, the Administrator shall publish on a public website information regarding the status of each regulation relating to surface transportation security that is directed by law to be issued and that has not been issued if not less than 2 years have passed since the date of enactment of the law.

(2) CONTENTS.—The information published under paragraph (1) shall include—

(A) an updated rulemaking schedule for the outstanding regulation;

(B) current staff allocations;

(C) data collection or research relating to the development of the rulemaking;

(D) current efforts, if any, with security experts, advisory committees, and other stakeholders; and

(E) other relevant details associated with the development of the rulemaking that impact the progress of the rulemaking.

(b) **INSPECTOR GENERAL REVIEW.**—Not later than 180 days after the date of enactment of this Act, and every 2 years thereafter until all of the requirements under titles XIII, XIV, and XV of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1111 et seq.) and under this title have been fully implemented, the Inspector General of the Department shall submit to the appropriate committees of Congress a report that—

(1) identifies the requirements under such titles of that Act and under this title that have not been fully implemented;

(2) describes what, if any, additional action is necessary; and

(3) includes recommendations regarding whether any of the requirements under such titles of that Act or this title should be amended or repealed.

SEC. 1968. TSA COUNTERTERRORISM ASSET DEPLOYMENT.

(a) **COUNTERTERRORISM ASSET DEPLOYMENT.**—

(1) **IN GENERAL.**—If the Administrator deploys any counterterrorism personnel or resource, such as explosive detection sweeps, random bag inspections, or patrols by Visible Intermodal Prevention and Response teams, to enhance security at a transportation system or transportation facility for a period of not less than 180 consecutive days, the Administrator shall provide sufficient notification to the system or facility operator, as applicable, not less than 14 days prior to terminating the deployment.

(2) **EXCEPTION.**—This subsection shall not apply if the Administrator—

(A) determines there is an urgent security need for the personnel or resource described in paragraph (1); and

(B) notifies the appropriate committees of Congress of the determination under subparagraph (A).

(b) **VIPR TEAMS.**—Section 1303 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1112) is amended—

(1) in subsection (a)(4), by striking “team,” and inserting “team as to specific locations and times within the facilities of such entities at which VIPR teams are to be deployed to maximize the effectiveness of such deployment,”; and

(2) by striking subsection (b) and inserting the following:

“(b) **PERFORMANCE MEASURES.**—Not later than 1 year after the date of enactment of the TSA Modernization Act, the Administrator shall develop and implement a system of qualitative performance measures and objectives by which to assess the roles, activities, and effectiveness of VIPR team operations on an ongoing basis, including a mechanism through which the transportation entities referred to in subsection (a)(4) may submit feedback on VIPR team operations involving their systems or facilities.

“(c) **PLAN.**—Not later than 1 year after the date of the enactment of the TSA Modernization Act, the Administrator shall develop and implement a plan for ensuring the interoperability of communications among VIPR team participants and between VIPR teams and any transportation entities with systems or facilities that are involved in VIPR

team operations. Such plan shall include an analysis of the costs and resources required to carry out such plan.”.

SEC. 1969. SURFACE TRANSPORTATION SECURITY ADVISORY COMMITTEE.

(a) **IN GENERAL.**—Subtitle A of title IV of the Homeland Security Act of 2002 (6 U.S.C. 201 et seq.) is amended by adding at the end the following:

“SEC. 404. SURFACE TRANSPORTATION SECURITY ADVISORY COMMITTEE.

“(a) **ESTABLISHMENT.**—The Administrator of the Transportation Security Administration (referred to in this section as ‘Administrator’) shall establish within the Transportation Security Administration the Surface Transportation Security Advisory Committee (referred to in this section as the ‘Advisory Committee’).

“(b) **DUTIES.**—

“(1) **IN GENERAL.**—The Advisory Committee may advise, consult with, report to, and make recommendations to the Administrator on surface transportation security matters, including the development, refinement, and implementation of policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security.

“(2) **RISK-BASED SECURITY.**—The Advisory Committee shall consider risk-based security approaches in the performance of its duties.

“(c) **MEMBERSHIP.**—

“(1) **COMPOSITION.**—The Advisory Committee shall be composed of—

“(A) voting members appointed by the Administrator under paragraph (2); and

“(B) nonvoting members, serving in an advisory capacity, who shall be designated by—

“(i) the Transportation Security Administration;

“(ii) the Department of Transportation;

“(iii) the Coast Guard; and

“(iv) such other Federal department or agency as the Administrator considers appropriate.

“(2) **APPOINTMENT.**—The Administrator shall appoint voting members from among stakeholders representing each mode of surface transportation, such as passenger rail, freight rail, mass transit, pipelines, highways, over-the-road bus, school bus industry, and trucking, including representatives from—

“(A) associations representing such modes of surface transportation;

“(B) labor organizations representing such modes of surface transportation;

“(C) groups representing the users of such modes of surface transportation, including asset manufacturers, as appropriate;

“(D) relevant law enforcement, first responders, and security experts; and

“(E) such other groups as the Administrator considers appropriate.

“(3) **CHAIRPERSON.**—The Advisory Committee shall select a chairperson from among its voting members.

“(4) **TERM OF OFFICE.**—

“(A) **TERMS.**—

“(i) **IN GENERAL.**—The term of each voting member of the Advisory Committee shall be 2 years, but a voting member may continue to serve until the Administrator appoints a successor.

“(ii) **REAPPOINTMENT.**—A voting member of the Advisory Committee may be reappointed.

“(B) **REMOVAL.**—

“(i) **IN GENERAL.**—The Administrator may review the participation of a member of the Advisory Committee and remove such member for cause at any time.

“(ii) **ACCESS TO INFORMATION.**—The Administrator may remove any member of the Advisory Committee that the Administrator determines should be restricted from reviewing, discussing, or possessing classified information or sensitive security information.

“(5) **PROHIBITION ON COMPENSATION.**—The members of the Advisory Committee shall not receive any compensation from the Government by reason of their service on the Advisory Committee.

“(6) **MEETINGS.**—

“(A) **IN GENERAL.**—The Administrator shall require the Advisory Committee to meet at least semiannually in person or through web conferencing and may convene additional meetings as necessary.

“(B) **PUBLIC MEETINGS.**—At least 1 of the meetings of the Advisory Committee each year shall be—

“(i) announced in the Federal Register;

“(ii) announced on a public website; and

“(iii) open to the public.

“(C) **ATTENDANCE.**—The Advisory Committee shall maintain a record of the persons present at each meeting.

“(D) **MINUTES.**—

“(i) **IN GENERAL.**—Unless otherwise prohibited by other Federal law, minutes of the meetings shall be published on the public website under subsection (e)(5).

“(ii) **PROTECTION OF CLASSIFIED AND SENSITIVE INFORMATION.**—The Advisory Committee may redact or summarize, as necessary, minutes of the meetings to protect classified or other sensitive information in accordance with law.

“(7) **VOTING MEMBER ACCESS TO CLASSIFIED AND SENSITIVE SECURITY INFORMATION.**—

“(A) **DETERMINATIONS.**—Not later than 60 days after the date on which a voting member is appointed to the Advisory Committee and before that voting member may be granted any access to classified information or sensitive security information, the Administrator shall determine if the voting member should be restricted from reviewing, discussing, or possessing classified information or sensitive security information.

“(B) **ACCESS.**—

“(i) **SENSITIVE SECURITY INFORMATION.**—If a voting member is not restricted from reviewing, discussing, or possessing sensitive security information under subparagraph (A) and voluntarily signs a nondisclosure agreement, the voting member may be granted access to sensitive security information that is relevant to the voting member’s service on the Advisory Committee.

“(ii) **CLASSIFIED INFORMATION.**—Access to classified materials shall be managed in accordance with Executive Order 13526 of December 29, 2009 (75 Fed. Reg. 707), or any subsequent corresponding Executive order.

“(C) **PROTECTIONS.**—

“(i) **SENSITIVE SECURITY INFORMATION.**—Voting members shall protect sensitive security information in accordance with part 1520 of title 49, Code of Federal Regulations.

“(ii) **CLASSIFIED INFORMATION.**—Voting members shall protect classified information in accordance with the applicable requirements for the particular level of classification.

“(8) **JOINT COMMITTEE MEETINGS.**—The Advisory Committee may meet with 1 or more of the following advisory committees to discuss multimodal security issues and other security-related issues of common concern:

“(A) Aviation Security Advisory Committee established under section 44946 of title 49, United States Code.

“(B) Maritime Security Advisory Committee established under section 70112 of title 46, United States Code.

“(C) Railroad Safety Advisory Committee established by the Federal Railroad Administration.

“(9) **SUBJECT MATTER EXPERTS.**—The Advisory Committee may request the assistance of subject matter experts with expertise related to the jurisdiction of the Advisory Committee.

“(d) **REPORTS.**—

“(1) PERIODIC REPORTS.—The Advisory Committee shall periodically submit reports to the Administrator on matters requested by the Administrator or by a majority of the members of the Advisory Committee.

“(2) ANNUAL REPORT.—

“(A) SUBMISSION.—The Advisory Committee shall submit to the Administrator and the appropriate congressional committees an annual report that provides information on the activities, findings, and recommendations of the Advisory Committee during the preceding year.

“(B) PUBLICATION.—Not later than 6 months after the date that the Administrator receives an annual report under subparagraph (A), the Administrator shall publish a public version of the report, in accordance with section 552a(b) of title 5, United States Code.

“(e) ADMINISTRATION RESPONSE.—

“(1) CONSIDERATION.—The Administrator shall consider the information, advice, and recommendations of the Advisory Committee in formulating policies, programs, initiatives, rulemakings, and security directives pertaining to surface transportation security.

“(2) FEEDBACK.—Not later than 90 days after the date that the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2), the Administrator shall submit to the Advisory Committee written feedback on the recommendation, including—

“(A) if the Administrator agrees with the recommendation, a plan describing the actions that the Administrator has taken, will take, or recommends that the head of another Federal department or agency take to implement the recommendation; or

“(B) if the Administrator disagrees with the recommendation, a justification for that determination.

“(3) NOTICES.—Not later than 30 days after the date the Administrator submits feedback under paragraph (2), the Administrator shall—

“(A) notify the appropriate congressional committees of the feedback, including the determination under subparagraph (A) or subparagraph (B) of that paragraph, as applicable; and

“(B) provide the appropriate congressional committees with a briefing upon request.

“(4) UPDATES.—Not later than 90 days after the date the Administrator receives a recommendation from the Advisory Committee under subsection (d)(2) that the Administrator agrees with, and quarterly thereafter until the recommendation is fully implemented, the Administrator shall submit a report to the appropriate congressional committees or post on the public website under paragraph (5) an update on the status of the recommendation.

“(5) WEBSITE.—The Administrator shall maintain a public website that—

“(A) lists the members of the Advisory Committee; and

“(B) provides the contact information for the Advisory Committee.

“(f) NONAPPLICABILITY OF FACA.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Advisory Committee or any subcommittee established under this section.”

(b) ADVISORY COMMITTEE MEMBERS.—

(1) VOTING MEMBERS.—Not later than 180 days after the date of enactment of this Act, the Administrator shall appoint the voting members of the Surface Transportation Security Advisory Committee established under section 404 of the Homeland Security Act of 2002, as added by subsection (a) of this section.

(2) NONVOTING MEMBERS.—Not later than 90 days after the date of enactment of this Act, each Federal Government department and

agency with regulatory authority over a mode of surface or maritime transportation, as the Administrator considers appropriate, shall designate an appropriate representative to serve as a nonvoting member of the Surface Transportation Security Advisory Committee.

(c) TABLE OF CONTENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107-296; 116 Stat. 2135) is amended by inserting after the item relating to section 403 the following:

“Sec. 404. Surface Transportation Security Advisory Committee.”

SEC. 1970. REVIEW OF THE EXPLOSIVES DETECTION CANINE TEAM PROGRAM.

(a) IN GENERAL.—Not later than 90 days after the date that the Inspector General of the Department receives the report under section 1964(c), the Inspector General of the Department shall—

(1) review the explosives detection canine team program, including—

(A) the development by the Transportation Security Administration of a deployment strategy for explosives detection canine teams;

(B) the national explosives detection canine team training program, including canine training, handler training, refresher training, and updates to such training;

(C) the use of the canine assets during an urgent security need, including the reallocation of such program resources outside the transportation systems sector during an urgent security need; and

(D) the monitoring and tracking of canine assets; and

(2) submit to the appropriate committees of Congress a report on the review, including any recommendations.

(b) CONSIDERATIONS.—In conducting the review of the deployment strategy under subsection (a)(1)(A), the Inspector General shall consider whether the Transportation Security Administration's method to analyze the risk to transportation facilities and transportation systems is appropriate.

SEC. 1971. EXPANSION OF NATIONAL EXPLOSIVES DETECTION CANINE TEAM PROGRAM.

(a) IN GENERAL.—The Secretary, where appropriate, shall encourage State, local, and tribal governments and private owners of high-risk transportation facilities to strengthen security through the use of explosives detection canine teams.

(b) INCREASED CAPACITY.—

(1) IN GENERAL.—Before the date the Inspector General of the Department submits the report under section 1970, the Administrator may increase the number of State and local surface and maritime transportation canines by not more than 70 explosives detection canine teams.

(2) ADDITIONAL TEAMS.—Beginning on the date the Inspector General of the Department submits the report under section 1970, the Secretary may increase the State and local surface and maritime transportation canines up to 200 explosives detection canine teams unless more are identified in the risk-based surface transportation security strategy under section 1964, consistent with section 1965 or with the President's most recent budget submitted under section 1105 of title 31, United States Code.

(3) RECOMMENDATIONS.—Before initiating any increase in the number of explosives detection teams under paragraph (2), the Secretary shall consider any recommendations in the report under section 1970 on the efficacy and management of the explosives detection canine program.

(c) DEPLOYMENT.—The Secretary shall—

(1) use the additional explosives detection canine teams, as described in subsection (b)(1), as part of the Department's efforts to

strengthen security across the Nation's surface and maritime transportation networks;

(2) make available explosives detection canine teams to all modes of transportation, subject to the requirements under section 1968, to address specific vulnerabilities or risks, on an as-needed basis and as otherwise determined appropriate by the Secretary; and

(3) consider specific needs and training requirements for explosives detection canine teams to be deployed across the Nation's surface and maritime transportation networks, including in venues of multiple modes of transportation, as the Secretary considers appropriate.

(d) AUTHORIZATION.—There are authorized to be appropriated to the Secretary to the extent of appropriations to carry out this section for each of fiscal years 2019 through 2021.

SEC. 1972. STUDY ON SECURITY STANDARDS AND BEST PRACTICES FOR PASSENGER TRANSPORTATION SYSTEMS.

(a) SECURITY STANDARDS AND BEST PRACTICES FOR UNITED STATES AND FOREIGN PASSENGER TRANSPORTATION SYSTEMS.—The Comptroller General of the United States shall conduct a study of how the Transportation Security Administration—

(1) identifies and compares—

(A) United States and foreign passenger transportation security standards; and

(B) best practices for protecting passenger transportation systems, including shared terminal facilities, and cyber systems; and

(2) disseminates the findings under paragraph (1) to stakeholders.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall issue a report that contains—

(1) the findings of the study conducted under subsection (a); and

(2) any recommendations for improving the relevant processes or procedures.

SEC. 1973. AMTRAK SECURITY UPGRADES.

(a) RAILROAD SECURITY ASSISTANCE.—Section 1513(b) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1163(b)) is amended—

(1) in paragraph (1), by striking the period at the end and inserting “, including communications interoperability where appropriate with relevant outside agencies and entities.”;

(2) in paragraph (5), by striking “security of” and inserting “security and preparedness of”;

(3) in paragraph (7), by striking “security threats” and inserting “security threats and preparedness, including connectivity to the National Terrorist Screening Center”;

(4) in paragraph (9), by striking “and security officers” and inserting “, security, and preparedness officers”.

(b) SPECIFIC PROJECTS.—Section 1514(a)(3) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1164(a)(3)) is amended—

(1) in subparagraph (D) by inserting “, or to connect to the National Terrorism Screening Center watchlist” after “Secretary”;

(2) in subparagraph (G), by striking “; and” at the end and inserting a semicolon;

(3) in subparagraph (H) by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(I) for improvements to passenger verification systems;

“(J) for improvements to employee and contractor verification systems, including identity verification technology; or

“(K) for improvements to the security of Amtrak computer systems, including cybersecurity assessments and programs.”

SEC. 1974. PASSENGER RAIL VETTING.

(a) **IN GENERAL.**—Not later than 180 days after the date on which the Amtrak Board of Directors submits a request to the Administrator, the Administrator shall issue a decision on the use by Amtrak of the Transportation Security Administration's Secure Flight Program or a similar passenger vetting system to enhance passenger rail security.

(b) **CONSIDERATIONS.**—In making a decision under subsection (a), the Administrator shall—

(1) consider the technological, privacy, operational, and security impacts of such a decision; and

(2) describe such impacts in any strategic plan developed under subsection (c).

(c) **STRATEGIC PLAN.**—If the Administrator decides to grant the request by Amtrak under subsection (a), the decision shall include a strategic plan for working with rail stakeholders to enhance passenger rail security by—

(1) vetting passengers using terrorist watch lists maintained by the Federal Government or a similar passenger vetting system maintained by the Transportation Security Administration; and

(2) where applicable and in consultation with the Commissioner of U.S. Customs and Border Protection, assessing whether the vetting process should be integrated into preclearance operations established under section 813 of the Trade Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 4432).

(d) **NOTICES.**—The Administrator shall notify the appropriate committees of Congress of any decision made under subsection (a) and the details of the strategic plan under subsection (c).

(e) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to limit the Administrator's authority to set the access to, or terms and conditions of using, the Secure Flight Program or a similar passenger vetting system.

SEC. 1975. STUDY ON SURFACE TRANSPORTATION INSPECTORS.

(a) **STRATEGY.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall submit to the appropriate congressional committees and the Comptroller General of the United States a strategy to guide operations of surface transportation security inspectors that addresses the following:

(1) Any limitations in data systems for such inspectors, as identified by the Comptroller General.

(2) Alignment of operations with risk assessment findings, including an approach to identifying and prioritizing entities and locations for inspections.

(3) Measurable objectives for the surface transportation security inspectors program.

(b) **GAO REVIEW.**—Not later than 180 days after the date the strategy under subsection (a) is submitted, the Comptroller General of the United States shall review such strategy and, as appropriate, issue recommendations.

SEC. 1976. SECURITY AWARENESS PROGRAM.

(a) **ESTABLISHMENT.**—The Administrator shall establish a program to promote surface transportation security through the training of surface transportation operators and frontline employees on each of the skills identified in subsection (c).

(b) **APPLICATION.**—The program established under subsection (a) shall apply to all modes of surface transportation, including public transportation, rail, highway, motor carrier, and pipeline.

(c) **TRAINING.**—The program established under subsection (a) shall cover, at a minimum, the skills necessary to recognize, assess, and respond to suspicious items or ac-

tions that could indicate a threat to transportation.

(d) **ASSESSMENT.**—

(1) **IN GENERAL.**—The Administrator shall conduct an assessment of current training programs for surface transportation operators and frontline employees.

(2) **CONTENTS.**—The assessment shall identify—

(A) whether other training is being provided, either voluntarily or in response to other Federal requirements; and

(B) whether there are any gaps in existing training.

(e) **UPDATES.**—The Administrator shall ensure the program established under subsection (a) is updated as necessary to address changes in risk and terrorist methods and to close any gaps identified in the assessment under subsection (d).

(f) **SUSPICIOUS ACTIVITY REPORTING.**—

(1) **IN GENERAL.**—The Secretary shall maintain a national telephone number for an individual to use to report suspicious activity under this section to the Administration.

(2) **PROCEDURES.**—The Administrator shall establish procedures for the Administration—

(A) to review and follow-up, as necessary, on each report received under paragraph (1); and

(B) to share, as necessary and in accordance with law, the report with appropriate Federal, State, local, and tribal entities.

(3) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed to—

(A) replace or affect in any way the use of 9-1-1 services in an emergency; or

(B) replace or affect in any way the security training program requirements specified in sections 1408, 1517, and 1534 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1137, 1167, 1184).

(g) **DEFINITION OF FRONTLINE EMPLOYEE.**—In this section, the term “frontline employee” includes—

(1) an employee of a public transportation agency who is a transit vehicle driver or operator, dispatcher, maintenance and maintenance support employee, station attendant, customer service employee, security employee, or transit police, or any other employee who has direct contact with riders on a regular basis, and any other employee of a public transportation agency that the Administrator determines should receive security training under this section or that is receiving security training under other law;

(2) over-the-road bus drivers, security personnel, dispatchers, maintenance and maintenance support personnel, ticket agents, other terminal employees, and other employees of an over-the-road bus operator or terminal owner or operator that the Administrator determines should receive security training under this section or that is receiving security training under other law; or

(3) security personnel, dispatchers, locomotive engineers, conductors, trainmen, other onboard employees, maintenance and maintenance support personnel, bridge tenders, and any other employees of railroad carriers that the Administrator determines should receive security training under this section or that is receiving security training under other law.

SEC. 1977. VOLUNTARY USE OF CREDENTIALING.

(a) **IN GENERAL.**—An applicable individual who is subject to credentialing or a background investigation may satisfy that requirement by obtaining a valid transportation security card.

(b) **ISSUANCE OF CARDS.**—The Secretary of Homeland Security—

(1) shall expand the transportation security card program, consistent with section 70105 of title 46, United States Code, to allow an applicable individual who is subject to

credentialing or a background investigation to apply for a transportation security card; and

(2) may charge reasonable fees, in accordance with section 520(a) of the Department of Homeland Security Appropriations Act, 2004 (6 U.S.C. 469(a)), for providing the necessary credentialing and background investigation.

(c) **VETTING.**—The Administrator shall develop and implement a plan to utilize, in addition to any background check required for initial issue, the Federal Bureau of Investigation's Rap Back Service and other vetting tools as appropriate, including the No-Fly and Selectee lists, to get immediate notification of any criminal activity relating to any person with a valid transportation security card.

(d) **DEFINITIONS.**—In this section:

(1) **APPLICABLE INDIVIDUAL WHO IS SUBJECT TO CREDENTIALING OR A BACKGROUND INVESTIGATION.**—The term “applicable individual who is subject to credentialing or a background investigation” means only an individual who—

(A) because of employment is regulated by the Transportation Security Administration, Department of Transportation, or Coast Guard and is required to have a background records check to obtain a hazardous materials endorsement on a commercial driver's license issued by a State under section 5103a of title 49, United States Code; or

(B) is required to have a credential and background records check under section 2102(d)(2) of the Homeland Security Act of 2002 (6 U.S.C. 622(d)(2)) at a facility with activities that are regulated by the Transportation Security Administration, Department of Transportation, or Coast Guard.

(2) **VALID TRANSPORTATION SECURITY CARD.**—The term “valid transportation security card” means a transportation security card that is—

(A) issued under section 70105 of title 46, United States Code;

(B) not expired;

(C) shows no signs of tampering; and

(D) bears a photograph of the individual representing such card.

SEC. 1978. BACKGROUND RECORDS CHECKS FOR ISSUANCE OF HAZMAT LICENSES.

(a) **ISSUANCE OF LICENSES.**—Section 5103a(a)(1) is amended—

(1) by striking “unless” and inserting “unless—”;

(2) by striking “the Secretary of Homeland Security” and inserting the following:

“(A) “the Secretary of Homeland Security”;;”;

(3) in subparagraph (A), as designated by paragraph (2) of this subsection, by striking the period at the end and inserting “; or”;

and

(4) by adding at the end the following:

“(B) the individual holds a valid transportation security card issued under section 70105 of title 46.”.

(b) **TRANSPORTATION SECURITY CARD.**—Section 5103a(d)(1) is amended, in the matter preceding subparagraph (A), by striking “described in subsection (a)(1)” and inserting “under subsection (a)(1)(A)”.

SEC. 1979. CARGO CONTAINER SCANNING TECHNOLOGY REVIEW.

(a) **DESIGNATIONS.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, and not less frequently than once every 5 years thereafter until the date of full-scale implementation of 100 percent screening of cargo containers and 100 percent scanning of high-risk containers required under section 232 of the SAFE Port Act (6 U.S.C. 982), the Secretary shall solicit proposals for scanning technologies, consistent with the standards under subsection (b)(8) of that section, to improve scanning of cargo at domestic ports.

(2) **EVALUATION.**—In soliciting proposals under paragraph (1), the Secretary shall establish measures to assess the performance of the proposed scanning technologies, including—

- (A) the rate of false positives;
- (B) the delays in processing times; and
- (C) the impact on the supply chain.

(b) **PILOT PROGRAM.**—

(1) **ESTABLISHMENT.**—The Secretary may establish a pilot program to determine the efficacy of a scanning technology referred to in subsection (a).

(2) **APPLICATION PROCESS.**—In carrying out the pilot program under this subsection, the Secretary shall—

(A) solicit applications from domestic ports;

(B) select up to 4 domestic ports to participate in the pilot program; and

(C) select ports with unique features and differing levels of trade volume.

(3) **REPORT.**—Not later than 1 year after initiating a pilot program under paragraph (1), the Secretary shall submit to the appropriate committees of Congress a report on the pilot program, including—

(A) an evaluation of the scanning technologies proposed to improve security at domestic ports and to meet the full-scale implementation requirement;

(B) the costs to implement a pilot program;

(C) the benefits of the proposed scanning technologies;

(D) the impact of the pilot program on the supply chain; and

(E) recommendations for implementation of advanced cargo scanning technologies at domestic ports.

(4) **SHARING PILOT PROGRAM TESTING RESULTS.**—The results of the pilot testing of advanced cargo scanning technologies shall be shared, as appropriate, with government agencies and private stakeholders whose responsibilities encompass the secure transport of cargo.

SEC. 1980. PIPELINE SECURITY STUDY.

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study regarding the roles and responsibilities of the Department of Homeland Security and the Department of Transportation with respect to pipeline security.

(b) **CONTENTS.**—The study under subsection (a) shall examine—

(1) whether the Annex to the Memorandum of Understanding executed on August 9, 2006, between the Department of Homeland Security and the Department of Transportation adequately delineates strategic and operational responsibilities for pipeline security, including whether it is clear which department is responsible for—

(A) protecting against intentional pipeline breaches and cyber attacks;

(B) responding to intentional pipeline breaches and cyber attacks; and

(C) planning to recover from the impact of intentional pipeline breaches and cyber attacks;

(2) whether the respective roles and responsibilities of each department are adequately conveyed to relevant stakeholders and to the public;

(3) whether the processes and procedures for determining whether a particular pipeline breach is a terrorist incident are clear and effective;

(4) whether, and if so how, pipeline sector stakeholders share security-related information;

(5) the guidance pipeline operators report use to address security risks and the extent to which the TSA ensures its guidelines reflect the current threat environment;

(6) the extent to which the TSA has assessed security risks to pipeline systems; and

(7) the extent to which the TSA has assessed its effectiveness in reducing pipeline security risks.

(c) **REPORT ON STUDY.**—Not later than 180 days after the date of enactment of the TSA Modernization Act, the Comptroller General of the United States shall submit to the Secretary of Homeland Security and the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the findings of the study under subsection (a).

(d) **REPORT TO CONGRESS.**—Not later than 90 days after the date the report under subsection (c) is submitted, the Secretary of Homeland Security shall review and analyze the study and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives a report on such review and analysis, including any recommendations for—

(1) changes to the Annex to the Memorandum of Understanding referred to in subsection (b)(1); and

(2) other improvements to pipeline security activities at the Department.

SEC. 1981. FEASIBILITY ASSESSMENT.

(a) **EMERGING ISSUES.**—Not later than 180 days after the date of enactment of this Act, the Secretary, acting through the Administrator and in coordination with the Under Secretary for Science and Technology of the Department of Homeland Security, shall submit to the appropriate committees of Congress a feasibility assessment of modifying the security of surface transportation assets by—

(1) introducing next generation technologies to be integrated into systems of surface transportation assets to detect explosives, including through the deployment of mobile explosives detection technologies to conduct risk-based passenger and property screening at such systems;

(2) providing surface transportation asset operators with access to the Transportation Security Administration's Secure Flight Program or a similar passenger vetting system maintained by the Transportation Security Administration;

(3) deploying a credential authentication technology or other means of identification document inspection to high-risk surface transportation assets to assist operators conducting passenger vetting; and

(4) deploying scalable, cost-effective technology solutions to detect chemical, biological, radiological, nuclear, or explosive threats within high-risk surface transportation assets that are capable of passive, continuous, and real-time sensing and detection of, and alerting passengers and operating personnel to, the presence of such a threat.

(b) **CONSIDERATIONS.**—In carrying out the assessment under subsection (a), the Secretary, acting through the Administrator and in coordination with the Under Secretary for Science and Technology of the Department of Homeland Security, shall address the technological, privacy, operational, passenger facilitation, and public acceptance considerations involved with each security measure contemplated in such assessment.

SEC. 1982. BEST PRACTICES TO SECURE AGAINST VEHICLE-BASED ATTACKS.

Not later than 180 days after the date of enactment of this Act, the Administrator shall disseminate best practices to public and private stakeholders regarding how to enhance transportation security against the threat of a vehicle-based terrorist attack.

SEC. 1983. SURFACE TRANSPORTATION STAKEHOLDER SURVEY.

(a) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the Secretary shall begin conducting a survey of public and private stakeholders responsible for securing surface transportation assets regarding resource challenges, including the availability of Federal funding, associated with securing such assets that provides an opportunity for respondents to set forth information on specific unmet needs.

(b) **REPORT.**—Not later than 120 days after beginning the survey required under subsection (a), the Secretary shall report to the appropriate committees of Congress regarding the results of such survey and the Department of Homeland Security's efforts to address any identified security vulnerabilities.

SEC. 1984. NUCLEAR MATERIAL AND EXPLOSIVE DETECTION TECHNOLOGY.

The Secretary, in coordination with the Director of the National Institute of Standards and Technology and the head of each relevant Federal department or agency researching nuclear material detection systems or explosive detection systems, shall research, facilitate, and, to the extent practicable, deploy next generation technologies, including active neutron interrogation, to detect nuclear material and explosives in transportation systems and transportation facilities.

Subtitle H—Transportation Security

SEC. 1985. NATIONAL STRATEGY FOR TRANSPORTATION SECURITY REVIEW.

(a) **GAO REVIEW.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall evaluate the degree to which the most recent National Strategy for Transportation Security, as updated, under section 114(s) of title 49, United States Code, is reflected in relevant Federal transportation security programs, budgets, research, staffing levels, and related activities.

(2) **CONSIDERATIONS.**—In conducting the evaluation under paragraph (1), the Comptroller General shall consider the degree to which—

(A) the strategy is sufficiently forward-looking to guide future Federal efforts relating to transportation security;

(B) Federal transportation security programs, budgets, research, staffing levels, and related activities for fiscal year 2019 and subsequent fiscal years would be guided by the strategy; and

(C) any annual progress reports submitted to Congress under that section after the strategy is submitted would provide information on the degree to which that strategy guides Federal efforts relating to transportation security.

SEC. 1986. RISK SCENARIOS.

(a) **IN GENERAL.**—The Administrator shall annually develop, consistent with the transportation modal security plans required under section 114(s) of title 49, United States Code, risk-based priorities based on risk assessments conducted or received by the Secretary across all transportation modes that consider threats, vulnerabilities, and consequences.

(b) **SCENARIOS.**—The Administrator shall ensure that the risk-based priorities identified under subsection (a) are informed by an analysis of terrorist attack scenarios for each transportation mode, including cyber-attack scenarios and intelligence and open source information about current and evolving threats.

(c) **REPORT.**—Not later than 120 days after the date that annual risk-based priorities are developed under subsection (a), the Administrator shall submit to the appropriate com-

mittees of Congress a report that includes the following:

(1) Copies of the risk assessments for each transportation mode.

(2) A summary that ranks the risks within and across modes.

(3) A description of the risk-based priorities for securing the transportation sector that identifies and prioritizes the greatest security needs of such transportation sector, both across and within modes, in the order that such priorities should be addressed.

(4) Information on the underlying methodologies used to assess risks across and within each transportation mode and the basis for any assumptions regarding threats, vulnerabilities, and consequences made in assessing and prioritizing risks within each such mode and across modes.

(d) **CLASSIFICATION.**—The information provided under subsection (c) may be submitted in a classified format or unclassified format, as the Administrator considers appropriate.

SEC. 1987. INTEGRATED AND UNIFIED OPERATIONS CENTERS.—

(a) **FRAMEWORK.**—Not later than 120 days after the date of enactment of this Act, the Administrator, in consultation with the heads of other appropriate offices or components of the Department, shall make available to public and private stakeholders a framework for establishing an integrated and unified operations center responsible for overseeing daily operations of a transportation facility that promotes coordination for responses to terrorism, serious incidents, and other purposes, as determined appropriate by the Administrator.

(b) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Administrator shall brief the appropriate committees of Congress regarding the establishment and activities of integrated and unified operations centers at transportation facilities at which the TSA has a presence.

SEC. 1988. NATIONAL DEPLOYMENT FORCE.

(a) **IN GENERAL.**—Subchapter II of chapter 449, as amended by section 1943 of this Act, is further amended by adding at the end the following:

“SEC. 44948. NATIONAL DEPLOYMENT OFFICE.

“(a) **ESTABLISHMENT.**—There is established within the Transportation Security Administration a National Deployment Office, to be headed by an individual with supervisory experience. Such individual shall be designated by the Administrator of the Transportation Security Administration.

“(b) **DUTIES.**—The individual designated as the head of the National Deployment Office shall be responsible for the following:

“(1) Maintaining a National Deployment Force within the Transportation Security Administration, including transportation security officers, supervisory transportation security officers and lead transportation security officers, to provide the Administration with rapid and efficient response capabilities and augment the Department of Homeland Security’s homeland security operations to mitigate and reduce risk, including for the following:

“(A) Airports temporarily requiring additional security personnel due to an emergency, seasonal demands, hiring shortfalls, severe weather conditions, passenger volume mitigation, equipment support, or other reasons.

“(B) Special events requiring enhanced security including National Special Security Events, as determined by the Secretary of Homeland Security.

“(C) Response in the aftermath of any manmade disaster, including any terrorist attack.

“(D) Other such situations, as determined by the Administrator.

“(2) Educating transportation security officers regarding how to participate in the

Administration’s National Deployment Force.

“(3) Recruiting officers to serve on the National Deployment Force, in accordance with a staffing model to be developed by the Administrator.

“(4) Approving 1-year appointments for officers to serve on the National Deployment Force, with an option to extend upon officer request and with the approval of the appropriate Federal Security Director.

“(5) Training officers to serve on the National Deployment Force.”.

(b) **TABLE OF CONTENTS.**—The table of contents of subchapter II of chapter 449, as amended by section 1943 of this Act, is further amended by adding after the item relating to section 44947 the following:

“44948. National Deployment Office.”.

(c) **CONFORMING AMENDMENT.**—Section 114(f), as amended by section 1904 of this Act, is further amended—

(1) in paragraph (14), by striking “and” after the semicolon at the end;

(2) by redesignating paragraph (15) as paragraph (16); and

(3) by inserting after paragraph (14) the following:

“(15) establish and maintain a National Deployment Office as required under section 44948 of this title; and”.

(d) **CAREER DEVELOPMENT.**—The Administrator may consider service in the National Deployment Force as a positive factor when evaluating applicants for promotion opportunities within the TSA.

(e) **REPORT.**—Not later than 1 year after the date of enactment of this Act and annually thereafter for 5 years, the Administrator shall submit to the appropriate committees of Congress a report regarding activities of the National Deployment Office, including the National Deployment Force, established under section 44948 of title 49, United States Code. Each such report shall include information relating to the following:

(1) When, where, why, how many, and for how long the National Deployment Force was deployed throughout the 12-month period covered by such report and the costs associated with such deployment.

(2) A description of collaboration between the National Deployment Office and other components of the Department, other Federal agencies, and State and local transportation security stakeholders.

(3) The size of the National Deployment Force, including information on the staffing model of the National Deployment Force and adherence to such model as established by the Administrator.

(4) Information on recruitment, appointment, and training activities, including processes utilized to attract, recruit, appoint, and train officers to serve on the National Deployment Force.

SEC. 1989. INFORMATION SHARING AND CYBERSECURITY.

(a) **FEDERAL SECURITY DIRECTORS.**—Section 44933 is amended by adding at the end the following:

“(c) **INFORMATION SHARING.**—Not later than 1 year after the date of the enactment of the TSA Modernization Act, the Administrator shall—

“(1) require each Federal Security Director of an airport to meet at least quarterly with the airport director, airport security coordinator, and law enforcement agencies serving each such airport to discuss incident management protocols, including the resolution of screening anomalies at passenger screening checkpoints; and

“(2) require each Federal Security Director at an airport to inform, consult, and coordinate, as appropriate, with the respective airport security coordinator in a timely manner on security matters impacting airport oper-

ations and to establish and maintain operational protocols with such airport operators to ensure coordinated responses to security matters.”.

(b) **PLAN TO IMPROVE INFORMATION SHARING.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall develop a plan to improve intelligence information sharing with State and local transportation entities that includes best practices to ensure that the information shared is actionable, useful, and not redundant.

(2) **CONTENTS.**—The plan required under paragraph (1) shall include the following:

(A) The incorporation of best practices for information sharing.

(B) The identification of areas of overlap and redundancy.

(C) An evaluation and incorporation of stakeholder input in the development of such plan.

(D) The integration of any recommendations of the Comptroller General of the United States on information sharing.

(3) **SOLICITATION.**—The Administrator shall solicit on an annual basis input from appropriate stakeholders, including State and local transportation entities, on the quality and quantity of intelligence received by such stakeholders relating to information sharing.

(c) **BEST PRACTICES SHARING.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Administrator shall establish a mechanism to share with State and local transportation entities best practices from across the law enforcement spectrum, including Federal, State, local, and tribal entities, that relate to employee training, employee professional development, technology development and deployment, hardening tactics, and passenger and employee awareness programs.

(2) **CONSULTATION.**—The Administrator shall solicit and incorporate stakeholder input—

(A) in developing the mechanism for sharing best practices as required under paragraph (1); and

(B) not less frequently than annually on the quality and quantity of information such stakeholders receive through the mechanism established under such paragraph.

(d) **CYBERSECURITY.**—

(1) **IN GENERAL.**—The Administrator, in consultation with the Secretary, shall—

(A) not later than 120 days after the date of enactment of this Act, implement the Framework for Improving Critical Infrastructure Cybersecurity (referred to in this section as the “Framework” developed by the National Institute of Standards and Technology, and any update to such Framework under section 2 of the National Institute of Standards and Technology Act (15 U.S.C. 272), to manage the agency’s cybersecurity risks; and

(B) evaluate, on a periodic basis, but not less often than biennially, the use of the Framework under subparagraph (A).

(2) **CYBERSECURITY ENHANCEMENTS TO AVIATION SECURITY ACTIVITIES.**—The Secretary, in consultation with the Secretary of Transportation, shall, upon request, conduct cybersecurity vulnerability assessments for airports and air carriers.

(3) **TSA TRUSTED TRAVELER AND CREDENTIALING PROGRAM CYBER EVALUATION.**—

(A) **EVALUATION REQUIRED.**—Not later than 120 days after the date of enactment of this Act, the Secretary shall—

(i) evaluate the cybersecurity of TSA trusted traveler and credentialing programs that contain personal information of specific individuals or information that identifies specific individuals, including the Transpor-

tation Worker Identification Credential and PreCheck programs;

(ii) identify any cybersecurity risks under the programs described in clause (i); and

(iii) develop remediation plans to address the cybersecurity risks identified under clause (ii).

(B) SUBMISSION TO CONGRESS.—Not later than 30 days after the date the evaluation under subparagraph (A) is complete, the Secretary shall submit to the appropriate committees of Congress information relating to such evaluation, including any cybersecurity vulnerabilities identified and remediation plans to address such vulnerabilities. Such submission shall be provided in a classified form.

(4) DEFINITIONS.—In this subsection, the terms “cybersecurity risk” and “incident” have the meanings given the terms in section 227 of the Homeland Security Act of 2002 (6 U.S.C. 148).

SEC. 1990. SECURITY TECHNOLOGIES TIED TO FOREIGN THREAT COUNTRIES.

Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to the appropriate committees of Congress an assessment of terrorist and other threats to the transportation sector, including surface transportation assets, posed by the use of security technologies, including software and networked technologies, developed or manufactured by firms that are owned or closely linked to the governments of countries that are known to pose a cyber or homeland security threat.

Subtitle I—Conforming and Miscellaneous Amendments

SEC. 1991. TITLE 49 AMENDMENTS.

(a) DELETION OF DUTIES RELATED TO AVIATION SECURITY.—Section 106(g) is amended to read as follows:

“(g) DUTIES AND POWERS OF ADMINISTRATOR.—The Administrator shall carry out the following:

“(1) Duties and powers of the Secretary of Transportation under subsection (f) of this section related to aviation safety (except those related to transportation, packaging, marking, or description of hazardous material) and stated in the following:

“(A) Section 308(b).

“(B) Subsections (c) and (d) of section 1132.

“(C) Sections 40101(c), 40103(b), 40106(a), 40108, 40109(b), 40113(a), 40113(c), 40113(d), 40113(e), and 40114(a).

“(D) Chapter 445, except sections 44501(b), 44502(a)(2), 44502(a)(3), 44502(a)(4), 44503, 44506, 44509, 44510, 44514, and 44515.

“(E) Chapter 447, except sections 44717, 44718(a), 44718(b), 44719, 44720, 44721(b), 44722, and 44723.

“(F) Chapter 451.

“(G) Chapter 453.

“(H) Section 46104.

“(I) Subsections (d) and (h)(2) of section 46301 and sections 46303(c), 46304 through 46308, 46310, 46311, and 46313 through 46316.

“(J) Chapter 465.

“(K) Sections 47504(b) (related to flight procedures), 47508(a), and 48107.

“(2) Additional duties and powers prescribed by the Secretary of Transportation.”.

(b) TRANSPORTATION SECURITY OVERSIGHT BOARD.—Section 115 is amended—

(1) in subsection (c)(1), by striking “Under Secretary of Transportation for security” and inserting “Administrator of the Transportation Security Administration”; and

(2) in subsection (c)(6), by striking “Under Secretary” and inserting “Administrator”.

(c) CHAPTER 401 AMENDMENTS.—Chapter 401 is amended—

(1) in section 40109—

(A) in subsection (b), by striking “, 40119, 44901, 44903, 44906, and 44935–44937”; and

(B) in subsection (c), by striking “sections 44909 and” and inserting “sections 44909(a), 44909(b), and”;

(2) in section 40113—

(A) in subsection (a)—

(i) by striking “the Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary or” and inserting “the Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by that Administrator or”;

(ii) by striking “carried out by the Administrator” and inserting “carried out by that Administrator”; and

(iii) by striking “, Under Secretary, or Administrator,” and inserting “, Administrator of the Transportation Security Administration, or Administrator of the Federal Aviation Administration,”; and

(B) in subsection (d)—

(i) by striking “Under Secretary of Transportation for Security or the”;

(ii) by striking “Transportation Security Administration or Federal Aviation Administration, as the case may be,” and inserting “Federal Aviation Administration”; and

(iii) by striking “Under Secretary or Administrator, as the case may be,” and inserting “Administrator”;

(3) by striking section 40119; and

(4) in the table of contents, by striking the item relating to section 40119 and inserting the following:

“40119. [Reserved].”.

(d) CHAPTER 449 AMENDMENTS.—Chapter 449 is amended—

(1) in section 44901—

(A) in subsection (a)—

(i) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(ii) by striking “, United States Code”;

(B) in subsection (c), by striking “but not later than the 60th day following the date of enactment of the Aviation and Transportation Security Act”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(II) in subparagraph (A), by striking “no later than December 31, 2002”;

(ii) by striking paragraphs (2) and (3);

(iii) by redesignating paragraph (4) as paragraph (2); and

(iv) in paragraph (2), as redesignated—

(I) in subparagraph (A), by striking “Assistant Secretary (Transportation Security Administration)” and inserting “Administrator of the Transportation Security Administration”; and

(II) in subparagraph (B), by striking “Assistant Secretary” and inserting “Administrator of the Transportation Security Administration”; and

(III) in subparagraph (D)—

(aa) by striking “Assistant Secretary” the first place it appears and inserting “Administrator of the Transportation Security Administration”; and

(bb) by striking “Assistant Secretary” the second place it appears and inserting “Administrator”;

(D) in subsection (e)—

(i) in that matter preceding paragraph (1)—

(I) by striking “but not later than the 60th day following the date of enactment of the Aviation and Transportation Security Act”; and

(II) by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”; and

(ii) in paragraph (4), by striking “Under Secretary” and inserting “Administrator”;

(E) in subsection (f), by striking “after the date of enactment of the Aviation and Transportation Security Act”;

(F) in subsection (g)—

(i) in paragraph (1), by striking “Not later than 3 years after the date of enactment of the Implementing Recommendations of the 9/11 Commission Act of 2007, the” and inserting “The”;

(ii) in paragraph (2), by striking “as follows:” and all that follows and inserting a period;

(iii) by amending paragraph (3) to read as follows:

“(3) REGULATIONS.—The Secretary of Homeland Security shall issue a final rule as a permanent regulation to implement this subsection in accordance with the provisions of chapter 5 of title 5.”;

(iv) by striking paragraph (4); and

(v) by redesignating paragraph (5) as paragraph (4);

(G) in subsection (h)—

(i) in paragraph (1), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”; and

(ii) in paragraph (2)—

(I) by striking “Under Secretary” the first place it appears and inserting “Administrator of the Transportation Security Administration”; and

(II) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(H) in subsection (i)—

(i) in the matter preceding paragraph (1), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”; and

(ii) in paragraph (2), by striking “Under Secretary” and inserting “Administrator”;

(I) in subsection (j)(1)—

(i) in the matter preceding subparagraph (A), by striking “Before January 1, 2008, the” and inserting “The”; and

(ii) in subparagraph (A), by striking “the date of enactment of this subsection” and inserting “August 3, 2007”;

(J) in subsection (k)—

(i) in paragraph (1), by striking “Not later than one year after the date of enactment of this subsection, the” and inserting “The”;

(ii) in paragraph (2), by striking “Not later than 6 months after the date of enactment of this subsection, the” and inserting “The”; and

(iii) in paragraph (3), by striking “Not later than 180 days after the date of enactment of this subsection, the” in paragraph (3) and inserting “The”; and

(K) in subsection (l)—

(i) in paragraph (2)—

(I) in the matter preceding subparagraph (A), by striking “Beginning June 1, 2012, the Assistant Secretary of Homeland Security (Transportation Security Administration)” and inserting “The Administrator of the Transportation Security Administration”; and

(II) in subparagraph (B), by striking “Assistant Secretary” and inserting “Administrator”;

(ii) in paragraph (3)—

(I) in subparagraph (A)—

(aa) by striking “Assistant Secretary” the first place it appears and inserting “Administrator of the Transportation Security Administration”; and

(bb) by striking “Assistant Secretary” the second place it appears and inserting “Administrator”;

(II) in subparagraph (B), by striking “Assistant Secretary” and inserting “Administrator of the Transportation Security Administration”; and

(iii) in paragraph (4)—

(I) in subparagraph (A)—

(aa) by striking “60 days after the deadline specified in paragraph (2), and not later than”;

(bb) by striking “Assistant Secretary” the first place it appears and inserting “Administrator of the Transportation Security Administration”; and

(cc) by striking “Assistant Secretary” the second place it appears and inserting “Administrator”; and

(II) in subparagraph (B), by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(2) section 44902 is amended—

(A) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”; and

(B) in subsection (b), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”;

(3) section 44903 is amended—

(A) in subsection (a)—

(i) in the heading, by striking “DEFINITION” and inserting “DEFINITIONS”;

(ii) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively;

(iii) in subparagraph (B), as redesignated, by striking “Under Secretary of Transportation for Security” and inserting “Administrator”;

(iv) in the matter preceding subparagraph (A), as redesignated, by striking “In this section, ‘law enforcement personnel’ means individuals—” and inserting “In this section:”;

(v) by inserting before subparagraph (A), the following:

“(2) LAW ENFORCEMENT PERSONNEL.—The term ‘law enforcement personnel’ means individuals—”; and

(vi) by inserting before paragraph (2), as redesignated, the following:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Transportation Security Administration.”;

(B) in subsection (d), by striking “Secretary of Transportation” and inserting “Administrator”;

(C) in subsection (g), by striking “Under Secretary’s” each place it appears and inserting “Administrator’s”;

(D) in subsection (h)—

(i) in paragraph (3), by striking “Secretary” and inserting “Secretary of Homeland Security”;

(ii) in paragraph (4)—

(I) in subparagraph (A), by striking “, as soon as practicable after the date of enactment of this subsection,”;

(II) in subparagraph (C), by striking “section 44903(c)” and inserting “subsection (c)”;

(III) in subparagraph (E), by striking “, not later than March 31, 2005,”;

(iii) in paragraph (5), by striking “Assistant Secretary of Homeland Security (Transportation Security Administration)” and inserting “Administrator”;

(iv) in paragraph (6)(A)—

(I) in the matter preceding clause (i), by striking “Not later than 18 months after the date of enactment of the Implementing Recommendations of the 9/11 Commission Act of 2007, the” and inserting “The”; and

(II) in clause (i), by striking “section” and inserting “paragraph”;

(v) in paragraph (6)(C), by striking “Secretary” and inserting “Secretary of Homeland Security”;

(E) in subsection (i)(3), by striking “, after the date of enactment of this paragraph,”;

(F) in subsection (j)—

(i) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—The Administrator shall periodically recommend to airport operators commercially available measures or procedures to prevent access to secure airport areas by unauthorized persons.”;

(ii) in paragraph (2)—

(I) in the heading, by striking “COMPUTER-ASSISTED PASSENGER PRESCREENING SYSTEM” and inserting “SECURE FLIGHT PROGRAM”;

(II) in subparagraph (A)—

(aa) by striking “Computer-Assisted Passenger Prescreening System” and inserting “Secure Flight program”;

(bb) by striking “Secretary of Transportation” and inserting “Administrator”;

(cc) by striking “system” each place it appears and inserting “program”;

(III) in subparagraph (B)—

(aa) by striking “Computer-Assisted Passenger Prescreening System” and inserting “Secure Flight program”;

(bb) by striking “Secretary of Transportation” and inserting “Administrator”;

(cc) by striking “Secretary” and inserting “Administrator”;

(IV) in subparagraph (C)—

(aa) in clause (i), by striking “Not later than January 1, 2005, the Assistant Secretary of Homeland Security (Transportation Security Administration), or the designee of the Assistant Secretary,” and inserting “The Administrator”;

(bb) in clause (ii), by striking “Not later than 180 days after completion of testing under clause (i), the” and inserting “The”;

(cc) in clause (iv), by striking “Not later than 180 days after” and inserting “After”;

(V) in subparagraph (D), by striking “Assistant Secretary of Homeland Security (Transportation Security Administration)” and inserting “Administrator”;

(VI) in subparagraph (E)(i), by striking “Not later than 90 days after the date on which the Assistant Secretary assumes the performance of the advanced passenger prescreening function under subparagraph (C)(ii), the” and inserting “The Administrator”;

(VII) by striking “Assistant Secretary” each place it appears and inserting “Administrator”;

(G) in subsection (I), by striking “Under Secretary of Border and Transportation Security of the Department of Homeland Security” and inserting “Administrator”;

(H) in subsection (m)—

(i) in paragraph (1), by striking “Assistant Secretary of Homeland Security (Transportation Security Administration)” and inserting “Administrator”;

(ii) by striking “Assistant Secretary” each place it appears and inserting “Administrator”;

(I) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(4) section 44904 is amended—

(A) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(B) in subsection (c)—

(i) by striking “section 114(t)(3)” and inserting “section 114(s)(3)”;

(ii) by striking “section 114(t)” and inserting “section 114(s)”;

(C) in subsection (d)—

(i) by striking “Not later than 90 days after the date of the submission of the National Strategy for Transportation Security under section 114(t)(4)(A), the Assistant Secretary of Homeland Security (Transportation Security Administration)” and inserting “The Administrator of the Transportation Security Administration”;

(ii) by striking “section 114(t)(1)” and inserting “section 114(s)(1)”;

(D) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(5) section 44905 is amended—

(A) in subsection (a)—

(i) by striking “Secretary of Transportation” and inserting “Administrator of the Transportation Security Administration”;

(ii) by striking “Secretary.” and inserting “Administrator.”;

(B) in subsection (b), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(C) in subsections (c), (d), and (f), by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(6) section 44906 is amended—

(A) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(B) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(7) section 44908 is amended—

(A) by striking “Secretary of Transportation” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(B) in subsection (a), by striking “safety or”;

(C) in subsection (c), by striking “The Secretary” and inserting “The Administrator”;

(8) section 44909 is amended—

(A) in subsection (a)(1), by striking “Not later than March 16, 1991, the” and inserting “The”;

(B) in subsection (c)—

(i) in paragraph (1), by striking “Not later than 60 days after the date of enactment of the Aviation and Transportation Security Act, each” and inserting “Each”;

(ii) in paragraphs (2)(F) and (5), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”;

(iii) in paragraph (6)—

(I) in subparagraph (A), by striking “Not later than 60 days after date of enactment of this paragraph, the” and inserting “The”;

(II) in subparagraph (B)(ii)—

(aa) by striking “the Secretary will” and inserting “the Secretary of Homeland Security will”;

(bb) by striking “the Secretary to” and inserting “the Secretary of Homeland Security to”;

(9) section 44911 is amended—

(A) in subsection (b), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(B) in subsection (d), by striking “request of the Secretary” and inserting “request of the Secretary of Homeland Security”;

(C) in subsection (e)—

(i) by striking “Secretary, and the Under Secretary” and inserting “Secretary of Homeland Security, and the Administrator of the Transportation Security Administration”;

(ii) by striking “intelligence community and the Under Secretary” and inserting “intelligence community and the Administrator of the Transportation Security Administration”;

(10) section 44912 is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking “Under Secretary of Transportation for Security” and inserting “Administrator”;

(II) by striking “, not later than November 16, 1993,”;

(ii) in paragraph (4)(C), by striking “Research, Engineering and Development Advisory Committee” and inserting “Administrator”;

(B) in subsection (c)—

(i) in paragraph (1), by striking “, as a subcommittee of the Research, Engineering, and Development Advisory Committee,”; and

(ii) in paragraph (4), by striking “Not later than 90 days after the date of the enactment of the Aviation and Transportation Security Act, and every two years thereafter,” and inserting “Biennially,”;

(C) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(D) by adding at the end the following:

“(d) SECURITY AND RESEARCH AND DEVELOPMENT ACTIVITIES.—

“(1) IN GENERAL.—The Administrator shall conduct research (including behavioral research) and development activities appropriate to develop, modify, test, and evaluate a system, procedure, facility, or device to protect passengers and property against acts of criminal violence, aircraft piracy, and terrorism and to ensure security.

“(2) DISCLOSURE.—

“(A) IN GENERAL.—Notwithstanding section 552 of title 5, the Administrator shall prescribe regulations prohibiting disclosure of information obtained or developed in ensuring security under this title if the Secretary of Homeland Security decides disclosing the information would—

“(i) be an unwarranted invasion of personal privacy;

“(ii) reveal a trade secret or privileged or confidential commercial or financial information; or

“(iii) be detrimental to transportation safety.

“(B) INFORMATION TO CONGRESS.—Subparagraph (A) does not authorize information to be withheld from a committee of Congress authorized to have the information.

“(C) RULE OF CONSTRUCTION.—Nothing in subparagraph (A) shall be construed to authorize the designation of information as sensitive security information (as defined in section 15.5 of title 49, Code of Federal Regulations)—

“(i) to conceal a violation of law, inefficiency, or administrative error;

“(ii) to prevent embarrassment to a person, organization, or agency;

“(iii) to restrain competition; or

“(iv) to prevent or delay the release of information that does not require protection in the interest of transportation security, including basic scientific research information not clearly related to transportation security.

“(D) PRIVACY ACT.—Section 552a of title 5 shall not apply to disclosures that the Administrator of the Transportation Security Administration may make from the systems of records of the Transportation Security Administration to any Federal law enforcement, intelligence, protective service, immigration, or national security official in order to assist the official receiving the information in the performance of official duties.

“(3) TRANSFERS OF DUTIES AND POWERS PROHIBITED.—Except as otherwise provided by law, the Administrator may not transfer a duty or power under this section to another department, agency, or instrumentality of the United States Government.

“(e) DEFINITION OF ADMINISTRATOR.—In this section, the term ‘Administrator’ means the Administrator of the Transportation Security Administration.”;

(11) section 44913 is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Trans-

portation Security Administration (referred to in this section as ‘the Administrator’);”;

(ii) by striking paragraph (2);

(iii) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(iv) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(B) in subsection (b), by striking “Secretary of Transportation” and inserting “Administrator”;

(12) section 44914 is amended—

(A) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(B) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(C) by inserting “the Department of Transportation,” before “air carriers, airport authorities, and others”;

(13) section 44915 is amended by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(14) section 44916 is amended—

(A) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(B) in subsection (b)—

(i) by striking “Under Secretary” the first place it appears and inserting “Administrator of the Transportation Security Administration”;

(ii) by striking “Under Secretary” the second place it appears and inserting “Administrator”;

(15) section 44917 is amended—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(ii) in paragraph (2), by striking “by the Secretary” and inserting “by the Administrator”;

(B) in subsection (d)—

(i) in paragraph (1), by striking “Assistant Secretary for Immigration and Customs Enforcement of the Department of Homeland Security” and inserting “Administrator of the Transportation Security Administration”;

(ii) in paragraph (3), by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(16) section 44918 is amended—

(A) in subsection (a)—

(i) in paragraph (2)(E), by striking “Under Secretary for Border and Transportation Security of the Department of Homeland Security” and inserting “Administrator of the Transportation Security Administration”;

(ii) in paragraph (4), by striking “Not later than one year after the date of enactment of the Vision 100—Century of Aviation Reauthorization Act, the” and inserting “The”;

(iii) in paragraph (5), by striking “the date of enactment of the Vision 100—Century of Aviation Reauthorization Act” and inserting “December 12, 2003,”;

(B) in subsection (b)—

(i) in paragraph (1), by striking “Not later than one year after the date of enactment of the Vision 100—Century of Aviation Reauthorization Act, the” and inserting “The”;

(ii) in paragraph (6), by striking “Federal Air Marshals Service” and inserting “Federal Air Marshal Service”;

(C) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(17) section 44920 is amended—

(A) in subsection (g)(1), by striking “subsection (a) or section 44919” and inserting “subsection (a)”;

(B) by adding at the end the following:

“(i) DEFINITION OF ADMINISTRATOR.—In this section, the term ‘Administrator’ means the Administrator of the Transportation Security Administration.”;

(18) section 44922 is amended—

(A) in the heading, by striking “Deputation” and inserting “Deputization”;

(B) in subsection (a)—

(i) in the heading, by striking “DEPUTATION” and inserting “DEPUTIZATION”;

(ii) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(C) in subsection (e), by striking “deputation” and inserting “deputization”;

(D) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(19) section 44923 is amended—

(A) in subsection (a), by striking “Under Secretary for Border and Transportation Security of the Department of Homeland Security” and inserting “Administrator of the Transportation Security Administration”;

(B) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(C) in subsection (e)—

(i) by striking paragraph (2); and

(ii) by striking “(1) IN GENERAL.—”;

(D) by striking subsection (j);

(20) section 44924 is amended—

(A) in subsection (a)—

(i) by striking “Under Secretary for Border and Transportation Security of the Department of Homeland Security” and inserting “Administrator of the Transportation Security Administration”;

(ii) by striking “Administrator under” and inserting “Administrator of the Federal Aviation Administration under”;

(B) in subsections (b), (c), (d), (e), and (f), by striking “Administrator” and inserting “Administrator of the Federal Aviation Administration”;

(C) in subsection (f), by striking “Not later than 240 days after the date of enactment of this section, the” and inserting “The”;

(D) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(21) section 44925 is amended—

(A) in subsection (b)(1), by striking “Not later than 90 days after the date of enactment of this section, the Assistant Secretary of Homeland Security (Transportation Security Administration)” and inserting “The Administrator of the Transportation Security Administration”;

(B) in subsection (b), by striking paragraph (3); and

(C) in subsection (d), by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(22) section 44926(b)(3) is amended by striking “an misidentified passenger” and inserting “a misidentified passenger”;

(23) section 44927 is amended—

(A) by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(B) in subsection (a), by striking “Veteran Affairs” and inserting “Veterans Affairs”;

(C) in subsection (f)—

(i) in the heading, by striking “REPORT” and inserting “REPORTS”;

(ii) by striking “Not later than 1 year after the date of enactment of this section, and annually thereafter,” and inserting “Each year.”;

(24) section 44933 is amended—

(A) in subsection (a)—

(i) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(ii) by striking “Federal Security Manager” and inserting “Federal Security Director”;

(iii) by striking “Managers” each place it appears and inserting “Federal Security Directors”;

(B) in subsection (b), by striking “Manager” and inserting “Federal Security Director”;

(C) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(25) section 44934 is amended—

(A) in subsection (a)—

(i) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(ii) by striking “airports. In coordination with the Secretary” and inserting “airports. In coordination with the Secretary of State”;

(iii) by striking “The Secretary shall give high priority” and inserting “The Secretary of State shall give high priority”;

(iv) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(B) in subsection (b)—

(i) in the matter preceding paragraph (1), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”;

(ii) in paragraph (1), by striking “Under Secretary” and inserting “Administrator”;

(C) in subsection (c), by striking “the Secretary and the chief” and inserting “the Secretary of State and the chief”;

(26) section 44935 is amended—

(A) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator”;

(B) in subsection (e)—

(i) in paragraph (1), by striking “Under Secretary of Transportation for Security” and inserting “Administrator”;

(ii) in paragraph (2)(A)—

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

(aa) by striking “Within 30 days after the date of enactment of the Aviation and Transportation Security Act, the” and inserting “The”;

(bb) by inserting “other” before “provision of law”;

(II) in clause (ii), by striking “section 1102(a)(22)” and inserting “section 101(a)(22)”;

(C) in subsection (f)(1), by inserting “other” before “provision of law”;

(D) in subsection (g)(2), by striking “Within 60 days after the date of enactment of the Aviation and Transportation Security Act, the” and inserting “The”;

(E) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(F) by adding at the end the following:

“(1) DEFINITION OF ADMINISTRATOR.—In this section, the term ‘Administrator’ means the Administrator of the Transportation Security Administration.”;

(27) section 44936 is amended—

(A) in subsection (a)—

(i) by striking “Under Secretary of Transportation for Security” each place it appears and inserting “Administrator”;

(ii) in paragraph (1)—

(I) in subparagraph (A), by striking “,” and inserting a comma; and

(II) by striking subparagraph (C); and

(iii) by redesignating subparagraph (D) as subparagraph (C);

(B) in subsection (c)(1), by striking “Under Secretary’s” and inserting “Administrator’s”;

(C) by striking “Under Secretary” each place it appears and inserting “Administrator”;

(D) by adding at the end the following:

“(f) DEFINITION OF ADMINISTRATOR.—In this section, the term ‘Administrator’ means the Administrator of the Transportation Security Administration.”;

(28) section 44937 is amended by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(29) section 44938 is amended—

(A) in subsection (a)—

(i) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(ii) by striking “Secretary of Transportation” and inserting “Secretary of Homeland Security”;

(B) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(30) section 44939(d) is amended by striking “Not later than 60 days after the date of enactment of this section, the Secretary” and inserting “The Secretary of Homeland Security”;

(31) section 44940 is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(II) by striking the last two sentences; and

(ii) by adding at the end the following:

“(2) DETERMINATION OF COSTS.—“(A) IN GENERAL.—The amount of the costs under paragraph (1) shall be determined by the Administrator of the Transportation Security Administration and shall not be subject to judicial review.

“(B) DEFINITION OF FEDERAL LAW ENFORCEMENT PERSONNEL.—For purposes of paragraph (1)(A), the term ‘Federal law enforcement personnel’ includes State and local law enforcement officers who are deputized under section 44922.”;

(B) in subsections (b), (d), (e), (g), and (h), by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(C) in subsection (d)—

(i) in paragraph (1)—

(I) by striking “within 60 days of the date of enactment of this Act, or”;

(II) by striking “thereafter”;

(ii) in paragraph (2), by striking “subsection (d)” each place it appears and inserting “paragraph (1) of this subsection”;

(D) in subsection (e)(1), by striking “FEES PAYABLE TO UNDER SECRETARY” in the heading and inserting “FEES PAYABLE TO ADMINISTRATOR”;

(E) in subsection (i)(4)—

(i) by striking subparagraphs (A) through (D); and

(ii) by redesignating subparagraphs (E) through (L) as subparagraphs (A) through (H), respectively;

(32) section 44941(a) is amended by inserting “the Department of Homeland Security,” after “Department of Transportation,”;

(33) section 44942 is amended—

(A) in subsection (a)—

(i) in paragraph (1)—

(I) in the matter preceding subparagraph (A), by striking “Within 180 days after the

date of enactment of the Aviation and Transportation Security Act, the Under Secretary for Transportation Security may, in consultation with” and inserting “The Administrator of the Transportation Security Administration may, in consultation with other relevant Federal agencies and”;

(II) in subparagraph (A), by striking “, and” and inserting “; and”;

(ii) in paragraph (2), by inserting a comma after “Federal Aviation Administration”;

(B) in subsection (b)—

(i) by striking “(1) PERFORMANCE PLAN AND REPORT.”;

(ii) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(iii) in paragraph (1), as redesignated—

(I) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;

(II) in subparagraph (A), as redesignated, by striking “the Secretary and the Under Secretary for Transportation Security shall agree” and inserting “the Secretary of Homeland Security and the Administrator of the Transportation Security Administration shall agree”;

(III) in subparagraph (B), as redesignated, by striking “the Secretary, the Under Secretary for Transportation Security” and inserting “the Secretary of Homeland Security, the Administrator of the Transportation Security Administration,”;

(iv) in paragraph (2), as redesignated, by striking “Under Secretary for Transportation Security” and inserting “Administrator of the Transportation Security Administration”;

(34) section 44943 is amended—

(A) in subsection (a), by striking “Under Secretary for Transportation Security” and inserting “Administrator of the Transportation Security Administration”;

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by striking “Secretary and Under Secretary of Transportation for Security” and inserting “Secretary of Homeland Security and Administrator of the Transportation Security Administration”;

(II) by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”;

(ii) in paragraph (2)—

(I) by striking “Under Secretary” the first place it appears and inserting “Administrator of the Transportation Security Administration”;

(II) by striking “Under Secretary shall” each place it appears and inserting “Administrator shall”;

(C) in subsection (c), by striking “Aviation Security Act, the Under Secretary for Transportation Security” and inserting “Aviation and Transportation Security Act (Public Law 107-71; 115 Stat. 597), the Administrator of the Transportation Security Administration”;

(35) section 44944 is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking “Under Secretary of Transportation for Transportation Security” and inserting “Administrator of the Transportation Security Administration”;

(ii) in paragraph (4), by inserting “the Administrator of the Federal Aviation Administration,” after “consult with”;

(B) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(36) section 44945(b) is amended by striking “Assistant Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(37) section 44946 is amended—

(A) in subsection (g)—

(i) by striking paragraph (2);

(ii) by redesignating paragraph (1) as paragraph (2); and

(iii) by inserting before paragraph (2), as redesignated, the following:

“(1) ADMINISTRATOR.—The term ‘Administrator’ means the Administrator of the Transportation Security Administration.”;

(B) by striking “Assistant Secretary” each place it appears and inserting “Administrator”;

(C) in subsection (b)(4)—

(i) by striking “the Secretary receives” and inserting “the Administrator receives”;

(ii) by striking “the Secretary shall” and inserting “the Administrator shall”;

(D) in subsection (c)(1)(A), by striking “Not later than 180 days after the date of enactment of the Aviation Security Stakeholder Participation Act of 2014, the” and inserting “The”.

(e) CHAPTER 451 AMENDMENTS.—Section 45107 is amended—

(1) in subsection (a), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the Transportation Security Administration”;

(2) in subsection (b), by striking the second sentence.

(f) CHAPTER 461 AMENDMENTS.—Chapter 461 is amended—

(1) in each of sections 46101(a)(1), 46102(a), 46103(a), 46104(a), 46105(a), 46106, 46107(b), and 46110(a) by striking “Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary” and inserting “Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration”;

(2) in each of sections 46101, 46102(c), 46103, 46104, 46105, 46107, and 46110 by striking “or Administrator” each place it appears and inserting “or Administrator of the Federal Aviation Administration”;

(3) in each of sections 46101(a)(1), 46102(a), 46103(a), 46104(a), 46105(a), 46106, 46107(b), and 46110(a) by striking “by the Administrator” and inserting “by the Administrator of the Federal Aviation Administration”;

(4) in each of sections 46101, 46102, 46103, 46104, 46105, 46107, and 46110 by striking “Under Secretary,” each place it appears and inserting “Administrator of the Transportation Security Administration,”;

(5) in section 46102—

(A) in subsection (b), by striking “the Administrator” each place it appears and inserting “the Administrator of the Federal Aviation Administration”;

(B) in subsection (c), by striking “and Administrator” each place it appears and inserting “and Administrator of the Federal Aviation Administration”;

(C) in subsection (d), by striking “the Administrator, or an officer or employee of the Administration” in subsection (d) and inserting “the Administrator of the Federal Aviation Administration, or an officer or employee of the Federal Aviation Administration”;

(6) in section 46104—

(A) by striking “subpena” each place it appears and inserting “subpoena”;

(B) in subsection (b)—

(i) in the heading, by striking “SUBPENAS” and inserting “SUBPOENAS”;

(ii) by striking “the Administrator, or” and inserting “the Administrator of the Federal Aviation Administration, or”;

(7) in section 46105(c), by striking “When the Administrator” and inserting “When the Administrator of the Federal Aviation Administration”;

(8) in section 46109, by inserting “(or the Administrator of the Transportation Security Administration with respect to security

duties and powers designated to be carried out by the Administrator of the Transportation Security Administration or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator)” after “Secretary of Transportation”;

(9) in section 46111—

(A) in subsection (a)—

(i) by inserting “the” before “Federal Aviation Administration”;

(ii) by striking “Administrator is” and inserting “Administrator of the Federal Aviation Administration is”;

(iii) by striking “Under Secretary for Border and Transportation Security of the Department of Homeland Security” and inserting “Administrator of the Transportation Security Administration”;

(B) in subsections (b), (c), (e), and (g), by striking “Administrator” each place it appears and inserting “Administrator of the Federal Aviation Administration”;

(C) in subsection (g)(2)(A), by striking “(18 U.S.C. App.)” and inserting “(18 U.S.C. App.)”;

(D) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”.

(g) CHAPTER 463 AMENDMENTS.—Chapter 463 is amended—

(1) in section 46301—

(A) in subsection (a)(5)—

(i) in subparagraph (A)(i), by striking “or chapter 451” and inserting “chapter 451”;

(ii) in subparagraph (D), by inserting “of Transportation” after “Secretary”;

(B) in subsection (d)—

(i) in paragraph (2)—

(I) by striking “defined by the Secretary” and inserting “defined by the Secretary of Transportation”;

(II) by striking “Administrator shall” and inserting “Administrator of the Federal Aviation Administration shall”;

(ii) in paragraphs (3), (4), (5), (6), (7), and (8), by striking “Administrator” each place it appears and inserting “Administrator of the Federal Aviation Administration”;

(iii) in paragraph (8), by striking “Under Secretary” and inserting “Administrator of the Transportation Security Administration”;

(C) in subsection (e), by inserting “of Transportation” after “Secretary”;

(D) in subsection (g), by striking “Administrator” and inserting “Administrator of the Federal Aviation Administration”;

(E) in subsection (h)(2)—

(i) by striking “Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary” and inserting “Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration”;

(ii) by striking “or the Administrator with respect to aviation safety duties and powers designated to be carried out by the Administrator” and inserting “or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration”;

(2) in section 46304(b), by striking “or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator” and inserting “or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be

carried out by the Administrator of the Federal Aviation Administration”;

(3) in section 46311—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1)—

(I) by striking “Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary” and inserting “Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration”;

(II) by striking “the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator” and inserting “or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration”;

(III) by striking “Administrator shall” and inserting “Administrator of the Federal Aviation Administration shall”;

(IV) by striking “Administrator,” and inserting “Administrator of the Federal Aviation Administration,”;

(ii) in paragraph (1), by striking “Administrator” and inserting “Administrator of the Federal Aviation Administration”;

(B) in subsections (b) and (c), by striking “Administrator” each place it appears and inserting “Administrator of the Federal Aviation Administration”;

(C) by striking “Under Secretary” each place it appears and inserting “Administrator of the Transportation Security Administration”;

(4) in section 46313—

(A) by striking “Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary” and inserting “Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration”;

(B) by striking “or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator” and inserting “or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration”;

(C) by striking “subpena” and inserting “subpoena”;

(5) in section 46316(a)—

(A) by striking “Under Secretary of Transportation for Security with respect to security duties and powers designated to be carried out by the Under Secretary” and inserting “Administrator of the Transportation Security Administration with respect to security duties and powers designated to be carried out by the Administrator of the Transportation Security Administration”;

(B) by striking “or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator” and inserting “or the Administrator of the Federal Aviation Administration with respect to aviation safety duties and powers designated to be carried out by the Administrator of the Federal Aviation Administration”.

(h) CHAPTER 465 AMENDMENTS.—Chapter 465 is amended—

(1) in section 46505(d)(2), by striking “Under Secretary of Transportation for Security” and inserting “Administrator of the

Transportation Security Administration"; and

(2) in the table of contents for chapter 465 of subtitle VII, by striking the following:

"46503. Repealed."

(1) CHAPTER 483 REPEAL.—

(1) IN GENERAL.—Chapter 483 is repealed.

(2) CONFORMING AMENDMENT.—The table of contents for subtitle VII is amended by striking the following:

"483. Aviation security funding 48301".

(j) AUTHORITY TO EXEMPT.—

(1) IN GENERAL.—Subchapter II of chapter 449 is amended by inserting before section 44933 the following:

"§ 44931. Authority to exempt

"The Secretary of Homeland Security may grant an exemption from a regulation prescribed in carrying out sections 44901, 44903, 44906, 44909(c), and 44935–44937 of this title when the Secretary decides the exemption is in the public interest.

"§ 44932. Administrative

"(a) GENERAL AUTHORITY.—The Secretary of Homeland Security or the Administrator of the Transportation Security Administration may take action the Secretary or the Administrator considers necessary to carry out this chapter and chapters 461, 463, and 465 of this title, including conducting investigations, prescribing regulations, standards, and procedures, and issuing orders.

"(b) INDEMNIFICATION.—The Administrator of the Transportation Security Administration may indemnify an officer or employee of the Transportation Security Administration against a claim or judgment arising out of an act that the Administrator decides was committed within the scope of the official duties of the officer or employee."

(2) TABLE OF CONTENTS.—The table of contents of chapter 449 is amended by inserting before the item relating to section 44933 the following:

"44931. Authority to exempt.

"44932. Administrative."

SEC. 1992. TABLE OF CONTENTS OF CHAPTER 449.
The table of contents of chapter 449 is amended—

(1) in the item relating to section 44922, by striking "Deputation" and inserting "Deputization"; and

(2) by inserting after section 44941 the following:

"44942. Performance goals and objectives.

"44943. Performance management system."

SEC. 1993. OTHER LAWS; INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.

Section 4016(c) of the Intelligence Reform and Terrorism Prevention Act of 2004 (49 U.S.C. 44917 note) is amended—

(1) in paragraph (1), by striking "Assistant Secretary for Immigration and Customs Enforcement" and inserting "Administrator of the Transportation Security Administration"; and

(2) in paragraph (2), by striking "Assistant Secretary for Immigration and Customs Enforcement and the Director of Federal Air Marshal Service of the Department of Homeland Security, in coordination with the Assistant Secretary of Homeland Security (Transportation Security Administration)," and inserting "Administrator of the Transportation Security Administration and the Director of Federal Air Marshal Service of the Department of Homeland Security".

SEC. 1994. SAVINGS PROVISIONS.

References relating to the Under Secretary of Transportation for Security in statutes, Executive orders, rules, regulations, directives, or delegations of authority that precede the effective date of this Act shall be deemed to refer, as appropriate, to the Administrator of the Transportation Security Administration.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. SHUSTER and Mr. DEFAZIO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SHUSTER demanded a recorded vote on the motion to suspend the rules and agree to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

**¶134.18 DEPARTMENT OF DEFENSE
APPROPRIATIONS FY 2019**

Mr. FRELINGHUYSEN, pursuant to House Resolution 1077, called up the following conference report (Rept. No. 115–952):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6157), making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. References.

Sec. 4. Statement of appropriations.

**DIVISION A—DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2019**

Title I—Military Personnel

Title II—Operation and Maintenance

Title III—Procurement

Title IV—Research, Development, Test and Evaluation

Title V—Revolving and Management Funds

Title VI—Other Department of Defense Programs

Title VII—Related Agencies

Title VIII—General Provisions

Title IX—Overseas Contingency Operations

**DIVISION B—DEPARTMENTS OF LABOR,
HEALTH AND HUMAN SERVICES, AND
EDUCATION, AND RELATED AGENCIES
APPROPRIATIONS ACT, 2019**

Title I—Department of Labor

Title II—Department of Health and Human Services

Title III—Department of Education

Title IV—Related Agencies

Title V—General Provisions

**DIVISION C—CONTINUING
APPROPRIATIONS ACT, 2019**

SEC. 3. REFERENCES.

Except as expressly provided otherwise, any reference to "this Act" contained in any divi-

sion of this Act shall be treated as referring only to the provisions of that division.

SEC. 4. STATEMENT OF APPROPRIATIONS.

The following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2019.

**DIVISION A—DEPARTMENT OF DEFENSE
APPROPRIATIONS ACT, 2019**

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$42,690,042,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$30,164,481,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$13,779,038,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97–377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$30,074,691,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,836,947,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$2,049,021,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$782,390,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,860,406,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under sections 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$8,600,945,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under sections 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,699,080,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law, \$40,145,482,000: Provided, That not to exceed \$12,478,000 can be

used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law, \$48,034,826,000: Provided, That not to exceed \$15,055,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$6,540,049,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law, \$40,379,184,000: Provided, That not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes.

OPERATION AND MAINTENANCE, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$35,613,354,000: Provided, That not more than \$7,503,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: Provided further, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: Provided further, That of the funds provided under this heading, not less than \$42,300,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$4,500,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): Provided further, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: Provided further, That \$19,160,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance appropriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: Provided further, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: Provided further, That of the funds provided under this heading, \$663,969,000, of which \$165,992,000, to remain available until September 30, 2020, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$2,781,402,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,018,006,000.

OPERATION AND MAINTENANCE, MARINE CORPS
RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$271,570,000.

OPERATION AND MAINTENANCE, AIR FORCE
RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,191,734,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL
GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$7,118,831,000.

OPERATION AND MAINTENANCE, AIR NATIONAL
GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$6,420,697,000.

UNITED STATES COURT OF APPEALS FOR THE
ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed

Forces, \$14,662,000, of which not to exceed \$5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$235,809,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$365,883,000, to remain available until transferred: Provided, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$365,808,000, to remain available until transferred: Provided, That the Secretary of the Air Force shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$19,002,000, to remain available until transferred: Provided, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of De-

fense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$248,673,000, to remain available until transferred: Provided, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$117,663,000, to remain available until September 30, 2020.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance, including assistance provided by contract or by grants, under programs and activities of the Department of Defense Cooperative Threat Reduction Program authorized under the Department of Defense Cooperative Threat Reduction Act, \$350,240,000, to remain available until September 30, 2021.

DEPARTMENT OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, \$450,000,000, to remain available for obligation until September 30, 2020: Provided, That no other amounts may be otherwise credited or transferred to the Fund, or deposited into the Fund, in fiscal year 2019 pursuant to section 1705(d) of title 10, United States Code.

TITLE III
PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$4,299,566,000, to remain available for obligation until September 30, 2021.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$3,145,256,000, to remain available for obligation until September 30, 2021.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$4,486,402,000, to remain available for obligation until September 30, 2021.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$2,276,330,000, to remain available for obligation until September 30, 2021.

OTHER PROCUREMENT, ARMY

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$7,844,691,000, to remain available for obligation until September 30, 2021.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of

equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$20,092,199,000, to remain available for obligation until September 30, 2021.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,711,576,000, to remain available for obligation until September 30, 2021.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, and other expenses necessary for the foregoing purposes, \$952,682,000, to remain available for obligation until September 30, 2021.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Ohio Replacement Submarine (AP), \$3,173,400,000;
Carrier Replacement Program (CVN-80), \$1,573,181,000;
Virginia Class Submarine, \$4,340,676,000;
Virginia Class Submarine (AP), \$2,796,401,000;
CVN Refueling Overhauls (AP), \$425,873,000;
DDG-1000 Program, \$270,965,000;
DDG-51 Destroyer, \$5,249,837,000;
DDG-51 Destroyer (AP), \$641,928,000;
Littoral Combat Ship, \$1,571,244,000;
LPD-17, \$350,000,000;
Expeditionary Sea Base, \$647,000,000;
LHA Replacement (AP), \$350,000,000;
Expeditionary Fast Transport, \$225,000,000;
TAO Fleet Oiler, \$977,104,000;
TAO Fleet Oiler (AP), \$75,046,000;
Towing Salvage and Rescue Ship, \$80,517,000;
LCU 1700, \$41,520,000;
Ship to Shore Connector, \$507,875,000;
Service Craft, \$72,062,000;
LCAC SLEP, \$23,321,000;

For outfitting, post delivery, conversions, and first destination transportation, \$550,038,000; and

Completion of Prior Year Shipbuilding Programs, \$207,099,000.

In all: \$24,150,087,000, to remain available for obligation until September 30, 2023: Provided, That additional obligations may be incurred after September 30, 2023, for engineering services, tests, evaluations, and other such budgeted

work that must be performed in the final stage of ship construction: Provided further, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: Provided further, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards: Provided further, That funds appropriated or otherwise made available by this Act for production of the common missile compartment of nuclear-powered vessels may be available for multiyear procurement of critical components to support continuous production of such compartments only in accordance with the provisions of subsection (i) of section 2218a of title 10, United States Code (as added by section 1023 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328)): Provided further, That the funds made available by this Act for the Carrier Replacement Program (CVN-80) may be available to modify or enter into a new contract for the procurement of a Ford-class aircraft carrier designated CVN-81 pursuant to section 121 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019.

OTHER PROCUREMENT, NAVY

For procurement, production, and modernization of support equipment and materials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$9,097,138,000, to remain available for obligation until September 30, 2021.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$2,719,870,000, to remain available for obligation until September 30, 2021.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$17,112,337,000, to remain available for obligation until September 30, 2021.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants,

Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$2,585,004,000, to remain available for obligation until September 30, 2021.

SPACE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of spacecraft, rockets, and related equipment, including spare parts and accessories therefor; ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$2,343,642,000, to remain available for obligation until September 30, 2021.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,485,856,000, to remain available for obligation until September 30, 2021.

OTHER PROCUREMENT, AIR FORCE

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$20,884,225,000, to remain available for obligation until September 30, 2021.

PROCUREMENT, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$6,822,180,000, to remain available for obligation until September 30, 2021.

NATIONAL GUARD AND RESERVE EQUIPMENT
ACCOUNT

For procurement of rotary-wing aircraft; combat, tactical and support vehicles; other weapons; and other procurement items for the reserve components of the Armed Forces, \$1,300,000,000, to remain available for obligation until September 30, 2021: Provided, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after enactment of this Act, individually submit to the congressional defense committees the modernization priority assessment for their respective National Guard or Reserve component: Provided further, That none of the funds made available by this paragraph may be used to procure manned fixed wing aircraft, or procure or modify missiles, munitions, or ammunition.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. 4518, 4531, 4532, and 4533), \$53,578,000, to remain available until expended.

TITLE IV
RESEARCH, DEVELOPMENT, TEST AND
EVALUATION

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$11,083,824,000, to remain available for obligation until September 30, 2020.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$18,510,564,000, to remain available for obligation until September 30, 2020: Provided, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$41,229,475,000, to remain available for obligation until September 30, 2020.

RESEARCH, DEVELOPMENT, TEST AND
EVALUATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$23,691,836,000, to remain available for obligation until September 30, 2020: Provided, That, of the funds made available in this paragraph, \$250,000,000 for the Defense Rapid Innovation Program shall only be available for expenses, not otherwise provided for, to include program management and oversight, to conduct research, development, test and evaluation to include proof of concept demonstration; engineering, testing, and validation; and transition to full-scale production: Provided further, That the Secretary of Defense may transfer funds provided herein for the Defense Rapid Innovation Program to appropriations for research, development, test and evaluation to accomplish the purpose provided herein: Provided further, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: Provided further, That

the Secretary of Defense shall, not fewer than 30 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$381,009,000, to remain available for obligation until September 30, 2020.

TITLE V

REVOLVING AND MANAGEMENT FUNDS

DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,641,115,000.

TITLE VI

OTHER DEPARTMENT OF DEFENSE
PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$34,007,519,000; of which \$30,953,422,000 shall be for operation and maintenance, of which not to exceed one percent shall remain available for obligation until September 30, 2020, and of which up to \$15,118,801,000 may be available for contracts entered into under the TRICARE program; of which \$873,160,000, to remain available for obligation until September 30, 2021, shall be for procurement; and of which \$2,180,937,000, to remain available for obligation until September 30, 2020, shall be for research, development, test and evaluation: Provided, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$8,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises, and humanitarian assistance activities conducted primarily in African nations: Provided further, That of the funds provided under this heading for research, development, test and evaluation, not less than \$1,171,100,000 shall be made available to the United States Army Medical Research and Materiel Command to carry out the congressionally directed medical research programs.

CHEMICAL AGENTS AND MUNITIONS
DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$993,816,000, of which \$105,997,000 shall be for operation and maintenance, of which not less than \$52,735,000 shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$21,600,000 for activities on military installations and \$31,135,000, to remain available until September 30, 2020, to assist State and local governments; \$1,091,000 shall be for procurement, to remain available until September 30, 2021, of which \$1,091,000 shall be for the Chemical Stockpile Emergency Preparedness Program to assist State and local governments; and \$886,728,000, to remain available until September 30, 2020, shall be for research, development, test and evaluation, of which \$880,283,000 shall only be for the Assembled Chemical Weapons Alternatives program.

DRUG INTERDICTION AND COUNTER-DRUG
ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$881,525,000, of which \$517,171,000 shall be for counter-narcotics support; \$121,900,000 shall be for the drug demand reduction program; \$217,178,000 shall be for the National Guard counter-drug program; and \$25,276,000 shall be for the National Guard counter-drug schools program: Provided, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: Provided further, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$329,273,000, of which \$325,236,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; of which \$60,000, to remain available for obligation until September 30, 2021, shall be for procurement; and of which \$3,977,000, to remain available until September 30, 2020, shall be for research, development, test and evaluation.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT
AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$514,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT
ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$522,424,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: Provided, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: Provided further, That this section shall not apply to Department of Defense foreign service national employees serving

at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: Provided further, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: Provided, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: Provided further, That no part of the funds in this Act shall be available to prepare or present a request to the Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2019: Provided further, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled Explanation of Project Level Adjustments in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: Provided, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2019: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget re-

quest, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement: Provided, That this subsection shall not apply to transfers from the following appropriations accounts:

- (1) "Environmental Restoration, Army";
- (2) "Environmental Restoration, Navy";
- (3) "Environmental Restoration, Air Force";
- (4) "Environmental Restoration, Defense-Wide";
- (5) "Environmental Restoration, Formerly Used Defense Sites"; and
- (6) "Drug Interdiction and Counter-drug Activities, Defense".

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: Provided, That transfers may be made between such funds: Provided further, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer: Provided further, That except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: Provided, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: Provided further, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: Provided further, That no multiyear procurement contract can be terminated without 30-day prior notification to the congressional defense committees: Provided further, That the execution of multiyear author-

ity shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: Provided further, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for multiyear procurement contracts for any or all of the following projects:

- (1) Standard Missile-3 IB;
- (2) Standard Missile-6;
- (3) F/A-18E/F Super Hornet and EA-18G Aircraft variants;
- (4) E-2D Advanced Hawkeye (AHE) Aircraft;
- (5) C-130J, KC-130J, HC-130J, MC-130J, AC-130J Aircraft; and
- (6) SSN Virginia Class Submarines and Government-furnished equipment.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: Provided, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: Provided further, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During the current fiscal year, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2020 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2020 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and

(b) of this provision were effective with regard to fiscal year 2020.

(c) As required by section 1107 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113-66; 10 U.S.C. 2358 note) civilian personnel at the Department of Army Science and Technology Reinvention Laboratories may not be managed on the basis of the Table of Distribution and Allowances, and the management of the workforce strength shall be done in a manner consistent with the budget available with respect to such Laboratories.

(d) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: Provided, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: Provided further, That this section applies only to active components of the Army.

(TRANSFER OF FUNDS)

SEC. 8015. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protégé Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protégé Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act.

SEC. 8016. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: Provided, That for the purpose of this section, the term "manufactured" shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): Provided further, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured in the United States exceeds the aggregate cost of the components produced or manufactured outside the United States: Provided further, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8017. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: Provided, That, in a case in

more than one State, purchases may be made in any State in which the installation is located: Provided further, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: Provided further, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8018. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8019. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. Of the funds made available in this Act, \$25,000,000 shall be available for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): Provided, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making appropriations for the Department of Defense with respect to any fiscal year: Provided further, That notwithstanding section 1906 of title 41, United States Code, this section shall be applicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part, by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8022. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: Provided, That, upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8023. (a) Of the funds made available in this Act, not less than \$46,100,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$33,600,000 shall be available from "Operation and Maintenance, Air Force" to support Civil Air Patrol Corporation operation and maintenance, readiness, counter-drug activities,

and drug demand reduction activities involving youth programs;

(2) \$10,800,000 shall be available from "Air-craft Procurement, Air Force"; and

(3) \$1,700,000 shall be available from "Other Procurement, Air Force" for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8024. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: Provided, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during the current fiscal year may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings not located on a military installation, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department during fiscal year 2019, not more than 6,030 staff years of technical effort (staff years) may be funded for defense FFRDCs: Provided, That, of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: Provided further, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department's fiscal year 2020 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by \$179,000,000: Provided, That this subsection shall not apply to appropriations for the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

SEC. 8025. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy, or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: Provided, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: Provided further, That the Secretary of the military department responsible for the procurement may waive this

restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8026. For the purposes of this Act, the term "congressional defense committees" means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8027. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: Provided, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: Provided further, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8028. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2019. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 8029. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8030. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military hous-

ing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 5131).

SEC. 8031. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8032. None of the funds made available by this Act may be used to—

(1) disestablish, or prepare to disestablish, a Senior Reserve Officers' Training Corps program in accordance with Department of Defense Instruction Number 1215.08, dated June 26, 2006; or

(2) close, downgrade from host to extension center, or place on probation a Senior Reserve Officers' Training Corps program in accordance with the information paper of the Department of the Army titled "Army Senior Reserve Officer's Training Corps (SROTC) Program Review and Criteria", dated January 27, 2014.

SEC. 8033. Up to \$10,518,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: Provided, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: Provided further, That funds may not be obligated to provide assistance to any foreign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8034. The Secretary of Defense shall issue regulations to prohibit the sale of any tobacco or tobacco-related products in military resale outlets in the United States, its territories and possessions at a price below the most competitive price in the local community: Provided, That such regulations shall direct that the prices of tobacco or tobacco-related products in overseas military retail outlets shall be within the range of prices established for military retail system stores located in the United States.

SEC. 8035. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2020 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2020 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment

which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2020 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8036. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2020: Provided, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: Provided further, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947 (50 U.S.C. 3093) shall remain available until September 30, 2020.

SEC. 8037. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8038. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8039. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and the Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats;

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense; or

(4) an Air Force field operating agency established to administer the Air Force Mortuary Affairs Program and Mortuary Operations for the Department of Defense and authorized Federal entities.

SEC. 8040. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(RESCISSIONS)

SEC. 8041. Of the funds appropriated in Department of Defense Appropriations Acts, the

following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That no amounts may be rescinded from amounts that were designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to the Concurrent Resolution on the Budget or the Balanced Budget and Emergency Deficit Control Act of 1985, as amended:

“Shipbuilding and Conversion, Navy: DDG–51 Destroyer”, 2011/2020, \$94,000,000;

“Shipbuilding and Conversion, Navy: CVN RCOH (AP)”, 2011/2020, \$4,000,000;

“Shipbuilding and Conversion, Navy: DDG–51 Destroyer”, 2012/2020, \$66,000,000;

“Shipbuilding and Conversion, Navy: LPD–17”, 2012/2020, \$13,000,000;

“Shipbuilding and Conversion, Navy: Joint High Speed Vessel”, 2012/2020, \$8,000,000;

“Aircraft Procurement, Army”, 2017/2019, \$16,000,000;

“Aircraft Procurement, Navy”, 2017/2019, \$38,894,000;

“Other Procurement, Navy”, 2017/2019, \$32,344,000;

“Aircraft Procurement, Air Force”, 2017/2019, \$169,677,000;

“Space Procurement, Air Force”, 2017/2019, \$5,000,000;

“Other Procurement, Air Force”, 2017/2019, \$44,300,000;

“Defense Health Program: Procurement”, 2017/2019, \$2,413,000;

“Missile Procurement, Army”, 2018/2020, \$80,000,000;

“Procurement of Weapons and Tracked Combat Vehicles, Army”, 2018/2020, \$210,506,000;

“Other Procurement, Army”, 2018/2020, \$64,390,000;

“Aircraft Procurement, Navy”, 2018/2020, \$26,361,000;

“Weapons Procurement, Navy”, 2018/2020, \$115,657,000;

“Other Procurement, Navy”, 2018/2020, \$36,600,000;

“Aircraft Procurement, Air Force”, 2018/2020, \$195,255,000;

“Missile Procurement, Air Force”, 2018/2020, \$5,200,000;

“Space Procurement, Air Force”, 2018/2020, \$218,100,000;

“Procurement of Ammunition, Air Force”, 2018/2020, \$17,100,000;

“Other Procurement, Air Force”, 2018/2020, \$123,500,000;

“Research, Development, Test and Evaluation, Army”, 2018/2019, \$191,120,000;

“Research, Development, Test and Evaluation, Air Force”, 2018/2019, \$490,588,000;

“Research, Development, Test and Evaluation, Defense-Wide”, 2018/2019, \$25,000,000; and

“Defense Health Program: Procurement”, 2018/2020, \$215,000,000.

SEC. 8042. None of the funds available in this Act may be used to reduce the authorized positions for military technicians (dual status) of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military technicians (dual status), unless such reductions are a direct result of a reduction in military force structure.

SEC. 8043. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8044. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies

and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: Provided, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: Provided, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: Provided further, That this restriction shall not apply to the purchase of “commercial items”, as defined by section 103 of title 41, United States Code, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. Of the amounts appropriated for “Working Capital Fund, Army”, \$99,000,000 shall be available to maintain competitive rates at the arsenals.

SEC. 8048. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$44,000,000 is hereby appropriated to the Department of Defense: Provided, That upon the determination of the Secretary of Defense that it shall serve the national interest, the Secretary shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations and \$24,000,000 to the Red Cross.

SEC. 8049. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8050. Notwithstanding any other provision in this Act, the Small Business Innovation Research program and the Small Business Technology Transfer program set-asides shall be taken proportionally from all programs, projects, or activities to the extent they contribute to the extramural budget.

SEC. 8051. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8052. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with

support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8053. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): Provided, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: Provided further, That the total amount charged to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8054. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8055. Of the funds appropriated in this Act under the heading "Operation and Maintenance, Defense-wide", \$35,000,000 shall be for continued implementation and expansion of the Sexual Assault Special Victims' Counsel Program: Provided, That the funds are made available for transfer to the Department of the Army, the Department of the Navy, and the Department of the Air Force: Provided further, That funds transferred shall be merged with and available for the same purposes and for the same time period as the appropriations to which the funds are transferred: Provided further, That this transfer authority is in addition to any other transfer authority provided in this Act.

SEC. 8056. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: Provided, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: Provided further, That the Secretary of Defense shall, with submission of the department's fiscal year 2020 budget request, submit a report detailing the use of funds requested in research, development, test and evaluation accounts for end-items used in development, prototyping and test activities preceding and leading to acceptance for operational use: Provided further, That this restriction does not apply to programs fund-

ed within the National Intelligence Program: Provided further, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8057. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—

(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section XI (chapters 50-65) of the Harmonized Tariff Schedule of the United States and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8058. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8059. Of the amounts appropriated for "Operation and Maintenance, Navy", up to \$1,000,000 shall be available for transfer to the John C. Stennis Center for Public Service Development Trust Fund established under section 116 of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1105).

SEC. 8060. Notwithstanding any other provision of law, funds appropriated in this Act under the heading "Research, Development, Test and Evaluation, Defense-Wide" for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 45 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: Provided, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8061. The Secretary of Defense shall continue to provide a classified quarterly report to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8062. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8063. None of the funds provided in this Act may be used to transfer to any nongovernmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of "armor penetrator", "armor piercing (AP)", "armor piercing incendiary (API)", or "armor-piercing incendiary tracer (API-T)", except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8064. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National Guard Bureau, or his designee, on a case-by-case basis.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8065. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", \$62,483,700 shall remain available until expended: Provided, That, notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: Provided further, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: Provided further, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: Provided further, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8066. (a) None of the funds appropriated in this or any other Act may be used to take any action to modify—

(1) the appropriations account structure for the National Intelligence Program budget, including through the creation of a new appropriation or new appropriation account;

(2) how the National Intelligence Program budget request is presented in the unclassified P-1, R-1, and O-1 documents supporting the Department of Defense budget request;

(3) the process by which the National Intelligence Program appropriations are apportioned to the executing agencies; or

(4) the process by which the National Intelligence Program appropriations are allotted, obligated and disbursed.

(b) Nothing in section (a) shall be construed to prohibit the merger of programs or changes to the National Intelligence Program budget at or below the Expenditure Center level, provided such change is otherwise in accordance with paragraphs (a)(1)–(3).

(c) The Director of National Intelligence and the Secretary of Defense may jointly, only for the purposes of achieving auditable financial statements and improving fiscal reporting, study and develop detailed proposals for alternative financial management processes. Such study shall include a comprehensive counterintelligence risk assessment to ensure that none of the alternative processes will adversely affect counterintelligence.

(d) Upon development of the detailed proposals defined under subsection (c), the Director of National Intelligence and the Secretary of Defense shall—

(1) provide the proposed alternatives to all affected agencies;

(2) receive certification from all affected agencies attesting that the proposed alternatives will help achieve auditability, improve fiscal reporting, and will not adversely affect counterintelligence; and

(3) not later than 30 days after receiving all necessary certifications under paragraph (2), present the proposed alternatives and certifications to the congressional defense and intelligence committees.

SEC. 8067. In addition to amounts provided elsewhere in this Act, \$10,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: Provided, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

SEC. 8068. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command operational and administrative control of United States Navy forces assigned to the Pacific fleet: Provided, That the command and control relationships which existed on October 1, 2004, shall remain in force until a written modification has been proposed to the House and Senate Appropriations Committees: Provided further, That the proposed modification may be implemented 30 days after the notification unless an objection is received from either the House or Senate Appropriations Committees: Provided further, That any proposed modification shall not preclude the ability of the commander of United States Pacific Command to meet operational requirements.

SEC. 8069. Any notice that is required to be submitted to the Committees on Appropriations of the Senate and the House of Representatives under section 806(c)(4) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (10 U.S.C. 2302 note) after the date of the enactment of this Act shall be submitted pursuant to that requirement concurrently to the Subcommittees on Defense of the Committees on Appropriations of the Senate and the House of Representatives.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8070. Of the amounts appropriated in this Act under the headings “Procurement, Defense-Wide” and “Research, Development, Test and Evaluation, Defense-Wide”, \$500,000,000 shall be for the Israeli Cooperative Programs: Provided, That of this amount, \$70,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, subject to the U.S.-Israel Iron Dome Procurement Agreement, as amended; \$187,000,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, of which \$50,000,000 shall be for co-production activities of SRBMD systems in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations, and procedures, subject to the U.S.-Israeli co-production agreement for SRBMD, as amended; \$80,000,000 shall be for an upper-tier component to the Israeli Missile Defense Architecture, of which \$80,000,000 shall be for co-production activities of Arrow 3 Upper Tier systems in the United States and in Israel to meet Israel’s defense requirements consistent with each nation’s laws, regulations, and procedures, subject to the

U.S.-Israeli co-production agreement for Arrow 3 Upper Tier, as amended; and \$163,000,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite: Provided further, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8071. Of the amounts appropriated in this Act under the heading “Shipbuilding and Conversion, Navy”, \$207,099,000 shall be available until September 30, 2019, to fund prior year shipbuilding cost increases: Provided, That upon enactment of this Act, the Secretary of the Navy shall transfer funds to the following appropriations in the amounts specified: Provided further, That the amounts transferred shall be merged with and be available for the same purposes as the appropriations to which transferred to:

(1) Under the heading “Shipbuilding and Conversion, Navy”, 2011/2019: LHA Replacement \$25,100,000;

(2) Under the heading “Shipbuilding and Conversion, Navy”, 2013/2019: DDG-51 Destroyer \$53,966,000;

(3) Under the heading “Shipbuilding and Conversion, Navy”, 2014/2019: Littoral Combat Ship \$19,498,000;

(4) Under the heading “Shipbuilding and Conversion, Navy”, 2015/2019: Littoral Combat Ship \$83,686,000;

(5) Under the heading “Shipbuilding and Conversion, Navy”, 2015/2019: LCAC \$9,400,000; and

(6) Under the heading “Shipbuilding and Conversion, Navy”, 2016/2019: TAO Fleet Oiler \$15,449,000.

SEC. 8072. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 3094) during fiscal year 2019 until the enactment of the Intelligence Authorization Act for Fiscal Year 2019.

SEC. 8073. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such program, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8074. The budget of the President for fiscal year 2020 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces’ participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, the Procurement accounts, and the Research, Development, Test and Evaluation accounts: Provided, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: Provided further, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: Provided further, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8075. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

(RESCISSION)

SEC. 8076. Of the funds available to the Secretary of Defense in the “Foreign Currency Fluctuations, Defense” account, \$250,000,000 are rescinded.

SEC. 8077. The Secretary of Defense may use up to \$800,000,000 of the amounts appropriated or otherwise made available in this Act to the Department of Defense for the rapid acquisition and deployment of supplies and associated support services pursuant to section 806 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107-314; 10 U.S.C. 2302 note): Provided, That the Secretary of Defense shall notify the congressional defense committees promptly of all uses of this authority.

SEC. 8078. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: Provided, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8079. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: Provided, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8080. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Gray Eagle Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8081. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2020.

SEC. 8082. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading “Shipbuilding and Conversion, Navy” shall be considered to be for the same purpose as any subdivision under the heading “Shipbuilding and Conversion, Navy” appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8083. (a) Not later than 60 days after the date of enactment of this Act, the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2019: Provided, That the report shall include—

(1) a table for each appropriation with a separate column to display the President’s budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence commit-

tees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8084. None of the funds made available by this Act may be used to eliminate, restructure, or realign Army Contracting Command—New Jersey or make disproportionate personnel reductions at any Army Contracting Command—New Jersey sites without 30-day prior notification to the congressional defense committees.

SEC. 8085. Notwithstanding any other provision of law, any transfer of funds, appropriated or otherwise made available by this Act, for support to friendly foreign countries in connection with the conduct of operations in which the United States is not participating, pursuant to section 331(d) of title 10, United States Code, shall be made in accordance with sections 8005 or 9002 of this Act, as applicable.

SEC. 8086. Any transfer of amounts appropriated to, credited to, or deposited in the Department of Defense Acquisition Workforce Development Fund in or for fiscal year 2019 to a military department or Defense Agency pursuant to section 1705(e)(1) of title 10, United States Code, shall be covered by and subject to sections 8005 or 9002 of this Act, as applicable.

SEC. 8087. None of the funds made available by this Act for excess defense articles, assistance under section 333 of title 10, United States Code, or peacekeeping operations for the countries designated annually to be in violation of the standards of the Child Soldiers Prevention Act of 2008 (Public Law 110-457; 22 U.S.C. 2370c-1) may be used to support any military training or operation that includes child soldiers, as defined by the Child Soldiers Prevention Act of 2008, unless such assistance is otherwise permitted under section 404 of the Child Soldiers Prevention Act of 2008.

SEC. 8088. (a) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that—

- (1) creates a new start effort;
- (2) terminates a program with appropriated funding of \$10,000,000 or more;
- (3) transfers funding into or out of the National Intelligence Program; or
- (4) transfers funding between appropriations, unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

(b) None of the funds provided for the National Intelligence Program in this or any prior appropriations Act shall be available for obligation or expenditure through a reprogramming or transfer of funds in accordance with section 102A(d) of the National Security Act of 1947 (50 U.S.C. 3024(d)) that results in a cumulative increase or decrease of the levels specified in the classified annex accompanying the Act unless the congressional intelligence committees are notified 30 days in advance of such reprogramming of funds; this notification period may be reduced for urgent national security requirements.

SEC. 8089. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8090. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Se-

lect Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8091. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

SEC. 8092. None of the funds appropriated by this Act may be available for the purpose of making remittances to the Department of Defense Acquisition Workforce Development Fund in accordance with section 1705 of title 10, United States Code.

SEC. 8093. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public Web site of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

- (1) the public posting of the report compromises national security; or
- (2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8094. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of \$1,000,000, unless the contractor agrees not to—

- (1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or
- (2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a "covered subcontractor" is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before the contract or subcontract addressed in the determination may be awarded.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8095. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$113,000,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: Provided, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: Provided further, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8096. None of the funds appropriated or otherwise made available by this Act may be used by the Department of Defense or a component thereof in contravention of the provisions of section 130h of title 10, United States Code.

SEC. 8097. Appropriations available to the Department of Defense may be used for the purchase of heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. Upon a determination by the Director of National Intelligence that such action is necessary and in the national interest, the Director may, with the approval of the Office of Management and Budget, transfer not to exceed \$1,500,000,000 of the funds made available in this Act for the National Intelligence Program: Provided, That such authority to transfer may not be used unless for higher priority items, based on unforeseen intelligence requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: Provided further, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2019.

SEC. 8099. None of the funds appropriated or otherwise made available in this or any other Act may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

- (1) is not a United States citizen or a member of the Armed Forces of the United States; and
- (2) is or was held on or after June 24, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 8100. (a) None of the funds appropriated or otherwise made available in this or any other Act may be used to construct, acquire, or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantánamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantánamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantánamo Bay, Cuba.

SEC. 8101. None of the funds appropriated or otherwise made available in this Act may be used to transfer any individual detained at United States Naval Station Guantánamo Bay, Cuba, to the custody or control of the individual's country of origin, any other foreign country, or any other foreign entity except in accordance with section 1034 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92) and section 1035 of the National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232).

SEC. 8102. None of the funds made available by this Act may be used in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 8103. (a) None of the funds appropriated or otherwise made available by this or any other Act may be used by the Secretary of Defense, or any other official or officer of the Department of Defense, to enter into a contract, memorandum of understanding, or cooperative agreement with, or make a grant to, or provide a loan or loan guarantee to Rosoboronelexport or any subsidiary of Rosoboronelexport.

(b) The Secretary of Defense may waive the limitation in subsection (a) if the Secretary, in consultation with the Secretary of State and the Director of National Intelligence, determines that it is in the vital national security interest of the United States to do so, and certifies in writing to the congressional defense committees that, to the best of the Secretary's knowledge:

(1) Rosoboronelexport has ceased the transfer of lethal military equipment to, and the maintenance of existing lethal military equipment for, the Government of the Syrian Arab Republic;

(2) The armed forces of the Russian Federation have withdrawn from Crimea, other than armed forces present on military bases subject to agreements in force between the Government of the Russian Federation and the Government of Ukraine; and

(3) Agents of the Russian Federation have ceased taking active measures to destabilize the control of the Government of Ukraine over eastern Ukraine.

(c) The Inspector General of the Department of Defense shall conduct a review of any action involving Rosoboronelexport with respect to a waiver issued by the Secretary of Defense pursuant to subsection (b), and not later than 90 days after the date on which such a waiver is issued by the Secretary of Defense, the Inspector General shall submit to the congressional defense committees a report containing the results of the review conducted with respect to such waiver.

SEC. 8104. None of the funds made available in this Act may be used for the purchase or manufacture of a flag of the United States unless such flags are treated as covered items under section 2533a(b) of title 10, United States Code.

SEC. 8105. The Secretary of Defense, in consultation with the Service Secretaries, shall submit two reports to the congressional defense committees, not later than March 1, 2019, and

not later than September 1, 2019, detailing the submission of records during the previous 6 months to databases accessible to the National Instant Criminal Background Check System (NICS), including the Interstate Identification Index (III), the National Crime Information Center (NCIC), and the NICS Index, as required by Public Law 110-180: Provided, That such reports shall provide the number and category of records submitted by month to each such database, by Service or Component: Provided further, That such reports shall identify the number and category of records submitted by month to those databases for which the Identification for Firearm Sales (IFFS) flag or other database flags were used to pre-validate the records and indicate that such persons are prohibited from receiving or possessing a firearm: Provided further, That such reports shall describe the steps taken during the previous 6 months, by Service or Component, to ensure complete and accurate submission and appropriate flagging of records of individuals prohibited from gun possession or receipt pursuant to 18 U.S.C. 922(g) or (n) including applicable records involving proceedings under the Uniform Code of Military Justice.

SEC. 8106. (a) Of the funds appropriated in this Act for the Department of Defense, amounts should be made available, under such regulations as the Secretary of Defense may prescribe, to local military commanders appointed by the Secretary, or by an officer or employee designated by the Secretary, to provide at their discretion ex gratia payments in amounts consistent with subsection (d) of this section for damage, personal injury, or death that is incident to combat operations of the Armed Forces in a foreign country.

(b) An ex gratia payment under this section may be provided only if—

(1) the prospective foreign civilian recipient is determined by the local military commander to be friendly to the United States;

(2) a claim for damages would not be compensable under chapter 163 of title 10, United States Code (commonly known as the "Foreign Claims Act"); and

(3) the property damage, personal injury, or death was not caused by action by an enemy.

(c) Any payments provided under a program under subsection (a) shall not be considered an admission or acknowledgement of any legal obligation to compensate for any damage, personal injury, or death.

(d) If the Secretary of Defense determines a program under subsection (a) to be appropriate in a particular setting, the amounts of payments, if any, to be provided to civilians determined to have suffered harm incident to combat operations of the Armed Forces under the program should be determined pursuant to regulations prescribed by the Secretary and based on an assessment, which should include such factors as cultural appropriateness and prevailing economic conditions.

(e) Local military commanders shall receive legal advice before making ex gratia payments under this subsection. The legal advisor, under regulations of the Department of Defense, shall advise on whether an ex gratia payment is proper under this section and applicable Department of Defense regulations.

(f) A written record of any ex gratia payment offered or denied shall be kept by the local commander and on a timely basis submitted to the appropriate office in the Department of Defense as determined by the Secretary of Defense.

(g) The Secretary of Defense shall report to the congressional defense committees on an annual basis the efficacy of the ex gratia payment program including the number of types of cases considered, amounts offered, the response from ex gratia payment recipients, and any recommended modifications to the program.

SEC. 8107. None of the funds available in this Act to the Department of Defense, other than appropriations made for necessary or routine refurbishments, upgrades or maintenance activities, shall be used to reduce or to prepare to re-

duce the number of deployed and non-deployed strategic delivery vehicles and launchers below the levels set forth in the report submitted to Congress in accordance with section 1042 of the National Defense Authorization Act for Fiscal Year 2012.

SEC. 8108. The Secretary of Defense shall post grant awards on a public Website in a searchable format.

SEC. 8109. The Secretary of each military department, in reducing each research, development, test and evaluation and procurement account of the military department as required under paragraph (1) of section 828(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 2430 note), as amended by section 825(a)(3) of the National Defense Authorization Act for Fiscal Year 2018, shall allocate the percentage reduction determined under paragraph (2) of such section 828(d) proportionally from all programs, projects, or activities under such account: Provided, That the authority under section 804(d)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 10 U.S.C. 2302 note) to transfer amounts available in the Rapid Prototyping Fund shall be subject to section 8005 or 9002 of this Act, as applicable.

SEC. 8110. None of the funds made available by this Act may be used to fund the performance of a flight demonstration team at a location outside of the United States: Provided, That this prohibition applies only if a performance of a flight demonstration team at a location within the United States was canceled during the current fiscal year due to insufficient funding.

SEC. 8111. None of the funds made available by this Act may be used by the National Security Agency to—

(1) conduct an acquisition pursuant to section 702 of the Foreign Intelligence Surveillance Act of 1978 for the purpose of targeting a United States person; or

(2) acquire, monitor, or store the contents (as such term is defined in section 2510(8) of title 18, United States Code) of any electronic communication of a United States person from a provider of electronic communication services to the public pursuant to section 501 of the Foreign Intelligence Surveillance Act of 1978.

SEC. 8112. None of the funds made available by this Act may be obligated or expended to implement the Arms Trade Treaty until the Senate approves a resolution of ratification for the Treaty.

SEC. 8113. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of any agency funded by this Act who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: Provided, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8114. Of the amounts appropriated in this Act for "Operation and Maintenance, Navy", \$310,805,000, to remain available until expended, may be used for any purposes related to the National Defense Reserve Fleet established under section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. 4405): Provided, That such amounts are available for reimbursements to the Ready Reserve Force, Maritime Administration account of the United States Department of Transportation for programs, projects, activities, and expenses related to the National Defense Reserve Fleet.

SEC. 8115. None of the funds made available in this Act may be obligated for activities authorized under section 1208 of the Ronald W. Reagan National Defense Authorization Act for Fiscal Year 2005 (Public Law 112-81; 125 Stat. 1621) to initiate support for, or expand support to, foreign forces, irregular forces, groups, or in-

dividuals unless the congressional defense committees are notified in accordance with the direction contained in the classified annex accompanying this Act, not less than 15 days before initiating such support: Provided, That none of the funds made available in this Act may be used under section 1208 for any activity that is not in support of an ongoing military operation being conducted by United States Special Operations Forces to combat terrorism: Provided further, That the Secretary of Defense may waive the prohibitions in this section if the Secretary determines that such waiver is required by extraordinary circumstances and, by not later than 72 hours after making such waiver, notifies the congressional defense committees of such waiver.

SEC. 8116. None of the funds made available by this Act may be used with respect to Iraq in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed forces into hostilities in Iraq, into situations in Iraq where imminent involvement in hostilities is clearly indicated by the circumstances, or into Iraqi territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of such Resolution (50 U.S.C. 1542 and 1543).

SEC. 8117. None of the funds provided in this Act for the TAO Fleet Oiler program shall be used to award a new contract that provides for the acquisition of the following components unless those components are manufactured in the United States: Auxiliary equipment (including pumps) for shipboard services; propulsion equipment (including engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes.

SEC. 8118. Notwithstanding any other provision of this Act, to mitigate higher than anticipated fuel costs, the total amount appropriated in title II of this Act is hereby increased by \$750,000,000.

SEC. 8119. No amounts credited or otherwise made available in this or any other Act to the Department of Defense Acquisition Workforce Development Fund may be transferred to:

(1) the Rapid Prototyping Fund established under section 804(d) of the National Defense Authorization Act for Fiscal Year 2016 (10 U.S.C. 2302 note); or

(2) credited to a military-department specific fund established under section 804(d)(2) of the National Defense Authorization Act for Fiscal Year 2016 (as amended by section 897 of the National Defense Authorization Act for Fiscal Year 2017).

SEC. 8120. None of the funds made available by this Act may be used for Government Travel Charge Card expenses by military or civilian personnel of the Department of Defense for gaming, or for entertainment that includes topless or nude entertainers or participants, as prohibited by Department of Defense FMR, Volume 9, Chapter 3 and Department of Defense Instruction 1015.10 (enclosure 3, 14a and 14b).

SEC. 8121. Notwithstanding any other provision of law, from funds made available to the Department of Defense in title II of this Act under the heading "Operation and Maintenance, Defense-Wide", \$15,000,000 shall be available for a project in a country designated by the Secretary of Defense: Provided, That in furtherance of the project, the Department of Defense is authorized to acquire services, including services performed pursuant to a grant agreement, from another Federal agency, on an advance of funds or reimbursable basis: Provided further, That an order for services placed under this section is deemed to be an obligation in the same manner that a similar order placed under a contract with a private contractor is an obligation.

SEC. 8122. None of the funds made available by this Act may be used to propose, plan for, or execute a new or additional Base Realignment and Closure (BRAC) round.

SEC. 8123. None of the funds appropriated by this Act may be made available to deliver F-35 aircraft to the Republic of Turkey, except in accordance with section 1282 of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232).

(INCLUDING TRANSFER OF FUNDS)

SEC. 8124. Of the amounts appropriated in this Act, the Secretary of Defense may use up to \$65,442,000 under the heading "Operation and Maintenance, Defense-Wide", and up to \$55,400,000 under the heading "Research, Development, Test and Evaluation, Defense-Wide" to develop, replace, and sustain Federal Government security and suitability background investigation information technology systems of the Office of Personnel Management or other Federal agency responsible for conducting such investigations: Provided, That the Secretary may transfer additional amounts into these headings or into "Procurement, Defense-Wide" using established reprogramming procedures prescribed in the Department of Defense Financial Management Regulation 7000.14, Volume 3, Chapter 6, dated September 2015: Provided further, That such funds shall supplement, not supplant any other amounts made available to other Federal agencies for such purposes.

SEC. 8125. None of the funds made available by this Act may be used to carry out the closure or realignment of the United States Naval Station, Guantanamo Bay, Cuba.

SEC. 8126. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network is designed to block access to pornography websites.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State, tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities, or for any activity necessary for the national defense, including intelligence activities.

SEC. 8127. Notwithstanding any other provision of law, any transfer of funds appropriated or otherwise made available by this Act to the Global Engagement Center established by section 1287 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 22 U.S.C. 2656 note) shall be made in accordance with section 8005 or 9002 of this Act, as applicable.

SEC. 8128. In addition to amounts provided elsewhere in this Act, there is appropriated \$270,000,000, for an additional amount for "Operation and Maintenance, Defense-Wide", to remain available until expended: Provided, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: Provided further, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense: Provided further, That as a condition of receiving funds under this section a local educational agency or State shall provide a matching share as described in the notice titled "Department of Defense Program for Construction, Renovation, Repair or Expansion of Public Schools Located on Military Installations" published by the Department of Defense in the Federal Register on September 9, 2011 (76 Fed. Reg. 55883 et seq.): Provided further, That these provisions apply to funds provided under this section, and to funds previously provided by Congress to construct, renovate, repair, or

expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools to the extent such funds remain unobligated on the date of enactment of this section.

SEC. 8129. In carrying out the program described in the memorandum on the subject of "Policy for Assisted Reproductive Services for the Benefit of Seriously or Severely Ill/Injured (Category II or III) Active Duty Service Members" issued by the Assistant Secretary of Defense for Health Affairs on April 3, 2012, and the guidance issued to implement such memorandum, the Secretary of Defense shall apply such policy and guidance, except that—

(1) the limitation on periods regarding embryo cryopreservation and storage set forth in part III(G) and in part IV(H) of such memorandum shall not apply; and

(2) the term "assisted reproductive technology" shall include embryo cryopreservation and storage without limitation on the duration of such cryopreservation and storage.

SEC. 8130. None of the funds made available by this Act may be used to provide arms, training, or other assistance to the Azov Battalion.

SEC. 8131. None of the funds made available by this Act may be used to purchase heavy water from Iran.

SEC. 8132. The amount appropriated in title II of this Act for "Operation and Maintenance, Army" is hereby reduced by \$50,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds.

SEC. 8133. The amount appropriated in title II of this Act for "Operation and Maintenance, Navy" is hereby reduced by \$50,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds.

SEC. 8134. None of the funds provided for, or otherwise made available, in this or any other Act, may be obligated or expended by the Secretary of Defense to provide motorized vehicles, aviation platforms, munitions other than small arms and munitions appropriate for customary ceremonial honors, operational military units, or operational military platforms if the Secretary determines that providing such units, platforms, or equipment would undermine the readiness of such units, platforms, or equipment.

SEC. 8135. The Secretary of Defense may obligate and expend funds made available under this Act for procurement or for research, development, test and evaluation for the F-35 Joint Strike Fighter to modify up to six F-35 aircraft, including up to two F-35 aircraft of each variant, to a test configuration: Provided, That the Secretary of Defense shall, with the concurrence of the Secretary of the Air Force and the Secretary of the Navy, notify the congressional defense committees not fewer than 30 days prior to obligating and expending funds under this section: Provided further, That any transfer of funds pursuant to the authority provided in this section shall be made in accordance with sections 8005 or 9002 of this Act, as appropriate, if applicable.

SEC. 8136. Amounts appropriated for "Defense Health Program" in this Act and hereafter may be obligated to make death gratuity payments, as authorized in subchapter II of chapter 75 of title 10, United States Code, if no appropriation for "Military Personnel" is available for obligation for such payments: Provided, That such obligations may subsequently be recorded against appropriations available for "Military Personnel".

SEC. 8137. None of the funds appropriated or otherwise made available by this or any other Act may be obligated or expended by the Department of Defense to migrate data and applications to the proposed Joint Enterprise Defense Infrastructure or the Defense Enterprise Office Solutions cloud computing services until a period of 90 days has elapsed following the date on which the Secretary of Defense submits to the congressional defense committees—

(1) a proposed plan to establish a budget accounting system that provides transparency across the Department, including all military Services and Defense Agencies, for funds requested and expended for all cloud computing services procured by the Department and funds requested and expended to migrate to a cloud computing environment; and

(2) a detailed description of the Department's strategy to implement enterprise-wide cloud computing, including the goals and acquisition strategies for all proposed enterprise-wide cloud computing service procurements; the strategy to sustain competition and innovation throughout the period of performance of each contract, including defining opportunities for multiple cloud service providers and insertion of new technologies; and an assessment of potential threats and security vulnerabilities of the proposed cloud computing strategy, and plans to mitigate such risks.

SEC. 8138. (a) None of the funds made available by this or any other Act may be used to enter into a contract, memorandum of understanding, or cooperative agreement with, make a grant to, or provide a loan or loan guarantee to any corporation that has any unpaid Federal tax liability that has been assessed, for which all judicial and administrative remedies have been exhausted or have lapsed, and that is not being paid in a timely manner pursuant to an agreement with the authority responsible for collecting such tax liability, provided that the applicable Federal agency is aware of the unpaid Federal tax liability.

(b) Subsection (a) shall not apply if the applicable Federal agency has considered suspension or debarment of the corporation described in such subsection and has made a determination that such suspension or debarment is not necessary to protect the interests of the Federal Government.

SEC. 8139. None of the funds appropriated or otherwise made available by this Act may be obligated or expended for assistance to the Islamic Republic of Iran unless specifically appropriated for that purpose.

SEC. 8140. From amounts appropriated or otherwise made available by title II of this division under the heading "OPERATION AND MAINTENANCE, AIR FORCE", the Secretary of Defense may reimburse the Government of the Republic of Palau in an amount not to exceed \$9,700,000 for land acquisition costs for defense sites.

SEC. 8141. None of the funds made available by this Act may be used in contravention of—

(1) Executive Order No. 13175 (65 Fed. Reg. 67249; relating to consultation and coordination with Indian Tribal governments); or

(2) section 1501.2(d)(2) of title 40, Code of Federal Regulations.

SEC. 8142. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Air National Guard", not more than \$20,000,000 shall be available to the Secretary of the Air Force for payments to a local water authority located in the vicinity of an Air National Guard base, or to a state in which the local water authority is located, for the treatment of perfluorooctane sulfonic acid and perfluorooctanoic acid in drinking water from the wells owned and operated by the local water authority undertaken to attain the United States Environmental Protection Agency Lifetime Health Advisory level for such acids: Provided, That the applicable Lifetime Health Advisory shall be the one in effect on October 1, 2017: Provided further, That the local water authority must have requested such a payment from the National Guard Bureau in fiscal year 2018: Provided further, That the elevated levels of such acids in the water was the result of activities conducted by or paid for by the Department of the Air Force: Provided further, That such funds may be expended without regard to existing contractual provisions in agreements between the Department of the Air Force or the National Guard Bureau, as the case may be, and the state in which the base is located relat-

ing to environmental response actions or indemnification: Provided further, That, in order to be eligible for payment under this section, such treatment must have taken place after January 1, 2017, but prior to the date of enactment of this act, and the local water authority or state, as the case may be, must waive all claims for treatment expenses incurred before such date of enactment: Provided further, That any payment under this section may not exceed the actual cost of such treatment resulting from the activities conducted by or paid for by the Department of the Air Force: Provided further, That the Secretary may enter into such agreements with the local water authority or state as may be necessary to implement this section: Provided further, That the Secretary may pay, utilizing the Defense State Memorandum of Agreement, costs that would otherwise be eligible for payment under that agreement were those costs paid using funds appropriated to the Environmental Restoration Account, Air Force, established under section 2703(a)(4) of title 10, United States Code.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$2,929,154,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$385,461,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$109,232,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$964,508,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$37,007,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$11,100,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$2,380,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$21,076,000: Provided, That

such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$195,283,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$5,460,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$18,548,500,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$5,172,155,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$1,292,995,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$9,828,674,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$8,105,991,000: Provided, That of the funds provided under this heading, not to exceed \$900,000,000, to remain available until September 30, 2020, shall be for payments to reimburse key cooperating nations for logistical, military, and other support, including access, provided to United States military and stability operations in Afghanistan and to counter the Islamic State of Iraq and Syria: Provided further, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: Provided further, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military and stability operations in Afghanistan and to counter the Islamic State of

Iraq and Syria, and 15 days following notification to the appropriate congressional committees: Provided further, That these funds may be used to support the Government of Jordan in such amounts as the Secretary of Defense may determine, to enhance the ability of the armed forces of Jordan to increase or sustain security along its borders, upon 15 days prior written notification to the congressional defense committees outlining the amounts intended to be provided and the nature of the expenses incurred: Provided further, That of the funds provided under this heading, not to exceed \$793,442,000, to remain available until September 30, 2020, shall be available to provide support and assistance to foreign security forces or other groups or individuals to conduct, support or facilitate counterterrorism, crisis response, or other Department of Defense security cooperation programs: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$41,887,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$25,637,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$3,345,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$60,500,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$110,729,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$15,870,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", \$4,920,000,000, to remain available until Sep-

tember 30, 2020: Provided, That such funds shall be available to the Secretary of Defense for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, construction, and funding: Provided further, That the Secretary of Defense may obligate and expend funds made available to the Department of Defense in this title for additional costs associated with existing projects previously funded with amounts provided under the heading "Afghanistan Infrastructure Fund" in prior Acts: Provided further, That such costs shall be limited to contract changes resulting from inflation, market fluctuation, rate adjustments, and other necessary contract actions to complete existing projects, and associated supervision and administration costs and costs for design during construction: Provided further, That the Secretary may not use more than \$50,000,000 under the authority provided in this section: Provided further, That the Secretary shall notify in advance such contract changes and adjustments in annual reports to the congressional defense committees: Provided further, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: Provided further, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: Provided further, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Afghanistan and returned by such forces to the United States: Provided further, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the security forces of Afghanistan or transferred to the security forces of Afghanistan and returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: Provided further, That of the funds provided under this heading, not less than \$10,000,000 shall be for recruitment and retention of women in the Afghanistan National Security Forces, and the recruitment and training of female security personnel: Provided further, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

COUNTER-ISIS TRAIN AND EQUIP FUND

For the "Counter-Islamic State of Iraq and Syria Train and Equip Fund", \$1,352,200,000, to remain available until September 30, 2020: Provided, That such funds shall be available to the Secretary of Defense in coordination with the Secretary of State, to provide assistance, including training; equipment; logistics support, supplies, and services; stipends; infrastructure repair and renovation; and sustainment, to foreign security forces, irregular forces, groups, or

individuals participating, or preparing to participate in activities to counter the Islamic State of Iraq and Syria, and their affiliated or associated groups: Provided further, That these funds may be used in such amounts as the Secretary of Defense may determine to enhance the border security of nations adjacent to conflict areas including Jordan, Lebanon, Egypt, and Tunisia resulting from actions of the Islamic State of Iraq and Syria: Provided further, That amounts made available under this heading shall be available to provide assistance only for activities in a country designated by the Secretary of Defense, in coordination with the Secretary of State, as having a security mission to counter the Islamic State of Iraq and Syria, and following written notification to the congressional defense committees of such designation: Provided further, That the Secretary of Defense shall ensure that prior to providing assistance to elements of any forces or individuals, such elements or individuals are appropriately vetted, including at a minimum, assessing such elements for associations with terrorist groups or groups associated with the Government of Iran; and receiving commitments from such elements to promote respect for human rights and the rule of law: Provided further, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the Secretary of Defense may accept and retain contributions, including assistance in-kind, from foreign governments, including the Government of Iraq and other entities, to carry out assistance authorized under this heading: Provided further, That contributions of funds for the purposes provided herein from any foreign government or other entity may be credited to this Fund, to remain available until expended, and used for such purposes: Provided further, That the Secretary of Defense may waive a provision of law relating to the acquisition of items and support services or sections 40 and 40A of the Arms Export Control Act (22 U.S.C. 2780 and 2785) if the Secretary determines that such provision of law would prohibit, restrict, delay or otherwise limit the provision of such assistance and a notice of and justification for such waiver is submitted to the congressional defense committees, the Committees on Appropriations and Foreign Relations of the Senate and the Committees on Appropriations and Foreign Affairs of the House of Representatives: Provided further, That the United States may accept equipment procured using funds provided under this heading, or under the heading, "Iraq Train and Equip Fund" in prior Acts, that was transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and Syria and returned by such forces or groups to the United States, and such equipment may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: Provided further, That equipment procured using funds provided under this heading, or under the heading, "Iraq Train and Equip Fund" in prior Acts, and not yet transferred to security forces, irregular forces, or groups participating, or preparing to participate in activities to counter the Islamic State of Iraq and Syria may be treated as stocks of the Department of Defense when determined by the Secretary to no longer be required for transfer to such forces or groups and upon written notification to the congressional defense committees: Provided further, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided under this heading, including, but not limited to, the number of individuals trained, the nature and scope of support and sustainment provided to each group or individual, the area of operations for each group, and the contributions of other countries, groups, or individuals: Provided further, That such

amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$346,963,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$1,729,904,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$1,102,108,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$299,075,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$1,364,045,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$232,119,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$14,134,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$229,783,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$181,173,000, to remain available

until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$58,023,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$955,248,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$493,526,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$1,371,516,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$3,677,276,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$572,135,000, to remain available until September 30, 2021: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$300,604,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$167,812,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air Force", \$321,934,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$403,044,000, to remain available until September 30, 2020: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

REVOLVING AND MANAGEMENT FUNDS DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$15,190,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$352,068,000, which shall be for operation and maintenance: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", \$153,100,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", \$24,692,000: Provided, That such amount is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2019.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$2,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: Provided, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: Provided further, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in section 8005 of this Act.

SEC. 9003. Supervision and administration costs and costs for design during construction

associated with a construction project funded with appropriations available for operation and maintenance or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: Provided, That, for the purpose of this section, supervision and administration costs and costs for design during construction include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in the United States Central Command area of responsibility: (1) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (2) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$450,000 per vehicle, notwithstanding price or other limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$10,000,000 of the amounts appropriated by this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commanders' Emergency Response Program (CERP), for the purpose of enabling military commanders in Afghanistan to respond to urgent, small-scale, humanitarian relief and reconstruction requirements within their areas of responsibility: Provided, That each project (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$2,000,000: Provided further, That not later than 45 days after the end of each 6 months of the fiscal year, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that 6-month period that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: Provided further, That, not later than 30 days after the end of each fiscal year quarter, the Army shall submit to the congressional defense committees quarterly commitment, obligation, and expenditure data for the CERP in Afghanistan: Provided further, That, not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$500,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third-party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealfit, and other logistical support to allied forces participating in a combined operation with the armed forces of the United States and coalition forces supporting military and stability operations in Afghanistan and to counter the Islamic State of Iraq and Syria: Provided, That the Secretary of Defense shall provide quarterly reports to the

congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. None of the funds provided for the "Afghanistan Security Forces Fund" (ASFF) may be obligated prior to the approval of a financial and activity plan by the Afghanistan Resources Oversight Council (AROC) of the Department of Defense: Provided, That the AROC must approve the requirement and acquisition plan for any service requirements in excess of \$50,000,000 annually and any non-standard equipment requirements in excess of \$100,000,000 using ASFF: Provided further, That the Department of Defense must certify to the congressional defense committees that the AROC has convened and approved a process for ensuring compliance with the requirements in the preceding proviso and accompanying report language for the ASFF.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: Provided, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

SEC. 9011. Up to \$500,000,000 of funds appropriated by this Act for the Defense Security Cooperation Agency in "Operation and Maintenance, Defense-Wide" may be used to provide assistance to the Government of Jordan to support the armed forces of Jordan and to enhance security along its borders.

SEC. 9012. None of the funds made available by this Act under the heading "Counter-ISIS Train and Equip Fund" may be used to procure or transfer man-portable air defense systems.

SEC. 9013. For the "Ukraine Security Assistance Initiative", \$250,000,000 is hereby appropriated, to remain available until September 30, 2019: Provided, That such funds shall be available to the Secretary of Defense, in coordination with the Secretary of State, to provide assistance, including training; equipment; lethal assistance; logistics support, supplies and services; sustainment; and intelligence support to the military and national security forces of Ukraine, and for replacement of any weapons or articles provided to the Government of Ukraine from the inventory of the United States: Pro-

vided further, That of the amounts made available in this section, \$50,000,000 shall be available only for lethal assistance described in paragraphs (2) and (3) of section 1250(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1068): Provided further, That the Secretary of Defense shall, not less than 15 days prior to obligating funds provided under this heading, notify the congressional defense committees in writing of the details of any such obligation: Provided further, That the United States may accept equipment procured using funds provided under this heading in this or prior Acts that was transferred to the security forces of Ukraine and returned by such forces to the United States: Provided further, That equipment procured using funds provided under this heading in this or prior Acts, and not yet transferred to the military or National Security Forces of Ukraine or returned by such forces to the United States, may be treated as stocks of the Department of Defense upon written notification to the congressional defense committees: Provided further, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 9014. Funds appropriated in this title shall be available for replacement of funds for items provided to the Government of Ukraine from the inventory of the United States to the extent specifically provided for in section 9013 of this Act.

SEC. 9015. None of the funds made available by this Act under section 9013 may be used to procure or transfer man-portable air defense systems.

SEC. 9016. Equipment procured using funds provided in prior Acts under the heading "Counterterrorism Partnerships Fund" for the program authorized by section 1209 of the Carl Levin and Howard P. "Buck" McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113-291), and not yet transferred to authorized recipients may be transferred to foreign security forces, irregular forces, groups, or individuals, authorized to receive assistance using amounts provided under the heading "Counter-ISIS Train and Equip Fund" in this Act: Provided, That such equipment may be transferred 15 days following written notification to the congressional defense committees.

SEC. 9017. (a) None of the funds appropriated or otherwise made available by this Act under the heading "Operation and Maintenance, Defense-Wide" for payments under section 1233 of Public Law 110-181 for reimbursement to the Government of Pakistan may be made available unless the Secretary of Defense, in coordination with the Secretary of State, certifies to the congressional defense committees that the Government of Pakistan is—

(1) cooperating with the United States in counterterrorism efforts against the Haqqani Network, the Quetta Shura Taliban, Lashkar e-Tayyiba, Jaish-e-Mohammed, Al Qaeda, and other domestic and foreign terrorist organizations, including taking steps to end support for such groups and prevent them from basing and operating in Pakistan and carrying out cross border attacks into neighboring countries;

(2) not supporting terrorist activities against United States or coalition forces in Afghanistan, and Pakistan's military and intelligence agencies are not intervening extra-judicially into political and judicial processes in Pakistan;

(3) dismantling improvised explosive device (IED) networks and interdicting precursor chemicals used in the manufacture of IEDs;

(4) preventing the proliferation of nuclear-related material and expertise;

(5) implementing policies to protect judicial independence and due process of law;

(6) issuing visas in a timely manner for United States visitors engaged in counterterrorism efforts and assistance programs in Pakistan; and

(7) providing humanitarian organizations access to detainees, internally displaced persons, and other Pakistani civilians affected by the conflict.

(b) The Secretary of Defense, in coordination with the Secretary of State, may waive the restriction in subsection (a) on a case-by-case basis by certifying in writing to the congressional defense committees that it is in the national security interest to do so: Provided, That if the Secretary of Defense, in coordination with the Secretary of State, exercises such waiver authority, the Secretaries shall report to the congressional defense committees on both the justification for the waiver and on the requirements of this section that the Government of Pakistan was not able to meet: Provided further, That such report may be submitted in classified form if necessary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9018. In addition to amounts otherwise made available in this Act, \$500,000,000 is hereby appropriated to the Department of Defense and made available for transfer only to the operation and maintenance, military personnel, and procurement accounts, to improve the intelligence, surveillance, and reconnaissance capabilities of the Department of Defense: Provided, That the transfer authority provided in this section is in addition to any other transfer authority provided elsewhere in this Act: Provided further, That not later than 30 days prior to exercising the transfer authority provided in this section, the Secretary of Defense shall submit a report to the congressional defense committees on the proposed uses of these funds: Provided further, That the funds provided in this section may not be transferred to any program, project, or activity specifically limited or denied by this Act: Provided further, That amounts made available by this section are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985: Provided further, That the authority to provide funding under this section shall terminate on September 30, 2019.

SEC. 9019. None of the funds made available by this Act may be used with respect to Syria in contravention of the War Powers Resolution (50 U.S.C. 1541 et seq.), including for the introduction of United States armed or military forces into hostilities in Syria, into situations in Syria where imminent involvement in hostilities is clearly indicated by the circumstances, or into Syrian territory, airspace, or waters while equipped for combat, in contravention of the congressional consultation and reporting requirements of sections 3 and 4 of that law (50 U.S.C. 1542 and 1543).

SEC. 9020. None of the funds in this Act may be made available for the transfer of additional C-130 cargo aircraft to the Afghanistan National Security Forces or the Afghanistan Air Force until the Department of Defense provides a report to the congressional defense committees of the Afghanistan Air Force's medium airlift requirements. The report should identify Afghanistan's ability to utilize and maintain existing medium lift aircraft in the inventory and the best alternative platform, if necessary, to provide additional support to the Afghanistan Air Force's current medium airlift capacity.

(RESCISSIONS)

SEC. 9021. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts: Provided, That such amounts are designated by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985:

“Procurement of Ammunition, Navy and Marine Corps”, 2017/2019, \$2,216,000;

“Operation and Maintenance, Defense-Wide: Coalition Support Fund”, 2018/2019, \$800,000,000;

“Operation and Maintenance, Defense-Wide: DSCA Security Cooperation”, 2018/2019, \$150,000,000;

“Counter-ISIS Train and Equip Fund”, 2018/2019, \$300,000,000; and

“Aircraft Procurement, Air Force”, 2018/2020, \$88,400,000.

SEC. 9022. Funds available for the Afghanistan Security Forces Fund may be used to provide limited training, equipment, and other assistance that would otherwise be prohibited by 10 U.S.C. 362 to a unit of the security forces of Afghanistan only if the Secretary certifies to the congressional defense committees, within 30 days of a decision to provide such assistance, that (1) a denial of such assistance would present significant risk to U.S. or coalition forces or significantly undermine United States national security objectives in Afghanistan; and (2) the Secretary has sought a commitment by the Government of Afghanistan to take all necessary corrective steps: Provided, That such certification shall be accompanied by a report describing: (1) the information relating to the gross violation of human rights; (2) the circumstances that necessitated the provision of such assistance; (3) the Afghan security force unit involved; (4) the assistance provided and the assistance withheld; and (5) the corrective steps to be taken by the Government of Afghanistan: Provided further, That every 120 days from the initial report an additional report shall be submitted detailing the status of any corrective steps taken by the Government of Afghanistan: Provided further, That if the Government of Afghanistan has not initiated necessary corrective steps within one year of the certification, the authority under this section to provide assistance to such unit shall no longer apply: Provided further, That the Secretary shall submit a report to such committees detailing the final disposition of the case by the Government of Afghanistan.

SEC. 9023. Each amount designated in this Act by the Congress for Overseas Contingency Operations/Global War on Terrorism pursuant to section 251(b)(2)(A)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

This division may be cited as the “Department of Defense Appropriations Act, 2019”.

DIVISION B—DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2019

TITLE I

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

For necessary expenses of the Workforce Innovation and Opportunity Act (referred to in this Act as “WIOA”), the Second Chance Act of 2007, and the National Apprenticeship Act, \$3,502,700,000, plus reimbursements, shall be available. Of the amounts provided:

(1) for grants to States for adult employment and training activities, youth activities, and dislocated worker employment and training activities, \$2,789,832,000 as follows:

(A) \$845,556,000 for adult employment and training activities, of which \$133,556,000 shall be available for the period July 1, 2019 through June 30, 2020, and of which \$712,000,000 shall be available for the period October 1, 2019 through June 30, 2020;

(B) \$903,416,000 for youth activities, which shall be available for the period April 1, 2019 through June 30, 2020; and

(C) \$1,040,860,000 for dislocated worker employment and training activities, of which \$180,860,000 shall be available for the period

July 1, 2019 through June 30, 2020, and of which \$860,000,000 shall be available for the period October 1, 2019 through June 30, 2020:

Provided, That the funds available for allotment to outlying areas to carry out subtitle B of title I of the WIOA shall not be subject to the requirements of section 127(b)(1)(B)(ii) of such Act; and

(2) for national programs, \$712,868,000 as follows:

(A) \$220,859,000 for the dislocated workers assistance national reserve, of which \$20,859,000 shall be available for the period July 1, 2019 through September 30, 2020, and of which \$200,000,000 shall be available for the period October 1, 2019 through September 30, 2020: Provided, That funds provided to carry out section 132(a)(2)(A) of the WIOA may be used to provide assistance to a State for statewide or local use in order to address cases where there have been worker dislocations across multiple sectors or across multiple local areas and such workers remain dislocated; coordinate the State workforce development plan with emerging economic development needs; and train such eligible dislocated workers: Provided further, That funds provided to carry out sections 168(b) and 169(c) of the WIOA may be used for technical assistance and demonstration projects, respectively, that provide assistance to new entrants in the workforce and incumbent worker: Provided further, That notwithstanding section 168(b) of the WIOA, of the funds provided under this subparagraph, the Secretary of Labor (referred to in this title as “Secretary”) may reserve not more than 10 percent of such funds to provide technical assistance and carry out additional activities related to the transition to the WIOA: Provided further, That of the funds provided under this subparagraph, \$30,000,000 shall be for training and employment assistance under sections 168(b), 169(c) (notwithstanding the 10 percent limitation in such section) and 170 of the WIOA for workers in the Appalachian region, as defined by 40 U.S.C. 14102(a)(1) and workers in the Lower Mississippi, as defined in section 4(2) of the Delta Development Act (Public Law 100-460, 102 Stat. 2246; 7 U.S.C. 2009aa(2));

(B) \$54,500,000 for Native American programs under section 166 of the WIOA, which shall be available for the period July 1, 2019 through June 30, 2020;

(C) \$88,896,000 for migrant and seasonal farmworker programs under section 167 of the WIOA, including \$82,447,000 for formula grants (of which not less than 70 percent shall be for employment and training services), \$5,922,000 for migrant and seasonal housing (of which not less than 70 percent shall be for permanent housing), and \$527,000 for other discretionary purposes, which shall be available for the period July 1, 2019 through June 30, 2020: Provided, That notwithstanding any other provision of law or related regulation, the Department of Labor shall take no action limiting the number or proportion of eligible participants receiving related assistance services or discouraging grantees from providing such services;

(D) \$89,534,000 for YouthBuild activities as described in section 171 of the WIOA, which shall be available for the period April 1, 2019 through June 30, 2020;

(E) \$93,079,000 for ex-offender activities, under the authority of section 169 of the WIOA and section 212 of the Second Chance Act of 2007, which shall be available for the period April 1, 2019 through June 30, 2020: Provided, That of this amount, \$25,000,000 shall be for competitive grants to national and regional intermediaries for activities that prepare young ex-offenders and school dropouts for employment, with a priority for projects serving high-crime, high-poverty areas;

(F) \$6,000,000 for the Workforce Data Quality Initiative, under the authority of section 169 of the WIOA, which shall be available for the period July 1, 2019 through June 30, 2020; and

(G) \$160,000,000 to expand opportunities relating to apprenticeship programs registered under

the National Apprenticeship Act, to be available to the Secretary to carry out activities through grants, cooperative agreements, contracts and other arrangements, with States and other appropriate entities, which shall be available for the period April 1, 2019 through June 30, 2020.

JOB CORPS

(INCLUDING TRANSFER OF FUNDS)

To carry out subtitle C of title I of the WIOA, including Federal administrative expenses, the purchase and hire of passenger motor vehicles, the construction, alteration, and repairs of buildings and other facilities, and the purchase of real property for training centers as authorized by the WIOA, \$1,718,655,000, plus reimbursements, as follows:

(1) \$1,603,325,000 for Job Corps Operations, which shall be available for the period July 1, 2019 through June 30, 2020;

(2) \$83,000,000 for construction, rehabilitation and acquisition of Job Corps Centers, which shall be available for the period July 1, 2019 through June 30, 2022, and which may include the acquisition, maintenance, and repair of major items of equipment: Provided, That the Secretary may transfer up to 15 percent of such funds to meet the operational needs of such centers or to achieve administrative efficiencies: Provided further, That any funds transferred pursuant to the preceding provision shall not be available for obligation after June 30, 2020: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer; and

(3) \$32,330,000 for necessary expenses of Job Corps, which shall be available for obligation for the period October 1, 2018 through September 30, 2019:

Provided, That no funds from any other appropriation shall be used to provide meal services at or for Job Corps centers.

COMMUNITY SERVICE EMPLOYMENT FOR OLDER AMERICANS

To carry out title V of the Older Americans Act of 1965 (referred to in this Act as "OAA"), \$400,000,000, which shall be available for the period April 1, 2019 through June 30, 2020, and may be recaptured and reobligated in accordance with section 517(c) of the OAA.

FEDERAL UNEMPLOYMENT BENEFITS AND ALLOWANCES

For payments during fiscal year 2019 of trade adjustment benefit payments and allowances under part I of subchapter B of chapter 2 of title II of the Trade Act of 1974, and section 246 of that Act; and for training, employment and case management services, allowances for job search and relocation, and related State administrative expenses under part II of subchapter B of chapter 2 of title II of the Trade Act of 1974, and including benefit payments, allowances, training, employment and case management services, and related State administration provided pursuant to section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, \$790,000,000 together with such amounts as may be necessary to be charged to the subsequent appropriation for payments for any period subsequent to September 15, 2019: Provided, That notwithstanding section 502 of this Act, any part of the appropriation provided under this heading may remain available for obligation beyond the current fiscal year pursuant to the authorities of section 245(c) of the Trade Act of 1974 (19 U.S.C. 2317(c)).

STATE UNEMPLOYMENT INSURANCE AND EMPLOYMENT SERVICE OPERATIONS

For authorized administrative expenses, \$84,066,000, together with not to exceed \$3,251,583,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund ("the Trust Fund"), of which:

(1) \$2,515,816,000 from the Trust Fund is for grants to States for the administration of State

unemployment insurance laws as authorized under title III of the Social Security Act (including not less than \$150,000,000 to carry out reemployment services and eligibility assessments under section 306 of such Act, any claimants of regular compensation, as defined in such section, including those who are profiled as most likely to exhaust their benefits, may be eligible for such services and assessments: Provided, That of such amount, \$117,000,000 is specified for grants under section 306 of the Social Security Act and is provided to meet the terms of section 251(b)(2)(E)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$33,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(E)(i)(II) of such Act; and \$9,000,000 for continued support of the Unemployment Insurance Integrity Center of Excellence), the administration of unemployment insurance for Federal employees and for ex-service members as authorized under 5 U.S.C. 8501–8523, and the administration of trade readjustment allowances, reemployment trade adjustment assistance, and alternative trade adjustment assistance under the Trade Act of 1974 and under section 231(a) of the Trade Adjustment Assistance Extension Act of 2011 and section 405(a) of the Trade Preferences Extension Act of 2015, and shall be available for obligation by the States through December 31, 2019, except that funds used for automation shall be available for Federal obligation through December 31, 2019, and for State obligation through September 30, 2021, or, if the automation is being carried out through consortia of States, for State obligation through September 30, 2024, and for expenditure through September 30, 2025, and funds for competitive grants awarded to States for improved operations and to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews and provide reemployment services and referrals to training, as appropriate, shall be available for Federal obligation through December 31, 2019, and for obligation by the States through September 30, 2021, and funds for the Unemployment Insurance Integrity Center of Excellence shall be available for obligation by the State through September 30, 2020, and funds used for unemployment insurance workloads experienced through September 30, 2019 shall be available for Federal obligation through December 31, 2019;

(2) \$12,000,000 from the Trust Fund is for national activities necessary to support the administration of the Federal-State unemployment insurance system;

(3) \$641,639,000 from the Trust Fund, together with \$21,413,000 from the General Fund of the Treasury, is for grants to States in accordance with section 6 of the Wagner-Peyser Act, and shall be available for Federal obligation for the period July 1, 2019 through June 30, 2020;

(4) \$19,818,000 from the Trust Fund is for national activities of the Employment Service, including administration of the work opportunity tax credit under section 51 of the Internal Revenue Code of 1986, and the provision of technical assistance and staff training under the Wagner-Peyser Act;

(5) \$62,310,000 from the Trust Fund is for the administration of foreign labor certifications and related activities under the Immigration and Nationality Act and related laws, of which \$48,028,000 shall be available for the Federal administration of such activities, and \$14,282,000 shall be available for grants to States for the administration of such activities; and

(6) \$62,653,000 from the General Fund is to provide workforce information, national electronic tools, and one-stop system building under the Wagner-Peyser Act and shall be available for Federal obligation for the period July 1, 2019 through June 30, 2020:

Provided, That to the extent that the Average Weekly Insured Unemployment ("AWIU") for fiscal year 2019 is projected by the Department of Labor to exceed 2,030,000, an additional \$28,600,000 from the Trust Fund shall be avail-

able for obligation for every 100,000 increase in the AWIU level (including a pro rata amount for any increment less than 100,000) to carry out title III of the Social Security Act: Provided further, That funds appropriated in this Act that are allotted to a State to carry out activities under title III of the Social Security Act may be used by such State to assist other States in carrying out activities under such title III if the other States include areas that have suffered a major disaster declared by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States for the use of the National Directory of New Hires under section 453(j)(8) of such Act: Provided further, That the Secretary may use funds appropriated for grants to States under title III of the Social Security Act to make payments on behalf of States to the entity operating the State Information Data Exchange System: Provided further, That funds appropriated in this Act which are used to establish a national one-stop career center system, or which are used to support the national activities of the Federal-State unemployment insurance, employment service, or immigration programs, may be obligated in contracts, grants, or agreements with States and non-State entities: Provided further, That States awarded competitive grants for improved operations under title III of the Social Security Act, or awarded grants to support the national activities of the Federal-State unemployment insurance system, may award subgrants to other States and non-State entities under such grants, subject to the conditions applicable to the grants: Provided further, That funds appropriated under this Act for activities authorized under title III of the Social Security Act and the Wagner-Peyser Act may be used by States to fund integrated Unemployment Insurance and Employment Service automation efforts, notwithstanding cost allocation principles prescribed under the final rule entitled "Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards" at part 200 of title 2, Code of Federal Regulations: Provided further, That the Secretary, at the request of a State participating in a consortium with other States, may reallocate funds allotted to such State under title III of the Social Security Act to other States participating in the consortium or to the entity operating the Unemployment Insurance Information Technology Support Center in order to carry out activities that benefit the administration of the unemployment compensation law of the State making the request: Provided further, That the Secretary may collect fees for the costs associated with additional data collection, analyses, and reporting services relating to the National Agricultural Workers Survey requested by State and local governments, public and private institutions of higher education, and nonprofit organizations and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, for the National Agricultural Workers Survey infrastructure, methodology, and data to meet the information collection and reporting needs of such entities, which shall be credited to this appropriation and shall remain available until September 30, 2020, for such purposes.

ADVANCES TO THE UNEMPLOYMENT TRUST FUND AND OTHER FUNDS

For repayable advances to the Unemployment Trust Fund as authorized by sections 905(d) and 1203 of the Social Security Act, and to the Black Lung Disability Trust Fund as authorized by section 9501(c)(1) of the Internal Revenue Code of 1986; and for nonrepayable advances to the revolving fund established by section 901(e) of the Social Security Act, to the Unemployment Trust Fund as authorized by 5 U.S.C. 8509, and to the "Federal Unemployment Benefits and Allowances" account, such sums as may be nec-

essary, which shall be available for obligation through September 30, 2020.

PROGRAM ADMINISTRATION

For expenses of administering employment and training programs, \$108,674,000, together with not to exceed \$49,982,000 which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund.

EMPLOYEE BENEFITS SECURITY ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Employee Benefits Security Administration, \$181,000,000, of which up to \$3,000,000 shall be made available through September 30, 2020, for the procurement of expert witnesses for enforcement litigation.

PENSION BENEFIT GUARANTY CORPORATION

PENSION BENEFIT GUARANTY CORPORATION FUND

The Pension Benefit Guaranty Corporation ("Corporation") is authorized to make such expenditures, including financial assistance authorized by subtitle E of title IV of the Employee Retirement Income Security Act of 1974, within limits of funds and borrowing authority available to the Corporation, and in accord with law, and to make such contracts and commitments without regard to fiscal year limitations, as provided by 31 U.S.C. 9104, as may be necessary in carrying out the program, including associated administrative expenses, through September 30, 2019, for the Corporation: Provided, That none of the funds available to the Corporation for fiscal year 2019 shall be available for obligations for administrative expenses in excess of \$445,363,000: Provided further, That to the extent that the number of new plan participants in plans terminated by the Corporation exceeds 100,000 in fiscal year 2019, an amount not to exceed an additional \$9,200,000 shall be available through September 30, 2020, for obligation for administrative expenses for every 20,000 additional terminated participants: Provided further, That obligations in excess of the amounts provided in this paragraph may be incurred for unforeseen and extraordinary pretermination expenses or extraordinary multiemployer program related expenses after approval by the Office of Management and Budget and notification of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That an additional amount shall be available for obligation through September 30, 2020 to the extent the Corporation's costs exceed \$250,000 for the provision of credit or identity monitoring to affected individuals upon suffering a security incident or privacy breach, not to exceed an additional \$100 per affected individual.

WAGE AND HOUR DIVISION SALARIES AND EXPENSES

For necessary expenses for the Wage and Hour Division, including reimbursement to State, Federal, and local agencies and their employees for inspection services rendered, \$229,000,000.

OFFICE OF LABOR-MANAGEMENT STANDARDS SALARIES AND EXPENSES

For necessary expenses for the Office of Labor-Management Standards, \$41,187,000.

OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS

SALARIES AND EXPENSES

For necessary expenses for the Office of Federal Contract Compliance Programs, \$103,476,000.

OFFICE OF WORKERS' COMPENSATION PROGRAMS SALARIES AND EXPENSES

For necessary expenses for the Office of Workers' Compensation Programs, \$115,424,000, together with \$2,177,000 which may be expended from the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers' Compensation Act.

SPECIAL BENEFITS (INCLUDING TRANSFER OF FUNDS)

For the payment of compensation, benefits, and expenses (except administrative expenses) accruing during the current or any prior fiscal year authorized by 5 U.S.C. 81; continuation of benefits as provided for under the heading "Civilian War Benefits" in the Federal Security Agency Appropriation Act, 1947; the Employees' Compensation Commission Appropriation Act, 1944; section 5(f) of the War Claims Act (50 U.S.C. App. 2012); obligations incurred under the War Hazards Compensation Act (42 U.S.C. 1701 et seq.); and 50 percent of the additional compensation and benefits required by section 10(h) of the Longshore and Harbor Workers' Compensation Act, \$230,000,000, together with such amounts as may be necessary to be charged to the subsequent year appropriation for the payment of compensation and other benefits for any period subsequent to August 15 of the current year, for deposit into and to assume the attributes of the Employees' Compensation Fund established under 5 U.S.C. 8147(a): Provided, That amounts appropriated may be used under 5 U.S.C. 8104 by the Secretary to reimburse an employer, who is not the employer at the time of injury, for portions of the salary of a re-employed, disabled beneficiary: Provided further, That balances of reimbursements unobligated on September 30, 2018, shall remain available until expended for the payment of compensation, benefits, and expenses: Provided further, That in addition there shall be transferred to this appropriation from the Postal Service and from any other corporation or instrumentality required under 5 U.S.C. 8147(c) to pay an amount for its fair share of the cost of administration, such sums as the Secretary determines to be the cost of administration for employees of such fair share entities through September 30, 2019: Provided further, That of those funds transferred to this account from the fair share entities to pay the cost of administration of the Federal Employees' Compensation Act, \$74,777,000 shall be made available to the Secretary as follows:

- (1) For enhancement and maintenance of automated data processing systems operations and telecommunications systems, \$24,540,000;
 - (2) For automated workload processing operations, including document imaging, centralized mail intake, and medical bill processing, \$22,968,000;
 - (3) For periodic roll disability management and medical review, \$25,535,000;
 - (4) For program integrity, \$1,734,000; and
 - (5) The remaining funds shall be paid into the Treasury as miscellaneous receipts:
- Provided further, That the Secretary may require that any person filing a notice of injury or a claim for benefits under 5 U.S.C. 81, or the Longshore and Harbor Workers' Compensation Act, provide as part of such notice and claim, such identifying information (including Social Security account number) as such regulations may prescribe.

SPECIAL BENEFITS FOR DISABLED COAL MINERS

For carrying out title IV of the Federal Mine Safety and Health Act of 1977, as amended by Public Law 107-275, \$10,319,000, to remain available until expended.

For making after July 31 of the current fiscal year, benefit payments to individuals under title IV of such Act, for costs incurred in the current fiscal year, such amounts as may be necessary.

For making benefit payments under title IV for the first quarter of fiscal year 2020, \$14,000,000, to remain available until expended.

ADMINISTRATIVE EXPENSES, ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION FUND

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, \$59,098,000, to remain available until expended: Provided, That the Secretary may require that any person filing a claim for benefits under the Act provide as part of such claim such identifying information (in-

cluding Social Security account number) as may be prescribed.

BLACK LUNG DISABILITY TRUST FUND (INCLUDING TRANSFER OF FUNDS)

Such sums as may be necessary from the Black Lung Disability Trust Fund (the "Fund"), to remain available until expended, for payment of all benefits authorized by section 9501(d)(1), (2), (6), and (7) of the Internal Revenue Code of 1986; and repayment of, and payment of interest on advances, as authorized by section 9501(d)(4) of that Act. In addition, the following amounts may be expended from the Fund for fiscal year 2019 for expenses of operation and administration of the Black Lung Benefits program, as authorized by section 9501(d)(5): not to exceed \$38,246,000 for transfer to the Office of Workers' Compensation Programs, "Salaries and Expenses"; not to exceed \$31,994,000 for transfer to Departmental Management, "Salaries and Expenses"; not to exceed \$330,000 for transfer to Departmental Management, "Office of Inspector General"; and not to exceed \$356,000 for payments into miscellaneous receipts for the expenses of the Department of the Treasury.

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION SALARIES AND EXPENSES

For necessary expenses for the Occupational Safety and Health Administration, \$557,787,000, including not to exceed \$102,350,000 which shall be the maximum amount available for grants to States under section 23(g) of the Occupational Safety and Health Act (the "Act"), which grants shall be no less than 50 percent of the costs of State occupational safety and health programs required to be incurred under plans approved by the Secretary under section 18 of the Act; and, in addition, notwithstanding 31 U.S.C. 3302, the Occupational Safety and Health Administration may retain up to \$499,000 per fiscal year of training institute course tuition and fees, otherwise authorized by law to be collected, and may utilize such sums for occupational safety and health training and education: Provided, That notwithstanding 31 U.S.C. 3302, the Secretary is authorized, during the fiscal year ending September 30, 2019, to collect and retain fees for services provided to Nationally Recognized Testing Laboratories, and may utilize such sums, in accordance with the provisions of 29 U.S.C. 9a, to administer national and international laboratory recognition programs that ensure the safety of equipment and products used by workers in the workplace: Provided further, That none of the funds appropriated under this paragraph shall be obligated or expended to prescribe, issue, administer, or enforce any standard, rule, regulation, or order under the Act which is applicable to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That no funds appropriated under this paragraph shall be obligated or expended to administer or enforce any standard, rule, regulation, or order under the Act with respect to any employer of 10 or fewer employees who is included within a category having a Days Away, Restricted, or Transferred ("DART") occupational injury and illness rate, at the most precise industrial classification code for which such data are published, less than the national average rate as such rates are most recently published by the Secretary, acting through the Bureau of Labor Statistics, in accordance with section 24 of the Act, except—

(1) to provide, as authorized by the Act, consultation, technical assistance, educational and training services, and to conduct surveys and studies;

(2) to conduct an inspection or investigation in response to an employee complaint, to issue a citation for violations found during such inspection, and to assess a penalty for violations which are not corrected within a reasonable

abatement period and for any willful violations found;

(3) to take any action authorized by the Act with respect to imminent dangers;

(4) to take any action authorized by the Act with respect to health hazards;

(5) to take any action authorized by the Act with respect to a report of an employment accident which is fatal to one or more employees or which results in hospitalization of two or more employees, and to take any action pursuant to such investigation authorized by the Act; and

(6) to take any action authorized by the Act with respect to complaints of discrimination against employees for exercising rights under the Act:

Provided further, That the foregoing proviso shall not apply to any person who is engaged in a farming operation which does not maintain a temporary labor camp and employs 10 or fewer employees: Provided further, That \$10,537,000 shall be available for Susan Harwood training grants, of which the Secretary shall reserve not less than \$4,500,000 for Susan Harwood Training Capacity Building Developmental grants, as described in Funding Opportunity Number SHTG-FY-16-02 (referenced in the notice of availability of funds published in the Federal Register on May 3, 2016 (81 Fed. Reg. 30568)) for program activities starting not later than September 30, 2019 and lasting for a period of 12 months: Provided further, That not less than \$3,500,000 shall be for Voluntary Protection Programs.

MINE SAFETY AND HEALTH ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses for the Mine Safety and Health Administration, \$373,816,000, including purchase and bestowal of certificates and trophies in connection with mine rescue and first-aid work, and the hire of passenger motor vehicles, including up to \$2,000,000 for mine rescue and recovery activities and not less than \$10,537,000 for State assistance grants: Provided, That amounts available for State assistance grants may be used for the purchase and maintenance of new equipment required by the final rule entitled "Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors" published by the Department of Labor in the Federal Register on May 1, 2014 (79 Fed. Reg. 24813 et seq.), for operators that demonstrate financial need as determined by the Secretary: Provided further, That notwithstanding 31 U.S.C. 3302, not to exceed \$750,000 may be collected by the National Mine Health and Safety Academy for room, board, tuition, and the sale of training materials, otherwise authorized by law to be collected, to be available for mine safety and health education and training activities: Provided further, That notwithstanding 31 U.S.C. 3302, the Mine Safety and Health Administration is authorized to collect and retain up to \$2,499,000 from fees collected for the approval and certification of equipment, materials, and explosives for use in mines, and may utilize such sums for such activities: Provided further, That the Secretary is authorized to accept lands, buildings, equipment, and other contributions from public and private sources and to prosecute projects in cooperation with other agencies, Federal, State, or private: Provided further, That the Mine Safety and Health Administration is authorized to promote health and safety education and training in the mining community through cooperative programs with States, industry, and safety associations: Provided further, That the Secretary is authorized to recognize the Joseph A. Holmes Safety Association as a principal safety association and, notwithstanding any other provision of law, may provide funds and, with or without reimbursement, personnel, including service of Mine Safety and Health Administration officials as officers in local chapters or in the national organization: Provided further, That any funds available to the Department of Labor may be used, with the approval of the Secretary, to pro-

vide for the costs of mine rescue and survival operations in the event of a major disaster.

BUREAU OF LABOR STATISTICS

SALARIES AND EXPENSES

For necessary expenses for the Bureau of Labor Statistics, including advances or reimbursements to State, Federal, and local agencies and their employees for services rendered, \$550,000,000, together with not to exceed \$65,000,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

OFFICE OF DISABILITY EMPLOYMENT POLICY

SALARIES AND EXPENSES

For necessary expenses for the Office of Disability Employment Policy to provide leadership, develop policy and initiatives, and award grants furthering the objective of eliminating barriers to the training and employment of people with disabilities, \$38,203,000.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for Departmental Management, including the hire of three passenger motor vehicles, \$337,756,000, together with not to exceed \$308,000, which may be expended from the Employment Security Administration account in the Unemployment Trust Fund: Provided, That \$59,825,000 for the Bureau of International Labor Affairs shall be available for obligation through December 31, 2019: Provided further, That funds available to the Bureau of International Labor Affairs may be used to administer or operate international labor activities, bilateral and multilateral technical assistance, and microfinance programs, by or through contracts, grants, subgrants and other arrangements: Provided further, That not more than \$53,825,000 shall be for programs to combat exploitative child labor internationally and not less than \$6,000,000 shall be used to implement model programs that address worker rights issues through technical assistance in countries with which the United States has free trade agreements or trade preference programs: Provided further, That \$8,040,000 shall be used for program evaluation and shall be available for obligation through September 30, 2020: Provided further, That funds available for program evaluation may be used to administer grants for the purpose of evaluation: Provided further, That grants made for the purpose of evaluation shall be awarded through fair and open competition: Provided further, That funds available for program evaluation may be transferred to any other appropriate account in the Department for such purpose: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer: Provided further, That the funds available to the Women's Bureau may be used for grants to serve and promote the interests of women in the workforce: Provided further, That of the amounts made available to the Women's Bureau, not less than \$994,000 shall be used for grants authorized by the Women in Apprenticeship and Non-traditional Occupations Act.

VETERANS EMPLOYMENT AND TRAINING

Not to exceed \$250,041,000 may be derived from the Employment Security Administration account in the Unemployment Trust Fund to carry out the provisions of chapters 41, 42, and 43 of title 38, United States Code, of which:

(1) \$180,000,000 is for Jobs for Veterans State grants under 38 U.S.C. 4102A(b)(5) to support disabled veterans' outreach program specialists under section 4103A of such title and local veterans' employment representatives under section 4104(b) of such title, and for the expenses described in section 4102A(b)(5)(C), which shall be available for obligation by the States through December 31, 2019, and not to exceed 3 percent for the necessary Federal expenditures for data systems and contract support to allow for the

tracking of participant and performance information: Provided, That, in addition, such funds may be used to support such specialists and representatives in the provision of services to transitioning members of the Armed Forces who have participated in the Transition Assistance Program and have been identified as in need of intensive services, to members of the Armed Forces who are wounded, ill, or injured and receiving treatment in military treatment facilities or warrior transition units, and to the spouses or other family caregivers of such wounded, ill, or injured members;

(2) \$23,379,000 is for carrying out the Transition Assistance Program under 38 U.S.C. 4113 and 10 U.S.C. 1144: Provided, That not more than \$3,500,000 shall be used by the Secretary, in consultation with the Secretary of Defense and the Secretary of the Veterans Affairs, to carry out a pilot project designed to prepare transitioning service members to qualify for, and to assist in placing them in, apprenticeship programs, as an additional training opportunity under subsection (f) of 10 U.S.C. 1144, including the costs of federal administration and evaluation of such pilot, and that the funds shall remain available for the pilot through September 30, 2020;

(3) \$43,248,000 is for Federal administration of chapters 41, 42, and 43 of title 38, and sections 2021, 2021A and 2023 of title 38, United States Code: Provided, That, up to \$500,000 may be used to carry out the Hire VETS Act (division O of Public Law 115-31); and

(4) \$3,414,000 is for the National Veterans' Employment and Training Services Institute under 38 U.S.C. 4109:

Provided, That the Secretary may reallocate among the appropriations provided under paragraphs (1) through (4) above an amount not to exceed 3 percent of the appropriation from which such reallocation is made.

In addition, from the General Fund of the Treasury, \$50,000,000 is for carrying out programs to assist homeless veterans and veterans at risk of homelessness who are transitioning from certain institutions under sections 2021, 2021A, and 2023 of title 38, United States Code: Provided, That notwithstanding subsections (c)(3) and (d) of section 2023, the Secretary may award grants through September 30, 2019, to provide services under such section: Provided further, That services provided under sections 2021 or under 2021A may include, in addition to services to homeless veterans described in section 2002(a)(1), services to veterans who were homeless at some point within the 60 days prior to program entry or veterans who are at risk of homelessness within the next 60 days, and that services provided under section 2023 may include, in addition to services to the individuals described in subsection (e) of such section, services to veterans recently released from incarceration who are at risk of homelessness: Provided further, That notwithstanding paragraph (3) under this heading, funds appropriated in this paragraph may be used for data systems and contract support to allow for the tracking of participant and performance information: Provided further, That notwithstanding sections 2021(e)(2) and 2021A(f)(2) of title 38, United States Code, such funds shall be available for expenditure pursuant to 31 U.S.C. 1553.

In addition, fees may be assessed and deposited in the HIRE Vets Medallion Award Fund pursuant to section 5(b) of the HIRE Vets Act, and such amounts shall be available to the Secretary to carry out the HIRE Vets Medallion Award Program, as authorized by such Act, and shall remain available until expended: Provided, That such sums shall be in addition to any other funds available for such purposes, including funds available under paragraph (3) of this heading: Provided further, That section 2(d) of division O of the Consolidated Appropriations Act, 2017 (Public Law 115-31; 38 U.S.C. 4100 note) shall not apply.

IT MODERNIZATION

For necessary expenses for Department of Labor centralized infrastructure technology investment activities related to support systems and modernization, \$23,269,000, which shall be available through September 30, 2020.

OFFICE OF INSPECTOR GENERAL

For salaries and expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$83,487,000, together with not to exceed \$5,660,000 which may be expended from the Employment Security Administration account in the Unemployment Trust Fund.

GENERAL PROVISIONS

SEC. 101. None of the funds appropriated by this Act for the Job Corps shall be used to pay the salary and bonuses of an individual, either as direct costs or any proration as an indirect cost, at a rate in excess of Executive Level II.

(TRANSFER OF FUNDS)

SEC. 102. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for the Department of Labor in this Act may be transferred between a program, project, or activity, but no such program, project, or activity shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 103. In accordance with Executive Order 13126, none of the funds appropriated or otherwise made available pursuant to this Act shall be obligated or expended for the procurement of goods mined, produced, manufactured, or harvested or services rendered, in whole or in part, by forced or indentured child labor in industries and host countries already identified by the United States Department of Labor prior to enactment of this Act.

SEC. 104. Except as otherwise provided in this section, none of the funds made available to the Department of Labor for grants under section 414(c) of the American Competitiveness and Workforce Improvement Act of 1998 (29 U.S.C. 2916a) may be used for any purpose other than competitive grants for training individuals who are older than 16 years of age and are not currently enrolled in school within a local educational agency in the occupations and industries for which employers are using H-1B visas to hire foreign workers, and the related activities necessary to support such training.

SEC. 105. None of the funds made available by this Act under the heading "Employment and Training Administration" shall be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in Office of Management and Budget Circular A-133. Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment and Training Administration programs.

(TRANSFER OF FUNDS)

SEC. 106. (a) Notwithstanding section 102, the Secretary may transfer funds made available to the Employment and Training Administration by this Act, either directly or through a set-aside, for technical assistance services to grant-

ees to "Program Administration" when it is determined that those services will be more efficiently performed by Federal employees: Provided, That this section shall not apply to section 171 of the WIOA.

(b) Notwithstanding section 102, the Secretary may transfer not more than 0.5 percent of each discretionary appropriation made available to the Employment and Training Administration by this Act to "Program Administration" in order to carry out program integrity activities relating to any of the programs or activities that are funded under any such discretionary appropriations: Provided, That notwithstanding section 102 and the preceding proviso, the Secretary may transfer not more than 0.5 percent of funds made available in paragraphs (1) and (2) of the "Office of Job Corps" account to paragraph (3) of such account to carry out program integrity activities related to the Job Corps program: Provided further, That funds transferred under the authority provided by this subsection shall be available for obligation through September 30, 2020.

(TRANSFER OF FUNDS)

SEC. 107. (a) The Secretary may reserve not more than 0.75 percent from each appropriation made available in this Act identified in subsection (b) in order to carry out evaluations of any of the programs or activities that are funded under such accounts. Any funds reserved under this section shall be transferred to "Departmental Management" for use by the Office of the Chief Evaluation Officer within the Department of Labor, and shall be available for obligation through September 30, 2020: Provided, That such funds shall only be available if the Chief Evaluation Officer of the Department of Labor submits a plan to the Committees on Appropriations of the House of Representatives and the Senate describing the evaluations to be carried out 15 days in advance of any transfer.

(b) The accounts referred to in subsection (a) are: "Training and Employment Services", "Job Corps", "Community Service Employment for Older Americans", "State Unemployment Insurance and Employment Service Operations", "Employee Benefits Security Administration", "Office of Workers' Compensation Programs", "Wage and Hour Division", "Office of Federal Contract Compliance Programs", "Office of Labor Management Standards", "Occupational Safety and Health Administration", "Mine Safety and Health Administration", "Office of Disability Employment Policy", funding made available to the "Bureau of International Labor Affairs" and "Women's Bureau" within the "Departmental Management, Salaries and Expenses" account, and "Veterans Employment and Training".

SEC. 108. (a) Section 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 207) shall be applied as if the following text is part of such section:

"(s)(1) The provisions of this section shall not apply for a period of 2 years after the occurrence of a major disaster to any employee—

"(A) employed to adjust or evaluate claims resulting from or relating to such major disaster, by an employer not engaged, directly or through an affiliate, in underwriting, selling, or marketing property, casualty, or liability insurance policies or contracts;

"(B) who receives from such employer on average weekly compensation of not less than \$591.00 per week or any minimum weekly amount established by the Secretary, whichever is greater, for the number of weeks such employee is engaged in any of the activities described in subparagraph (C); and

"(C) whose duties include any of the following:

"(i) interviewing insured individuals, individuals who suffered injuries or other damages or losses arising from or relating to a disaster, witnesses, or physicians;

"(ii) inspecting property damage or reviewing factual information to prepare damage estimates;

"(iii) evaluating and making recommendations regarding coverage or compensability of claims or determining liability or value aspects of claims;

"(iv) negotiating settlements; or

"(v) making recommendations regarding litigation.

"(2) The exemption in this subsection shall not affect the exemption provided by section 13(a)(1).

"(3) For purposes of this subsection—

"(A) the term 'major disaster' means any disaster or catastrophe declared or designated by any State or Federal agency or department;

"(B) the term 'employee employed to adjust or evaluate claims resulting from or relating to such major disaster' means an individual who timely secured or secures a license required by applicable law to engage in and perform the activities described in clauses (i) through (v) of paragraph (1)(C) relating to a major disaster, and is employed by an employer that maintains worker compensation insurance coverage or protection for its employees, if required by applicable law, and withholds applicable Federal, State, and local income and payroll taxes from the wages, salaries and any benefits of such employees; and

"(C) the term 'affiliate' means a company that, by reason of ownership or control of 25 percent or more of the outstanding shares of any class of voting securities of one or more companies, directly or indirectly, controls, is controlled by, or is under common control with, another company."

(b) This section shall be effective on the date of enactment of this Act.

(RESCISSION)

SEC. 109. Of the funds made available under the heading "Employment and Training Administration—Training and Employment Services" in division H of Public Law 115-141, \$53,000,000 is rescinded, to be derived from the amount made available in paragraph (2)(A) under such heading for the period October 1, 2018, through September 30, 2019.

SEC. 110. (a) FLEXIBILITY WITH RESPECT TO THE CROSSING OF H-2B NONIMMIGRANTS WORKING IN THE SEAFOOD INDUSTRY.—

(1) IN GENERAL.—Subject to paragraph (2), if a petition for H-2B nonimmigrants filed by an employer in the seafood industry is granted, the employer may bring the nonimmigrants described in the petition into the United States at any time during the 120-day period beginning on the start date for which the employer is seeking the services of the nonimmigrants without filing another petition.

(2) REQUIREMENTS FOR CROSSINGS AFTER 90TH DAY.—An employer in the seafood industry may not bring H-2B nonimmigrants into the United States after the date that is 90 days after the start date for which the employer is seeking the services of the nonimmigrants unless the employer—

(A) completes a new assessment of the local labor market by—

(i) listing job orders in local newspapers on 2 separate Sundays; and

(ii) posting the job opportunity on the appropriate Department of Labor Electronic Job Registry and at the employer's place of employment; and

(B) offers the job to an equally or better qualified United States worker who—

(i) applies for the job; and

(ii) will be available at the time and place of need.

(3) EXEMPTION FROM RULES WITH RESPECT TO STAGGERING.—The Secretary of Labor shall not consider an employer in the seafood industry who brings H-2B nonimmigrants into the United States during the 120-day period specified in paragraph (1) to be staggering the date of need in violation of section 655.20(d) of title 20, Code of Federal Regulations, or any other applicable provision of law.

(b) H-2B NONIMMIGRANTS DEFINED.—In this section, the term "H-2B nonimmigrants" means

aliens admitted to the United States pursuant to section 101(a)(15)(H)(ii)(B) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(B)).

SEC. 111. The determination of prevailing wage for the purposes of the H-2B program shall be the greater of—(1) the actual wage level paid by the employer to other employees with similar experience and qualifications for such position in the same location; or (2) the prevailing wage level for the occupational classification of the position in the geographic area in which the H-2B nonimmigrant will be employed, based on the best information available at the time of filing the petition. In the determination of prevailing wage for the purposes of the H-2B program, the Secretary shall accept private wage surveys even in instances where Occupational Employment Statistics survey data are available unless the Secretary determines that the methodology and data in the provided survey are not statistically supported.

SEC. 112. None of the funds in this Act shall be used to enforce the definition of corresponding employment found in 20 CFR 655.5 or the three-fourths guarantee rule definition found in 20 CFR 655.20, or any references thereto. Further, for the purpose of regulating admission of temporary workers under the H-2B program, the definition of temporary need shall be that provided in 8 CFR 214.2(h)(6)(ii)(B).

SEC. 113. Notwithstanding any other provision of law, the Secretary may furnish through grants, cooperative agreements, contracts, and other arrangements, up to \$2,000,000 of excess personal property to apprenticeship programs for the purpose of training apprentices in those programs.

SEC. 114. The proviso at the end of paragraph (1) under the heading “Department of Labor—Employment and Training Administration—State Unemployment Insurance and Employment Service Operations” in title I of division G of Public Law 113–235 is amended by striking “six” and inserting “seven”.

SEC. 115. (a) The Act entitled “An Act to create a Department of Labor”, approved March 4, 1913 (37 Stat. 736, chapter 141) shall be applied as if the following text is part of such Act:

“SEC. 12. SECURITY DETAIL.

“(a) **IN GENERAL.**—The Secretary of Labor is authorized to employ law enforcement officers or special agents to—

“(1) provide protection for the Secretary of Labor during the workday of the Secretary and during any activity that is preliminary or postliminary to the performance of official duties by the Secretary;

“(2) provide protection, incidental to the protection provided to the Secretary, to a member of the immediate family of the Secretary who is participating in an activity or event relating to the official duties of the Secretary;

“(3) provide continuous protection to the Secretary (including during periods not described in paragraph (1)) and to the members of the immediate family of the Secretary if there is a unique and articulable threat of physical harm, in accordance with guidelines established by the Secretary; and

“(4) provide protection to the Deputy Secretary of Labor or another senior officer representing the Secretary of Labor at a public event if there is a unique and articulable threat of physical harm, in accordance with guidelines established by the Secretary.

“(b) **AUTHORITIES.**—The Secretary of Labor may authorize a law enforcement officer or special agent employed under subsection (a), for the purpose of performing the duties authorized under subsection (a), to—

“(1) carry firearms;

“(2) make arrests without a warrant for any offense against the United States committed in the presence of such officer or special agent;

“(3) perform protective intelligence work, including identifying and mitigating potential threats and conducting advance work to review security matters relating to sites and events;

“(4) coordinate with local law enforcement agencies; and

“(5) initiate criminal and other investigations into potential threats to the security of the Secretary, in coordination with the Inspector General of the Department of Labor.

“(c) **COMPLIANCE WITH GUIDELINES.**—A law enforcement officer or special agent employed under subsection (a) shall exercise any authority provided under this section in accordance with any—

“(1) guidelines issued by the Attorney General; and

“(2) guidelines prescribed by the Secretary of Labor.”.

(b) This section shall be effective on the date of enactment of this Act.

SEC. 116. The Secretary is authorized to dispose of or divest, by any means the Secretary determines appropriate, including an agreement or partnership to construct a new Job Corps center, all or a portion of the real property on which the Treasure Island Job Corps Center is situated. Any sale or other disposition will not be subject to any requirement of any Federal law or regulation relating to the disposition of Federal real property, including but not limited to subchapter III of chapter 5 of title 40 of the United States Code and subchapter V of chapter 119 of title 42 of the United States Code. The net proceeds of such a sale shall be transferred to the Secretary, which shall be available until expended to carry out the Job Corps Program.

SEC. 117. (a) The paragraph under the heading “Working Capital Fund” in the Department of Labor Appropriations Act, 1958, Public Law 85–67, 71 Stat. 210, as amended, is further amended by striking all of the text that appears after “for expenses necessary for the maintenance and operation of” and inserting “a comprehensive program of centralized services which the Secretary of Labor may prescribe and deem appropriate and advantageous to provide on a reimbursable basis: Provided, That such Working Capital Fund may receive advances and reimbursements from funds available to bureaus, offices, and agencies for which such centralized services are performed at rates which will return in full all expenses of operation, including reserves for accrued annual leave, workers’ compensation, depreciation of capitalized equipment and amortization of human resources software and systems (either acquired or donated): Provided further, That, through September 30, 2019, the Secretary of Labor may transfer an amount not to exceed \$3,000,000 from unobligated balances in the Department’s salaries and expenses accounts to the Working Capital Fund, to be merged with the Working Capital Fund and used for the acquisition of capital equipment and the improvement of financial management, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems, and to remain available until expended: Provided further, That the Secretary of Labor may transfer to the Working Capital Fund, to remain available for obligation for five fiscal years after the fiscal year of such transfer, annually an amount not to exceed \$9,000,000 from unobligated balances in the Department’s salaries and expenses accounts made available in this Act and hereafter, and annually an amount not to exceed \$9,000,000 from unobligated balances in the Department’s discretionary grants accounts made available in this Act and hereafter, for the acquisition of capital equipment and the improvement of financial management, information technology, infrastructure technology investment activities related to support systems and modernization, and other support systems: Provided further, That none of the funds transferred pursuant to the preceding proviso shall be available unless the Chief Information Officer of the Department of Labor has submitted a plan, approved by the Office of Management and Budget, describing the amounts to be transferred by account, the planned use of funds, including descriptions of

projects, project status, including any scheduled delays and cost overruns, financial expenditures, planned activities, and expected benefits, to the Committees on Appropriations of the House of Representatives and the Senate by July 31 of the calendar year prior to the fiscal year in which the transfer will occur: Provided further, That the Working Capital Fund may receive reimbursements from entities or persons for use of Departmental facilities, including associated utilities and security services, and such reimbursements shall be credited to and merged with the Working Capital Fund: Provided further, That pursuant to section 11319 of title 40, United States Code, the Secretary shall ensure that the Department’s Chief Information Officer shall, at a minimum, be a principal advisor to the Secretary and a member on any board or governance structure of the Department responsible for advising and setting Department-wide information technology budgets: Provided further, That none of the funds available for information technology modernization under this section or under the heading ‘IT Modernization’ shall be used for information technology modernization projects unless an experienced project manager, employed by the Department of Labor, is assigned oversight responsibility, including but not limited to, ensuring such projects are completed within established timeframes and budgets.”.

(b) The following provisions are repealed:

(1) The heading “Working Capital Fund” and the paragraph thereunder in Public Law 91–204, title I, 84 Stat. 26 (1970); and

(2) The heading “Working Capital Fund” and the paragraph thereunder in the Department of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1994, Public Law 103–112, title I, 107 Stat. 1088 (1993).

(RESCISSION)

SEC. 118. (a) That of the unobligated funds available under section 286(s)(2) of the Immigration and Nationality Act (8 U.S.C. 1356(s)(2)), \$8,250,000 are permanently rescinded.

(b) For an additional amount for “Employment and Training Administration—State Unemployment Insurance and Employment Service Operations”, \$8,250,000, to remain available until September 30, 2019, for processing applications for foreign labor certifications, including activities related to wage determinations and associated tasks, submitted by employers to employ nonimmigrants as described in section 6(d)(2) of the Joint Resolution entitled “A Joint Resolution to approve the ‘Covenant to Establish a Commonwealth of the Northern Mariana Islands in a Political Union with the United States of America’, and for other purposes”, as amended by section 3 of the Northern Mariana Islands U.S. Workforce Act of 2018 (Public Law 115–218).

This title may be cited as the “Department of Labor Appropriations Act, 2019”.

TITLE II

DEPARTMENT OF HEALTH AND HUMAN SERVICES

HEALTH RESOURCES AND SERVICES ADMINISTRATION

PRIMARY HEALTH CARE

For carrying out titles II and III of the Public Health Service Act (referred to in this Act as the “PHS Act”) with respect to primary health care and the Native Hawaiian Health Care Act of 1988, \$1,626,522,000 (in addition to the \$4,000,000,000 previously appropriated to the Community Health Center Fund for fiscal year 2019): Provided, That no more than \$1,000,000 shall be available until expended for carrying out the provisions of section 224(o) of the PHS Act: Provided further, That no more than \$120,000,000 shall be available until expended for carrying out subsections (g) through (n) and (q) of section 224 of the PHS Act, and for expenses incurred by the Department of Health and Human Services (referred to in this Act as

“HHS”) pertaining to administrative claims made under such law: Provided further, That of funds provided for the Health Centers program, as defined by section 330 of the PHS Act, by this Act or any other Act for fiscal year 2019, not less than \$200,000,000 shall be obligated in fiscal year 2019 for improving quality of care or expanded service grants under section 330 of the PHS Act to support and enhance behavioral health, mental health, or substance use disorder services.

HEALTH WORKFORCE

For carrying out titles III, VII, and VIII of the PHS Act with respect to the health workforce, sections 1128E and 1921 of the Social Security Act, and the Health Care Quality Improvement Act of 1986, \$1,096,695,000: Provided, That sections 751(j)(2) and 762(k) of the PHS Act and the proportional funding amounts in paragraphs (1) through (4) of section 756(f) of the PHS Act shall not apply to funds made available under this heading: Provided further, That for any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary of Health and Human Services (referred to in this title as the “Secretary”) may hereafter waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act for the full project period of a grant under such section: Provided further, That no funds shall be available for section 340G–1 of the PHS Act: Provided further, That fees collected for the disclosure of information under section 427(b) of the Health Care Quality Improvement Act of 1986 and sections 1128E(d)(2) and 1921 of the Social Security Act shall be sufficient to recover the full costs of operating the programs authorized by such sections and shall remain available until expended for the National Practitioner Data Bank: Provided further, That funds transferred to this account to carry out section 846 and subpart 3 of part D of title III of the PHS Act may be used to make prior year adjustments to awards made under such section and subpart: Provided further, That \$105,000,000 shall remain available until expended for the purposes of providing primary health services, assigning National Health Service Corps (“NHSC”) members to expand the delivery of substance use disorder treatment services, notwithstanding the assignment priorities and limitations under sections 333(a)(1)(D), 333(b), and 333A(a)(1)(B)(ii) of the PHS Act, and making payments under the NHSC Loan Repayment Program under section 338B of such Act: Provided further, That, in addition to amounts otherwise made available in the previous proviso, \$15,000,000 shall remain available until expended for the purposes of making payments under the NHSC Loan Repayment Program under section 338B of the PHS Act to individuals participating in such program who provide primary health services in Indian Health Service facilities, Tribally-Operated 638 Health Programs, and Urban Indian Health Programs (as those terms are defined by the Secretary), notwithstanding the assignment priorities and limitations under section 333(b) of such Act: Provided further, That for purposes of the previous two provisos, section 331(a)(3)(D) of the PHS Act shall be applied as if the term “primary health services” includes clinical substance use disorder treatment services, including those provided by masters level, licensed substance use disorder treatment counselors.

Of the funds made available under this heading, \$25,000,000 shall remain available until expended for grants to public institutions of higher education to expand or support graduate education for physicians provided by such institutions: Provided, That, in awarding such grants, the Secretary shall give priority to public institutions of higher education located in States with a projected primary care provider shortage in 2025, as determined by the Secretary: Provided further, That grants so awarded are limited to such public institutions of higher education in States in the top quintile of States

with a projected primary care provider shortage in 2025, as determined by the Secretary: Provided further, That the minimum amount of a grant so awarded to such an institution shall be not less than \$1,000,000 per year: Provided further, That such a grant may be awarded for a period not to exceed 5 years: Provided further, That such a grant awarded with respect to a year to such an institution shall be subject to a matching requirement of non-Federal funds in an amount that is not less than 10 percent of the total amount of Federal funds provided in the grant to such institution with respect to such year.

MATERNAL AND CHILD HEALTH

For carrying out titles III, XI, XII, and XIX of the PHS Act with respect to maternal and child health, title V of the Social Security Act, and section 712 of the American Jobs Creation Act of 2004, \$926,789,000: Provided, That notwithstanding sections 502(a)(1) and 502(b)(1) of the Social Security Act, not more than \$109,593,000 shall be available for carrying out special projects of regional and national significance pursuant to section 501(a)(2) of such Act and \$10,276,000 shall be available for projects described in subparagraphs (A) through (F) of section 501(a)(3) of such Act.

RYAN WHITE HIV/AIDS PROGRAM

For carrying out title XXVI of the PHS Act with respect to the Ryan White HIV/AIDS program, \$2,318,781,000, of which \$1,970,881,000 shall remain available to the Secretary through September 30, 2021, for parts A and B of title XXVI of the PHS Act, and of which not less than \$900,313,000 shall be for State AIDS Drug Assistance Programs under the authority of section 2616 or 311(c) of such Act.

HEALTH CARE SYSTEMS

For carrying out titles III and XII of the PHS Act with respect to health care systems, and the Stem Cell Therapeutic and Research Act of 2005, \$115,193,000, of which \$122,000 shall be available until expended for facilities renovations at the Gillis W. Long Hansen’s Disease Center.

RURAL HEALTH

For carrying out titles III and IV of the PHS Act with respect to rural health, section 427(a) of the Federal Coal Mine Health and Safety Act of 1969, and sections 711 and 1820 of the Social Security Act, \$317,794,000, of which \$53,609,000 from general revenues, notwithstanding section 1820(j) of the Social Security Act, shall be available for carrying out the Medicare rural hospital flexibility grants program: Provided, That of the funds made available under this heading for Medicare rural hospital flexibility grants, \$19,942,000 shall be available for the Small Rural Hospital Improvement Grant Program for quality improvement and adoption of health information technology and up to \$1,000,000 shall be to carry out section 1820(g)(6) of the Social Security Act, with funds provided for grants under section 1820(g)(6) available for the purchase and implementation of telehealth services, including pilots and demonstrations on the use of electronic health records to coordinate rural veterans care between rural providers and the Department of Veterans Affairs electronic health record system: Provided further, That notwithstanding section 338J(k) of the PHS Act, \$10,000,000 shall be available for State Offices of Rural Health: Provided further, That \$10,000,000 shall remain available through September 30, 2021, to support the Rural Residency Development Program: Provided further, That \$120,000,000 shall be for the Rural Communities Opioids Response Program.

FAMILY PLANNING

For carrying out the program under title X of the PHS Act to provide for voluntary family planning projects, \$286,479,000: Provided, That amounts provided to said projects under such title shall not be expended for abortions, that all pregnancy counseling shall be nondirective, and that such amounts shall not be expended for

any activity (including the publication or distribution of literature) that in any way tends to promote public support or opposition to any legislative proposal or candidate for public office.

PROGRAM MANAGEMENT

For program support in the Health Resources and Services Administration, \$155,250,000: Provided, That funds made available under this heading may be used to supplement program support funding provided under the headings “Primary Health Care”, “Health Workforce”, “Maternal and Child Health”, “Ryan White HIV/AIDS Program”, “Health Care Systems”, and “Rural Health”.

VACCINE INJURY COMPENSATION PROGRAM TRUST FUND

For payments from the Vaccine Injury Compensation Program Trust Fund (the “Trust Fund”), such sums as may be necessary for claims associated with vaccine-related injury or death with respect to vaccines administered after September 30, 1988, pursuant to subtitle 2 of title XXI of the PHS Act, to remain available until expended: Provided, That for necessary administrative expenses, not to exceed \$9,200,000 shall be available from the Trust Fund to the Secretary.

CENTERS FOR DISEASE CONTROL AND PREVENTION

IMMUNIZATION AND RESPIRATORY DISEASES

For carrying out titles II, III, XVII, and XXI, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to immunization and respiratory diseases, \$477,855,000.

HIV/AIDS, VIRAL HEPATITIS, SEXUALLY TRANSMITTED DISEASES, AND TUBERCULOSIS PREVENTION

For carrying out titles II, III, XVII, and XXIII of the PHS Act with respect to HIV/AIDS, viral hepatitis, sexually transmitted diseases, and tuberculosis prevention, \$1,132,278,000.

EMERGING AND ZOOONOTIC INFECTIOUS DISEASES

For carrying out titles II, III, and XVII, and section 2821 of the PHS Act, titles II and IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act, with respect to emerging and zoonotic infectious diseases, \$568,372,000.

CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION

For carrying out titles II, III, XI, XV, XVII, and XIX of the PHS Act with respect to chronic disease prevention and health promotion, \$932,821,000: Provided, That funds appropriated under this account may be available for making grants under section 1509 of the PHS Act for not less than 21 States, tribes, or tribal organizations: Provided further, That of the funds made available under this heading, \$15,000,000 shall be available to continue and expand community specific extension and outreach programs to combat obesity in counties with the highest levels of obesity: Provided further, That the proportional funding requirements under section 1503(a) of the PHS Act shall not apply to funds made available under this heading.

BIRTH DEFECTS, DEVELOPMENTAL DISABILITIES, DISABILITIES AND HEALTH

For carrying out titles II, III, XI, and XVII of the PHS Act with respect to birth defects, developmental disabilities, disabilities and health, \$155,560,000.

PUBLIC HEALTH SCIENTIFIC SERVICES

For carrying out titles II, III, and XVII of the PHS Act with respect to health statistics, surveillance, health informatics, and workforce development, \$496,397,000.

ENVIRONMENTAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to environmental health, \$192,350,000.

INJURY PREVENTION AND CONTROL

For carrying out titles II, III, and XVII of the PHS Act with respect to injury prevention and control, \$648,559,000.

NATIONAL INSTITUTE FOR OCCUPATIONAL SAFETY AND HEALTH

For carrying out titles II, III, and XVII of the PHS Act, sections 101, 102, 103, 201, 202, 203, 301, and 501 of the Federal Mine Safety and Health Act, section 13 of the Mine Improvement and New Emergency Response Act, and sections 20, 21, and 22 of the Occupational Safety and Health Act, with respect to occupational safety and health, \$336,300,000.

ENERGY EMPLOYEES OCCUPATIONAL ILLNESS COMPENSATION PROGRAM

For necessary expenses to administer the Energy Employees Occupational Illness Compensation Program Act, \$55,358,000, to remain available until expended: Provided, That this amount shall be available consistent with the provision regarding administrative expenses in section 151(b) of division B, title I of Public Law 106-554.

GLOBAL HEALTH

For carrying out titles II, III, and XVII of the PHS Act with respect to global health, \$488,621,000, of which: (1) \$128,421,000 shall remain available through September 30, 2020 for international HIV/AIDS; and (2) \$50,000,000 shall remain available through September 30, 2021 for Global Disease Detection and Emergency Response: Provided, That funds may be used for purchase and insurance of official motor vehicles in foreign countries.

PUBLIC HEALTH PREPAREDNESS AND RESPONSE

For carrying out titles II, III, and XVII of the PHS Act with respect to public health preparedness and response, and for expenses necessary to support activities related to countering potential biological, nuclear, radiological, and chemical threats to civilian populations, \$1,465,200,000, of which \$610,000,000 shall remain available until expended for the Strategic National Stockpile: Provided, That the Director of the Centers for Disease Control and Prevention (referred to in this title as "CDC") or the Administrator of the Agency for Toxic Substances and Disease Registry may detail staff without reimbursement for up to 90 days to support an activation of the CDC Emergency Operations Center, so long as the Director or Administrator, as applicable, provides a notice to the Committees on Appropriations of the House of Representatives and the Senate within 15 days of the use of this authority and a full report within 30 days after use of this authority which includes the number of staff and funding level broken down by the originating center and number of days detailed: Provided further, That funds appropriated under this heading may be used to support a contract for the operation and maintenance of an aircraft in direct support of activities throughout CDC to ensure the agency is prepared to address public health preparedness emergencies.

BUILDINGS AND FACILITIES

(INCLUDING TRANSFER OF FUNDS)

For acquisition of real property, equipment, construction, demolition, and renovation of facilities, \$30,000,000, which shall remain available until September 30, 2023: Provided, That funds previously set-aside by CDC for repair and upgrade of the Lake Lynn Experimental Mine and Laboratory shall be used to acquire a replacement mine safety research facility: Provided further, That in addition, the prior year unobligated balance of any amounts assigned to former employees in accounts of CDC made available for Individual Learning Accounts shall be credited to and merged with the amounts made available under this heading to support the replacement of the mine safety research facility.

CDC-WIDE ACTIVITIES AND PROGRAM SUPPORT

For carrying out titles II, III, XVII and XIX, and section 2821 of the PHS Act and for cross-cutting activities and program support for activities funded in other appropriations included in this Act for the Centers for Disease Control and Prevention, \$163,570,000, of which up to \$10,000,000 may be transferred to the reserve of the Working Capital Fund authorized under this heading in division F of Public Law 112-74: Provided, That paragraphs (1) through (3) of subsection (b) of section 2821 of the PHS Act shall not apply to funds appropriated under this heading and in all other accounts of the CDC: Provided further, That employees of CDC or the Public Health Service, both civilian and commissioned officers, detailed to States, municipalities, or other organizations under authority of section 214 of the PHS Act, or in overseas assignments, shall be treated as non-Federal employees for reporting purposes only and shall not be included within any personnel ceiling applicable to the Agency, Service, or HHS during the period of detail or assignment: Provided further, That CDC may use up to \$10,000 from amounts appropriated to CDC in this Act for official reception and representation expenses when specifically approved by the Director of CDC: Provided further, That in addition, such sums as may be derived from authorized user fees, which shall be credited to the appropriation charged with the cost thereof: Provided further, That with respect to the previous proviso, authorized user fees from the Vessel Sanitation Program and the Respirator Certification Program shall be available through September 30, 2020.

NATIONAL INSTITUTES OF HEALTH

NATIONAL CANCER INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cancer, \$5,743,892,000, of which up to \$30,000,000 may be used for facilities repairs and improvements at the National Cancer Institute—Frederick Federally Funded Research and Development Center in Frederick, Maryland.

NATIONAL HEART, LUNG, AND BLOOD INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to cardiovascular, lung, and blood diseases, and blood and blood products, \$3,488,335,000.

NATIONAL INSTITUTE OF DENTAL AND CRANIOFACIAL RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to dental and craniofacial diseases, \$461,781,000.

NATIONAL INSTITUTE OF DIABETES AND DIGESTIVE AND KIDNEY DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to diabetes and digestive and kidney disease, \$2,029,823,000.

NATIONAL INSTITUTE OF NEUROLOGICAL DISORDERS AND STROKE

For carrying out section 301 and title IV of the PHS Act with respect to neurological disorders and stroke, \$2,216,913,000.

NATIONAL INSTITUTE OF ALLERGY AND INFECTIOUS DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to allergy and infectious diseases, \$5,523,324,000.

NATIONAL INSTITUTE OF GENERAL MEDICAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to general medical sciences, \$2,872,780,000, of which \$1,146,821,000 shall be from funds available under section 241 of the PHS Act: Provided, That not less than \$361,573,000 is provided for the Institutional Development Awards program.

EUNICE KENNEDY SHRIVER NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT

For carrying out section 301 and title IV of the PHS Act with respect to child health and human development, \$1,506,458,000.

NATIONAL EYE INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to eye diseases and visual disorders, \$796,536,000.

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to environmental health sciences, \$774,707,000.

NATIONAL INSTITUTE ON AGING

For carrying out section 301 and title IV of the PHS Act with respect to aging, \$3,083,410,000.

NATIONAL INSTITUTE OF ARTHRITIS AND MUSCULOSKELETAL AND SKIN DISEASES

For carrying out section 301 and title IV of the PHS Act with respect to arthritis and musculoskeletal and skin diseases, \$605,065,000.

NATIONAL INSTITUTE ON DEAFNESS AND OTHER COMMUNICATION DISORDERS

For carrying out section 301 and title IV of the PHS Act with respect to deafness and other communication disorders, \$474,404,000.

NATIONAL INSTITUTE OF NURSING RESEARCH

For carrying out section 301 and title IV of the PHS Act with respect to nursing research, \$162,992,000.

NATIONAL INSTITUTE ON ALCOHOL ABUSE AND ALCOHOLISM

For carrying out section 301 and title IV of the PHS Act with respect to alcohol abuse and alcoholism, \$525,591,000.

NATIONAL INSTITUTE ON DRUG ABUSE

For carrying out section 301 and title IV of the PHS Act with respect to drug abuse, \$1,419,844,000.

NATIONAL INSTITUTE OF MENTAL HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to mental health, \$1,812,796,000.

NATIONAL HUMAN GENOME RESEARCH INSTITUTE

For carrying out section 301 and title IV of the PHS Act with respect to human genome research, \$575,579,000.

NATIONAL INSTITUTE OF BIOMEDICAL IMAGING AND BIOENGINEERING

For carrying out section 301 and title IV of the PHS Act with respect to biomedical imaging and bioengineering research, \$389,464,000.

NATIONAL CENTER FOR COMPLEMENTARY AND INTEGRATIVE HEALTH

For carrying out section 301 and title IV of the PHS Act with respect to complementary and integrative health, \$146,473,000.

NATIONAL INSTITUTE ON MINORITY HEALTH AND HEALTH DISPARITIES

For carrying out section 301 and title IV of the PHS Act with respect to minority health and health disparities research, \$314,679,000.

JOHN E. FOGARTY INTERNATIONAL CENTER

For carrying out the activities of the John E. Fogarty International Center (described in subpart 2 of part E of title IV of the PHS Act), \$78,109,000.

NATIONAL LIBRARY OF MEDICINE

For carrying out section 301 and title IV of the PHS Act with respect to health information communications, \$441,997,000: Provided, That of the amounts available for improvement of information systems, \$4,000,000 shall be available until September 30, 2020: Provided further, That in fiscal year 2019, the National Library of Medicine may enter into personal services contracts for the provision of services in facilities owned, operated, or constructed under the jurisdiction of the National Institutes of Health (referred to in this title as "NIH").

NATIONAL CENTER FOR ADVANCING TRANSLATIONAL SCIENCES

For carrying out section 301 and title IV of the PHS Act with respect to translational

sciences, \$806,373,000: Provided, That up to \$80,000,000 shall be available to implement section 480 of the PHS Act, relating to the Cures Acceleration Network: Provided further, That at least \$559,736,000 is provided to the Clinical and Translational Sciences Awards program.

OFFICE OF THE DIRECTOR
(INCLUDING TRANSFER OF FUNDS)

For carrying out the responsibilities of the Office of the Director, NIH, \$1,909,075,000: Provided, That funding shall be available for the purchase of not to exceed 29 passenger motor vehicles for replacement only: Provided further, That all funds credited to the NIH Management Fund shall remain available for one fiscal year after the fiscal year in which they are deposited: Provided further, That \$165,000,000 shall be for the Environmental Influences on Child Health Outcomes study: Provided further, That \$606,566,000 shall be available for the Common Fund established under section 402A(c)(1) of the PHS Act: Provided further, That of the funds provided, \$10,000 shall be for official reception and representation expenses when specifically approved by the Director of the NIH: Provided further, That the Office of AIDS Research within the Office of the Director of the NIH may spend up to \$8,000,000 to make grants for construction or renovation of facilities as provided for in section 2354(a)(5)(B) of the PHS Act: Provided further, That \$50,000,000 shall be used to carry out section 4041 of the PHS Act (42 U.S.C. 283K), relating to biomedical and behavioral research facilities: Provided further, That \$5,000,000 shall be transferred to and merged with the appropriation for the "Office of Inspector General" for oversight of grant programs and operations of the NIH, including agency efforts to ensure the integrity of its grant application evaluation and selection processes, and shall be in addition to funds otherwise made available for oversight of the NIH: Provided further, That the funds provided in the previous proviso may be transferred from one specified activity to another with 15 days prior approval of the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That the Inspector General shall consult with the Committees on Appropriations of the House of Representatives and the Senate before submitting to the Committees an audit plan for fiscal years 2019 and 2020 no later than 30 days after the date of enactment of this Act.

In addition to other funds appropriated for the Common Fund established under section 402A(c) of the PHS Act, \$12,600,000 is appropriated to the Common Fund from the 10-year Pediatric Research Initiative Fund described in section 9008 of title 26, United States Code, for the purpose of carrying out section 402(b)(7)(B)(ii) of the PHS Act (relating to pediatric research), as authorized in the Gabriella Miller Kids First Research Act.

BUILDINGS AND FACILITIES

For the study of, construction of, demolition of, renovation of, and acquisition of equipment for, facilities of or used by NIH, including the acquisition of real property, \$200,000,000, to remain available through September 30, 2023.

NIH INNOVATION ACCOUNT, CURES ACT
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses to carry out the purposes described in section 1001(b)(4) of the 21st Century Cures Act, in addition to amounts available for such purposes in the appropriations provided to the NIH in this Act, \$711,000,000, to remain available until expended: Provided, That such amounts are appropriated pursuant to section 1001(b)(3) of such Act, are to be derived from amounts transferred under section 1001(b)(2)(A) of such Act, and may be transferred by the Director of the National Institutes of Health to other accounts of the National Institutes of Health solely for the purposes provided in such Act: Provided further, That upon a determination by the Director that

funds transferred pursuant to the previous proviso are not necessary for the purposes provided, such amounts may be transferred back to the Account: Provided further, That the transfer authority provided under this heading is in addition to any other transfer authority provided by law.

SUBSTANCE ABUSE AND MENTAL HEALTH
SERVICES ADMINISTRATION
MENTAL HEALTH

For carrying out titles III, V, and XIX of the PHS Act with respect to mental health, and the Protection and Advocacy for Individuals with Mental Illness Act, \$1,524,974,000: Provided, That of the funds made available under this heading, \$63,887,000 shall be for the National Child Traumatic Stress Initiative, of which \$10,000,000 shall be awarded not later than December 1, 2018, for activities described in the joint explanatory statement accompanying this Act: Provided further, That notwithstanding section 520A(f)(2) of the PHS Act, no funds appropriated for carrying out section 520A shall be available for carrying out section 1971 of the PHS Act: Provided further, That in addition to amounts provided herein, \$21,039,000 shall be available under section 241 of the PHS Act to carry out subpart I of part B of title XIX of the PHS Act to fund section 1920(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1920(b) activities shall not exceed 5 percent of the amounts appropriated for subpart I of part B of title XIX: Provided further, That up to 10 percent of the amounts made available to carry out the Children's Mental Health Services program may be used to carry out demonstration grants or contracts for early interventions with persons not more than 25 years of age at clinical high risk of developing a first episode of psychosis: Provided further, That section 520E(b)(2) of the PHS Act shall not apply to funds appropriated in this Act for fiscal year 2019: Provided further, That States shall expend at least 10 percent of the amount each receives for carrying out section 1911 of the PHS Act to support evidence-based programs that address the needs of individuals with early serious mental illness, including psychotic disorders, regardless of the age of the individual at onset: Provided further, That \$150,000,000 shall be available until September 30, 2021 for grants to communities and community organizations who meet criteria for Certified Community Behavioral Health Clinics pursuant to section 223(a) of Public Law 113-93: Provided further, That none of the funds provided for section 1911 of the PHS Act shall be subject to section 241 of such Act: Provided further, That of the funds made available under this heading, \$15,000,000 shall be to carry out section 224 of the Protecting Access to Medicare Act of 2014 (Public Law 113-93; 42 U.S.C. 290aa 22 note).

SUBSTANCE ABUSE TREATMENT

For carrying out titles III and V of the PHS Act with respect to substance abuse treatment and title XIX of such Act with respect to substance abuse treatment and prevention, \$3,737,556,000: Provided, That \$1,500,000,000 shall be for State Opioid Response Grants for carrying out activities pertaining to opioids undertaken by the State agency responsible for administering the substance abuse prevention and treatment block grant under subpart II of part B of title XIX of the PHS Act (42 U.S.C. 300r-21 et seq.): Provided further, That of such amount \$50,000,000 shall be made available to Indian Tribes or tribal organizations: Provided further, That 15 percent of the remaining amount shall be for the States with the highest mortality rate related to opioid use disorders: Provided further, That of the amounts provided for State Opioid Response Grants not more than 2 percent shall be available for Federal administrative expenses, training, technical assistance, and evaluation: Provided further, That of the

amount not reserved by the previous three provisos, the Secretary shall make allocations to States, territories, and the District of Columbia according to a formula using national survey results that the Secretary determines are the most objective and reliable measure of drug use and drug-related deaths: Provided further, That the Secretary shall submit the formula methodology to the Committees on Appropriations of the House of Representatives and the Senate not less than 15 days prior to publishing a Funding Opportunity Announcement: Provided further, That prevention and treatment activities funded through such grants may include education, treatment (including the provision of medication), behavioral health services for individuals in treatment programs, referral to treatment services, recovery support, and medical screening associated with such treatment: Provided further, That each State, as well as the District of Columbia, shall receive not less than \$4,000,000: Provided further, That in addition to amounts provided herein, the following amounts shall be available under section 241 of the PHS Act: (1) \$79,200,000 to carry out subpart II of part B of title XIX of the PHS Act to fund section 1935(b) technical assistance, national data, data collection and evaluation activities, and further that the total available under this Act for section 1935(b) activities shall not exceed 5 percent of the amounts appropriated for subpart II of part B of title XIX; and (2) \$2,000,000 to evaluate substance abuse treatment programs: Provided further, That none of the funds provided for section 1921 of the PHS Act or State Opioid Response Grants shall be subject to section 241 of such Act.

SUBSTANCE ABUSE PREVENTION

For carrying out titles III and V of the PHS Act with respect to substance abuse prevention, \$205,469,000.

HEALTH SURVEILLANCE AND PROGRAM SUPPORT

For program support and cross-cutting activities that supplement activities funded under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention" in carrying out titles III, V, and XIX of the PHS Act and the Protection and Advocacy for Individuals with Mental Illness Act in the Substance Abuse and Mental Health Services Administration, \$128,830,000: Provided, That in addition to amounts provided herein, \$31,428,000 shall be available under section 241 of the PHS Act to supplement funds available to carry out national surveys on drug abuse and mental health, to collect and analyze program data, and to conduct public awareness and technical assistance activities: Provided further, That, in addition, fees may be collected for the costs of publications, data, data tabulations, and data analysis completed under title V of the PHS Act and provided to a public or private entity upon request, which shall be credited to this appropriation and shall remain available until expended for such purposes: Provided further, That amounts made available in this Act for carrying out section 501(o) of the PHS Act shall remain available through September 30, 2020: Provided further, That funds made available under this heading may be used to supplement program support funding provided under the headings "Mental Health", "Substance Abuse Treatment", and "Substance Abuse Prevention".

AGENCY FOR HEALTHCARE RESEARCH AND
QUALITY

HEALTHCARE RESEARCH AND QUALITY

For carrying out titles III and IX of the PHS Act, part A of title XI of the Social Security Act, and section 1013 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, \$338,000,000: Provided, That section 947(c) of the PHS Act shall not apply in fiscal year 2019: Provided further, That in addition, amounts received from Freedom of Information Act fees, reimbursable and interagency agreements, and the sale of data shall be credited to this appropriation and shall remain available until September 30, 2020.

CENTERS FOR MEDICARE & MEDICAID SERVICES
GRANTS TO STATES FOR MEDICAID

For carrying out, except as otherwise provided, titles XI and XIX of the Social Security Act, \$276,236,212,000, to remain available until expended.

For making, after May 31, 2019, payments to States under title XIX or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the last quarter of fiscal year 2019 for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act for the first quarter of fiscal year 2020, \$137,931,797,000, to remain available until expended.

Payment under such title XIX may be made for any quarter with respect to a State plan or plan amendment in effect during such quarter, if submitted in or prior to such quarter and approved in that or any subsequent quarter.

PAYMENTS TO THE HEALTH CARE TRUST FUNDS

For payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D–16 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d)(3) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$378,343,800,000.

In addition, for making matching payments under section 1844 and benefit payments under section 1860D–16 of the Social Security Act that were not anticipated in budget estimates, such sums as may be necessary.

PROGRAM MANAGEMENT

For carrying out, except as otherwise provided, titles XI, XVIII, XIX, and XXI of the Social Security Act, titles XIII and XXVII of the PHS Act, the Clinical Laboratory Improvement Amendments of 1988, and other responsibilities of the Centers for Medicare & Medicaid Services, not to exceed \$3,669,744,000, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act; together with all funds collected in accordance with section 353 of the PHS Act and section 1857(e)(2) of the Social Security Act, funds retained by the Secretary pursuant to section 1893(h) of the Social Security Act, and such sums as may be collected from authorized user fees and the sale of data, which shall be credited to this account and remain available until expended: Provided, That all funds derived in accordance with 31 U.S.C. 9701 from organizations established under title XIII of the PHS Act shall be credited to and available for carrying out the purposes of this appropriation: Provided further, That the Secretary is directed to collect fees in fiscal year 2019 from Medicare Advantage organizations pursuant to section 1857(e)(2) of the Social Security Act and from eligible organizations with risk-sharing contracts under section 1876 of that Act pursuant to section 1876(k)(4)(D) of that Act.

HEALTH CARE FRAUD AND ABUSE CONTROL
ACCOUNT

In addition to amounts otherwise available for program integrity and program management, \$765,000,000, to remain available through September 30, 2020, to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as authorized by section 201(g) of the Social Security Act, of which \$599,389,000 shall be for the Centers for Medicare & Medicaid Services program integrity activities, of which \$87,230,000 shall be for the Department of Health and Human Services Office of Inspector General to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act,

and of which \$78,381,000 shall be for the Department of Justice to carry out fraud and abuse activities authorized by section 1817(k)(3) of such Act: Provided, That the report required by section 1817(k)(5) of the Social Security Act for fiscal year 2019 shall include measures of the operational efficiency and impact on fraud, waste, and abuse in the Medicare, Medicaid, and CHIP programs for the funds provided by this appropriation: Provided further, That of the amount provided under this heading, \$311,000,000 is provided to meet the terms of section 251(b)(2)(C)(ii) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$454,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(C) of such Act: Provided further, That the Secretary shall provide not less than \$17,621,000 for the Senior Medicare Patrol program to combat health care fraud and abuse from the funds provided to this account.

ADMINISTRATION FOR CHILDREN AND FAMILIES
PAYMENTS TO STATES FOR CHILD SUPPORT
ENFORCEMENT AND FAMILY SUPPORT PROGRAMS

For carrying out, except as otherwise provided, titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, \$2,922,247,000, to remain available until expended; and for such purposes for the first quarter of fiscal year 2020, \$1,400,000,000, to remain available until expended.

For carrying out, after May 31 of the current fiscal year, except as otherwise provided, titles I, IV–D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under subsections (b) and (d) of section 2602 of the Low Income Home Energy Assistance Act of 1981, \$3,690,304,000: Provided, That all but \$716,000,000 of this amount shall be allocated as though the total appropriation for such payments for fiscal year 2019 was less than \$1,975,000,000: Provided further, That notwithstanding section 2609A(a), of the amounts appropriated under section 2602(b), not more than \$2,988,000 of such amounts may be reserved by the Secretary for technical assistance, training, and monitoring of program activities for compliance with internal controls, policies and procedures and may, in addition to the authorities provided in section 2609A(a)(1), use such funds through contracts with private entities that do not qualify as nonprofit organizations.

REFUGEE AND ENTRANT ASSISTANCE
(INCLUDING TRANSFER OF FUNDS)

For necessary expenses for refugee and entrant assistance activities authorized by section 414 of the Immigration and Nationality Act and section 501 of the Refugee Education Assistance Act of 1980, and for carrying out section 462 of the Homeland Security Act of 2002, section 235 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, the Trafficking Victims Protection Act of 2000 (“TVPA”), and the Torture Victims Relief Act of 1998, \$1,905,201,000, of which \$1,864,446,000 shall remain available through September 30, 2021 for carrying out such sections 414, 501, 462, and 235: Provided, That amounts available under this heading to carry out the TVPA shall also be available for research and evaluation with respect to activities under such Act: Provided further, That the limitation in section 205 of this Act regarding transfers increasing any appropriation shall apply to transfers to appropriations under this heading by substituting “15 percent” for “3 percent”.

PAYMENTS TO STATES FOR THE CHILD CARE AND
DEVELOPMENT BLOCK GRANT

For carrying out the Child Care and Development Block Grant Act of 1990 (“CCDBG Act”), \$5,276,000,000 shall be used to supplement, not

supplant State general revenue funds for child care assistance for low-income families: Provided, That technical assistance under section 6581(a)(3) of such Act may be provided directly, or through the use of contracts, grants, cooperative agreements, or interagency agreements: Provided further, That all funds made available to carry out section 418 of the Social Security Act (42 U.S.C. 618), including funds appropriated for that purpose in such section 418 or any other provision of law, shall be subject to the reservation of funds authority in paragraphs (4) and (5) of section 6580(a) of the CCDBG Act: Provided further, That in addition to the amounts required to be reserved by the Secretary under section 6580(a)(2)(A) of such Act, \$156,780,000 shall be for Indian tribes and tribal organizations.

SOCIAL SERVICES BLOCK GRANT

For making grants to States pursuant to section 2002 of the Social Security Act, \$1,700,000,000: Provided, That notwithstanding subparagraph (B) of section 404(d)(2) of such Act, the applicable percent specified under such subparagraph for a State to carry out State programs pursuant to title XX–A of such Act shall be 10 percent.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For carrying out, except as otherwise provided, the Runaway and Homeless Youth Act, the Head Start Act, the Every Student Succeeds Act, the Child Abuse Prevention and Treatment Act, sections 303 and 313 of the Family Violence Prevention and Services Act, the Native American Programs Act of 1974, title II of the Child Abuse Prevention and Treatment and Adoption Reform Act of 1978 (adoption opportunities), part B–1 of title IV and sections 429, 473A, 477(i), 1110, 1114A, and 1115 of the Social Security Act, and the Community Services Block Grant Act (“CSBG Act”); and for necessary administrative expenses to carry out titles I, IV, V, X, XI, XIV, XVI, and XX–A of the Social Security Act, the Act of July 5, 1960, the Low-Income Home Energy Assistance Act of 1981, the Child Care and Development Block Grant Act of 1990, the Assets for Independence Act, title IV of the Immigration and Nationality Act, and section 501 of the Refugee Education Assistance Act of 1980, \$12,239,225,000, of which \$75,000,000, to remain available through September 30, 2020, shall be for grants to States for adoption and legal guardianship incentive payments, as defined by section 473A of the Social Security Act and may be made for adoptions and legal guardianships completed before September 30, 2019: Provided, That \$10,063,095,000 shall be for making payments under the Head Start Act, of which, notwithstanding section 640 of such Act:

(1) \$150,000,000 shall be available for a cost of living adjustment, and with respect to any continuing appropriations act, funding available for a cost of living adjustment shall not be construed as an authority or condition under this Act;

(2) \$25,000,000 shall be available for allocation by the Secretary to supplement activities described in paragraphs (7)(B) and (9) of section 641(c) of the Head Start Act under the Designation Renewal System, established under the authority of sections 641(c)(7), 645A(b)(12), and 645A(d) of such Act, and such funds shall not be included in the calculation of “base grant” in subsequent fiscal years, as such term is used in section 640(a)(7)(A) of such Act; and

(3) \$805,000,000, in addition to funds otherwise available under such section 640 for such purposes, shall be available through March 31, 2020, for Early Head Start programs as described in section 645A of such Act, for conversion of Head Start services to Early Head Start services as described in section 645(a)(5)(A) of such Act, for discretionary grants for high quality infant and toddler care through Early Head Start–Child Care Partnerships, to entities defined as eligible under section 645A(d) of such Act, for training and technical assistance for such ac-

tivities, and for up to \$16,000,000 in Federal costs of administration and evaluation: Provided further, That the Secretary may reduce the reservation of funds under section 640(a)(2)(C) of such Act in lieu of reducing the reservation of funds under sections 640(a)(2)(B), 640(a)(2)(D), and 640(a)(2)(E) of such Act: Provided further, That \$250,000,000 shall be available until December 31, 2019 for carrying out sections 9212 and 9213 of the Every Student Succeeds Act: Provided further, That up to 3 percent of the funds in the preceding proviso shall be available for technical assistance and evaluation related to grants awarded under such section 9212: Provided further, That \$753,883,000 shall be for making payments under the CSBG Act: Provided further, That \$29,233,000 shall be for sections 680 and 678E(b)(2) of the CSBG Act, of which not less than \$19,883,000 shall be for section 680(a)(2) and not less than \$9,000,000 shall be for section 680(a)(3)(B) of such Act: Provided further, That, notwithstanding section 675C(a)(3) of such Act, to the extent Community Services Block Grant funds are distributed as grant funds by a State to an eligible entity as provided under such Act, and have not been expended by such entity, they shall remain with such entity for carryover into the next fiscal year for expenditure by such entity consistent with program purposes: Provided further, That the Secretary shall establish procedures regarding the disposition of intangible assets and program income that permit such assets acquired with, and program income derived from, grant funds authorized under section 680 of the CSBG Act to become the sole property of such grantees after a period of not more than 12 years after the end of the grant period for any activity consistent with section 680(a)(2)(A) of the CSBG Act: Provided further, That intangible assets in the form of loans, equity investments and other debt instruments, and program income may be used by grantees for any eligible purpose consistent with section 680(a)(2)(A) of the CSBG Act: Provided further, That these procedures shall apply to such grant funds made available after November 29, 1999: Provided further, That funds appropriated for section 680(a)(2) of the CSBG Act shall be available for financing construction and rehabilitation and loans or investments in private business enterprises owned by community development corporations: Provided further, That \$164,500,000 shall be for carrying out section 303(a) of the Family Violence Prevention and Services Act, of which \$5,000,000 shall be allocated notwithstanding section 303(a)(2) of such Act for carrying out section 309 of such Act: Provided further, That the percentages specified in section 112(a)(2) of the Child Abuse Prevention and Treatment Act shall not apply to funds appropriated under this heading: Provided further, That \$1,864,000 shall be for a human services case management system for federally declared disasters, to include a comprehensive national case management contract and Federal costs of administering the system: Provided further, That up to \$2,000,000 shall be for improving the Public Assistance Reporting Information System, including grants to States to support data collection for a study of the system's effectiveness.

PROMOTING SAFE AND STABLE FAMILIES

For carrying out, except as otherwise provided, section 436 of the Social Security Act, \$345,000,000 and, for carrying out, except as otherwise provided, section 437 of such Act, \$99,765,000: Provided, That of the funds available to carry out section 437, \$59,765,000 shall be allocated consistent with subsections (b) through (d) of such section: Provided further, That of the funds available to carry out section 437, to assist in meeting the requirements described in section 471(e)(4)(C), \$20,000,000 shall be for grants to each State, territory, and Indian tribe operating title IV-E plans for developing, enhancing, or evaluating kinship navigator programs, as described in section 427(a)(1) of such Act, and \$20,000,000, in addition to

funds otherwise appropriated in section 436 for such purposes, shall be for competitive grants to regional partnerships as described in section 437(f): Provided further, That section 437(b)(1) shall be applied to amounts in the previous proviso by substituting "5 percent" for "3.3 percent", and notwithstanding section 436(b)(1), such reserved amounts may be used for identifying, establishing, and disseminating practices to meet the criteria specified in section 471(e)(4)(C): Provided further, That the reservation in section 437(b)(2) and the limitations in section 437(d) shall not apply to funds specified in the second proviso: Provided further, That the minimum grant award for kinship navigator programs in the case of States and territories shall be \$200,000, and, in the case of tribes, shall be \$25,000: Provided further, That section 437(b)(4) of such Act shall be applied by substituting "fiscal year 2019" for "fiscal year 2018".

PAYMENTS FOR FOSTER CARE AND PERMANENCY

For carrying out, except as otherwise provided, title IV-E of the Social Security Act, \$6,035,000,000.

For carrying out, except as otherwise provided, title IV-E of the Social Security Act, for the first quarter of fiscal year 2020, \$2,800,000,000.

For carrying out, after May 31 of the current fiscal year, except as otherwise provided, section 474 of title IV-E of the Social Security Act, for the last 3 months of the current fiscal year for unanticipated costs, incurred for the current fiscal year, such sums as may be necessary.

ADMINISTRATION FOR COMMUNITY LIVING AGING AND DISABILITY SERVICES PROGRAMS (INCLUDING TRANSFER OF FUNDS)

For carrying out, to the extent not otherwise provided, the Older Americans Act of 1965 ("OAA"), the RAISE Family Caregivers Act, the Supporting Grandparents Raising Grandchildren Act, titles III and XXIX of the PHS Act, sections 1252 and 1253 of the PHS Act, section 119 of the Medicare Improvements for Patients and Providers Act of 2008, title XX-B of the Social Security Act, the Developmental Disabilities Assistance and Bill of Rights Act, parts 2 and 5 of subtitle D of title II of the Help America Vote Act of 2002, the Assistive Technology Act of 1998, titles II and VII (and section 14 with respect to such titles) of the Rehabilitation Act of 1973, and for Department-wide coordination of policy and program activities that assist individuals with disabilities, \$2,120,200,000, together with \$49,115,000 to be transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to carry out section 4360 of the Omnibus Budget Reconciliation Act of 1990: Provided, That amounts appropriated under this heading may be used for grants to States under section 361 of the OAA only for disease prevention and health promotion programs and activities which have been demonstrated through rigorous evaluation to be evidence-based and effective: Provided further, That of amounts made available under this heading to carry out sections 311, 331, and 336 of the OAA, up to one percent of such amounts shall be available for developing and implementing evidence-based practices for enhancing senior nutrition: Provided further, That notwithstanding any other provision of this Act, funds made available under this heading to carry out section 311 of the OAA may be transferred to the Secretary of Agriculture in accordance with such section: Provided further, That \$2,000,000 shall be for competitive grants to support alternative financing programs that provide for the purchase of assistive technology devices, such as a low-interest loan fund; an interest buy-down program; a revolving loan fund; a loan guarantee; or an insurance program: Provided further, That applicants shall provide an assurance that, and information describing the manner in which, the alternative financing program will expand and

emphasize consumer choice and control: Provided further, That State agencies and community-based disability organizations that are directed by and operated for individuals with disabilities shall be eligible to compete: Provided further, That none of the funds made available under this heading may be used by an eligible system (as defined in section 102 of the Protection and Advocacy for Individuals with Mental Illness Act (42 U.S.C. 10802)) to continue to pursue any legal action in a Federal or State court on behalf of an individual or group of individuals with a developmental disability (as defined in section 102(8)(A) of the Developmental Disabilities and Assistance and Bill of Rights Act of 2000 (20 U.S.C. 15002(8)(A))) that is attributable to a mental impairment (or a combination of mental and physical impairments), that has as the requested remedy the closure of State operated intermediate care facilities for people with intellectual or developmental disabilities, unless reasonable public notice of the action has been provided to such individuals (or, in the case of mental incapacitation, the legal guardians who have been specifically awarded authority by the courts to make healthcare and residential decisions on behalf of such individuals) who are affected by such action, within 90 days of instituting such legal action, which informs such individuals (or such legal guardians) of their legal rights and how to exercise such rights consistent with current Federal Rules of Civil Procedure: Provided further, That the limitations in the immediately preceding proviso shall not apply in the case of an individual who is neither competent to consent nor has a legal guardian, nor shall the proviso apply in the case of individuals who are a ward of the State or subject to public guardianship.

OFFICE OF THE SECRETARY

GENERAL DEPARTMENTAL MANAGEMENT

For necessary expenses, not otherwise provided, for general departmental management, including hire of six passenger motor vehicles, and for carrying out titles III, XVII, XXI, and section 229 of the PHS Act, the United States-Mexico Border Health Commission Act, and research studies under section 1110 of the Social Security Act, \$480,629,000, together with \$64,828,000 from the amounts available under section 241 of the PHS Act to carry out national health or human services research and evaluation activities: Provided, That of this amount, \$53,900,000 shall be for minority AIDS prevention and treatment activities: Provided further, That of the funds made available under this heading, \$101,000,000 shall be for making competitive contracts and grants to public and private entities to fund medically accurate and age appropriate programs that reduce teen pregnancy and for the Federal costs associated with administering and evaluating such contracts and grants, of which not more than 10 percent of the available funds shall be for training and technical assistance, evaluation, outreach, and additional program support activities, and of the remaining amount 75 percent shall be for replicating programs that have been proven effective through rigorous evaluation to reduce teenage pregnancy, behavioral risk factors underlying teenage pregnancy, or other associated risk factors, and 25 percent shall be available for research and demonstration grants to develop, replicate, refine, and test additional models and innovative strategies for preventing teenage pregnancy: Provided further, That of the amounts provided under this heading from amounts available under section 241 of the PHS Act, \$6,800,000 shall be available to carry out evaluations (including longitudinal evaluations) of teenage pregnancy prevention approaches: Provided further, That of the funds made available under this heading, \$35,000,000 shall be for making competitive grants which exclusively implement education in sexual risk avoidance (defined as voluntarily refraining from non-marital sexual activity): Provided further, That funding for such competitive grants for sexual risk

avoidance shall use medically accurate information referenced to peer-reviewed publications by educational, scientific, governmental, or health organizations; implement an evidence-based approach integrating research findings with practical implementation that aligns with the needs and desired outcomes for the intended audience; and teach the benefits associated with self-regulation, success sequencing for poverty prevention, healthy relationships, goal setting, and resisting sexual coercion, dating violence, and other youth risk behaviors such as underage drinking or illicit drug use without normalizing teen sexual activity: Provided further, That no more than 10 percent of the funding for such competitive grants for sexual risk avoidance shall be available for technical assistance and administrative costs of such programs: Provided further, That funds provided in this Act for embryo adoption activities may be used to provide to individuals adopting embryos, through grants and other mechanisms, medical and administrative services deemed necessary for such adoptions: Provided further, That such services shall be provided consistent with 42 CFR 59.5(a)(4).

OFFICE OF MEDICARE HEARINGS AND APPEALS

For expenses necessary for the Office of Medicare Hearings and Appeals, \$182,381,000 shall remain available until September 30, 2020, to be transferred in appropriate part from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

OFFICE OF THE NATIONAL COORDINATOR FOR HEALTH INFORMATION TECHNOLOGY

For expenses necessary for the Office of the National Coordinator for Health Information Technology, including grants, contracts, and cooperative agreements for the development and advancement of interoperable health information technology, \$60,367,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, including the hire of passenger motor vehicles for investigations, in carrying out the provisions of the Inspector General Act of 1978, \$80,000,000: Provided, That of such amount, necessary sums shall be available for providing protective services to the Secretary and investigating non-payment of child support cases for which non-payment is a Federal offense under 18 U.S.C. 228.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, \$38,798,000.

RETIREMENT PAY AND MEDICAL BENEFITS FOR COMMISSIONED OFFICERS

For retirement pay and medical benefits of Public Health Service Commissioned Officers as authorized by law, for payments under the Retired Serviceman's Family Protection Plan and Survivor Benefit Plan, and for medical care of dependents and retired personnel under the Dependents' Medical Care Act, such amounts as may be required during the current fiscal year.

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

For expenses necessary to support activities related to countering potential biological, nuclear, radiological, chemical, and cybersecurity threats to civilian populations, and for other public health emergencies, \$1,026,458,000, of which \$561,700,000 shall remain available through September 30, 2020, for expenses necessary to support advanced research and development pursuant to section 319L of the PHS Act and other administrative expenses of the Biomedical Advanced Research and Development Authority: Provided, That funds provided under this heading for the purpose of acquisition of security countermeasures shall be in addition to any other funds available for such purpose: Provided further, That products purchased with funds provided under this heading may, at the discretion of the Secretary, be deposited in the Strategic National Stockpile pursuant to section 319F-2 of the PHS Act: Provided further, That

\$5,000,000 of the amounts made available to support emergency operations shall remain available through September 30, 2021.

For expenses necessary for procuring security countermeasures (as defined in section 319F-2(c)(1)(B) of the PHS Act), \$735,000,000, to remain available until expended.

For an additional amount for expenses necessary to prepare for or respond to an influenza pandemic, \$260,000,000; of which \$225,000,000 shall be available until expended, for activities including the development and purchase of vaccine, antivirals, necessary medical supplies, diagnostics, and other surveillance tools: Provided, That notwithstanding section 496(b) of the PHS Act, funds may be used for the construction or renovation of privately owned facilities for the production of pandemic influenza vaccines and other biologics, if the Secretary finds such construction or renovation necessary to secure sufficient supplies of such vaccines or biologics.

GENERAL PROVISIONS

SEC. 201. Funds appropriated in this title shall be available for not to exceed \$50,000 for official reception and representation expenses when specifically approved by the Secretary.

SEC. 202. None of the funds appropriated in this title shall be used to pay the salary of an individual, through a grant or other extramural mechanism, at a rate in excess of Executive Level II.

SEC. 203. None of the funds appropriated in this Act may be expended pursuant to section 241 of the PHS Act, except for funds specifically provided for in this Act, or for other taps and assessments made by any office located in HHS, prior to the preparation and submission of a report by the Secretary to the Committees on Appropriations of the House of Representatives and the Senate detailing the planned uses of such funds.

SEC. 204. Notwithstanding section 241(a) of the PHS Act, such portion as the Secretary shall determine, but not more than 2.5 percent, of any amounts appropriated for programs authorized under such Act shall be made available for the evaluation (directly, or by grants or contracts) and the implementation and effectiveness of programs funded in this title.

(TRANSFER OF FUNDS)

SEC. 205. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the current fiscal year for HHS in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 206. In lieu of the timeframe specified in section 338E(c)(2) of the PHS Act, terminations described in such section may occur up to 60 days after the execution of a contract awarded in fiscal year 2019 under section 338B of such Act.

SEC. 207. None of the funds appropriated in this Act may be made available to any entity under title X of the PHS Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.

SEC. 208. Notwithstanding any other provision of law, no provider of services under title X of the PHS Act shall be exempt from any State law requiring notification or the reporting of child abuse, child molestation, sexual abuse, rape, or incest.

SEC. 209. None of the funds appropriated by this Act (including funds appropriated to any

trust fund) may be used to carry out the Medicare Advantage program if the Secretary denies participation in such program to an otherwise eligible entity (including a Provider Sponsored Organization) because the entity informs the Secretary that it will not provide, pay for, provide coverage of, or provide referrals for abortions: Provided, That the Secretary shall make appropriate prospective adjustments to the capitation payment to such an entity (based on an actuarially sound estimate of the expected costs of providing the service to such entity's enrollees): Provided further, That nothing in this section shall be construed to change the Medicare program's coverage for such services and a Medicare Advantage organization described in this section shall be responsible for informing enrollees where to obtain information about all Medicare covered services.

SEC. 210. None of the funds made available in this title may be used, in whole or in part, to advocate or promote gun control.

SEC. 211. The Secretary shall make available through assignment not more than 60 employees of the Public Health Service to assist in child survival activities and to work in AIDS programs through and with funds provided by the Agency for International Development, the United Nations International Children's Emergency Fund or the World Health Organization.

SEC. 212. In order for HHS to carry out international health activities, including HIV/AIDS and other infectious disease, chronic and environmental disease, and other health activities abroad during fiscal year 2019:

(1) The Secretary may exercise authority equivalent to that available to the Secretary of State in section 2(c) of the State Department Basic Authorities Act of 1956. The Secretary shall consult with the Secretary of State and relevant Chief of Mission to ensure that the authority provided in this section is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other applicable statutes administered by the Department of State.

(2) The Secretary is authorized to provide such funds by advance or reimbursement to the Secretary of State as may be necessary to pay the costs of acquisition, lease, alteration, renovation, and management of facilities outside of the United States for the use of HHS. The Department of State shall cooperate fully with the Secretary to ensure that HHS has secure, safe, functional facilities that comply with applicable regulation governing location, setback, and other facilities requirements and serve the purposes established by this Act. The Secretary is authorized, in consultation with the Secretary of State, through grant or cooperative agreement, to make available to public or nonprofit private institutions or agencies in participating foreign countries, funds to acquire, lease, alter, or renovate facilities in those countries as necessary to conduct programs of assistance for international health activities, including activities relating to HIV/AIDS and other infectious diseases, chronic and environmental diseases, and other health activities abroad.

(3) The Secretary is authorized to provide to personnel appointed or assigned by the Secretary to serve abroad, allowances and benefits similar to those provided under chapter 9 of title I of the Foreign Service Act of 1980, and 22 U.S.C. 4081 through 4086 and subject to such regulations prescribed by the Secretary. The Secretary is further authorized to provide locality-based comparability payments (stated as a percentage) up to the amount of the locality-based comparability payment (stated as a percentage) that would be payable to such personnel under section 5304 of title 5, United States Code if such personnel's official duty station were in the District of Columbia. Leaves of absence for personnel under this subsection shall be on the same basis as that provided under subchapter I of chapter 63 of title 5, United States Code, or section 903 of the Foreign

Service Act of 1980, to individuals serving in the Foreign Service.

(TRANSFER OF FUNDS)

SEC. 213. The Director of the NIH, jointly with the Director of the Office of AIDS Research, may transfer up to 3 percent among institutes and centers from the total amounts identified by these two Directors as funding for research pertaining to the human immunodeficiency virus: Provided, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

(TRANSFER OF FUNDS)

SEC. 214. Of the amounts made available in this Act for NIH, the amount for research related to the human immunodeficiency virus, as jointly determined by the Director of NIH and the Director of the Office of AIDS Research, shall be made available to the "Office of AIDS Research" account. The Director of the Office of AIDS Research shall transfer from such account amounts necessary to carry out section 2353(d)(3) of the PHS Act.

SEC. 215. (a) **AUTHORITY.**—Notwithstanding any other provision of law, the Director of NIH ("Director") may use funds authorized under section 402(b)(12) of the PHS Act to enter into transactions (other than contracts, cooperative agreements, or grants) to carry out research identified pursuant to or research and activities described in such section 402(b)(12).

(b) **PEER REVIEW.**—In entering into transactions under subsection (a), the Director may utilize such peer review procedures (including consultation with appropriate scientific experts) as the Director determines to be appropriate to obtain assessments of scientific and technical merit. Such procedures shall apply to such transactions in lieu of the peer review and advisory council review procedures that would otherwise be required under sections 301(a)(3), 405(b)(1)(B), 405(b)(2), 406(a)(3)(A), 492, and 494 of the PHS Act.

SEC. 216. Not to exceed \$45,000,000 of funds appropriated by this Act to the institutes and centers of the National Institutes of Health may be used for alteration, repair, or improvement of facilities, as necessary for the proper and efficient conduct of the activities authorized herein, at not to exceed \$3,500,000 per project.

(TRANSFER OF FUNDS)

SEC. 217. Of the amounts made available for NIH, 1 percent of the amount made available for National Research Service Awards ("NRSA") shall be made available to the Administrator of the Health Resources and Services Administration to make NRSA awards for research in primary medical care to individuals affiliated with entities who have received grants or contracts under sections 736, 739, or 747 of the PHS Act, and 1 percent of the amount made available for NRSA shall be made available to the Director of the Agency for Healthcare Research and Quality to make NRSA awards for health service research.

SEC. 218. (a) The Biomedical Advanced Research and Development Authority ("BARDA") may enter into a contract, for more than one but no more than 10 program years, for purchase of research services or of security countermeasures, as that term is defined in section 319F-2(c)(1)(B) of the PHS Act (42 U.S.C. 247d-6b(c)(1)(B)), if—

(1) funds are available and obligated—

(A) for the full period of the contract or for the first fiscal year in which the contract is in effect; and

(B) for the estimated costs associated with a necessary termination of the contract; and

(2) the Secretary determines that a multi-year contract will serve the best interests of the Federal Government by encouraging full and open competition or promoting economy in administration, performance, and operation of BARDA's programs.

(b) A contract entered into under this section—

(1) shall include a termination clause as described by subsection (c) of section 3903 of title 41, United States Code; and

(2) shall be subject to the congressional notice requirement stated in subsection (d) of such section.

SEC. 219. (a) The Secretary shall publish in the fiscal year 2020 budget justification and on Departmental Web sites information concerning the employment of full-time equivalent Federal employees or contractors for the purposes of implementing, administering, enforcing, or otherwise carrying out the provisions of the ACA, and the amendments made by that Act, in the proposed fiscal year and each fiscal year since the enactment of the ACA.

(b) With respect to employees or contractors supported by all funds appropriated for purposes of carrying out the ACA (and the amendments made by that Act), the Secretary shall include, at a minimum, the following information:

(1) For each such fiscal year, the section of such Act under which such funds were appropriated, a statement indicating the program, project, or activity receiving such funds, the Federal operating division or office that administers such program, and the amount of funding received in discretionary or mandatory appropriations.

(2) For each such fiscal year, the number of full-time equivalent employees or contracted employees assigned to each authorized and funded provision detailed in accordance with paragraph (1).

(c) In carrying out this section, the Secretary may exclude from the report employees or contractors who—

(1) are supported through appropriations enacted in laws other than the ACA and work on programs that existed prior to the passage of the ACA;

(2) spend less than 50 percent of their time on activities funded by or newly authorized in the ACA; or

(3) work on contracts for which FTE reporting is not a requirement of their contract, such as fixed-price contracts.

SEC. 220. The Secretary shall publish, as part of the fiscal year 2020 budget of the President submitted under section 1105(a) of title 31, United States Code, information that details the uses of all funds used by the Centers for Medicare & Medicaid Services specifically for Health Insurance Exchanges for each fiscal year since the enactment of the ACA and the proposed uses for such funds for fiscal year 2020. Such information shall include, for each such fiscal year, the amount of funds used for each activity specified under the heading "Health Insurance Exchange Transparency" in the joint explanatory statement accompanying this Act.

SEC. 221. None of the funds made available by this Act from the Federal Hospital Insurance Trust Fund or the Federal Supplemental Medical Insurance Trust Fund, or transferred from other accounts funded by this Act to the "Centers for Medicare & Medicaid Services—Program Management" account, may be used for payments under section 1342(b)(1) of Public Law 111-148 (relating to risk corridors).

(TRANSFER OF FUNDS)

SEC. 222. (a) Within 45 days of enactment of this Act, the Secretary shall transfer funds appropriated under section 4002 of the ACA to the accounts specified, in the amounts specified, and for the activities specified under the heading "Prevention and Public Health Fund" in the joint explanatory statement accompanying this Act.

(b) Notwithstanding section 4002(c) of the ACA, the Secretary may not further transfer these amounts.

(c) Funds transferred for activities authorized under section 2821 of the PHS Act shall be made available without reference to section 2821(b) of such Act.

SEC. 223. Effective during the period beginning on November 1, 2015 and ending January 1,

2021, any provision of law that refers (including through cross-reference to another provision of law) to the current recommendations of the United States Preventive Services Task Force with respect to breast cancer screening, mammography, and prevention shall be administered by the Secretary involved as if—

(1) such reference to such current recommendations were a reference to the recommendations of such Task Force with respect to breast cancer screening, mammography, and prevention last issued before 2009; and

(2) such recommendations last issued before 2009 applied to any screening mammography modality under section 1861(jj) of the Social Security Act (42 U.S.C. 1395j(jj)).

SEC. 224. In making Federal financial assistance, the provisions relating to indirect costs in part 75 of title 45, Code of Federal Regulations, including with respect to the approval of deviations from negotiated rates, shall continue to apply to the National Institutes of Health to the same extent and in the same manner as such provisions were applied in the third quarter of fiscal year 2017. None of the funds appropriated in this or prior Acts or otherwise made available to the Department of Health and Human Services or to any department or agency may be used to develop or implement a modified approach to such provisions, or to intentionally or substantially expand the fiscal effect of the approval of such deviations from negotiated rates beyond the proportional effect of such approvals in such quarter.

(TRANSFER OF FUNDS)

SEC. 225. The NIH Director may transfer funds specifically appropriated for opioid addiction, opioid alternatives, pain management, and addiction treatment to other Institutes and Centers of the NIH to be used for the same purpose 15 days after notifying the Committees on Appropriations: Provided, That the transfer authority provided in the previous proviso is in addition to any other transfer authority provided by law.

SEC. 226. (a) The Secretary shall provide to the Committees on Appropriations of the House of Representatives and the Senate:

(1) Detailed monthly enrollment figures from the Exchanges established under the Patient Protection and Affordable Care Act of 2010 pertaining to enrollments during the open enrollment period; and

(2) Notification of any new or competitive grant awards, including supplements, authorized under section 330 of the Public Health Service Act.

(b) The Committees on Appropriations of the House and Senate must be notified at least 2 business days in advance of any public release of enrollment information or the award of such grants.

SEC. 227. In addition to the amounts otherwise available for "Centers for Medicare & Medicaid Services, Program Management", the Secretary of Health and Human Services may transfer up to \$305,000,000 to such account from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund to support program management activity related to the Medicare Program: Provided, That except for the foregoing purpose, such funds may not be used to support any provision of Public Law 111-148 or Public Law 111-152 (or any amendment made by either such Public Law) or to supplant any other amounts within such account.

(RESCISSION)

SEC. 228. Of the unobligated balances available in the "Nonrecurring Expenses Fund" established in section 223 of division G of Public Law 110-161, \$400,000,000 are hereby rescinded.

SEC. 229. Not later than the 15th day of each month, the Department of Health and Human Services shall provide the Committees on Appropriations of the House of Representatives and Senate a report on staffing described in the joint explanatory statement accompanying this Act.

SEC. 230. Funds appropriated in this Act that are available for salaries and expenses of em-

ployees of the Department of Health and Human Services shall also be available to pay travel and related expenses of such an employee or of a member of his or her family, when such employee is assigned to duty, in the United States or in a U.S. territory, during a period and in a location that are the subject of a determination of a public health emergency under section 319 of the Public Health Service Act and such travel is necessary to obtain medical care for an illness, injury, or medical condition that cannot be adequately addressed in that location at that time. For purposes of this section, the term "U.S. territory" means Guam, the Commonwealth of Puerto Rico, the Northern Mariana Islands, the Virgin Islands, American Samoa, or the Trust Territory of the Pacific Islands.

(INCLUDING TRANSFER OF FUNDS)

SEC. 231. There is established in the Treasury a reserve fund to be known as the "Infectious Diseases Rapid Response Reserve Fund" (the "Reserve Fund"): Provided, That of the funds provided under the heading "CDC-Wide Activities and Program Support", \$50,000,000, to remain available until expended, shall be available to the Director of the CDC for deposit in the Reserve Fund: Provided further, That amounts in the Reserve Fund shall be for carrying out titles II, III, and XVII of the PHS Act to prevent, prepare for, or respond to an infectious disease emergency, including, in connection with such activities, to purchase or lease and provide for the insurance of passenger motor vehicles for official use in foreign countries: Provided further, That amounts in the Reserve Fund may only be provided for an infectious disease emergency if the infectious disease emergency (1) is declared by the Secretary of Health and Human Services under section 319 of the PHS Act to be a public health emergency; or (2) as determined by the Secretary, has significant potential to imminently occur and potential, on occurrence, to affect national security or the health and security of United States citizens, domestically or internationally: Provided further, That amounts in the Reserve Fund may be transferred by the Director of the CDC to other accounts of the CDC, to accounts of the NIH, or to the Public Health and Social Services Emergency Fund, to be merged with such accounts or Fund for the purposes provided in this section: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate shall be notified in advance of any transfer or obligation made under the authority provided in this section, including notification on the anticipated uses of such funds by program, project, or activity: Provided further, That not later than 15 days after notification of the planned use of the Reserve Fund, the Director shall provide a detailed spend plan of anticipated uses of funds, including estimated personnel and administrative costs, to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That such plans shall be updated and submitted every 90 days thereafter until funds have been fully expended which should include the unobligated balances in the Reserve Fund and all the actual obligations incurred to date: Provided further, That amounts in the Reserve Fund shall be in addition to amounts otherwise available to the Department of Health and Human Services for the purposes provided in this section: Provided further, That the transfer authorities in this section are in addition to any transfer authority otherwise available to the Department of Health and Human Services: Provided further, That products purchased using amounts in the Reserve Fund may, at the discretion of the Secretary of Health and Human Services, be deposited in the Strategic National Stockpile under section 319F-2 of the PHS Act: Provided further, That this section shall be in effect as of the date of the enactment of this Act through each fiscal year hereafter.

SEC. 232. The Department of Health and Human Services may accept donations from the private sector, nongovernmental organizations, and other groups independent of the Federal Government for the care of unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))) in the care of the Office of Refugee Resettlement of the Administration for Children and Families, including medical goods and services, school supplies, toys, clothing, and any other items intended to promote the wellbeing of such children.

SEC. 233. The Secretary shall submit to the Congress by November 15, 2018, a plan to promptly facilitate the reunification of children separated from their parents and placed in the custody of the Office of Refugee Resettlement ("ORR"), including the reunification of children with parents who are no longer in the United States: Provided, That such plan shall include possible children of potential class members in the class-action lawsuit *Ms. L. v. ICE*, as identified in the Joint Status Report filed on September 6, 2018: Provided further, That such plan shall describe the activities the Administration has undertaken to locate parents who are no longer in the United States and to reunify those parents with their children, including (1) the process for tracking children and parents, (2) the process for coordinating interagency responsibilities for communication, location, and reunification of such parents, and (3) the number of parents that the Administration has been unable to contact: Provided further, That such plan shall provide detailed information on how many parents have been determined to be ineligible for reunification and the reasons for those determinations: Provided further, That such plan shall identify the number of children in ORR custody whose parents were deported that (1) have been reunified with their parents, (2) have been released into the custody of a family member other than a parent, (3) have been released into the custody of a sponsor who is not a family member, and (4) are still in ORR custody: Provided further, That such plan shall provide detailed information regarding the procedures the Administration follows when child sexual abuse is alleged at facilities operated by ORR contractors: Provided further, That such plan shall include an estimate of expenditures in fiscal year 2018 and an estimate of anticipated expenditures in fiscal year 2019 related to housing children who were separated from their parents at the border as well as activities to reunify such children with their parents: Provided further, That if such plan is not submitted by the deadline identified above, the Department of Health and Human Services may not, until such a plan has been submitted to the Congress, obligate funds from the Fund established by section 223 of title II of division G of Public Law 110-161, except to obligate funds for projects identified in the joint explanatory statement accompanying this Act.

SEC. 234. None of the funds made available by this Act may be used to prevent a Member of the United States Congress from entering, for the purpose of conducting oversight, any facility in the United States, used for purposes of maintaining custody of or otherwise housing unaccompanied alien children (as defined in section 462(g)(2) of the Homeland Security Act of 2002 (6 U.S.C. 279(g)(2))).

This title may be cited as the "Department of Health and Human Services Appropriations Act, 2019".

TITLE III

DEPARTMENT OF EDUCATION EDUCATION FOR THE DISADVANTAGED

For carrying out title I and subpart 2 of part B of title II of the Elementary and Secondary Education Act of 1965 (referred to in this Act as "ESEA") and section 418A of the Higher Education Act of 1965 (referred to in this Act as "HEA"), \$16,543,790,000, of which \$5,625,990,000 shall become available on July 1, 2019, and shall

remain available through September 30, 2020, and of which \$10,841,177,000 shall become available on October 1, 2019, and shall remain available through September 30, 2020, for academic year 2019-2020: Provided, That \$6,459,401,000 shall be for basic grants under section 1124 of the ESEA: Provided further, That up to \$5,000,000 of these funds shall be available to the Secretary of Education (referred to in this title as "Secretary") on October 1, 2018, to obtain annually updated local educational agency-level census poverty data from the Bureau of the Census: Provided further, That \$1,362,301,000 shall be for concentration grants under section 1124A of the ESEA: Provided further, That \$4,019,050,000 shall be for targeted grants under section 1125 of the ESEA: Provided further, That \$4,019,050,000 shall be for education finance incentive grants under section 1125A of the ESEA: Provided further, That \$217,000,000 shall be for carrying out subpart 2 of part B of title II: Provided further, That \$44,623,000 shall be for carrying out section 418A of the HEA.

IMPACT AID

For carrying out programs of financial assistance to federally affected schools authorized by title VII of the ESEA, \$1,446,112,000, of which \$1,301,242,000 shall be for basic support payments under section 7003(b), \$48,316,000 shall be for payments for children with disabilities under section 7003(d), \$17,406,000, to remain available for obligation through September 30, 2020, shall be for construction under section 7007(b), \$74,313,000 shall be for Federal property payments under section 7002, and \$4,835,000, to remain available until expended, shall be for facilities maintenance under section 7008: Provided, That for purposes of computing the amount of a payment for an eligible local educational agency under section 7003(a) for school year 2018-2019, children enrolled in a school of such agency that would otherwise be eligible for payment under section 7003(a)(1)(B) of such Act, but due to the deployment of both parents or legal guardians, or a parent or legal guardian having sole custody of such children, or due to the death of a military parent or legal guardian while on active duty (so long as such children reside on Federal property as described in section 7003(a)(1)(B)), are no longer eligible under such section, shall be considered as eligible students under such section, provided such students remain in average daily attendance at a school in the same local educational agency they attended prior to their change in eligibility status.

SCHOOL IMPROVEMENT PROGRAMS

For carrying out school improvement activities authorized by part B of title I, part A of title II, subpart 1 of part A of title IV, part B of title IV, part B of title V, and parts B and C of title VI of the ESEA; the McKinney-Vento Homeless Assistance Act; section 203 of the Educational Technical Assistance Act of 2002; the Compact of Free Association Amendments Act of 2003; and the Civil Rights Act of 1964, \$5,246,967,000, of which \$3,418,402,000 shall become available on July 1, 2019, and remain available through September 30, 2020, and of which \$1,681,441,000 shall become available on October 1, 2019, and shall remain available through September 30, 2020, for academic year 2019-2020: Provided, That \$378,000,000 shall be for part B of title I: Provided further, That \$1,221,673,000 shall be for part B of title IV: Provided further, That \$36,397,000 shall be for part B of title VI and may be used for construction, renovation, and modernization of any elementary school, secondary school, or structure related to an elementary school or secondary school, run by the Department of Education of the State of Hawaii, that serves a predominantly Native Hawaiian student body: Provided further, That \$35,453,000 shall be for part C of title VI and shall be awarded on a competitive basis, and also may be used for construction: Provided further, That \$52,000,000 shall be available to carry

out section 203 of the Educational Technical Assistance Act of 2002 and the Secretary shall make such arrangements as determined to be necessary to ensure that the Bureau of Indian Education has access to services provided under this section: Provided further, That \$16,699,000 shall be available to carry out the Supplemental Education Grants program for the Federated States of Micronesia and the Republic of the Marshall Islands: Provided further, That the Secretary may reserve up to 5 percent of the amount referred to in the previous proviso to provide technical assistance in the implementation of these grants: Provided further, That \$180,840,000 shall be for part B of title V: Provided further, That \$1,170,000,000 shall be available for grants under subpart 1 of part A of title IV.

INDIAN EDUCATION

For expenses necessary to carry out, to the extent not otherwise provided, title VI, part A of the ESEA, \$180,239,000, of which \$67,993,000 shall be for subpart 2 of part A of title VI and \$6,865,000 shall be for subpart 3 of part A of title VI.

INNOVATION AND IMPROVEMENT

For carrying out activities authorized by subparts 1, 3 and 4 of part B of title II, and parts C, D, and E and subparts 1 and 4 of part F of title IV of the ESEA, \$1,035,556,000: Provided, That \$279,815,000 shall be for subparts 1, 3 and 4 of part B of title II and shall be made available without regard to sections 2201, 2231(b) and 2241: Provided further, That \$625,741,000 shall be for parts C, D, and E and subpart 4 of part F of title IV, and shall be made available without regard to sections 4311, 4409(a), and 4601 of the ESEA: Provided further, That section 4303(d)(3)(A)(i) shall not apply to the funds available for part C of title IV: Provided further, That of the funds available for part C of title IV, the Secretary shall use \$55,000,000 to carry out section 4304, of which not more than \$10,000,000 shall be available to carry out section 4304(k), \$135,000,000, to remain available through March 31, 2020, to carry out section 4305(b), and not more than \$15,000,000 to carry out the activities in section 4305(a)(3): Provided further, That notwithstanding section 4601(b), \$130,000,000 shall be available through December 31, 2019 for subpart 1 of part F of title IV.

SAFE SCHOOLS AND CITIZENSHIP EDUCATION

For carrying out activities authorized by subparts 2 and 3 of part F of title IV of the ESEA, \$190,754,000: Provided, That \$95,000,000 shall be available for section 4631, of which up to \$5,000,000, to remain available until expended, shall be for the Project School Emergency Response to Violence (Project SERV) program: Provided further, That \$17,500,000 shall be available for section 4625: Provided further, That \$78,254,000 shall be available through December 31, 2019, for section 4624.

ENGLISH LANGUAGE ACQUISITION

For carrying out part A of title III of the ESEA, \$737,400,000, which shall become available on July 1, 2019, and shall remain available through September 30, 2020, except that 6.5 percent of such amount shall be available on October 1, 2018, and shall remain available through September 30, 2020, to carry out activities under section 3111(c)(1)(C).

SPECIAL EDUCATION

For carrying out the Individuals with Disabilities Education Act (IDEA) and the Special Olympics Sport and Empowerment Act of 2004, \$13,468,728,000, of which \$3,942,129,000 shall become available on July 1, 2019, and shall remain available through September 30, 2020, and of which \$9,283,383,000 shall become available on October 1, 2019, and shall remain available through September 30, 2020, for academic year 2019–2020: Provided, That the amount for section 611(b)(2) of the IDEA shall be equal to the lesser of the amount available for that activity during fiscal year 2018, increased by the amount

of inflation as specified in section 619(d)(2)(B) of the IDEA, or the percent change in the funds appropriated under section 611(i) of the IDEA, but not less than the amount for that activity during fiscal year 2018: Provided further, That the Secretary shall, without regard to section 611(d) of the IDEA, distribute to all other States (as that term is defined in section 611(g)(2)), subject to the third proviso, any amount by which a State's allocation under section 611, from funds appropriated under this heading, is reduced under section 612(a)(18)(B), according to the following: 85 percent on the basis of the States' relative populations of children aged 3 through 21 who are of the same age as children with disabilities for whom the State ensures the availability of a free appropriate public education under this part, and 15 percent to States on the basis of the States' relative populations of those children who are living in poverty: Provided further, That the Secretary may not distribute any funds under the previous proviso to any State whose reduction in allocation from funds appropriated under this heading made funds available for such a distribution: Provided further, That the States shall allocate such funds distributed under the second proviso to local educational agencies in accordance with section 611(f): Provided further, That the amount by which a State's allocation under section 611(d) of the IDEA is reduced under section 612(a)(18)(B) and the amounts distributed to States under the previous provisos in fiscal year 2012 or any subsequent year shall not be considered in calculating the awards under section 611(d) for fiscal year 2013 or for any subsequent fiscal years: Provided further, That, notwithstanding the provision in section 612(a)(18)(B) regarding the fiscal year in which a State's allocation under section 611(d) is reduced for failure to comply with the requirement of section 612(a)(18)(A), the Secretary may apply the reduction specified in section 612(a)(18)(B) over a period of consecutive fiscal years, not to exceed five, until the entire reduction is applied: Provided further, That the Secretary may, in any fiscal year in which a State's allocation under section 611 is reduced in accordance with section 612(a)(18)(B), reduce the amount a State may reserve under section 611(e)(1) by an amount that bears the same relation to the maximum amount described in that paragraph as the reduction under section 612(a)(18)(B) bears to the total allocation the State would have received in that fiscal year under section 611(d) in the absence of the reduction: Provided further, That the Secretary shall either reduce the allocation of funds under section 611 for any fiscal year following the fiscal year for which the State fails to comply with the requirement of section 612(a)(18)(A) as authorized by section 612(a)(18)(B), or seek to recover funds under section 452 of the General Education Provisions Act (20 U.S.C. 1234a): Provided further, That the funds reserved under 611(c) of the IDEA may be used to provide technical assistance to States to improve the capacity of the States to meet the data collection requirements of sections 616 and 618 and to administer and carry out other services and activities to improve data collection, coordination, quality, and use under parts B and C of the IDEA: Provided further, That the Secretary may use funds made available for the State Personnel Development Grants program under part D, subpart 1 of IDEA to evaluate program performance under such subpart.

REHABILITATION SERVICES

For carrying out, to the extent not otherwise provided, the Rehabilitation Act of 1973 and the Helen Keller National Center Act, \$3,657,189,000, of which \$3,521,990,000 shall be for grants for vocational rehabilitation services under title I of the Rehabilitation Act: Provided, That the Secretary may use amounts provided in this Act that remain available subsequent to the reallocation of funds to States pursuant to section 110(b) of the Rehabilitation Act for innovative activities aimed at improving the outcomes of in-

dividuals with disabilities as defined in section 7(20)(B) of the Rehabilitation Act, including activities aimed at improving the education and post-school outcomes of children receiving Supplemental Security Income ("SSI") and their families that may result in long-term improvement in the SSI child recipient's economic status and self-sufficiency: Provided further, That States may award subgrants for a portion of the funds to other public and private, nonprofit entities: Provided further, That any funds made available subsequent to reallocation for innovative activities aimed at improving the outcomes of individuals with disabilities shall remain available until September 30, 2020.

SPECIAL INSTITUTIONS FOR PERSONS WITH DISABILITIES

AMERICAN PRINTING HOUSE FOR THE BLIND

For carrying out the Act to promote the Education of the Blind of March 3, 1879, \$30,431,000.

NATIONAL TECHNICAL INSTITUTE FOR THE DEAF

For the National Technical Institute for the Deaf under titles I and II of the Education of the Deaf Act of 1986, \$77,500,000: Provided, That from the total amount available, the Institute may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

GALLAUDET UNIVERSITY

For the Kendall Demonstration Elementary School, the Model Secondary School for the Deaf, and the partial support of Gallaudet University under titles I and II of the Education of the Deaf Act of 1986, \$134,361,000: Provided, That from the total amount available, the University may at its discretion use funds for the endowment program as authorized under section 207 of such Act.

CAREER, TECHNICAL, AND ADULT EDUCATION

For carrying out, to the extent not otherwise provided, the Carl D. Perkins Career and Technical Education Act of 2006 and the Adult Education and Family Literacy Act ("AEFLA"), \$1,925,686,000, of which \$1,134,686,000 shall become available on July 1, 2019, and shall remain available through September 30, 2020, and of which \$791,000,000 shall become available on October 1, 2019, and shall remain available through September 30, 2020: Provided, That of the amounts made available for AEFLA, \$13,712,000 shall be for national leadership activities under section 242.

STUDENT FINANCIAL ASSISTANCE

For carrying out subparts 1, 3, and 10 of part A, and part C of title IV of the HEA, \$24,445,352,000, which shall remain available through September 30, 2020.

The maximum Pell Grant for which a student shall be eligible during award year 2019–2020 shall be \$5,135.

STUDENT AID ADMINISTRATION

For Federal administrative expenses to carry out part D of title I, and subparts 1, 3, 9, and 10 of part A, and parts B, C, D, and E of title IV of the HEA, and subpart 1 of part A of title VII of the Public Health Service Act, \$1,678,943,000, to remain available through September 30, 2020: Provided, That the Secretary shall allocate new student loan borrower accounts to eligible student loan servicers on the basis of their performance compared to all loan servicers utilizing established common metrics, and on the basis of the capacity of each servicer to process new and existing accounts: Provided further, That for student loan contracts awarded prior to October 1, 2017, the Secretary shall allow student loan borrowers who are consolidating Federal student loans to select from any student loan servicer to service their new consolidated student loan: Provided further, That in order to promote accountability and high-quality service to borrowers, the Secretary shall not award funding for any contract solicitation for a new Federal student loan servicing environment, including the solicitation for the FSA

Next Generation Processing and Servicing Environment as amended by the Department of Education on February 20, 2018, unless such an environment provides for the participation of multiple student loan servicers that contract directly with the Department of Education to manage a unique portfolio of borrower accounts and the full life-cycle of loans from disbursement to pay-off with certain limited exceptions, and allocates student loan borrower accounts to eligible student loan servicers based on performance: Provided further, That such servicers described in the previous proviso shall be evaluated based on their ability to meet contract requirements, future performance on the contracts, and history of compliance with applicable consumer protections laws: Provided further, That to the extent Federal Student Aid (FSA) permits student loan servicing subcontracting, FSA shall hold prime contractors accountable for meeting the requirements of the contract, and the performance and expectations of subcontractors shall be accounted for in the prime contract and in the overall performance of the prime contractor: Provided further, That FSA shall ensure that the Next Generation Processing and Servicing Environment contracts incentivize more support to borrowers at risk of being distressed: Provided further, That the Secretary shall provide quarterly briefings to the Committees on Appropriations and Education and the Workforce of the House of Representatives and the Committees on Appropriations and Health, Education, Labor, and Pensions of the Senate on general progress related to solicitations for Federal student loan servicing contracts.

HIGHER EDUCATION

For carrying out, to the extent not otherwise provided, titles II, III, IV, V, VI, and VII of the HEA, the Mutual Educational and Cultural Exchange Act of 1961, and section 117 of the Carl D. Perkins Career and Technical Education Act of 2006, \$2,312,356,000: Provided, That notwithstanding any other provision of law, funds made available in this Act to carry out title VI of the HEA and section 102(b)(6) of the Mutual Educational and Cultural Exchange Act of 1961 may be used to support visits and study in foreign countries by individuals who are participating in advanced foreign language training and international studies in areas that are vital to United States national security and who plan to apply their language skills and knowledge of these countries in the fields of government, the professions, or international development: Provided further, That of the funds referred to in the preceding proviso up to 1 percent may be used for program evaluation, national outreach, and information dissemination activities: Provided further, That up to 1.5 percent of the funds made available under chapter 2 of subpart 2 of part A of title IV of the HEA may be used for evaluation.

HOWARD UNIVERSITY

For partial support of Howard University, \$236,518,000, of which not less than \$3,405,000 shall be for a matching endowment grant pursuant to the Howard University Endowment Act and shall remain available until expended.

COLLEGE HOUSING AND ACADEMIC FACILITIES LOANS PROGRAM

For Federal administrative expenses to carry out activities related to existing facility loans pursuant to section 121 of the HEA, \$435,000.

HISTORICALLY BLACK COLLEGE AND UNIVERSITY CAPITAL FINANCING PROGRAM ACCOUNT

For the cost of guaranteed loans, \$20,150,000, as authorized pursuant to part D of title III of the HEA, which shall remain available through September 30, 2020: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$580,000,000: Provided further, That

these funds may be used to support loans to public and private Historically Black Colleges and Universities without regard to the limitations within section 344(a) of the HEA.

In addition, \$20,000,000 shall be made available to provide for the deferment of loans made under part D of title III of the HEA to eligible institutions that are private Historically Black Colleges and Universities, which apply for the deferment of such a loan and demonstrate financial need for such deferment by having a score of 2.6 or less on the Department of Education's financial responsibility test: Provided, That during the period of deferment of such a loan, interest on the loan will not accrue or be capitalized, and the period of deferment shall be for at least a period of 3-fiscal years and not more than 6-fiscal years: Provided further, That funds available under this paragraph shall be used to fund eligible deferment requests submitted for this purpose in fiscal year 2018: Provided further, That the Secretary shall create and execute an outreach plan to work with States and the Capital Financing Advisory Board to improve outreach to States and help additional public Historically Black Colleges and Universities participate in the program.

In addition, for administrative expenses to carry out the Historically Black College and University Capital Financing Program entered into pursuant to part D of title III of the HEA, \$334,000.

INSTITUTE OF EDUCATION SCIENCES

For carrying out activities authorized by the Education Sciences Reform Act of 2002, the National Assessment of Educational Progress Authorization Act, section 208 of the Educational Technical Assistance Act of 2002, and section 664 of the Individuals with Disabilities Education Act, \$615,462,000, which shall remain available through September 30, 2020: Provided, That funds available to carry out section 208 of the Educational Technical Assistance Act may be used to link Statewide elementary and secondary data systems with early childhood, post-secondary, and workforce data systems, or to further develop such systems: Provided further, That up to \$6,000,000 of the funds available to carry out section 208 of the Educational Technical Assistance Act may be used for awards to public or private organizations or agencies to support activities to improve data coordination, quality, and use at the local, State, and national levels.

DEPARTMENTAL MANAGEMENT PROGRAM ADMINISTRATION

For carrying out, to the extent not otherwise provided, the Department of Education Organization Act, including rental of conference rooms in the District of Columbia and hire of three passenger motor vehicles, \$430,000,000: Provided, That, notwithstanding any other provision of law, none of the funds provided by this Act or provided by previous Appropriations Acts to the Department of Education available for obligation or expenditure in the current fiscal year may be used for any activity relating to implementing a reorganization that decentralizes, reduces the staffing level, or alters the responsibilities, structure, authority, or functionality of the Budget Service of the Department of Education, relative to the organization and operation of the Budget Service as in effect on January 1, 2018.

OFFICE FOR CIVIL RIGHTS

For expenses necessary for the Office for Civil Rights, as authorized by section 203 of the Department of Education Organization Act, \$125,000,000.

OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General, as authorized by section 212 of the Department of Education Organization Act, \$61,143,000.

GENERAL PROVISIONS

SEC. 301. No funds appropriated in this Act may be used to prevent the implementation of

programs of voluntary prayer and meditation in the public schools.

(TRANSFER OF FUNDS)

SEC. 302. Not to exceed 1 percent of any discretionary funds (pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985) which are appropriated for the Department of Education in this Act may be transferred between appropriations, but no such appropriation shall be increased by more than 3 percent by any such transfer: Provided, That the transfer authority granted by this section shall not be used to create any new program or to fund any project or activity for which no funds are provided in this Act: Provided further, That the Committees on Appropriations of the House of Representatives and the Senate are notified at least 15 days in advance of any transfer.

SEC. 303. Section 105(f)(1)(B)(ix) of the Compact of Free Association Amendments Act of 2003 (48 U.S.C. 1921d(f)(1)(B)(ix)) shall be applied by substituting "2019" for "2009".

SEC. 304. Funds appropriated in this Act and consolidated for evaluation purposes under section 8601(c) of the ESEA shall be available from July 1, 2019, through September 30, 2020.

SEC. 305. (a) An institution of higher education that maintains an endowment fund supported with funds appropriated for title III or V of the HEA for fiscal year 2019 may use the income from that fund to award scholarships to students, subject to the limitation in section 331(c)(3)(B)(i) of the HEA. The use of such income for such purposes, prior to the enactment of this Act, shall be considered to have been an allowable use of that income, subject to that limitation.

(b) Subsection (a) shall be in effect until titles III and V of the HEA are reauthorized.

SEC. 306. Section 114(f) of the HEA (20 U.S.C. 1011c(f)) is amended by striking "2018" and inserting "2019".

SEC. 307. Section 458(a) of the HEA (20 U.S.C. 1087h(a)) is amended in paragraph (4) by striking "2018" and inserting "2019".

SEC. 308. Funds appropriated in this Act under the heading "Student Aid Administration" may be available for payments for student loan servicing to an institution of higher education that services outstanding Federal Perkins Loans under part E of title IV of the Higher Education Act of 1965 (20 U.S.C. 1087aa et seq.).

SEC. 309. (a) Section 455(f) of the Higher Education Act of 1965 (20 U.S.C. 1087e(f)) is amended—

(1) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively; and

(2) by inserting after paragraph (2) the following:

"(3) DEFERMENT FOR BORROWERS RECEIVING CANCER TREATMENT.—

"(A) EFFECT ON PRINCIPAL AND INTEREST.—A borrower of a loan made under this part who meets the requirements of subparagraph (B) shall be eligible for a deferment, during which periodic installments of principal need not be paid, and interest shall not accrue.

"(B) ELIGIBILITY.—A borrower of a loan made under this part shall be eligible for a deferment during—

"(i) any period in which such borrower is receiving treatment for cancer; and

"(ii) the 6 months after such period.

"(C) APPLICABILITY.—This paragraph shall apply with respect to loans—

"(i) made on or after the date of the enactment of this paragraph; or

"(ii) in repayment on the date of the enactment of this paragraph."

(b) Section 427(a)(2)(C) of the Higher Education Act of 1965 (20 U.S.C. 1077(a)(2)(C)) is amended—

(1) in clause (ii), by striking "or" and inserting a semicolon;

(2) in clause (iii), by inserting "or" after the semicolon; and

(3) by inserting after clause (iii) the following:

"(iv) in which the borrower is receiving treatment for cancer and the 6 months after such period."

(c) Section 428(b)(1)(M) of the Higher Education Act of 1965 (20 U.S.C. 1078(b)(1)(M)) is amended—

(1) in clause (iii), by striking “or (II); or” and inserting a “or (II);”;

(2) in clause (iv), by inserting “or” after the semicolon; and

(3) by adding at the end the following:

“(v) during which the borrower is receiving treatment for cancer and the 6 months after such period;”.

(d) Section 464(c)(2) of the Higher Education Act of 1965 (20 U.S.C. 1087dd(c)(2)) is amended—

(1) in subparagraph (A)—

(A) in clause (iv), by striking “; or” and inserting a semicolon;

(B) in clause (v), by inserting “or” after the semicolon; and

(C) by inserting after clause (v) the following:

“(vi) during which the borrower is receiving treatment for cancer and the 6 months after such period;”.

(e) Section 428H(e)(2) of the Higher Education Act of 1965 (20 U.S.C. 1078–8(e)(2)) is amended—

(1) in subparagraph (A), by striking “Interest” and inserting, “Except as provided in subparagraph (C), interest”; and

(2) by adding at the end the following:

“(C) Interest shall not accrue on a loan deferred under section 428(b)(1)(M)(v) or 427(a)(2)(C)(iv).”.

(f) The amendments made by this Act shall apply with respect to loans—

(1) made on or after the date of the enactment of this Act; or

(2) in repayment on the date of the enactment of this Act.

(RESCISSION)

SEC. 310. Of the unobligated balances available under the heading “Student Financial Assistance” for carrying out subpart 1 of part A of title IV of the HEA, \$600,000,000 are hereby rescinded.

(RESCISSION)

SEC. 311. Section 401(b)(7)(A)(iv)(IX) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)(7)(A)(iv)(IX)) is amended by striking “\$1,409,000,000” and inserting “\$1,370,000,000”.

SEC. 312. (a) An institution of higher education may, with explicit written consent of an applicant who has completed a FAFSA under such section 483(a), provide such information collected from the applicant’s FAFSA as is necessary to a scholarship granting organization, including a tribal organization (defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or to an organization assisting the applicant in applying for and receiving Federal, State, local, or tribal assistance, that is designated by the applicant to assist the applicant in applying for and receiving financial assistance for any component of the applicant’s cost of attendance (defined in section 472 of the HEA) at that institution.

(b) An organization that receives information pursuant to subsection (a) shall not sell or otherwise share such information.

(c) This section shall be in effect until title IV of the HEA is reauthorized.

SEC. 313. For an additional amount for “Department of Education—Federal Direct Student Loan Program Account”, \$350,000,000, to remain available until expended, shall be for the cost, as defined under section 502 of the Congressional Budget Act of 1974, of the Secretary of Education providing loan cancellation in the same manner as under section 455(m) of the Higher Education Act of 1965 (20 U.S.C. 1087e(m)), for borrowers of loans made under part D of title IV of such Act who would qualify for loan cancellation under section 455(m) except some, or all, of the 120 required payments under section 455(m)(1)(A) do not qualify for purposes of the program because they were monthly payments made in accordance with graduated or extended repayment plans as described under subparagraph (B) or (C) of section

455(d)(1) or the corresponding repayment plan for a consolidation loan made under section 455(g) and that were less than the amount calculated under section 455(d)(1)(A), based on a 10-year repayment period: Provided, That the monthly payment made 12 months before the borrower applied for loan cancellation as described in the matter preceding this proviso and the most recent monthly payment made by the borrower at the time of such application were each not less than the monthly amount that would be calculated under, and for which the borrower would otherwise qualify for, clause (i) or (iv) of section 455(m)(1)(A) regarding income-based or income-contingent repayment plans, with exception for a borrower who would have otherwise been eligible under this section but demonstrates an unusual fluctuation of income over the past 5 years: Provided further, That the total loan volume, including outstanding principal, fees, capitalized interest, or accrued interest, at application that is eligible for such loan cancellation by such borrowers shall not exceed \$500,000,000: Provided further, That the Secretary shall develop and make available a simple method for borrowers to apply for loan cancellation under this section within 60 days of enactment of this Act: Provided further, That the Secretary shall provide loan cancellation under this section to eligible borrowers on a first-come, first-serve basis, based on the date of application and subject to both the limitation on total loan volume at application for such loan cancellation specified in the second proviso and the availability of appropriations under this section: Provided further, That no borrower may, for the same service, receive a reduction of loan obligations under both this section and section 428J, 428K, 428L, or 460 of such Act.

SEC. 314. Of the amounts made available under this title under the heading “Student Aid Administration”, \$2,300,000 shall be used by the Secretary of Education to conduct outreach to borrowers of loans made under part D of title IV of the Higher Education Act of 1965 who may intend to qualify for loan cancellation under section 455(m) of such Act (20 U.S.C. 1087e(m)), to ensure that borrowers are meeting the terms and conditions of such loan cancellation: Provided, That the Secretary shall specifically conduct outreach to assist borrowers who would qualify for loan cancellation under section 455(m) of such Act except that the borrower has made some, or all, of the 120 required payments under a repayment plan that is not described under section 455(m)(A) of such Act, to encourage borrowers to enroll in a qualifying repayment plan: Provided further, That the Secretary shall also communicate to all Direct Loan borrowers the full requirements of section 455(m) of such Act and improve the filing of employment certification by providing improved outreach and information such as outbound calls, electronic communications, ensuring prominent access to program requirements and benefits on each servicer’s website, and creating an option for all borrowers to complete the entire payment certification process electronically and on a centralized website.

SEC. 315. (a) For any local educational agency that for fiscal year 2018, had an enrollment of eligible Federally connected children that was at least 35 percent of the agency’s total student enrollment and a per-pupil expenditure that was less than the average per-pupil expenditure of the State or of all the States, and was determined ineligible to receive a payment under section 7003(b)(2)(A) of the Elementary and Secondary Education Act of 1965 for failing to meet the average tax rate requirement for general fund purposes in section 7003(b)(2)(B)(i)(V)(bb), and whose calculated payment amount under section 7003(b) for the three years following fiscal year 2019 is less than 80 percent of the amount received for fiscal year 2019, the Secretary shall pay the local educational agency for the following three years not less than 90 percent of the total amount the local educational agency received under section

7003(b)(2) for fiscal year 2017 if such local educational agency—

(1) previously received a payment under section 7003(b)(2)(A) but did not receive a payment under section 7003(b)(2)(B)(ii) (or any predecessor of such provision) for each of fiscal years 2015 through 2017; and

(2) was considered a local educational agency described in section 7003(b)(2)(B)(i)(V) (or any predecessor of such provision) for each such fiscal year.

(b) For fiscal year 2020 and succeeding fiscal years, if a local educational agency described in subsection (a) is eligible to receive a basic support payment pursuant to section 7003(b)(2) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7703(b)(2)), the payment received by the local educational agency shall be calculated under section 7003(b)(2) of such Act and not under subsection (a).

This title may be cited as the “Department of Education Appropriations Act, 2019”.

TITLE IV

RELATED AGENCIES

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

SALARIES AND EXPENSES

For expenses necessary for the Committee for Purchase From People Who Are Blind or Severely Disabled (referred to in this title as “the Committee”) established under section 8502 of title 41, United States Code, \$8,250,000: Provided, That in order to authorize any central nonprofit agency designated pursuant to section 8503(c) of title 41, United States Code, to perform requirements of the Committee as prescribed under section 51–3.2 of title 41, Code of Federal Regulations, the Committee shall enter into a written agreement with any such central nonprofit agency: Provided further, That such agreement shall contain such auditing, oversight, and reporting provisions as necessary to implement chapter 85 of title 41, United States Code: Provided further, That such agreement shall include the elements listed under the heading “Committee For Purchase From People Who Are Blind or Severely Disabled—Written Agreement Elements” in the explanatory statement described in section 4 of Public Law 114–113 (in the matter preceding division A of that consolidated Act): Provided further, That any such central nonprofit agency may not charge a fee under section 51–3.5 of title 41, Code of Federal Regulations, prior to executing a written agreement with the Committee: Provided further, That no less than \$1,250,000 shall be available for the Office of Inspector General.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

OPERATING EXPENSES

For necessary expenses for the Corporation for National and Community Service (referred to in this title as “CNCS”) to carry out the Domestic Volunteer Service Act of 1973 (referred to in this title as “1973 Act”) and the National and Community Service Act of 1990 (referred to in this title as “1990 Act”), \$786,629,000, notwithstanding sections 198B(b)(3), 198S(g), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act: Provided, That of the amounts provided under this heading: (1) up to 1 percent of program grant funds may be used to defray the costs of conducting grant application reviews, including the use of outside peer reviewers and electronic management of the grants cycle; (2) \$17,538,000 shall be available to provide assistance to State commissions on national and community service, under section 126(a) of the 1990 Act and notwithstanding section 501(a)(5)(B) of the 1990 Act; (3) \$32,000,000 shall be available to carry out subtitle E of the 1990 Act; and (4) \$5,400,000 shall be available for expenses authorized under section 501(a)(4)(F) of the 1990 Act, which, notwithstanding the provisions of section 198P shall be awarded by CNCS on a competitive basis: Provided further, That for the purposes of carrying out the 1990 Act, satisfying the require-

ments in section 122(c)(1)(D) may include a determination of need by the local community.

**PAYMENT TO THE NATIONAL SERVICE TRUST
(INCLUDING TRANSFER OF FUNDS)**

For payment to the National Service Trust established under subtitle D of title I of the 1990 Act, \$206,842,000, to remain available until expended: Provided, That CNCS may transfer additional funds from the amount provided within "Operating Expenses" allocated to grants under subtitle C of title I of the 1990 Act to the National Service Trust upon determination that such transfer is necessary to support the activities of national service participants and after notice is transmitted to the Committees on Appropriations of the House of Representatives and the Senate: Provided further, That amounts appropriated for or transferred to the National Service Trust may be invested under section 145(b) of the 1990 Act without regard to the requirement to apportion funds under 31 U.S.C. 1513(b).

SALARIES AND EXPENSES

For necessary expenses of administration as provided under section 501(a)(5) of the 1990 Act and under section 504(a) of the 1973 Act, including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, the employment of experts and consultants authorized under 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representation expenses, \$83,737,000.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, \$5,750,000.

ADMINISTRATIVE PROVISIONS

SEC. 401. CNCS shall make any significant changes to program requirements, service delivery or policy only through public notice and comment rulemaking. For fiscal year 2019, during any grant selection process, an officer or employee of CNCS shall not knowingly disclose any covered grant selection information regarding such selection, directly or indirectly, to any person other than an officer or employee of CNCS that is authorized by CNCS to receive such information.

SEC. 402. AmeriCorps programs receiving grants under the National Service Trust program shall meet an overall minimum share requirement of 24 percent for the first 3 years that they receive AmeriCorps funding, and thereafter shall meet the overall minimum share requirement as provided in section 2521.60 of title 45, Code of Federal Regulations, without regard to the operating costs match requirement in section 121(e) or the member support Federal share limitations in section 140 of the 1990 Act, and subject to partial waiver consistent with section 2521.70 of title 45, Code of Federal Regulations.

SEC. 403. Donations made to CNCS under section 196 of the 1990 Act for the purposes of financing programs and operations under titles I and II of the 1973 Act or subtitle B, C, D, or E of title I of the 1990 Act shall be used to supplement and not supplant current programs and operations.

SEC. 404. In addition to the requirements in section 146(a) of the 1990 Act, use of an educational award for the purpose described in section 148(a)(4) shall be limited to individuals who are veterans as defined under section 101 of the Act.

SEC. 405. For the purpose of carrying out section 189D of the 1990 Act—

(1) entities described in paragraph (a) of such section shall be considered "qualified entities" under section 3 of the National Child Protection Act of 1993 ("NCPA");

(2) individuals described in such section shall be considered "volunteers" under section 3 of NCPA; and

(3) State Commissions on National and Community Service established pursuant to section

178 of the 1990 Act, are authorized to receive criminal history record information, consistent with Public Law 92-544.

SEC. 406. Notwithstanding sections 139(b), 146 and 147 of the 1990 Act, an individual who successfully completes a term of service of not less than 1,200 hours during a period of not more than one year may receive a national service education award having a value of 70 percent of the value of a national service education award determined under section 147(a) of the Act.

CORPORATION FOR PUBLIC BROADCASTING

For payment to the Corporation for Public Broadcasting ("CPB"), as authorized by the Communications Act of 1934, an amount which shall be available within limitations specified by that Act, for the fiscal year 2021, \$445,000,000: Provided, That none of the funds made available to CPB by this Act shall be used to pay for receptions, parties, or similar forms of entertainment for Government officials or employees: Provided further, That none of the funds made available to CPB by this Act shall be available or used to aid or support any program or activity from which any person is excluded, or is denied benefits, or is discriminated against, on the basis of race, color, national origin, religion, or sex: Provided further, That none of the funds made available to CPB by this Act shall be used to apply any political test or qualification in selecting, appointing, promoting, or taking any other personnel action with respect to officers, agents, and employees of CPB: Provided further, That none of the funds made available to CPB by this Act shall be used to support the Television Future Fund or any similar purpose.

In addition, for the costs associated with replacing and upgrading the public broadcasting interconnection system and other technologies and services that create infrastructure and efficiencies within the public media system, \$20,000,000.

**FEDERAL MEDIATION AND CONCILIATION SERVICE
SALARIES AND EXPENSES**

For expenses necessary for the Federal Mediation and Conciliation Service ("Service") to carry out the functions vested in it by the Labor-Management Relations Act, 1947, including hire of passenger motor vehicles; for expenses necessary for the Labor-Management Cooperation Act of 1978; and for expenses necessary for the Service to carry out the functions vested in it by the Civil Service Reform Act, \$46,650,000, including up to \$900,000 to remain available through September 30, 2020, for activities authorized by the Labor-Management Cooperation Act of 1978: Provided, That notwithstanding 31 U.S.C. 3302, fees charged, up to full-cost recovery, for special training activities and other conflict resolution services and technical assistance, including those provided to foreign governments and international organizations, and for arbitration services shall be credited to and merged with this account, and shall remain available until expended: Provided further, That fees for arbitration services shall be available only for education, training, and professional development of the agency workforce: Provided further, That the Director of the Service is authorized to accept and use on behalf of the United States gifts of services and real, personal, or other property in the aid of any projects or functions within the Director's jurisdiction.

**FEDERAL MINE SAFETY AND HEALTH REVIEW
COMMISSION**

SALARIES AND EXPENSES

For expenses necessary for the Federal Mine Safety and Health Review Commission, \$17,184,000.

**INSTITUTE OF MUSEUM AND LIBRARY SERVICES
OFFICE OF MUSEUM AND LIBRARY SERVICES:
GRANTS AND ADMINISTRATION**

For carrying out the Museum and Library Services Act of 1996 and the National Museum of African American History and Culture Act, \$242,000,000.

**MEDICAID AND CHIP PAYMENT AND ACCESS
COMMISSION**

SALARIES AND EXPENSES

For expenses necessary to carry out section 1900 of the Social Security Act, \$8,480,000.

**MEDICARE PAYMENT ADVISORY COMMISSION
SALARIES AND EXPENSES**

For expenses necessary to carry out section 1805 of the Social Security Act, \$12,545,000, to be transferred to this appropriation from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund.

NATIONAL COUNCIL ON DISABILITY

SALARIES AND EXPENSES

For expenses necessary for the National Council on Disability as authorized by title IV of the Rehabilitation Act of 1973, \$3,250,000.

NATIONAL LABOR RELATIONS BOARD

SALARIES AND EXPENSES

For expenses necessary for the National Labor Relations Board to carry out the functions vested in it by the Labor-Management Relations Act, 1947, and other laws, \$274,224,000: Provided, That no part of this appropriation shall be available to organize or assist in organizing agricultural laborers or used in connection with investigations, hearings, directives, or orders concerning bargaining units composed of agricultural laborers as referred to in section 2(3) of the Act of July 5, 1935, and as amended by the Labor-Management Relations Act, 1947, and as defined in section 3(f) of the Act of June 25, 1938, and including in said definition employees engaged in the maintenance and operation of ditches, canals, reservoirs, and waterways when maintained or operated on a mutual, nonprofit basis and at least 95 percent of the water stored or supplied thereby is used for farming purposes.

ADMINISTRATIVE PROVISIONS

SEC. 407. None of the funds provided by this Act or previous Acts making appropriations for the National Labor Relations Board may be used to issue any new administrative directive or regulation that would provide employees any means of voting through any electronic means in an election to determine a representative for the purposes of collective bargaining.

NATIONAL MEDIATION BOARD

SALARIES AND EXPENSES

For expenses necessary to carry out the provisions of the Railway Labor Act, including emergency boards appointed by the President, \$13,800,000.

**OCCUPATIONAL SAFETY AND HEALTH REVIEW
COMMISSION**

SALARIES AND EXPENSES

For expenses necessary for the Occupational Safety and Health Review Commission, \$13,225,000.

RAILROAD RETIREMENT BOARD

DUAL BENEFITS PAYMENTS ACCOUNT

For payment to the Dual Benefits Payments Account, authorized under section 15(d) of the Railroad Retirement Act of 1974, \$19,000,000, which shall include amounts becoming available in fiscal year 2019 pursuant to section 224(c)(1)(B) of Public Law 98-76; and in addition, an amount, not to exceed 2 percent of the amount provided herein, shall be available proportional to the amount by which the product of recipients and the average benefit received exceeds the amount available for payment of vested dual benefits: Provided, That the total amount provided herein shall be credited in 12 approximately equal amounts on the first day of each month in the fiscal year.

**FEDERAL PAYMENTS TO THE RAILROAD
RETIREMENT ACCOUNTS**

For payment to the accounts established in the Treasury for the payment of benefits under the Railroad Retirement Act for interest earned

on unnegotiated checks, \$150,000, to remain available through September 30, 2020, which shall be the maximum amount available for payment pursuant to section 417 of Public Law 98-76.

LIMITATION ON ADMINISTRATION

For necessary expenses for the Railroad Retirement Board ("Board") for administration of the Railroad Retirement Act and the Railroad Unemployment Insurance Act, \$123,500,000, to be derived in such amounts as determined by the Board from the railroad retirement accounts and from moneys credited to the railroad unemployment insurance administration fund: Provided, That notwithstanding section 7(b)(9) of the Railroad Retirement Act this limitation may be used to hire attorneys only through the excepted service: Provided further, That the previous proviso shall not change the status under Federal employment laws of any attorney hired by the Railroad Retirement Board prior to January 1, 2013: Provided further, That \$10,000,000, to remain available until expended, shall be used to supplement, not supplant, existing resources devoted to operations and improvements for the Board's Information Technology Investment Initiatives.

LIMITATION ON THE OFFICE OF INSPECTOR GENERAL

For expenses necessary for the Office of Inspector General for audit, investigatory and review activities, as authorized by the Inspector General Act of 1978, not more than \$11,000,000, to be derived from the railroad retirement accounts and railroad unemployment insurance account.

SOCIAL SECURITY ADMINISTRATION

PAYMENTS TO SOCIAL SECURITY TRUST FUNDS

For payment to the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund, as provided under sections 201(m) and 1131(b)(2) of the Social Security Act, \$11,000,000.

SUPPLEMENTAL SECURITY INCOME PROGRAM

For carrying out titles XI and XVI of the Social Security Act, section 401 of Public Law 92-603, section 212 of Public Law 93-66, as amended, and section 405 of Public Law 95-216, including payment to the Social Security trust funds for administrative expenses incurred pursuant to section 201(g)(1) of the Social Security Act, \$41,366,203,000, to remain available until expended: Provided, That any portion of the funds provided to a State in the current fiscal year and not obligated by the State during that year shall be returned to the Treasury: Provided further, That not more than \$101,000,000 shall be available for research and demonstrations under sections 1110, 1115, and 1144 of the Social Security Act, and remain available through September 30, 2021.

For making, after June 15 of the current fiscal year, benefit payments to individuals under title XVI of the Social Security Act, for unanticipated costs incurred for the current fiscal year, such sums as may be necessary.

For making benefit payments under title XVI of the Social Security Act for the first quarter of fiscal year 2020, \$19,700,000,000, to remain available until expended.

LIMITATION ON ADMINISTRATIVE EXPENSES

For necessary expenses, including the hire of two passenger motor vehicles, and not to exceed \$20,000 for official reception and representation expenses, not more than \$12,741,945,000 may be expended, as authorized by section 201(g)(1) of the Social Security Act, from any one or all of the trust funds referred to in such section: Provided, That not less than \$2,400,000 shall be for the Social Security Advisory Board: Provided further, That \$45,000,000 shall remain available until expended for information technology modernization, including related hardware and software infrastructure and equipment, and for administrative expenses directly associated with information technology modernization: Provided

further, That \$100,000,000 shall remain available through September 30, 2020, for activities to address the disability hearings backlog within the Office of Hearings Operations: Provided further, That unobligated balances of funds provided under this paragraph at the end of fiscal year 2019 not needed for fiscal year 2019 shall remain available until expended to invest in the Social Security Administration information technology and telecommunications hardware and software infrastructure, including related equipment and non-payroll administrative expenses associated solely with this information technology and telecommunications infrastructure: Provided further, That the Commissioner of Social Security shall notify the Committees on Appropriations of the House of Representatives and the Senate prior to making unobligated balances available under the authority in the previous proviso: Provided further, That reimbursement to the trust funds under this heading for expenditures for official time for employees of the Social Security Administration pursuant to 5 U.S.C. 7131, and for facilities or support services for labor organizations pursuant to policies, regulations, or procedures referred to in section 7135(b) of such title shall be made by the Secretary of the Treasury, with interest, from amounts in the general fund not otherwise appropriated, as soon as possible after such expenditures are made.

Of the total amount made available in the first paragraph under this heading, not more than \$1,683,000,000, to remain available through March 31, 2020, is for the costs associated with continuing disability reviews under titles II and XVI of the Social Security Act, including work-related continuing disability reviews to determine whether earnings derived from services demonstrate an individual's ability to engage in substantial gainful activity, for the cost associated with conducting redeterminations of eligibility under title XVI of the Social Security Act, for the cost of co-operative disability investigation units, and for the cost associated with the prosecution of fraud in the programs and operations of the Social Security Administration by Special Assistant United States Attorneys: Provided, That, of such amount, \$273,000,000 is provided to meet the terms of section 251(b)(2)(B)(ii)(III) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and \$1,410,000,000 is additional new budget authority specified for purposes of section 251(b)(2)(B) of such Act: Provided further, That, of the additional new budget authority described in the preceding proviso, up to \$10,000,000 may be transferred to the "Office of Inspector General", Social Security Administration, for the cost of jointly operated co-operative disability investigation units: Provided further, That such transfer authority is in addition to any other transfer authority provided by law: Provided further, That the Commissioner shall provide to the Congress (at the conclusion of the fiscal year) a report on the obligation and expenditure of these funds, similar to the reports that were required by section 103(d)(2) of Public Law 104-121 for fiscal years 1996 through 2002.

In addition, \$134,000,000 to be derived from administration fees in excess of \$5.00 per supplementary payment collected pursuant to section 1616(d) of the Social Security Act or section 212(b)(3) of Public Law 93-66, which shall remain available until expended. To the extent that the amounts collected pursuant to such sections in fiscal year 2019 exceed \$134,000,000, the amounts shall be available in fiscal year 2020 only to the extent provided in advance in appropriations Acts.

In addition, up to \$1,000,000 to be derived from fees collected pursuant to section 303(c) of the Social Security Protection Act, which shall remain available until expended.

OFFICE OF INSPECTOR GENERAL (INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the Office of Inspector General in carrying out the provisions of

the Inspector General Act of 1978, \$30,000,000, together with not to exceed \$75,500,000, to be transferred and expended as authorized by section 201(g)(1) of the Social Security Act from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund.

In addition, an amount not to exceed 3 percent of the total provided in this appropriation may be transferred from the "Limitation on Administrative Expenses", Social Security Administration, to be merged with this account, to be available for the time and purposes for which this account is available: Provided, That notice of such transfers shall be transmitted promptly to the Committees on Appropriations of the House of Representatives and the Senate at least 15 days in advance of any transfer.

TITLE V GENERAL PROVISIONS (TRANSFER OF FUNDS)

SEC. 501. The Secretaries of Labor, Health and Human Services, and Education are authorized to transfer unexpended balances of prior appropriations to accounts corresponding to current appropriations provided in this Act. Such transferred balances shall be used for the same purpose, and for the same periods of time, for which they were originally appropriated.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. (a) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111-148 shall be used, other than for normal and recognized executive-legislative relationships, for publicity or propaganda purposes, for the preparation, distribution, or use of any kit, pamphlet, booklet, publication, electronic communication, radio, television, or video presentation designed to support or defeat the enactment of legislation before the Congress or any State or local legislature or legislative body, except in presentation to the Congress or any State or local legislature itself, or designed to support or defeat any proposed or pending regulation, administrative action, or order issued by the executive branch of any State or local government, except in presentation to the executive branch of any State or local government itself.

(b) No part of any appropriation contained in this Act or transferred pursuant to section 4002 of Public Law 111-148 shall be used to pay the salary or expenses of any grant or contract recipient, or agent acting for such recipient, related to any activity designed to influence the enactment of legislation, appropriations, regulation, administrative action, or Executive order proposed or pending before the Congress or any State government, State legislature or local legislature or legislative body, other than for normal and recognized executive-legislative relationships or participation by an agency or officer of a State, local or tribal government in policymaking and administrative processes within the executive branch of that government.

(c) The prohibitions in subsections (a) and (b) shall include any activity to advocate or promote any proposed, pending or future Federal, State or local tax increase, or any proposed, pending, or future requirement or restriction on any legal consumer product, including its sale or marketing, including but not limited to the advocacy or promotion of gun control.

SEC. 504. The Secretaries of Labor and Education are authorized to make available not to exceed \$28,000 and \$20,000, respectively, from funds available for salaries and expenses under titles I and III, respectively, for official reception and representation expenses; the Director of the Federal Mediation and Conciliation Service is authorized to make available for official reception and representation expenses not to exceed \$5,000 from the funds available for "Federal Mediation and Conciliation Service, Salaries and Expenses"; and the Chairman of the

National Mediation Board is authorized to make available for official reception and representation expenses not to exceed \$5,000 from funds available for "National Mediation Board, Salaries and Expenses".

SEC. 505. When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with Federal money, all grantees receiving Federal funds included in this Act, including but not limited to State and local governments and recipients of Federal research grants, shall clearly state—

(1) the percentage of the total costs of the program or project which will be financed with Federal money;

(2) the dollar amount of Federal funds for the project or program; and

(3) percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources.

SEC. 506. (a) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for any abortion.

(b) None of the funds appropriated in this Act, and none of the funds in any trust fund to which funds are appropriated in this Act, shall be expended for health benefits coverage that includes coverage of abortion.

(c) The term "health benefits coverage" means the package of services covered by a managed care provider or organization pursuant to a contract or other arrangement.

SEC. 507. (a) The limitations established in the preceding section shall not apply to an abortion—

(1) if the pregnancy is the result of an act of rape or incest; or

(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed.

(b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State, locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds).

(c) Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).

(d)(1) None of the funds made available in this Act may be made available to a Federal agency or program, or to a State or local government, if such agency, program, or government subjects any institutional or individual health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

(2) In this subsection, the term "health care entity" includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

SEC. 508. (a) None of the funds made available in this Act may be used for—

(1) the creation of a human embryo or embryos for research purposes; or

(2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.204(b) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)).

(b) For purposes of this section, the term "human embryo or embryos" includes any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this

Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes or human diploid cells.

SEC. 509. (a) None of the funds made available in this Act may be used for any activity that promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established under section 202 of the Controlled Substances Act except for normal and recognized executive-congressional communications.

(b) The limitation in subsection (a) shall not apply when there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that federally sponsored clinical trials are being conducted to determine therapeutic advantage.

SEC. 510. None of the funds made available in this Act may be used to promulgate or adopt any final standard under section 1173(b) of the Social Security Act providing for, or providing for the assignment of, a unique health identifier for an individual (except in an individual's capacity as an employer or a health care provider), until legislation is enacted specifically approving the standard.

SEC. 511. None of the funds made available in this Act may be obligated or expended to enter into or renew a contract with an entity if—

(1) such entity is otherwise a contractor with the United States and is subject to the requirement in 38 U.S.C. 4212(d) regarding submission of an annual report to the Secretary of Labor concerning employment of certain veterans; and

(2) such entity has not submitted a report as required by that section for the most recent year for which such requirement was applicable to such entity.

SEC. 512. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

SEC. 513. None of the funds made available by this Act to carry out the Library Services and Technology Act may be made available to any library covered by paragraph (1) of section 224(f) of such Act, as amended by the Children's Internet Protection Act, unless such library has made the certifications required by paragraph (4) of such section.

SEC. 514. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that—

(1) creates new programs;

(2) eliminates a program, project, or activity;

(3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted;

(4) relocates an office or employees;

(5) reorganizes or renames offices;

(6) reorganizes programs or activities; or

(7) contracts out or privatizes any functions or activities presently performed by Federal employees;

unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2019, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation

or expenditure through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that—

(1) augments existing programs, projects (including construction projects), or activities;

(2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or

(3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Committees on Appropriations of the House of Representatives and the Senate are consulted 15 days in advance of such reprogramming or of an announcement of intent relating to such reprogramming, whichever occurs earlier, and are notified in writing 10 days in advance of such reprogramming.

SEC. 515. (a) None of the funds made available in this Act may be used to request that a candidate for appointment to a Federal scientific advisory committee disclose the political affiliation or voting history of the candidate or the position that the candidate holds with respect to political issues not directly related to and necessary for the work of the committee involved.

(b) None of the funds made available in this Act may be used to disseminate information that is deliberately false or misleading.

SEC. 516. Within 45 days of enactment of this Act, each department and related agency funded through this Act shall submit an operating plan that details at the program, project, and activity level any funding allocations for fiscal year 2019 that are different than those specified in this Act, the accompanying detailed table in the joint explanatory statement accompanying this Act or the fiscal year 2019 budget request.

SEC. 517. The Secretaries of Labor, Health and Human Services, and Education shall each prepare and submit to the Committees on Appropriations of the House of Representatives and the Senate a report on the number and amount of contracts, grants, and cooperative agreements exceeding \$500,000 in value and awarded by the Department on a non-competitive basis during each quarter of fiscal year 2019, but not to include grants awarded on a formula basis or directed by law. Such report shall include the name of the contractor or grantee, the amount of funding, the governmental purpose, including a justification for issuing the award on a non-competitive basis. Such report shall be transmitted to the Committees within 30 days after the end of the quarter for which the report is submitted.

SEC. 518. None of the funds appropriated in this Act shall be expended or obligated by the Commissioner of Social Security, for purposes of administering Social Security benefit payments under title II of the Social Security Act, to process any claim for credit for a quarter of coverage based on work performed under a social security account number that is not the claimant's number and the performance of such work under such number has formed the basis for a conviction of the claimant of a violation of section 208(a)(6) or (7) of the Social Security Act.

SEC. 519. None of the funds appropriated by this Act may be used by the Commissioner of Social Security or the Social Security Administration to pay the compensation of employees of the Social Security Administration to administer Social Security benefit payments, under any agreement between the United States and Mexico establishing totalization arrangements between the social security system established by title II of the Social Security Act and the social security system of Mexico, which would not otherwise be payable but for such agreement.

SEC. 520. (a) None of the funds made available in this Act may be used to maintain or establish a computer network unless such network blocks the viewing, downloading, and exchanging of pornography.

(b) Nothing in subsection (a) shall limit the use of funds necessary for any Federal, State,

tribal, or local law enforcement agency or any other entity carrying out criminal investigations, prosecution, or adjudication activities.

SEC. 521. None of the funds made available under this or any other Act, or any prior Appropriations Act, may be provided to the Association of Community Organizations for Reform Now (ACORN), or any of its affiliates, subsidiaries, allied organizations, or successors.

SEC. 522. For purposes of carrying out Executive Order 13589, Office of Management and Budget Memorandum M-12-12 dated May 11, 2012, and requirements contained in the annual appropriations bills relating to conference attendance and expenditures:

(1) the operating divisions of HHS shall be considered independent agencies; and

(2) attendance at and support for scientific conferences shall be tabulated separately from and not included in agency totals.

SEC. 523. Federal agencies funded under this Act shall clearly state within the text, audio, or video used for advertising or educational purposes, including emails or Internet postings, that the communication is printed, published, or produced and disseminated at U.S. taxpayer expense. The funds used by a Federal agency to carry out this requirement shall be derived from amounts made available to the agency for advertising or other communications regarding the programs and activities of the agency.

SEC. 524. (a) Federal agencies may use Federal discretionary funds that are made available in this Act to carry out up to 10 Performance Partnership Pilots. Such Pilots shall be governed by the provisions of section 526 of division H of Public Law 113-76, except that in carrying out such Pilots section 526 shall be applied by substituting “FISCAL YEAR 2019” for “FISCAL YEAR 2014” in the title of subsection (b) and by substituting “September 30, 2023” for “September 30, 2018” each place it appears: Provided, That such pilots shall include communities that have experienced civil unrest.

(b) In addition, Federal agencies may use Federal discretionary funds that are made available in this Act to participate in Performance Partnership Pilots that are being carried out pursuant to the authority provided by section 526 of division H of Public Law 113-76, section 524 of division G of Public Law 113-235, section 525 of division H of Public Law 114-113, section 525 of division H of Public Law 115-31, and section 525 of division H of Public Law 115-141.

(c) Pilot sites selected under authorities in this Act and prior appropriations Acts may be granted by relevant agencies up to an additional 5 years to operate under such authorities.

SEC. 525. Not later than 30 days after the end of each calendar quarter, beginning with the first month of fiscal year 2019, the Departments of Labor, Health and Human Services and Education and the Social Security Administration shall provide the Committees on Appropriations of the House of Representatives and Senate a report on the status of balances of appropriations: Provided, That for balances that are unobligated and uncommitted, committed, and obligated but unexpended, the monthly reports shall separately identify the amounts attributable to each source year of appropriation (beginning with fiscal year 2012, or, to the extent feasible, earlier fiscal years) from which balances were derived.

(RESCISSION)

SEC. 526. Of the unobligated balances available in the “National Service Trust” established in section 102 of the National and Community Service Trust Act of 1993, \$150,000,000 are hereby rescinded.

(RESCISSION)

SEC. 527. Of any available amounts appropriated under section 2104(a)(22) of the Social Security Act (42 U.S.C. 1397dd) that are unobligated as of September 25, 2019, \$2,061,000,000 are hereby rescinded as of such date.

SEC. 528. Amounts deposited in the Child Enrollment Contingency Fund prior to the begin-

ning of fiscal year 2019 under section 2104(n)(2) of the Social Security Act and the income derived from investment of those funds pursuant to section 2104(n)(2)(C) of that Act, shall not be available for obligation in this fiscal year.

SEC. 529. Notwithstanding any other provision of this Act, no funds appropriated in this Act shall be used to purchase sterile needles or syringes for the hypodermic injection of any illegal drug: Provided, That such limitation does not apply to the use of funds for elements of a program other than making such purchases if the relevant State or local health department, in consultation with the Centers for Disease Control and Prevention, determines that the State or local jurisdiction, as applicable, is experiencing, or is at risk for, a significant increase in hepatitis infections or an HIV outbreak due to injection drug use, and such program is operating in accordance with State and local law.

This division may be cited as the “Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2019”.

DIVISION C—CONTINUING APPROPRIATIONS ACT, 2019

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2019, and for other purposes, namely:

SEC. 101. Such amounts as may be necessary, at a rate for operations as provided in the applicable appropriations Acts for fiscal year 2018 and under the authority and conditions provided in such Acts, for continuing projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for in this Act, that were conducted in fiscal year 2018, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018 (division A of Public Law 115-141), except section 783.

(2) The Commerce, Justice, Science, and Related Agencies Appropriations Act, 2018 (division B of Public Law 115-141).

(3) The Energy and Water Development and Related Agencies Appropriations Act, 2018 (division D of Public Law 115-141).

(4) The Financial Services and General Government Appropriations Act, 2018 (division E of Public Law 115-141).

(5) The Department of Homeland Security Appropriations Act, 2018 (division F of Public Law 115-141) and title II of division M of Public Law 115-141.

(6) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2018 (division G of Public Law 115-141), except section 114, except for appropriations in the matter preceding the first proviso under the heading “Dwight D. Eisenhower Memorial Commission—Capital Construction”, and except that the language in section 118 shall be applied as if the language read as follows: “Section 6906 of title 31, United States Code, shall continue in effect for this fiscal year”.

(7) The Legislative Branch Appropriations Act, 2018 (division I of Public Law 115-141) and section 7(a) of Public Law 115-141.

(8) The Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018 (division J of Public Law 115-141), except section 243.

(9) The Department of State, Foreign Operations, and Related Programs Appropriations Act, 2018 (division K of Public Law 115-141).

(10) The Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2018 (division L of Public Law 115-141).

SEC. 102. Appropriations made by section 101 shall be available to the extent and in the man-

ner that would be provided by the pertinent appropriations Act.

SEC. 103. No appropriation or funds made available or authority granted pursuant to section 101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were not available during fiscal year 2018.

SEC. 104. Appropriations made and authority granted pursuant to this Act shall cover all obligations or expenditures incurred for any project or activity during the period for which funds or authority for such project or activity are available under this Act.

SEC. 105. Unless otherwise provided for in this Act or in the applicable appropriations Act for fiscal year 2019, appropriations and funds made available and authority granted pursuant to this Act shall be available until whichever of the following first occurs:

(1) the enactment into law of an appropriation for any project or activity provided for in this Act;

(2) the enactment into law of the applicable appropriations Act for fiscal year 2019 without any provision for such project or activity; or

(3) December 7, 2018.

SEC. 106. Expenditures made pursuant to this Act shall be charged to the applicable appropriation, fund, or authorization whenever a bill in which such applicable appropriation, fund, or authorization is contained is enacted into law.

SEC. 107. Appropriations made and funds made available by or authority granted pursuant to this Act may be used without regard to the time limitations for submission and approval of apportionments set forth in section 1513 of title 31, United States Code, but nothing in this Act may be construed to waive any other provision of law governing the apportionment of funds.

SEC. 108. Notwithstanding any other provision of this Act, except section 105, for those programs that would otherwise have high initial rates of operation or complete distribution of appropriations at the beginning of fiscal year 2019 because of distributions of funding to States, foreign countries, grantees, or others, such high initial rates of operation or complete distribution shall not be made, and no grants shall be awarded for such programs funded by this Act that would impinge on final funding prerogatives.

SEC. 109. This Act shall be implemented so that only the most limited funding action of that permitted in the Act shall be taken in order to provide for continuation of projects and activities.

SEC. 110. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2018, and for activities under the Food and Nutrition Act of 2008, activities shall be continued at the rate to maintain program levels under current law, under the authority and conditions provided in the applicable appropriations Act for fiscal year 2018, to be continued through the date specified in section 105(3).

(b) Notwithstanding section 105, obligations for mandatory payments due on or about the first day of any month that begins after October 2018 but not later than 30 days after the date specified in section 105(3) may continue to be made, and funds shall be available for such payments.

SEC. 111. Amounts made available under section 101 for civilian personnel compensation and benefits in each department and agency may be apportioned up to the rate for operations necessary to avoid furloughs within such department or agency, consistent with the applicable appropriations Act for fiscal year 2018, except that such authority provided under this section shall not be used until after the department or agency has taken all necessary actions to reduce or defer non-personnel-related administrative expenses.

SEC. 112. Funds appropriated by this Act may be obligated and expended notwithstanding sec-

tion 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 3094(a)(1)).

SEC. 113. (a) Each amount incorporated by reference in this Act that was previously designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act is designated by the Congress for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement pursuant to section 251(b)(2)(A) of such Act or as being for disaster relief pursuant to section 251(b)(2)(D) of such Act, respectively.

(b) Section 6 of Public Law 115-141 shall apply to amounts designated in subsection (a) for Overseas Contingency Operations/Global War on Terrorism or as an emergency requirement.

SEC. 114. Amounts made available by section 101 for "Department of Agriculture—Food and Nutrition Service—Child Nutrition Programs" to carry out section 749(g) of the Agriculture Appropriations Act of 2010 (Public Law 111-80) may be apportioned up to the rate for operations necessary to ensure that the program can be fully operational by May, 2019.

SEC. 115. Notwithstanding section 101, amounts are available in the "Rural Utilities Service—Rural Water and Waste Disposal Program Account" of the Department of Agriculture for gross obligations for the principal amount of direct loans as authorized by section 306 of the Consolidated Farm and Rural Development Act not to exceed \$4,141,176,000.

SEC. 116. Amounts provided by section 110 to the Department of Agriculture for "Corporations—Commodity Credit Corporation Fund—Reimbursement for Net Realized Losses" may be used, prior to the completion of the report described in section 2 of the Act of August 17, 1961 (15 U.S.C. 713a-11), to reimburse the Commodity Credit Corporation for net realized losses sustained, but not previously reimbursed, as reflected in the June 2018 report of its financial condition.

SEC. 117. In addition to amounts provided by section 101, amounts are provided for "Department of Agriculture—Agricultural Research Service—Salaries and Expenses" at a rate for operations of \$42,000,000 for the operation and maintenance of the National Bio and Agro-Defense Facility.

SEC. 118. Any program, authority, or provision, including any pilot program, authorized under the Violence Against Women Reauthorization Act of 2013 (Public Law 113-4; 127 Stat. 54) shall continue in effect through the date specified in section 105(3) of this Act.

SEC. 119. (a) Funds made available by section 101 for "Department of Energy—Energy Programs—Uranium Enrichment Decontamination and Decommissioning Fund" may be apportioned up to the rate for operations necessary to avoid disruption of continuing projects or activities funded in this appropriation.

(b) The Secretary of Energy shall notify the Committees on Appropriations of the House of Representatives and the Senate not later than 3 days after each use of the authority provided in subsection (a).

SEC. 120. Notwithstanding section 101, the matter preceding the first proviso under the heading "Department of Energy—Power Marketing Administrations—Operation and Maintenance, Southwestern Power Administration" in division D of the Consolidated Appropriations Act, 2018 (Public Law 115-141) shall be applied by substituting "\$43,488,000" for "\$30,288,000"; the first proviso under such heading shall be applied by substituting "\$33,088,000" for "\$18,888,000"; and the second proviso under such heading shall be applied by substituting "\$10,400,000" for "\$11,400,000".

SEC. 121. Notwithstanding section 101, amounts are provided to the Department of the Treasury for "Departmental Offices—Salaries and Expenses" at a rate for operations of \$214,576,000.

SEC. 122. Notwithstanding any other provision of this Act, except section 105, the District of Columbia may expend local funds under the heading "District of Columbia Funds" for such programs and activities under the District of Columbia Appropriations Act, 2018 (title IV of division E of Public Law 115-141) at the rate set forth under "Part A—Summary of Expenses" as included in the Fiscal Year 2019 Local Budget Act of 2018 (D.C. Act 22-397), as modified as of the date of the enactment of this Act.

SEC. 123. Amounts made available by section 101 for "Small Business Administration—Business Loans Program Account" may be apportioned up to the rate for operations necessary to accommodate increased demand for commitments for general business loans authorized under section 7(a) of the Small Business Act (15 U.S.C. 636(a)).

SEC. 124. Amounts made available by section 101 for "Department of Homeland Security—Federal Emergency Management Agency—Disaster Relief Fund" may be apportioned up to the rate for operations necessary to carry out response and recovery activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

SEC. 125. The Secretary of Homeland Security may transfer up to \$15,000,000 in unexpended balances of amounts made available to the Department of Homeland Security under the heading "Science and Technology Directorate—Operations and Support" in division F of the Consolidated Appropriations Act, 2018 (Public Law 115-141) to the Department of Agriculture for the purpose of contract support of the operations of the National Bio and Agro-defense Facility.

SEC. 126. Amounts made available by section 101 for the "U.S. Customs and Border Protection—Operations and Support", "U.S. Immigration and Customs Enforcement—Operations and Support", and "United States Secret Service—Operations and Support" accounts of the Department of Homeland Security may be apportioned at a rate for operations necessary to maintain not less than the number of the staff achieved on September 30, 2018.

SEC. 127. Amounts made available by section 101 for the Department of Homeland Security for "United States Secret Service—Procurement, Construction, and Improvements" may be apportioned up to the rate for operations necessary to purchase base platform vehicles in support of the fully armored vehicle program.

SEC. 128. Amounts made available by section 101 to the Department of Homeland Security for "Office of the Secretary and Executive Management—Operations and Support", "Management Directorate—Operations and Support", and "Intelligence, Analysis, and Operations Coordination—Operations and Support" may be apportioned up to the rate for operations necessary to carry out activities previously funded by the Working Capital Fund of the Department of Homeland Security, consistent with the fiscal year 2019 President's Budget.

SEC. 129. (a) In addition to amounts provided by section 101, amounts are provided for "Department of Health and Human Services—Indian Health Service—Indian Health Services" at a rate for operations of \$14,112,000, for an additional amount for costs of staffing and operating facilities that were opened, renovated, or expanded in fiscal year 2018, and such amounts may be apportioned up to the rate for operations necessary to staff and operate such facilities.

(b) In addition to amounts provided by section 101, amounts are provided for "Department of Health and Human Services—Indian Health Service—Indian Health Facilities" at a rate for operations of \$1,200,000, for an additional amount for costs of staffing and operating facilities that were opened, renovated, or ex-

panded in fiscal year 2018, and such amounts may be apportioned up to the rate for operations necessary to staff and operate newly constructed facilities.

SEC. 130. Section 810 of the Federal Lands Recreation Enhancement Act (16 U.S.C. 6809) shall be applied by substituting "September 30, 2020" for "September 30, 2019".

SEC. 131. Notwithstanding section 101, the matter preceding the first proviso and the second proviso under the heading "Environmental Protection Agency—Hazardous Waste Electronic Manifest System Fund" in division G of Public Law 115-141 shall be applied by substituting "\$8,000,000" for "\$3,674,000" each place it appears: Provided, That such amounts may be apportioned up to the rate for operations necessary and amounts made available by section 101 for "Environmental Protection Agency" may be transferred between appropriations under such heading as necessary to ensure that the Hazardous Waste Electronic Manifest System becomes fully operational.

SEC. 132. (a) The following sections of the Federal Insecticide, Fungicide, and Rodenticide Act shall continue in effect through the date specified in section 105(3) of this Act—

- (1) subparagraphs (C) through (E) of section 4(i)(1) (7 U.S.C. 136a-1(i)(1)(C)-(E));
- (2) section 4(k)(3) (7 U.S.C. 136a-1(k)(3));
- (3) section 4(k)(4) (7 U.S.C. 136a-1(k)(4)); and
- (4) section 33(c)(3)(B) (7 U.S.C. 136w-8(c)(3)(B)).

(b)(1) Section 4(i)(1)(I) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a-1(i)(1)(I)) shall be applied by substituting the date specified in section 105(3) of this Act for "September 30, 2017".

(2) Notwithstanding section 33(m)(2) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136w-8(m)(2)), section 33(m)(1) of such Act (7 U.S.C. 136w-8(m)(1)) shall be applied by substituting the date specified in section 105(3) of this Act for "September 30, 2017".

(c) Section 408(m)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(m)(3)) shall be applied by substituting the date specified in section 105(3) of this Act for "September 30, 2017".

SEC. 133. Activities authorized under part A of title IV and section 1108(b) of the Social Security Act shall continue through the date specified in section 105(3) of this Act in the manner authorized for fiscal year 2018, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose.

SEC. 134. The authority provided by section 7081(h) of division J of the Consolidated Appropriations Act, 2017 (Public Law 115-31) shall apply through the date specified in section 105(3).

SEC. 135. Effective upon enactment of this Act, the matter under the heading "Federal Railroad Administration—Railroad Rehabilitation and Improvement Financing Program" in division L of the Consolidated Appropriations Act, 2018 (Public Law 115-141) is amended—

- (1) by striking the third and fourth provisos and inserting the following provisos: "Provided further, That, not later than 30 days after the date of enactment of the Continuing Appropriations Act, 2019, the Secretary of Transportation, in consultation with the Director of the Office of Management and Budget, shall define the term 'cohorts of loans' for purposes of section 502(f)(4) of the Railroad Revitalization and Regulatory Reform Act of 1976 (45 U.S.C. 822(f)(4)) (as in effect on the day before the amendments made by section 11607 of Public Law 114-94 (129 Stat. 1698) took effect): Provided further, That, when all obligations attached to a cohort of loans have been satisfied, the Secretary of Transportation shall return to the original source, on a pro rata basis, the credit risk premiums paid for the loans in the cohort, with interest accrued thereon, that were not used to mitigate losses, not later than 60 days after the

date of enactment of the Continuing Appropriations Act, 2019 or, for a cohort of loans with obligations that have not yet been satisfied, not later than 60 days after the date on which all obligations attached to the cohort have been satisfied.”; and

(2) by striking “for a fiscal year” in the fifth proviso.

This division may be cited as the “Continuing Appropriations Act, 2019”.

And the Senate agree to the same.

RODNEY P.

FRELINGHUYSEN,

KAY GRANGER,

TOM COLE,

KEN CALVERT,

STEVE WOMACK,

ROBERT B. ADERHOLT,

HAROLD ROGERS,

MARTHA ROBY,

NITA M. LOWEY,

PETER J. VISLOSKEY,

ROSA DELAURO,

LUCILLE ROYBAL-ALLARD,

BETTY MCCOLLUM,

Managers on the Part of the House.

RICHARD C. SHELBY,

ROY BLUNT,

LINDSEY GRAHAM,

JERRY MORAN,

PATRICK J. LEAHY,

PATTY MURRAY,

RICHARD J. DURBIN

(Except Senate receding on Senate section 252),

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

Pursuant to House Resolution 1077, the previous question was ordered on the conference report.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. WEBER of Texas, announced that, pursuant to clause 10 of rule XX, the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WEBER of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶134.19 NON-CITIZENS VOTING IN FEDERAL ELECTIONS

Mr. GOODLATTE, pursuant to House Resolution 1077, called up for consideration the following resolution (H. Res. 1071):

Whereas voting is fundamental to a functioning democracy;

Whereas the Constitution prohibits discrimination in voting based on race, sex, poll taxes, and age;

Whereas it is of paramount importance that the United States maintains the legitimacy of its elections and protects them from interference, including interference from foreign threats and illegal voting;

Whereas the city of San Francisco, California, is allowing non-citizens, including illegal immigrants, to register to vote in school board elections; and

Whereas Federal law prohibits non-citizens from voting in elections for Federal office: Now, therefore, be it

Resolved, That the House of Representatives recognizes that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens.

When said resolution was considered.

After debate,

Pursuant to House Resolution 1077, the previous question was ordered on the resolution and the preamble.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that the yeas had it.

Mr. GOODLATTE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶134.20 EMPOWERING FINANCIAL INSTITUTIONS TO FIGHT HUMAN TRAFFICKING

Mr. TIPTON moved to suspend the rules and pass the bill (H.R. 6729) to allow nonprofit organizations to register with the Secretary of the Treasury and share information on activities that may involve human trafficking or money laundering with financial institutions and regulatory authorities, under a safe harbor that offers protections from liability, in order to better identify and report potential human trafficking or money laundering activities.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, recognized Mr. TIPTON and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that two-thirds of the Members present had voted in the affirmative.

Mr. AMASH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶134.21 CONFERENCE REPORT TO H.R. 6157—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced the unfinished business to be the question of agreeing to said conference report to the bill (H.R. 6157) making appropriations for the Department of Defense for the fiscal year ending September 30, 2019, and for other purposes.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that pursuant to clause 10 of rule XX, the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 361
affirmative { Nays 61

¶134.22

[Roll No. 405]

YEAS—361

Adams	Dingell	Latta
Aderholt	Doggett	Lawrence
Aguiar	Donovan	Lawson (FL)
Allen	Doyle, Michael	Lee
Amodei	F.	Lesko
Arrington	Dunn	Levin
Babin	Ellison	Lewis (GA)
Bacon	Engel	Lewis (MN)
Balderson	Españallat	Lieu, Ted
Barletta	Estes (KS)	Lipinski
Barr	Esty (CT)	LoBiondo
Barragán	Evans	Loebsock
Bass	Faso	Loftgren
Beatty	Ferguson	Long
Bera	Fitzpatrick	Loudermilk
Bergman	Fleischmann	Lowenthal
Beyer	Flores	Lowey
Bilirakis	Fortenberry	Lucas
Bishop (GA)	Foster	Luetkemeyer
Bishop (MI)	Fox	Lujan, Ben Ray
Bishop (UT)	Frankel (FL)	Lynch
Black	Frelinghuysen	MacArthur
Blum	Fudge	Maloney,
Blumenauer	Gabbard	Carolyn B.
Blunt Rochester	Gaetz	Maloney, Sean
Bonamici	Gallagher	Marino
Bost	Gallego	Marshall
Boyle, Brendan	Garamendi	Mast
F.	Gibbs	Matsui
Brady (PA)	Gomez	McCarthy
Brady (TX)	Gonzalez (TX)	McCaul
Brooks (AL)	Goodlatte	McCollum
Brooks (IN)	Gottheimer	McEachin
Brown (MD)	Gowdy	McGovern
Brownley (CA)	Granger	McHenry
Buchanan	Graves (GA)	McKinley
Bucshon	Graves (LA)	McMorris
Burgess	Graves (MO)	Rodgers
Bustos	Green, Al	McNerney
Butterfield	Green, Gene	McSally
Byrne	Griffith	Meeks
Calvert	Grijalva	Meng
Capuano	Grothman	Messer
Carbajal	Guthrie	Mitchell
Cárdenas	Gutiérrez	Moolenaar
Carson (IN)	Hanabusa	Moulton
Carter (GA)	Handel	Murphy (FL)
Carter (TX)	Harper	Nadler
Cartwright	Hartzer	Napolitano
Castor (FL)	Hastings	Neal
Castro (TX)	Heck	Newhouse
Cheney	Herrera Beutler	Noem
Chu, Judy	Higgins (NY)	Norcross
Ciavilline	Hill	Nunes
Clark (MA)	Himes	O'Halleran
Clarke (NY)	Holding	O'Rourke
Clay	Hoyer	Olson
Cleaver	Hudson	Palazzo
Clyburn	Huffman	Pallone
Coffman	Huizenga	Panetta
Cohen	Hultgren	Pascarell
Cole	Hunter	Paulsen
Collins (GA)	Hurd	Payne
Collins (NY)	Issa	Pearce
Comer	Jackson Lee	Pelosi
Comstock	Jeffries	Perlmutter
Conaway	Jenkins (KS)	Peters
Connolly	Johnson (GA)	Peterson
Cook	Johnson (OH)	Pingree
Cooper	Johnson, E. B.	Pittenger
Correa	Johnson, Sam	Pocan
Costa	Joyce (OH)	Poe (TX)
Costello (PA)	Kaptur	Polliquin
Courtney	Katko	Polis
Cramer	Keating	Posey
Crawford	Kelly (IL)	Price (NC)
Crist	Kennedy	Quigley
Crowley	Kihuen	Raskin
Cuellar	Kildee	Reed
Culberson	Kilmer	Reichert
Cummings	Kind	Rice (NY)
Curbelo (FL)	King (NY)	Rice (SC)
Davis (CA)	Kinzing	Richmond
Davis, Danny	Knight	Roby
Davis, Rodney	Krishnamoorthi	Roe (TN)
DeFazio	Kuster (NH)	Rogers (AL)
DeGette	Kustoff (TN)	Rogers (KY)
Delaney	LaHood	Rohrabacher
DeLauro	LaMalfa	Rooney, Thomas
DeBene	Lamb	J.
Demings	Lance	Ros-Lehtinen
Denham	Langevin	Rosen
Deutch	Larsen (WA)	Roskam
Diaz-Balart	Larson (CT)	Ross

Rouzer	Sires	Velázquez
Roybal-Allard	Smith (NJ)	Visclosky
Royce (CA)	Smith (TX)	Wagner
Ruiz	Smith (WA)	Walberg
Ruppersberger	Soto	Walden
Rush	Speier	Walorski
Russell	Stefanik	Walters, Mimi
Rutherford	Stewart	Walz
Ryan (OH)	Stivers	Wasserman
Sánchez	Swalwell (CA)	Schultz
Sarbanes	Takano	Waters, Maxine
Scalise	Taylor	Watson Coleman
Schakowsky	Tenney	Weber (TX)
Schiff	Thompson (CA)	Welch
Schneider	Thompson (MS)	Wenstrup
Schrader	Thompson (PA)	Westerman
Schweikert	Thornberry	Williams
Scott (VA)	Tipton	Wilson (FL)
Scott, Austin	Titus	Wilson (SC)
Scott, David	Tonko	Wittman
Serrano	Torres	Womack
Sessions	Trott	Woodall
Sewell (AL)	Tsongas	Yarmuth
Shea-Porter	Turner	Yoder
Sherman	Upton	Young (AK)
Shimkus	Valadao	Young (IA)
Shuster	Vargas	Zeldin
Simpson	Veasey	
Sinema	Vela	

NAYS—61

Abraham	Gohmert	Mooney (WV)
Amash	Gosar	Moore
Banks (IN)	Harris	Mullin
Barton	Hensarling	Norman
Biggs	Hice, Jody B.	Palmer
Blackburn	Higgins (LA)	Perry
Brat	Hollingsworth	Ratcliffe
Buck	Jayapal	Renacci
Budd	Johnson (LA)	Rooney, Francis
Chabot	Jones	Rothfus
Cloud	Jordan	Sanford
Curtis	Kelly (MS)	Sensenbrenner
Davidson	Kelly (PA)	Smith (MO)
DeSaulnier	Khanna	Smith (NE)
DesJarlais	King (IA)	Smucker
Duffy	Lamborn	Suozi
Duncan (SC)	Love	Walker
Duncan (TN)	Marchant	Webster (FL)
Emmer	Massie	Yoho
Garrett	McClintock	
Gianforte	Meadows	

NOT VOTING—6

Eshoo	Lujan Grisham,	Rokita
Jenkins (WV)	M.	
Labrador	Nolan	

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶134.23 H. RES. 1071—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the resolution (H. Res. 1071) recognizing that allowing illegal immigrants the right to vote devalues the franchise and diminishes the voting power of United States citizens.

The question being put,

Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the affirmative 279
Nays 72
Answered present 69

¶134.24

[Roll No. 406]

YEAS—279

Abraham	Gianforte	Mooney (WV)
Aderholt	Gibbs	Mullin
Allen	Gohmert	Murphy (FL)
Amodei	Gonzalez (TX)	Newhouse
Arrington	Goodlatte	Noem
Babin	Gosar	Norman
Bacon	Gottheimer	Nunes
Balderson	Gowdy	O'Halleran
Banks (IN)	Granger	Olson
Barletta	Graves (GA)	Palazzo
Barr	Graves (LA)	Palmer
Barton	Graves (MO)	Paulsen
Bera	Griffith	Pearce
Bergman	Grothman	Perry
Biggs	Guthrie	Peterson
Bilirakis	Handel	Pittenger
Bishop (GA)	Harper	Poe (TX)
Bishop (MI)	Harris	Poliquin
Bishop (UT)	Hartzler	Polis
Black	Hensarling	Posey
Blum	Herrera Beutler	Ratcliffe
Bost	Hice, Jody B.	Reed
Brady (TX)	Higgins (LA)	Reichert
Brat	Himes	Renacci
Brooks (AL)	Holding	Rice (SC)
Brooks (IN)	Hollingsworth	Roby
Buchanan	Hudson	Roe (TN)
Buck	Huizenga	Rogers (AL)
Bucshon	Hultgren	Rogers (KY)
Budd	Hunter	Rohrabacher
Burgess	Hurd	Rooney, Francis
Bustos	Issa	Rooney, Thomas
Byrne	Jenkins (KS)	J.
Calvert	Johnson (LA)	Ros-Lehtinen
Carbajal	Johnson (OH)	Rosen
Carter (GA)	Johnson, Sam	Roskam
Carter (TX)	Jones	Ross
Cartwright	Jordan	Rothfus
Castor (FL)	Joyce (OH)	Rouzer
Chabot	Kaptur	Royce (CA)
Cheney	Katko	Russell
Ciilline	Kelly (MS)	Rutherford
Cloud	Kelly (PA)	Ryan (OH)
Clyburn	Kind	Sanford
Coffman	King (IA)	Scalise
Cohen	King (NY)	Schrader
Cole	Kinzing	Schweikert
Collins (GA)	Knight	Scott, Austin
Collins (NY)	Kuster (NH)	Scott, David
Comer	Kustoff (TN)	Sensenbrenner
Comstock	LaHood	Sessions
Conaway	LaMalfa	Shea-Porter
Cook	Lamb	Shimkus
Cooper	Lamborn	Shuster
Costa	Lance	Simpson
Costello (PA)	Langevin	Sinema
Courtney	Larsen (WA)	Smith (MO)
Cramer	Larson (CT)	Smith (NE)
Crawford	Latta	Smith (NJ)
Crist	Lawson (FL)	Smith (TX)
Cuellar	Lesko	Smucker
Culberson	Lewis (MN)	Speier
Curbelo (FL)	Lipinski	Stefanik
Curtis	LoBiondo	Stewart
Davidson	Long	Stivers
Davis, Rodney	Loudermilk	Suozi
DeLauro	Love	Taylor
Denham	Lucas	Tenney
DesJarlais	Luetkemeyer	Thompson (PA)
Diaz-Balart	Lynch	Thornberry
Donovan	MacArthur	Tipton
Duffy	Marchant	Trott
Duncan (SC)	Marino	Turner
Duncan (TN)	Marshall	Upton
Dunn	Massie	Valadao
Ellison	Mast	Vela
Emmer	McCarthy	Visclosky
Estes (KS)	McCaul	Wagner
Faso	McClintock	Walberg
Ferguson	McCollum	Walden
Fitzpatrick	McHenry	Walker
Fleischmann	McKinley	Walorski
Flores	McMorris	Walters, Mimi
Fortenberry	Rodgers	Walz
Fox	McNerney	Weber (TX)
Frelinghuysen	McSally	Webster (FL)
Gaetz	Meadows	Wenstrup
Gallagher	Messer	Westerman
Garamendi	Mitchell	Williams
Garrett	Moolenaar	Wilson (SC)
		Wittman

Womack	Yoder	Young (IA)
Woodall	Yoho	Zeldin
Yarmuth	Young (AK)	

NAYS—72

Amash	Higgins (NY)	Pocan
Bass	Hoyer	Price (NC)
Beyer	Huffman	Quigley
Brady (PA)	Jayapal	Raskin
Brown (MD)	Johnson (GA)	Roybal-Allard
Carson (IN)	Johnson, E. B.	Rush
Castro (TX)	Kelly (IL)	Sarbanes
Clarke (NY)	Kihuen	Schakowsky
Correa	Lee	Schneider
Crowley	Lowe	Scott (VA)
Cummings	Maloney, Sean	Serrano
Davis (CA)	McEachin	Smith (WA)
Davis, Danny	McGovern	Soto
DeGette	Meeks	Swalwell (CA)
Demings	Meng	Thompson (MS)
DeSaulnier	Moore	Tonko
Doggett	Moulton	Torres
Doyle, Michael	Nadler	Tsongas
F.	Napolitano	Vargas
Españillat	O'Rourke	Veasey
Evans	Pallone	Velázquez
Foster	Panetta	Watson Coleman
Green, Gene	Pascrell	Welch
Gutiérrez	Payne	
Hastings	Pelosi	

ANSWERED "PRESENT"—69

Adams	Fudge	Maloney,
Aguilar	Gabbard	Carolyn B.
Barragán	Galleo	Matsui
Beatty	Gomez	Neal
Blumenauer	Green, Al	Norcross
Blunt Rochester	Grijalva	Perlmutter
Bonamici	Hanabusa	Peters
Boyle, Brendan	Heck	Pingree
F.	Jackson Lee	Rice (NY)
Brownley (CA)	Jeffries	Richmond
Butterfield	Keating	Ruiz
Cárdenas	Kennedy	Ruppersberger
Chu, Judy	Khanna	Sánchez
Clark (MA)	Kildee	Schiff
Clay	Kilmer	Sewell (AL)
Cleaver	Krishnamoorthi	Sherman
Connolly	Lawrence	Sires
DeFazio	Levin	Takano
Delaney	Lewis (GA)	Thompson (CA)
DelBene	Lieu, Ted	Titus
Deutch	Loeb sack	Wasserman
Dingell	Lofgren	Schultz
Engel	Lowenthal	Waters, Maxine
Frankel (FL)	Luján, Ben Ray	Wilson (FL)

NOT VOTING—8

Blackburn	Labrador	Rokita
Capuano	Lujan Grisham,	
Eshoo	M.	
Jenkins (WV)	Nolan	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶134.25 H. RES. 1082—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 1082) providing for the concurrence by the House in the Senate amendment to H.R. 302, with an amendment.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Ayes 398
affirmative { Noes 23

¶134.26

[Roll No. 407]

AYES—398

Abraham	Aderholt	Allen
Adams	Aguilar	Amodei

Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan

Doyle, Michael
F.
Duffy
Duncan (TN)
Dunn
Ellison
Engel
Español
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Handel
Harper
Hartzler
Hastings
Heck
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Lance

Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebbeck
Loftgren
Long
Loudermilk
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney, Francis

Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Schakowsky
Schiff
Schneider
Schradler
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman

Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao

Vargas
Veasey
Vela
Velázquez
Visclosky
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—23

Amash
Biggs
Brooks (AL)
Buck
Davidson
Duncan (SC)
Emmer
Foxy

Garrett
Gosar
Griffith
Harris
Hensarling
Jordan
Khanna
Massie

McClintock
Norman
Panetta
Rohrabacher
Sensenbrenner
Speier
Wagner

NOT VOTING—7

Blackburn
Eshoo
Jenkins (WV)

Labrador
Lujan Grisham,
M.

Nolan
Rokita

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

134.27 H.R. 6729—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HULTGREN, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6729) to allow nonprofit organizations to register with the Secretary of the Treasury and share information on activities that may involve human trafficking or money laundering with financial institutions and regulatory authorities, under a safe harbor that offers protections from liability, in order to better identify and report potential human trafficking or money laundering activities.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 297
affirmative } Nays 124

134.28

[Roll No. 408]

YEAS—297

Abraham
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barton
Bera
Bergman
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blumenauer
Blunt Rochester
Bost
Boyle, Brendan
F.
Brady (TX)
Brat
Brooks (IN)
Brownley (CA)
Buchanan
Bucshon
Budd
Bustos
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davis (CA)
Davis, Rodney
DeFazio
Delaney
DeLauro
DelBene
Demings
Denham
DesJarlais
Diaz-Balart
Dingell
Donovan
Doyle, Michael
F.
Duffy
Dunn
Ellison
Emmer
Estes (KS)
Esty (CT)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)

Frelinghuysen
Gallagher
Gallego
Garamendi
Gianforte
Gibbs
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Grijalva
Grothman
Guthrie
Handel
Harper
Hartzler
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Johnson (OH)
Johnson, Sam
Joyce (OH)
Kaptur
Katko
Keating
Kelly (MS)
Kelly (PA)
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larson (WA)
Larson (CT)
Latta
Lawson (FL)
Lesko
Levin
Lewis (MN)
Lipinski
LoBiondo
Loebbeck
Long
Loudermilk
Love
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney
Maloney, Sean
Marchant
Marino
Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally

Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Newhouse
Noem
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Palmer
Panetta
Pascarella
Paulsen
Pearce
Perlmutter
Perry
Peters
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney, Francis
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sarbanes
Scalise
Schneider
Schradler
Schweikert
Scott, Austin
Scott, David
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Torres
Trott
Tsongas
Turner
Upton
Valadao

Vargas
Visclosky
Wagner
Walberg
Walden
Walker
Walorski

Walters, Mimi
Wasserman
Schultz
Weber (TX)
Webster (FL)
Westerman
Williams

Wilson (SC)
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Zeldin

NAYS—124

Adams
Amash
Barragán
Bass
Beatty
Beyer
Biggs
Bishop (GA)
Blum
Bonamici
Brady (PA)
Brooks (AL)
Brown (MD)
Buck
Burgess
Butterfield
Capuano
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Cohen
Crowley
Cummings
Davidson
Davis, Danny
DeGette
DeSaulnier
Deutch
Doggett
Duncan (SC)
Duncan (TN)
Engel
Españolat
Evans
Fudge
Gabbard
Gaetz

Garrett
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Green, Al
Griffith
Gutiérrez
Hanabusa
Harris
Hastings
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson, E. B.
Jones
Jordan
Kelly (IL)
Kennedy
Khanna
Lawrence
Lee
Lewis (GA)
Lieu, Ted
Lofgren
Lowenthal
Lowey
Massie
Matsui
McCollum
McEachin
McGovern
McNerney
Meadows
Meeks
Meng
Nadler

Napolitano
Neal
Norman
Pallone
Payne
Pelosi
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Richmond
Rohrabacher
Roybal-Allard
Rush
Sánchez
Sanford
Schakowsky
Schiff
Scott (VA)
Sensenbrenner
Serrano
Smith (WA)
Takano
Thompson (MS)
Titus
Tonko
Veasey
Vela
Velázquez
Walz
Waters, Maxine
Watson Coleman
Welch
Wenstrup
Wilson (FL)
Wittman
Yarmuth
Yoho

NOT VOTING—7

Blackburn
Eshoo
Jenkins (WV)

Labrador
Lujan Grisham,
M.
Nolan
Rokita

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.29 PROVIDING FOR CONSIDERATION OF H.R. 6756, H.R. 6757, AND H.R. 6760

Mr. COLLINS of Georgia, by direction of the Committee on Rules, reported (Rept. No. 115-985) the resolution (H. Res. 1084) providing for consideration of the bill (H.R. 6756) to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes; providing for consideration of the bill (H.R. 6757) to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; providing for consideration of the bill (H.R. 6760) to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses; and providing for proceedings during the period from October 1, 2018, through November 12, 2018.

When said resolution and report were referred to the House Calendar and ordered printed.

¶134.30 CLERK TO CORRECT ENROLLMENT OF H.R. 6157

On motion of Mr. FRELINGHUYSEN, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 47):

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill H.R. 6157, the Clerk of the House of Representatives shall make the following corrections:

(1) Amend the long title so as to read: "Making consolidated appropriations for the Departments of Defense, Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes."

(2) In section 101(4) of division C, strike "31" and insert "141".

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶134.31 AIRPORT AND AIRWAY EXTENSION

On motion of Mr. SHUSTER, by unanimous consent, the Committee on Transportation and Infrastructure and the Committee on Ways and Means were discharged from further consideration of the bill (H.R. 6897) to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.32 M.S. "MITCH" MITCHELL FLOODWAY

On motion of Mr. SHUSTER, by unanimous consent, the Committee on Transportation and Infrastructure was discharged from further consideration of the bill (H.R. 3383) to designate the flood control project in Sedgwick County, Kansas, commonly known as the Wichita-Valley Center Flood Control Project, as the "M.S. 'Mitch' Mitchell Floodway".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.33 JOSEPH SANFORD JR. CHANNEL

On motion of Mr. SHUSTER, by unanimous consent, the Committee on

Transportation and Infrastructure was discharged from further consideration of the bill of the Senate (S. 1668) to rename a waterway in the State of New York as the "Joseph Sanford Jr. Channel".

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶134.34 FINANCIAL TECHNOLOGY PROTECTION

Mr. TIPTON moved to suspend the rules and pass the bill (H.R. 5036) to establish an Independent Financial Technology Task Force, to provide rewards for information leading to convictions related to terrorist use of digital currencies, to establish a FinTech Leadership in Innovation Program to encourage the development of tools and programs to combat terrorist and illicit use of digital currencies, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. TIPTON and Mr. KIHUEN, each for 20 minutes.

After debate,

The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.35 IMPROVING STRATEGIES TO COUNTER WEAPONS PROLIFERATION

Mr. TIPTON moved to suspend the rules and pass the bill (H.R. 6332) to require the Director of the Financial Crimes Enforcement Network to submit a report to Congress on the way in which data collected pursuant to title 31 is being used, and for other purposes.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. TIPTON and Mr. KIHUEN, each for 20 minutes.

After debate,

The question being put, viva voce, Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.36 FEDERAL RESERVE SUPERVISION
TESTIMONY CLARIFICATION

Mr. TIPTON moved to suspend the rules and pass the bill (H.R. 4753) to amend the Federal Reserve Act to require the Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System to provide a written report, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. TIPTON and Mr. KIHUEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.37 PROTECT AFFORDABLE
MORTGAGES FOR VETERANS

Mr. TIPTON moved to suspend the rules and pass the bill (H.R. 6737) to amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to clarify seasoning requirements for certain refinanced mortgage loans, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. TIPTON and Mr. KIHUEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.38 BANKING TRANSPARENCY FOR
SANCTIONED PERSONS

Mr. TIPTON moved to suspend the rules and pass the bill (H.R. 6751) to increase transparency with respect to fi-

nancial services benefitting state sponsors of terrorism, human rights abusers, and corrupt officials, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. TIPTON and Mr. KIHUEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.39 9/11 HEROES MEDAL OF VALOR

Mr. TIPTON moved to suspend the rules and pass the bill (H.R. 3834) to provide that members of public safety agencies who died of 9/11-related health conditions are eligible for the Presidential 9/11 Heroes Medal of Valor, and for other purposes.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. TIPTON and Mr. KIHUEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.40 ANWAR SADAT CENTENNIAL
CELEBRATION

Mr. TIPTON moved to suspend the rules and pass the bill (H.R. 754) to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. TIPTON and Mr. KIHUEN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.41 IG SUBPOENA AUTHORITY

Mr. RUSSELL moved to suspend the rules and pass the bill (H.R. 4917) to amend the Inspector General Act of 1978 to provide testimonial subpoena authority, and for other purposes.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. RUSSELL and Mr. GOMEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.42 GUIDANCE OUT OF DARKNESS

Mr. RUSSELL moved to suspend the rules and pass the bill (H.R. 4809) to increase access to agency guidance documents; as amended.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. RUSSELL and Mr. GOMEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.43 GRANT REPORTING EFFICIENCY
AND AGREEMENTS TRANSPARENCY

Mr. RUSSELL moved to suspend the rules and pass the bill (H.R. 4887) to modernize Federal grant reporting, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. RUSSELL and Mr. GOMEZ, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.44 CORRECTING MISCALCULATIONS IN VETERANS' PENSIONS

Mr. RUSSELL moved to suspend the rules and pass the bill (H.R. 4431) to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service; as amended.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. RUSSELL and Mr. GOMEZ, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BANKS of Indiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service or certain volunteer service, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.45 BORDER PATROL AGENT PAY REFORM

Mr. RUSSELL moved to suspend the rules and pass the bill (H.R. 5896) to amend title 5, United States Code, to modify the authority for pay and work schedules of border patrol agents, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BANKS of Indiana, recognized Mr. RUSSELL and Mr. GOMEZ, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, announced that

two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.46 NEW ZIP CODES

Mr. RUSSELL moved to suspend the rules and pass the bill (H.R. 6846) to require the United States Postal Service to establish new ZIP codes, and for other purposes.

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, recognized Mr. RUSSELL and Mr. GOMEZ, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.47 REAL ID MODIFICATION

Mr. RUSSELL moved to suspend the rules and pass the bill (H.R. 3398) to amend the Real ID Act of 2005 to permit Freely Associated States to meet identification requirements under such Act, and for other purposes.

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, recognized Mr. RUSSELL and Mr. GOMEZ, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CURTIS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶134.48 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 3139. An Act to require State safety oversight agencies to conduct safety inspec-

tions of public transportation systems that provide rail fixed guideway public transportation and to direct the Secretary of Transportation to develop risk-based inspection guidance for such agencies, and for other purposes; to the Committee on Transportation and Infrastructure.

S. 3389. An Act to redesignate a facility of the National Aeronautics and Space Administration; to the Committee on Science, Space, and Technology.

¶134.49 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 6157. An Act making consolidated appropriations for the Departments of Defense, Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes.

¶134.50 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 25, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 698. An Act to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes.

And then,

¶134.51 ADJOURNMENT

On motion of Mr. GIANFORTE, at 8 o'clock and 32 minutes p.m., the House adjourned.

¶134.52 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BRADY of Texas: Committee on Ways and Means. House Resolution 1018. Resolution requesting the President to transmit to the House of Representatives certain documents in the possession of the President relating to the determination to impose certain tariffs and to the strategy of the United States with respect to China (Rept. 115-979). Referred to the House Calendar.

Mr. HENSARLING: Committee on Financial Services. H.R. 4753. A bill to amend the Federal Reserve Act to require the Vice Chairman for Supervision of the Board of Governors of the Federal Reserve System to provide a written report, and for other purposes; with an amendment (Rept. 115-980). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6729. A bill to allow non-profit organizations to register with the Secretary of the Treasury and share information on activities that may involve human trafficking or money laundering with financial institutions and regulatory authorities, under a safe harbor that offers protections from liability, in order to better identify and report potential human trafficking or money laundering activities (Rept. 115-981). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6751. A bill to increase

transparency with respect to financial services benefitting state sponsors of terrorism, human rights abusers, and corrupt officials, and for other purposes; with an amendment (Rept. 115-982). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6737. A bill to amend the Economic Growth, Regulatory Relief, and Consumer Protection Act to clarify seasoning requirements for certain refinanced mortgage loans, and for other purposes (Rept. 115-983). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 5036. A bill to establish an Independent Financial Technology Task Force, to provide rewards for information leading to convictions related to terrorist use of digital currencies, to establish a FinTech Leadership in Innovation Program to encourage the development of tools and programs to combat terrorist and illicit use of digital currencies, and for other purposes; with amendments (Rept. 115-984). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 1084. Resolution providing for consideration of the bill (H.R. 6756) to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes; providing for consideration of the bill (H.R. 6757) to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; providing for consideration of the bill (H.R. 6760) to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses; and providing for proceedings during the period from October 1, 2018, through November 12, 2018 (Rept. 115-985). Referred to the House Calendar.

134.53 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SENSENBRENNER (for himself and Ms. JACKSON LEE):

H.R. 6896. A bill to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. SHUSTER:

H.R. 6897. A bill to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned; considered and passed.

By Mr. KNIGHT (for himself, Mr. HUIZENGA, Mr. CURTIS, Mr. DENHAM, Mrs. MIMI WALTERS of California, Mrs. WAGNER, Mr. BLUM, Mr. VALADAO, Ms. HERRERA BEUTLER, Mr. POLIQUIN, and Mr. RENACCI):

H.R. 6898. A bill to amend the Health Insurance Portability and Accountability Act to ensure coverage for individuals with pre-existing conditions, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARCHANT (for himself and Mr. SCHNEIDER):

H.R. 6899. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from gross income for civil damages as recompense for trafficking in persons; to the Committee on Ways and Means.

By Mr. PRICE of North Carolina (for himself, Ms. NORTON, Mr. COHEN, Ms. SHEA-PORTER, Ms. ESHOO, Mr. GARAMENDI, Mr. RYAN of Ohio, Mr. SEAN PATRICK MALONEY of New York, Mr. DESAULNIER, Mr. CARBAJAL, Ms. CLARK of Massachusetts, and Ms. SCHAKOWSKY):

H.R. 6900. A bill to amend the Internal Revenue Code of 1986 to require certain tax-exempt organizations to include on annual returns the names and addresses of substantial contributors, and for other purposes; to the Committee on Ways and Means.

By Mr. HURD (for himself, Ms. KELLY of Illinois, Mr. MEADOWS, and Mr. CONNOLLY):

H.R. 6901. A bill to amend chapter 36 of title 44, United States Code, to make certain changes relating to electronic Government services, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. KNIGHT (for himself and Ms. ESHOO):

H.R. 6902. A bill to amend title 18, United States Code, to establish criminal penalties for unlawful payments for referrals to recovery homes and clinical treatment facilities; to the Committee on the Judiciary.

By Ms. SCHAKOWSKY:

H.R. 6903. A bill to amend title VI of the Federal Food, Drug, and Cosmetic Act to ensure the safe use of cosmetics, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LAHOOD (for himself, Mr. KRISHNAMOORTHY, Mr. SHIMKUS, Mr. BOST, Mr. RODNEY DAVIS of Illinois, Mrs. BUSTOS, Mr. KINZINGER, Mr. HULTGREN, Mr. SCHNEIDER, Mr. FOSTER, Ms. SCHAKOWSKY, Mr. DANNY K. DAVIS of Illinois, Mr. ROSKAM, Mr. QUIGLEY, Mr. LIPINSKI, Ms. KELLY of Illinois, Mr. RUSH, and Mr. GUTIERREZ):

H.R. 6904. A bill to designate certain Federal land in the District of Columbia under the administrative jurisdiction of the National Park Service as the "Illinois Bicentennial Grove", and for other purposes; to the Committee on Natural Resources.

By Mr. THOMPSON of Mississippi:

H.R. 6905. A bill to amend the Homeland Security Act of 2002 to require the Secretary of Homeland Security to establish a commission to enhance cultural competence and improve recruitment and outreach efforts at the Coast Guard Academy, to amend title 14, United States Code, to modify the process for congressional nomination of individuals for appointment as cadets at the Coast Guard Academy, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH:

H.R. 6906. A bill to designate the portion of Interstate Route 57 that is located in Illinois as the "Barack Obama Highway", and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LIPINSKI (for himself and Mr. BOST):

H.R. 6907. A bill to strengthen Buy American requirements, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STIVERS (for himself and Mr. WALZ):

H.R. 6908. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide service dogs to veterans with mental illnesses who do not have mobility impairments; to the Committee on Veterans' Affairs.

By Mr. CONNOLLY (for himself, Ms.

BARRAGAN, Ms. BASS, Mr. BEYER, Mr. BLUMENAUER, Mr. CICILLINE, Mr. COHEN, Mr. CORREA, Ms. CLARKE of New York, Ms. DELAURO, Mr. DESAULNIER, Mr. DEUTCH, Mrs. DINGELL, Mr. ELLISON, Mr. ESPAILLAT, Mr. FOSTER, Mr. GALLEGOS, Mr. AL GREEN of Texas, Mr. GUTIERREZ, Mr. HASTINGS, Ms. JACKSON LEE, Ms. JAYAPAL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. KAPTUR, Mr. KEATING, Mr. KHANNA, Ms. LEE, Mr. TED LIEU of California, Mr. BEN RAY LUJAN of New Mexico, Ms. MCCOLLUM, Mr. MCEACHIN, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Mr. PALLONE, Mr. PANETTA, Mr. PASCRELL, Mr. PAYNE, Mr. PETERS, Ms. PINGREE, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. SIREN, Mr. SMITH of Washington, Mr. SOTO, Mr. VARGAS, Mr. VEASEY, Mr. VISCLOSKEY, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Mr. WELCH, Ms. WILSON of Florida, and Mr. CUMMINGS):

H.R. 6909. A bill to amend the Immigration and Nationality Act to provide for a minimum number of refugees who may be admitted in any fiscal year after fiscal year 2018, and for other purposes; to the Committee on the Judiciary.

By Mr. BABIN:

H.R. 6910. A bill to specify goals and objectives of the United States with respect to human spaceflight, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. DESJARLAIS:

H.R. 6911. A bill to amend the Servicemembers Civil Relief Act to prohibit the enforcement of certain policies of homeowners associations regarding real property of servicemembers; to the Committee on Veterans' Affairs.

By Mr. DUNCAN of Tennessee:

H.R. 6912. A bill to amend title 11 of the United States Code to prohibit the payment of bonuses to highly compensated employees and insiders of the debtor to perform services during the bankruptcy case; and for other purposes; to the Committee on the Judiciary.

By Mr. GUTHRIE (for himself and Ms. MATSUI):

H.R. 6913. A bill to direct the Secretary of Commerce to establish a working group to recommend to Congress a definition of blockchain technology, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JODY B. HICE of Georgia (for himself, Mrs. LESKO, and Mr. BOST):

H.R. 6914. A bill to amend title 18, United States Code, to include railroad police officers in the definition of qualified law enforcement officers; to the Committee on the Judiciary.

By Mr. LANGEVIN:

H.R. 6915. A bill to amend the Internal Revenue Code of 1986 to expand the new energy efficient home credit, and for other purposes; to the Committee on Ways and Means.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. BERA, Ms. GABBARD, Mr. KHANNA, Ms. JAYAPAL, and Mr. KRISHNAMOORTHY):

H.R. 6916. A bill to posthumously award a Congressional gold medal to Mahatma Gandhi in recognition of his contributions to the Nation by the promotion of nonviolence; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MESSER:

H.R. 6917. A bill to protect victims of non-consensual online distribution of sexually intimate images by providing for the expeditious removal of nonconsensual sexually intimate imagery on the Internet, to encourage responsible practices by online service providers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MOONEY of West Virginia:

H.R. 6918. A bill to amend the Securities Exchange Act of 1934 to change the quarterly reporting requirement with respect to certain registered securities to a semi-annual reporting requirement; to the Committee on Financial Services.

By Mr. PAYNE (for himself and Mr. THOMPSON of Mississippi):

H.R. 6919. A bill to amend the Homeland Security Act of 2002 to establish a school security coordinating council, and for other purposes; to the Committee on Homeland Security.

By Mr. PAYNE (for himself and Mr. THOMPSON of Mississippi):

H.R. 6920. A bill to amend the Homeland Security Act of 2002 to enhance Department of Homeland Security school security efforts, and for other purposes; to the Committee on Homeland Security.

By Miss RICE of New York:

H.R. 6921. A bill to amend the Internal Revenue Code of 1986 to increase the deduction allowed for student loan interest and to exclude from gross income discharges of income contingent or income-based student loan indebtedness; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANCIS ROONEY of Florida (for himself, Mr. GOSAR, Mr. KING of Iowa, and Mr. OLSON):

H.R. 6922. A bill to amend the Labor-Management Reporting and Disclosure Act of 1959 to provide whistleblower protection for union employees; to the Committee on Education and the Workforce.

By Mr. SANFORD (for himself and Mr. COOPER):

H.R. 6923. A bill to require congressional approval of certain trade remedies, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SIMPSON:

H.R. 6924. A bill to authorize the Secretary of the Interior to convey certain public land

within the Henry's Lake Wilderness Study Area in the State of Idaho to resolve an unauthorized use and an occupancy encroachment dating back to 1983; to the Committee on Natural Resources.

By Ms. VELÁZQUEZ:

H.R. 6925. A bill to require reporting by the Secretary of Housing and Urban Development and the Comptroller General of the United States regarding sexual harassment in Federal housing assistance programs, and for other purposes; to the Committee on the Judiciary.

By Mr. MCNERNEY (for himself and Mr. JONES):

H.J. Res. 141. A joint resolution proposing an amendment to the Constitution of the United States regarding the permissible sources of funding for elections for public office and State ballot measures; to the Committee on the Judiciary.

By Mr. KHANNA (for himself, Mr. SMITH of Washington, Mr. POCAN, Mr. MCGOVERN, Mr. HOYER, Mr. ENGEL, Mr. MASSIE, Mr. TED LIEU of California, Ms. LEE, Mr. O'ROURKE, Mr. JONES, Mr. COURTNEY, Mr. KENNEDY, Ms. SCHAKOWSKY, Ms. GABBARD, Mr. CAPUANO, Ms. CLARKE of New York, Mr. ESPAILLAT, Mr. GRIJALVA, Ms. JAYAPAL, Ms. MOORE, Mrs. DINGELL, Mr. DEFazio, Mr. BLUMENAUER, Mr. DEUTCH, Mr. WELCH, and Mrs. LOWEY):

H. Con. Res. 138. Concurrent resolution directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; to the Committee on Foreign Affairs.

By Mr. CONAWAY (for himself and Mr. GENE GREEN of Texas):

H. Con. Res. 139. Concurrent resolution expressing the policy of the United States to pursue and enter into a military treaty alliance of extended deterrence with the State of Israel; to the Committee on Foreign Affairs.

By Mr. KINZINGER (for himself, Mr. MOULTON, Mrs. MCMORRIS RODGERS, Mr. ROYCE of California, Mr. SMITH of Washington, Mr. HASTINGS, Mr. VEASEY, Mr. TAYLOR, Mr. RUSH, Mr. FITZPATRICK, Mrs. MURPHY of Florida, Mr. GALLEGO, Mr. LANCE, Mr. BROWN of Maryland, Mrs. DINGELL, Mr. CARBAJAL, Mr. WOMACK, Ms. STEFANIK, Ms. KAPTUR, Mr. CORREA, Mr. CRIST, Ms. MCSALLY, Mr. MCCAUL, Mr. COSTELLO of Pennsylvania, Mr. JOHNSON of Georgia, Mr. COHEN, Mr. HIMES, Mr. PAULSEN, Mr. JOHNSON of Ohio, Mr. RODNEY DAVIS of Illinois, Mr. LIPINSKI, Mr. O'HALLERAN, Ms. SPEIER, Mr. LYNCH, Mr. GRIJALVA, Mr. REICHERT, Mr. THOMAS J. ROONEY of Florida, Mr. PITTINGER, Ms. JACKSON LEE, Mr. GONZALEZ of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CURBELO of Florida, Ms. SINEMA, Mr. BISHOP of Michigan, Ms. ROS-LEHTINEN, Mr. THOMPSON of California, Mr. LAHOOD, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. ROE of Tennessee, Mrs. COMSTOCK, Mr. LANGEVIN, Ms. ROSEN, Mrs. BUSTOS, Mr. BANKS of Indiana, Mr. GOWDY, Mr. SCHWEIKERT, Mrs. LESKO, Ms. HANABUSA, Mr. SAM JOHNSON of Texas, Mr. DIAZ-BALART, Mr. BURGESS, Mr. CRAMER, Ms. JENKINS of Kansas, Mr. BRADY of Pennsylvania, Mr. COLE, Mr. OLSON, Mr. FRELINGHUYSEN, Mr. KING of New York, Mr. FASO, Mr. HULTGREN, and Mr. ENGEL):

H. Con. Res. 140. Concurrent resolution expressing the sense of Congress regarding the

life and work of Senator John S. McCain III in promoting the United States, human rights, and peace; to the Committee on House Administration, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER:

H. Res. 1082. A resolution providing for the concurrence by the House in the Senate amendment to H.R. 302, with an amendment; considered and agreed to.

By Mr. WILLIAMS:

H. Res. 1083. A resolution expressing support for designation of the month of August as National Destroyer Recognition Month; to the Committee on Armed Services.

By Ms. FRANKEL of Florida (for herself and Ms. ROS-LEHTINEN):

H. Res. 1085. A resolution celebrating the 10th anniversary of the Women's Congressional Staff Association; to the Committee on House Administration.

By Mr. MCKINLEY (for himself and Ms. ESHOO):

H. Res. 1086. A resolution expressing support for designation of the month of September as "Rheumatic Disease Awareness Month", in recognition of the costs imposed by rheumatic diseases, the need for increased medical research, and the quality care provided by trained rheumatologists; to the Committee on Energy and Commerce.

By Mr. FRANCIS ROONEY of Florida (for himself and Mr. GAETZ):

H. Res. 1087. A resolution expressing the sense of the House of Representatives that sea level rise and flooding are of urgent concern impacting Florida that require proactive measures for community planning and the State's tourism-based economy to adapt; to the Committee on Transportation and Infrastructure.

By Mr. WITTMAN (for himself and Mr. JEFFRIES):

H. Res. 1088. A resolution expressing support for the designation of September 29 as National Urban Wildlife Refuge Day; to the Committee on Natural Resources.

134.54 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

259. The SPEAKER presented a memorial of the Senate of the State of California, relative to senate Joint Resolution No. 12, encouraging the federal government to maintain or restore full funding to integral international exchange programs, such as the Fulbright U.S. Student Program; to the Committee on Foreign Affairs.

260. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 14, urging the Congress and the President of the United States to rename any federal buildings, parks, roadways, highways, markers, landmarks, or other federally owned property, such as United States military bases, that bear the names of elected or military leaders of the Confederate States of America and would urge the Congress that statues or busts of elected or military leaders of the Confederate States of America in the United States Capitol be removed and placed in museums where they can be viewed in proper historic context; to the Committee on House Administration.

261. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 30, urging the Congress and the President of the United States to support the retention of, and investment in, the Amtrak National Network of passenger trains, specifically the California Zephyr, the Coast Starlight, the Southwest Chief, and the Sun-

set Limited, as vital components of the state's rail program and would also urge Congress to reject President Trump's proposed Fiscal Year 2019 federal budget cuts to Amtrak and restore full funding for the Amtrak National Network through the appropriations process; to the Committee on Transportation and Infrastructure.

262. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 22, urging the federal government and the United States Section of the International Boundary and Water Commission to take immediate action to adequately address cross-border pollution in the Tijuana River Valley; jointly to the Committees on Foreign Affairs and Transportation and Infrastructure.

263. Also, a memorial of the Senate of the State of California, relative to Senate Joint Resolution No. 29, calling upon the President and the United States Congress to acknowledge that the separation of immigrant children from their families at the border is detrimental to the short- and long-term physical and mental well-being of the children and incompatible with our fundamental values as a nation. Also calling upon the United States Congress to issue a formal apology to all child detainees who were forcibly separated from their parents and legal guardians and seized by the United States Department of Homeland Security or United States Customs and Border Protection and to the parents of those children; jointly to the Committees on the Judiciary and Homeland Security.

134.55 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 113: Mr. VEASEY.
H.R. 466: Mr. MAST.
H.R. 480: Mr. FLEISCHMANN.
H.R. 502: Mr. DENHAM and Mr. JOYCE of Ohio.
H.R. 525: Mr. JOHNSON of Georgia.
H.R. 667: Mr. KINZINGER, Mr. MACARTHUR, Mr. TED LIEU of California, and Ms. BROWNLEY of California.
H.R. 909: Mr. POSEY.
H.R. 930: Ms. GABBARD, Mr. LEVIN, and Mr. SABLON.
H.R. 964: Mr. RYAN of Ohio, Mr. RUSH, and Mr. SMITH of New Jersey.
H.R. 997: Mr. BUDD.
H.R. 1291: Ms. CASTOR of Florida and Mr. KRISHNAMOORTHY.
H.R. 1300: Mr. BUTTERFIELD, Mrs. DEMINGS, Mr. KENNEDY, and Mr. O'ROURKE.
H.R. 1318: Ms. SANCHEZ and Mr. MEEKS.
H.R. 1322: Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 1456: Mr. LAMB and Mr. BARLETTA.
H.R. 1661: Mrs. LAWRENCE, Mr. SUOZZI, Mr. LATTA, and Mrs. TORRES.
H.R. 1720: Mrs. COMSTOCK.
H.R. 1904: Mr. TIPTON.
H.R. 1957: Mr. CORREA.
H.R. 2015: Mr. HIMES and Mr. LARSON of Connecticut.
H.R. 2106: Mr. KATKO.
H.R. 2119: Mr. LAWSON of Florida, Mr. LOEBBACH, Mr. BRENDAN F. BOYLE of Pennsylvania, Mrs. BUSTOS, Mr. EVANS, and Mr. CORREA.
H.R. 2267: Ms. WASSERMAN SCHULTZ and Mr. GENE GREEN of Texas.
H.R. 2315: Mr. MEEKS, Mr. HURD, and Mr. ROTHFUS.
H.R. 2358: Mr. MACARTHUR and Mr. PRICE of North Carolina.
H.R. 2439: Mr. KING of New York.
H.R. 2452: Ms. ROSEN.
H.R. 2495: Mr. FLORES and Mr. POCAN.
H.R. 2498: Mr. LAWSON of Florida, Mr. DEFAZIO, and Mr. CARBAJAL.

H.R. 2556: Mr. HIGGINS of New York.
H.R. 2677: Ms. BROWNLEY of California.
H.R. 2678: Miss RICE of New York.
H.R. 2801: Mrs. TORRES and Mr. POCAN.
H.R. 2926: Ms. KUSTER of New Hampshire.
H.R. 2972: Mr. SCHIFF.
H.R. 2976: Mr. KENNEDY.
H.R. 2992: Ms. JACKSON LEE and Ms. DEGETTE.
H.R. 3086: Mr. POCAN.
H.R. 3197: Ms. BASS and Ms. CASTOR of Florida.
H.R. 3222: Mr. CORREA.
H.R. 3224: Mr. POLIQUIN.
H.R. 3325: Mr. KRISHNAMOORTHY, Ms. FRANKEL of Florida, and Mr. CHABOT.
H.R. 3730: Mr. TIPTON.
H.R. 3800: Ms. SCHAKOWSKY.
H.R. 3877: Mr. NADLER, Mrs. WATSON COLEMAN, and Ms. CLARKE of New York.
H.R. 3976: Mr. RASKIN and Mr. COMER.
H.R. 4006: Mr. SCHIFF.
H.R. 4107: Mrs. BEATTY, Mr. WALKER, Mr. LANCE, Mr. SMITH of Texas, Mr. WALZ, Ms. BROWNLEY of California, Mrs. LESKO, Mrs. NAPOLITANO, Mr. BURGESS, Mr. MAST, and Mr. CROWLEY.
H.R. 4202: Mr. ESPAILLAT, Ms. CASTOR of Florida, and Mr. MAST.
H.R. 4392: Mrs. ROBY.
H.R. 4505: Ms. JAYAPAL.
H.R. 4673: Mr. POSEY.
H.R. 4691: Mr. FOSTER, Mrs. WATSON COLEMAN, Mr. LAMB, Mr. POCAN, Ms. BONAMICI, Ms. LEE, Mr. KING of New York, Mr. CALVERT, Mr. KEATING, Mr. PASCRELL, Mr. MAST, Ms. BROWNLEY of California, and Ms. CLARK of Massachusetts.
H.R. 4732: Ms. ESTY of Connecticut, Mr. KENNEDY, Mr. FASO, and Mr. GROTHMAN.
H.R. 4815: Mr. GUTIERREZ.
H.R. 4932: Mr. VELA.
H.R. 5158: Mr. SARBANES.
H.R. 5160: Mr. LIPINSKI.
H.R. 5188: Mr. KHANNA.
H.R. 5220: Mr. OLSON.
H.R. 5306: Mr. LIPINSKI.
H.R. 5339: Mr. BACON.
H.R. 5471: Mr. SARBANES.
H.R. 5533: Mr. DELANEY.
H.R. 5541: Mr. RASKIN.
H.R. 5561: Mr. MCEACHIN, Mr. PERRY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mrs. DEMINGS, Mr. KHANNA, Ms. MOORE, Mr. HASTINGS, and Mr. THOMPSON of Mississippi.
H.R. 5671: Mr. BYRNE.
H.R. 5706: Mrs. RADEWAGEN.
H.R. 5780: Mr. SMITH of New Jersey, Mr. PASCRELL, and Ms. BASS.
H.R. 5794: Mr. RASKIN.
H.R. 5818: Mr. TED LIEU of California.
H.R. 5855: Mr. HARRIS.
H.R. 5876: Mr. DUNCAN of South Carolina.
H.R. 5881: Mr. JOHNSON of Ohio.
H.R. 5885: Mr. LOBIONDO.
H.R. 5924: Mr. SCHNEIDER.
H.R. 5941: Mr. DESAULNIER.
H.R. 6016: Mr. PASCRELL.
H.R. 6018: Mr. CONNOLLY.
H.R. 6085: Mr. KING of New York, Ms. DEGETTE, Mr. JOHNSON of Ohio, Mr. TONKO, Mr. LONG, and Mr. BEN RAY LUJÁN of New Mexico.
H.R. 6105: Mr. BRADY of Pennsylvania.
H.R. 6125: Mr. DONOVAN.
H.R. 6184: Mr. NORCROSS and Mr. VISCLOSKEY.
H.R. 6207: Ms. BONAMICI.
H.R. 6238: Mr. YARMUTH, Miss RICE of New York, Mr. AGUILAR, Mr. ENGEL, Mr. PASCRELL, and Mr. DESAULNIER.
H.R. 6255: Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 6270: Mr. DEFAZIO.
H.R. 6355: Mr. LATTA, Mr. MOONEY of West Virginia, and Mr. ROKITA.
H.R. 6410: Mr. LIPINSKI.
H.R. 6413: Mr. SHERMAN and Mr. SIRE.

H.R. 6500: Ms. KAPTUR.
H.R. 6503: Ms. ESHOO and Mr. VISCLOSKEY.
H.R. 6505: Mr. SCHIFF.
H.R. 6506: Mr. ROKITA.
H.R. 6510: Mr. SCHIFF, Mr. NADLER, Mrs. WATSON COLEMAN, Ms. CLARKE of New York, Mrs. MCMORRIS RODGERS, and Mr. MEEKS.
H.R. 6525: Mr. CICILLINE and Mr. CÁRDENAS.
H.R. 6531: Mr. GARAMENDI.
H.R. 6571: Ms. JACKSON LEE.
H.R. 6609: Ms. GABBARD.
H.R. 6618: Mr. CRIST.
H.R. 6622: Mr. BILIRAKIS, Ms. ROSELEHTINEN, Mr. POSEY, and Mr. MAST.
H.R. 6625: Mr. LUETKEMEYER.
H.R. 6631: Mr. POCAN.
H.R. 6636: Mr. MOULTON.
H.R. 6637: Mr. GENE GREEN of Texas.
H.R. 6645: Mr. SOTO.
H.R. 6651: Mr. CONNOLLY.
H.R. 6657: Mr. BABIN.
H.R. 6664: Mr. ROTHFUS and Mr. WENSTRUP.
H.R. 6689: Mr. STIVERS.
H.R. 6695: Mr. WENSTRUP.
H.R. 6703: Mrs. LESKO.
H.R. 6722: Mr. GRIJALVA, Ms. JACKSON LEE, and Mr. DESAULNIER.
H.R. 6723: Mr. NORMAN.
H.R. 6729: Mr. PAULSEN and Mr. GROTHMAN.
H.R. 6733: Mr. POLIQUIN.
H.R. 6734: Mr. MAST, Mr. PAULSEN, Mr. POCAN, Mr. YOUNG of Iowa, Mr. MACARTHUR, and Ms. LOFGREN.
H.R. 6759: Mr. DONOVAN.
H.R. 6775: Mr. DESAULNIER and Ms. BROWNLEY of California.
H.R. 6787: Mr. GROTHMAN and Mr. NORMAN.
H.R. 6796: Mrs. MIMI WALTERS of California, Mr. YODER, and Mr. HULTGREN.
H.R. 6805: Mr. BROWN of Maryland.
H.R. 6830: Mr. PETERSON.
H.R. 6835: Mr. BERGMAN and Mr. COSTELLO of Pennsylvania.
H.R. 6840: Ms. HANABUSA, Mr. GRIJALVA, and Mr. MCGOVERN.
H.R. 6873: Mr. BISHOP of Georgia.
H.R. 6880: Ms. LEE, Mr. ESPAILLAT, and Ms. SCHAKOWSKY.
H.J. Res. 140: Ms. ROSEN.
H. Res. 220: Mrs. LESKO.
H. Res. 318: Mr. BUCK.
H. Res. 528: Mr. KRISHNAMOORTHY.
H. Res. 766: Mr. BUDD.
H. Res. 768: Mr. GENE GREEN of Texas and Mrs. DEMINGS.
H. Res. 776: Mr. BRAT.
H. Res. 931: Mr. SHERMAN.
H. Res. 932: Mr. POSEY, Mr. CALVERT, Mr. CLAY, and Mr. FASO.
H. Res. 993: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. RASKIN, Mr. ELLISON, Mr. CURBELO of Florida, and Mr. KINZINGER.
H. Res. 1006: Mr. SHERMAN.
H. Res. 1026: Mr. MAST.
H. Res. 1031: Mr. ESPAILLAT and Mr. THOMPSON of Mississippi.
H. Res. 1035: Mr. MARSHALL, Mr. POE of Texas, Mr. ROSS, Mr. LAMALFA, Mr. WEBER of Texas, Mr. GRAVES of Louisiana, Mr. WILSON of South Carolina, Mr. ALLEN, and Mr. BARR.
H. Res. 1052: Mr. SHERMAN.
H. Res. 1055: Mr. SHERMAN, Mr. SMITH of New Jersey, Ms. BASS, and Mr. CICILLINE.
H. Res. 1057: Mr. KRISHNAMOORTHY and Mr. ESPAILLAT.
H. Res. 1065: Mr. COSTELLO of Pennsylvania, Ms. JACKSON LEE, and Mr. CARSON of Indiana.
H. Res. 1071: Mrs. LESKO and Mr. ZELDIN.
H. Res. 1073: Mr. FOSTER.

134.56 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 6774: Mr. RYAN of Ohio, Mr. COLE, Mr. MESSER, Mr. JONES, and Mr. VELA.

THURSDAY, SEPTEMBER 27, 2018
(135)

¶135.1 APPOINTMENT OF SPEAKER PRO
TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. HARPER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
September 27, 2018.

I hereby appoint the Honorable GREGG HARPER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶135.2 RECESS—10:52 A.M.

The SPEAKER pro tempore, Mr. NORMAN, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 52 minutes a.m., until noon.

¶135.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶135.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, September 26, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶135.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6362. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Whitehouse Oil Pits Superfund Site [EPA-HQ-SFUND-1983-0002; FRL-9984-02-Region 4] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6363. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Regional Haze Plan and Visibility Requirements for the 2010 Sulfur Dioxide and the 2012 Fine Particulate Matter Standards [EPA-R03-OAR-2018-0217; EPA-R03-OAR-2014-0299; EPA-R03-OAR-2016-0373; FRL-9984-30-Region 3] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6364. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Removal of EPA Mentor Protege Program [EPA-HQ-OARM-2018-0165; FRL-9984-39-OARM] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6365. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wyoming; Incorporation by Reference Updates [EPA-R08-OAR-2018-0389; FRL-9983-50-Region 8] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6366. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Beauveria bassiana strain PPRI 5339; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2016-0608; FRL-9983-67] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6367. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Dorney Road Landfill Superfund Site [EPA-HQ-SFUND-2005-0011; FRL-9984-24-Region 3] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6368. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Union Chemical Co., Inc. Superfund Site [EPA-HQ-SFUND-1989-0011; FRL-9983-87-Region 1] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6369. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Quality State Implementation Plans; Approvals and Promulgations: Infrastructure Monitoring Requirements for the 2008 Pb, 2010 SO₂, 2010 NO₂ and 2012 PM_{2.5} National Ambient Air Quality Standards; Utah [EPA-R08-OAR-2018-0388-0001; FRL-9983-73-Region 8] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6370. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; TN: Revisions to New Source Review [EPA-R04-OAR-2017-0050; FRL-9984-10-Region 4] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6371. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Arkansas; Interstate Transport Requirements for the 2012 PM_{2.5} NAAQS and Definition Update [EPA-R06-OAR-2017-0435; FRL-9983-35-Region 6] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6372. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Missouri Air Quality Implementation Plans; Redesignation of the Missouri Portion of the St. Louis-St. Charles-Farmington, MO-IL 2008 Ozone Area to Attainment [EPA-R07-OAR-2017-0349; FRL-9983-68-Region 7] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public

Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6373. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Idaho; Interstate Transport Requirements for the 2012 PM_{2.5} NAAQS [EPA-R10-OAR-2018-0509; FRL-9984-29-Region 10] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6374. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Missouri; Regional Haze Plan and Prong 4 (Visibility) for the 2012 PM_{2.5}, 2010 NO₂, 2010 SO₂, and 2008 Ozone NAAQS [EPA-R07-OAR-2018-0211; FRL-9984-22-Region 7] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6375. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina; Inspection and Maintenance Program [EPA-R04-OAR-2018-0020; FRL-9984-23-Region 4] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6376. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; SC and TN; Regional Haze Plans and Prong 4 (Visibility) for the 2012 PM_{2.5}, 2010 NO₂, 2010 SO₂, and 2008 Ozone NAAQS [EPA-R04-OAR-2018-0073; EPA-R04-OAR-2018-0187; FRL-9984-20-Region 4] received September 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6377. A letter from the Secretary, Department of the Treasury, transmitting a semi-annual report detailing telecommunications-related payments made to Cuba pursuant to Department of the Treasury licenses during the period from January 1 through June 30, 2018, pursuant to 22 U.S.C. 6004(e)(6); Public Law 102-484, Sec. 1705(e)(6) (as amended by Public Law 104-114, Sec. 102(g)); (110 Stat. 794); to the Committee on Foreign Affairs.

6378. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-34, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6379. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-35, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6380. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-37, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6381. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-36, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6382. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-38, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control

Act, as amended; to the Committee on Foreign Affairs.

6383. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that the Department of State authorized danger pay for U.S. Government civilian employees in Managua and Pyongyang, pursuant to 5 U.S.C. 5928 and Sec. 131 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (Public Law 98-164); to the Committee on Foreign Affairs.

6384. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Washington Island, WI [Docket No.: FAA-2018-0018; Airspace Docket No.: 17-AGL-20] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6385. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Los Angeles, CA [Docket No.: FAA-2017-1202; Airspace Docket No.: 17-AWP-31] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6386. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0390; Product Identifier 2017-NM-130-AD; Amendment 39-19397; AD 2018-18-18] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6387. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0273; Product Identifier 2018-NM-017-AD; Amendment 39-19382; AD 2018-18-03] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6388. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Safe Harbor Explanations—Eligible Rollover Distributions (Notice 2018-74) received September 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6389. A letter from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department's initial report in accordance with the Social Security Number Fraud Prevention Act of 2017, Public Law 115-59 (Sept. 15, 2017); jointly to the Committees on Oversight and Government Reform and Ways and Means.

6390. A letter from the Secretary, Department of Veterans Affairs, transmitting a draft of a bill to authorize a major medical facility project for the Department of Veterans Affairs for Fiscal Year 2019, and for major facility leases, pursuant to 38 U.S.C. 8104(a)(2); jointly to the Committees on Veterans' Affairs and Appropriations.

6391. A letter from the Board Members, Railroad Retirement Board, transmitting the Board's budget requests for Fiscal Year 2020, pursuant to 31 U.S.C. 1115(b); Public Law 111-352, Sec. 3; (124 Stat. 3867) and 45

U.S.C. 231f(f); Aug. 29, 1935, ch. 812, Sec. 7(f) (as amended by Public Law 93-445, Sec. 416); (97 Stat. 436); jointly to the Committees on Appropriations, Transportation and Infrastructure, and Ways and Means.

¶135.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BOST, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 27, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on September 27, 2018, at 11:54 a.m.:

That the Senate passed without amendment H.R. 4854.

That the Senate passed S. 3508.

That the Senate passed S. 3509.

Appointment:

Board of Trustees of the Harry S. Truman Scholarship Foundation.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶135.7 PROVIDING FOR CONSIDERATION OF H.R. 6756, H.R. 6757, AND H.R. 6760

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 1084):

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6756) to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6757) to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part B of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Com-

mittee on Ways and Means; and (2) one motion to recommit with or without instructions.

SEC. 3. Upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6760) to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on Ways and Means now printed in the bill, modified by the amendment printed in part C of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto, to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions. The yeas and nays shall be considered as ordered on the question of passage. Clause 5(b) of rule XXI shall not apply to the bill or amendments thereto.

SEC. 4. On any legislative day during the period from October 1, 2018, through November 12, 2018 —

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 5. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 4 of this resolution as though under clause 8(a) of rule I.

SEC. 6. Each day during the period addressed by section 4 of this resolution shall not constitute a calendar day for purposes of section 7 of the War Powers Resolution (50 U.S.C. 1546).

SEC. 7. Each day during the period addressed by section 4 of this resolution shall not constitute a legislative day for purposes of clause 7 of rule XIII.

SEC. 8. Each day during the period addressed by section 4 of this resolution shall not constitute a calendar or legislative day for purposes of clause 7(c)(1) of rule XXII.

When said resolution was considered.

After debate,

Mr. SESSIONS moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. WILLIAMS, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 227
affirmative { Nays 189

¶135.8

[Roll No. 409]

YEAS—227

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

NAYS—189

Adams	Brownley (CA)	Cleaver
Aguilar	Bustos	Clyburn
Barragán	Butterfield	Cohen
Bass	Capuano	Connolly
Beatty	Carbajal	Cooper
Bera	Cárdenas	Correa
Beyer	Carson (IN)	Costa
Bishop (GA)	Cartwright	Courtney
Blumenauer	Castor (FL)	Crist
Blunt Rochester	Castro (TX)	Crowley
Bonamici	Chu, Judy	Cuellar
Boyle, Brendan	Cielline	Cummings
F.	Clark (MA)	Davis (CA)
Brady (PA)	Clarke (NY)	Davis, Danny
Brown (MD)	Clay	DeFazio

DeGette	Kuster (NH)	Raskin
Delaney	Lamb	Rice (NY)
DeLauro	Langevin	Richmond
DelBene	Larsen (WA)	Rosen
Demings	Larson (CT)	Roybal-Allard
DeSaulnier	Lawrence	Ruiz
Deutch	Lawson (FL)	Ruppersberger
Dingell	Lee	Rush
Doggett	Levin	Ryan (OH)
Doyle, Michael	Lewis (GA)	Sánchez
F.	Lieu, Ted	Sarbanes
Engel	Lipinski	Schakowsky
Espallat	Loebback	Schiff
Esty (CT)	Lofgren	Schneider
Evans	Lowenthal	Schrader
Foster	Lowe	Scott (VA)
Frankel (FL)	Luján, Ben Ray	Scott, David
Fudge	Lynch	Serrano
Gabbard	Maloney,	Sewell (AL)
Gallego	Carolyn B.	Shea-Porter
Garamendi	Maloney, Sean	Sherman
Gomez	Matsui	Sinema
Gonzalez (TX)	McCollum	Sires
Gottheimer	McEachin	Smith (WA)
Green, Al	McGovern	Soto
Green, Gene	McNerney	Speier
Grijalva	Meeks	Suozzi
Gutiérrez	Meng	Swalwell (CA)
Hanabusa	Moore	Takano
Hasbina	Moulton	Thompson (CA)
Heck	Murphy (FL)	Thompson (MS)
Higgins (NY)	Nader	Titus
Himes	Napolitano	Tonko
Hoyer	Neal	Torres
Huffman	Norcross	Tsongas
Jackson Lee	O'Halleran	Vargas
Jayapal	O'Rourke	Veasey
Jeffries	Pallone	Vela
Johnson (GA)	Panetta	Velázquez
Johnson, E. B.	Pascrell	Visclosky
Kaptur	Payne	Walz
Keating	Pelosi	Wasserman
Kelly (IL)	Perlmutter	Schultz
Kennedy	Peters	Waters, Maxine
Khanna	Peterson	Watson Coleman
Kihuen	Pingree	Welch
Kildee	Pocan	Wilson (FL)
Kilmer	Polis	Yarmuth
Kind	Price (NC)	
Krishnamoorthi	Quigley	

NOT VOTING—12

Barletta	Harper	Newhouse
Blackburn	Jenkins (WV)	Nolan
DesJarlais	Jones	Rooney, Thomas
Ellison	Lujan Grisham,	J.
Eshoo	M.	

So the previous question on the resolution was ordered.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. WILLIAMS, announced that the ayes had it.

Mr. MCGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 226
affirmative { Noes 189

¶135.9

[Roll No. 410]

AYES—226

Abraham	Blum	Cloud
Aderholt	Bost	Coffman
Allen	Brady (TX)	Cole
Amodei	Brat	Collins (GA)
Arrington	Brooks (AL)	Collins (NY)
Babin	Brooks (IN)	Comer
Bacon	Buchanan	Comstock
Balderson	Buck	Conaway
Banks (IN)	Bucshon	Cook
Barr	Budd	Costello (PA)
Barton	Burgess	Cramer
Bergman	Byrne	Crawford
Biggs	Calvert	Culberson
Bilirakis	Carter (GA)	Curbelo (FL)
Bishop (MI)	Carter (TX)	Curtis
Bishop (UT)	Chabot	Davidson
Black	Cheney	Davis, Rodney

Denham	King (NY)	Rogers (KY)
Diaz-Balart	Kinzinger	Rohrabacher
Donovan	Knight	Rokita
Duffy	Kustoff (TN)	Rooney, Francis
Duncan (SC)	Labrador	Ros-Lehtinen
Duncan (TN)	LaHood	Roskam
Dunn	LaMalfa	Ross
Emmer	Lamborn	Rothfus
Estes (KS)	Lance	Rouzer
Faso	Latta	Royce (CA)
Ferguson	Lesko	Russell
Fitzpatrick	Lewis (MN)	Rutherford
Fleischmann	LoBiondo	Sanford
Flores	Long	Scalise
Fortenberry	Loudermilk	Schweikert
Fox	Love	Scott, Austin
Frelinghuysen	Lucas	Sensenbrenner
Gaetz	Luetkemeyer	Sessions
Gallagher	MacArthur	Shimkus
Garrett	Marchant	Shuster
Gianforte	Marino	Simpson
Gibbs	Marshall	Smith (MO)
Gohmert	Massie	Smith (NE)
Goodlatte	Mast	Smith (NJ)
Gosar	McCarthy	Smith (TX)
Gowdy	McCaul	Smucker
Granger	McClintock	Stefanik
Graves (GA)	McHenry	Stewart
Graves (LA)	McKinley	Stivers
Graves (MO)	McMorris	Taylor
Griffith	Rodgers	Tenney
Grothman	McSally	Thompson (PA)
Guthrie	Meadows	Thornberry
Handel	Messer	Tipton
Harris	Mitchell	Trott
Hartzler	Moolenaar	Turner
Hensarling	Mooney (WV)	Upton
Herrera Beutler	Mullin	Valadao
Hice, Jody B.	Noem	Wagner
Higgins (LA)	Norman	Walberg
Hill	Nunes	Walden
Holding	Olson	Walker
Hollingsworth	Palazzo	Walorski
Hudson	Palmer	Walters, Mimi
Huizenga	Paulsen	Weber (TX)
Hultgren	Pearce	Webster (FL)
Hunter	Perry	Wenstrup
Hurd	Pittenger	Westerman
Issa	Poe (TX)	Williams
Jenkins (KS)	Poliquin	Wilson (SC)
Johnson (LA)	Posey	Wittman
Johnson (OH)	Ratcliffe	Womack
Johnson, Sam	Reed	Woodall
Jordan	Reichert	Yoder
Joyce (OH)	Renacci	Yoho
Katko	Rice (SC)	Young (AK)
Kelly (MS)	Roby	Young (IA)
Kelly (PA)	Roe (TN)	Zeldin
King (IA)	Rogers (AL)	

NOES—189

Adams	Crist	Himes
Aguilar	Crowley	Hoyer
Amash	Cuellar	Huffman
Barragán	Cummings	Jackson Lee
Bass	Davis (CA)	Jayapal
Beatty	Davis, Danny	Jeffries
Bera	DeFazio	Johnson (GA)
Beyer	DeGette	Johnson, E. B.
Bishop (GA)	Delaney	Kaptur
Blumenauer	DeLauro	Keating
Blunt Rochester	DelBene	Kelly (IL)
Bonamici	Demings	Kennedy
Boyle, Brendan	DeSaulnier	Khanna
F.	Deutch	Kihuen
Brady (PA)	Dingell	Kildee
Brown (MD)	Doggett	Kilmer
Brownley (CA)	Doyle, Michael	Kind
Bustos	F.	Krishnamoorthi
Butterfield	Engel	Kuster (NH)
Capuano	Espallat	Lamb
Carbajal	Esty (CT)	Langevin
Cárdenas	Evans	Larsen (WA)
Carson (IN)	Foster	Larson (CT)
Cartwright	Frankel (FL)	Lawrence
Castor (FL)	Fudge	Lawson (FL)
Castro (TX)	Gabbard	Lee
Chu, Judy	Gallego	Levin
Cielline	Garamendi	Lewis (GA)
Clark (MA)	Gomez	Lieu, Ted
Clarke (NY)	Gonzalez (TX)	Lipinski
Clay	Gottheimer	Loebback
Cleaver	Green, Al	Lofgren
Clyburn	Green, Gene	Lowenthal
Cohen	Grijalva	Lowe
Connolly	Gutiérrez	Luján, Ben Ray
Cooper	Hanabusa	Lynch
Correa	Hastings	Maloney,
Costa	Heck	Carolyn B.
Courtney	Higgins (NY)	Maloney, Sean

Matsui	Polis	Smith (WA)
McCollum	Price (NC)	Soto
McEachin	Quigley	Speier
McGovern	Raskin	Suozzi
McNerney	Rice (NY)	Swalwell (CA)
Meeks	Richmond	Takano
Meng	Rosen	Thompson (CA)
Moore	Roybal-Allard	Thompson (MS)
Moulton	Ruiz	Titus
Murphy (FL)	Ruppersberger	Tonko
Nadler	Rush	Torres
Napolitano	Ryan (OH)	Tsongas
Neal	Sánchez	Vargas
Norcross	Sarbanes	Veasey
O'Halleran	Schakowsky	Vela
O'Rourke	Schiff	Velázquez
Pallone	Schneider	Visclosky
Panetta	Schrader	Wasserman
Pascarell	Scott (VA)	Schultz
Payne	Scott, David	Waters, Maxine
Pelosi	Serrano	Watson Coleman
Perlmutter	Sewell (AL)	Welch
Peters	Shea-Porter	Wilson (FL)
Peterson	Sherman	Yarmuth
Pingree	Sinema	
Pocan	Sires	

NOT VOTING—13

Barletta	Harper	Newhouse
Blackburn	Jenkins (WV)	Nolan
DesJarlais	Jones	Rooney, Thomas
Ellison	Lujan Grisham,	J.
Eshoo	M.	Walz

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

135.10 AMERICAN INNOVATION

Mr. BUCHANAN, pursuant to House Resolution 1084, called up for consideration the bill (H.R. 6756) to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes.

Pending consideration of said bill,

Pursuant to House Resolution 1084, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, modified by the following amendment printed in Part A of House Report 115-985, was considered as agreed to:

At the end, add the following:

SEC. 4. BUDGETARY EFFECTS.

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

(b) **SENATE PAYGO SCORECARDS.**—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 1084, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. BUCHANAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

135.11 FAMILY SAVINGS

Mr. KELLY of Pennsylvania, pursuant to House Resolution 1084, called up for consideration the bill (H.R. 6757) to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes.

Pending consideration of said bill,

Pursuant to House Resolution 1084, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, modified by the following amendment printed in Part B of House Report 115-985, was considered as agreed to:

Strike section 203 and insert the following:

SEC. 203. FIDUCIARY SAFE HARBOR FOR SELECTION OF LIFETIME INCOME PROVIDER.

Section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104) is amended by adding at the end the following:

“(e) **SAFE HARBOR FOR ANNUITY SELECTION.**—

“(1) **IN GENERAL.**—With respect to the selection of an insurer for a guaranteed retirement income contract, the requirements of subsection (a)(1)(B) will be deemed to be satisfied if a fiduciary—

“(A) engages in an objective, thorough, and analytical search for the purpose of identifying insurers from which to purchase such contracts;

“(B) with respect to each insurer identified under subparagraph (A)—

“(i) considers the financial capability of such insurer to satisfy its obligations under the guaranteed retirement income contract; and

“(ii) considers the cost (including fees and commissions) of the guaranteed retirement income contract offered by the insurer in relation to the benefits and product features of the contract and administrative services to be provided under such contract; and

“(C) on the basis of such consideration, concludes that—

“(i) at the time of the selection, the insurer is financially capable of satisfying its obligations under the guaranteed retirement income contract; and

“(ii) the relative cost of the selected guaranteed retirement income contract as described in subparagraph (B)(ii) is reasonable.

“(2) **FINANCIAL CAPABILITY OF THE INSURER.**—A fiduciary will be deemed to satisfy the requirements of paragraphs (1)(B)(i) and (1)(C)(i) if—

“(A) the fiduciary obtains written representations from the insurer that—

“(i) the insurer is licensed to offer guaranteed retirement income contracts;

“(ii) the insurer, at the time of selection and for each of the immediately preceding 7 plan years—

“(I) operates under a certificate of authority from the insurance commissioner of its domiciliary State which has not been revoked or suspended;

“(II) has filed audited financial statements in accordance with the laws of its domiciliary State under applicable statutory accounting principles;

“(III) maintains (and has maintained) reserves which satisfies all the statutory requirements of all States where the insurer does business; and

“(IV) is not operating under an order of supervision, rehabilitation, or liquidation;

“(iii) the insurer undergoes, at least every 5 years, a financial examination (within the meaning of the law of its domiciliary State) by the insurance commissioner of the domiciliary State (or representative, designee, or other party approved by such commissioner); and

“(iv) the insurer will notify the fiduciary of any change in circumstances occurring after the provision of the representations in clauses (i), (ii), and (iii) which would preclude the insurer from making such representations at the time of issuance of the guaranteed retirement income contract; and

“(B) after receiving such representations and as of the time of selection, the fiduciary has not received any notice described in subparagraph (A)(iv) and is in possession of no other information which would cause the fiduciary to question the representations provided.

“(3) **NO REQUIREMENT TO SELECT LOWEST COST.**—Nothing in this subsection shall be construed to require a fiduciary to select the lowest cost contract. A fiduciary may consider the value of a contract, including features and benefits of the contract and attributes of the insurer (including, without limitation, the insurer's financial strength) in conjunction with the cost of the contract.

“(4) **TIME OF SELECTION.**—

“(A) **IN GENERAL.**—For purposes of this subsection, the time of selection is—

“(i) the time that the insurer and the contract are selected for distribution of benefits to a specific participant or beneficiary; or

“(ii) if the fiduciary periodically reviews the continuing appropriateness of the conclusion described in paragraph (1)(C) with respect to a selected insurer, taking into account the considerations described in such paragraph, the time that the insurer and the contract are selected to provide benefits at future dates to participants or beneficiaries under the plan.

Nothing in the preceding sentence shall be construed to require the fiduciary to review the appropriateness of a selection after the purchase of a contract for a participant or beneficiary.

“(B) **PERIODIC REVIEW.**—A fiduciary will be deemed to have conducted the periodic review described in subparagraph (A)(ii) if the fiduciary obtains the written representations described in clauses (i), (ii), and (iii) of paragraph (2)(A) from the insurer on an annual basis, unless the fiduciary receives any notice described in paragraph (2)(A)(iv) or otherwise becomes aware of facts that would cause the fiduciary to question such representations.

“(5) **LIMITED LIABILITY.**—A fiduciary which satisfies the requirements of this subsection shall not be liable following the distribution of any benefit, or the investment by or on behalf of a participant or beneficiary pursuant to the selected guaranteed retirement income contract, for any losses that may result to the participant or beneficiary due to an insurer's inability to satisfy its financial obligations under the terms of such contract.

“(6) **DEFINITIONS.**—For purposes of this subsection—

“(A) **INSURER.**—The term ‘insurer’ means an insurance company, insurance service, or insurance organization, including affiliates of such companies.

“(B) **GUARANTEED RETIREMENT INCOME CONTRACT.**—The term ‘guaranteed retirement income contract’ means an annuity contract for a fixed term or a contract (or provision or feature thereof) which provides guaranteed benefits annually (or more frequently) for at least the remainder of the life of the participant or the joint lives of the participant and the participant's designated beneficiary as part of an individual account plan.”.

In section 302, strike subsection (e) and insert the following:

(e) UNBORN CHILDREN ALLOWED AS ACCOUNT BENEFICIARIES.—Section 529(e) is amended by adding at the end the following new paragraph:

“(6) TREATMENT OF UNBORN CHILDREN.—

“(A) IN GENERAL.—Nothing shall prevent an unborn child from being treated as a designated beneficiary or an individual under this section.

“(B) UNBORN CHILD.—For purposes of this paragraph—

“(i) IN GENERAL.—The term ‘unborn child’ means a child in utero.

“(ii) CHILD IN UTERO.—The term ‘child in utero’ means a member of the species homo sapiens, at any stage of development, who is carried in the womb.”.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to distributions made after December 31, 2018.

(2) UNBORN CHILDREN ALLOWED AS ACCOUNT BENEFICIARIES.—The amendment made by subsection (e) shall apply to contributions made after December 31, 2018.

At the end, add the following:

TITLE IV—BUDGETARY EFFECTS

SEC. 401. BUDGETARY EFFECTS.

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

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 1084, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. BYRNE, announced that the ayes had it.

Mr. THOMPSON of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 240
affirmative Nays 177

¶135.12

[Roll No. 411]

YEAS—240

Abraham	Bishop (UT)	Cheney
Aderholt	Black	Cloud
Allen	Blum	Coffman
Amash	Bost	Cole
Amodei	Brady (TX)	Collins (GA)
Arrington	Brat	Collins (NY)
Babin	Brooks (AL)	Comer
Bacon	Brooks (IN)	Comstock
Balderson	Buchanan	Conaway
Banks (IN)	Buck	Cook
Barletta	Bucshon	Correa
Barr	Budd	Costello (PA)
Barton	Burgess	Cramer
Bergman	Byrne	Crawford
Biggs	Calvert	Cuellar
Billirakis	Carter (GA)	Culberson
Bishop (GA)	Carter (TX)	Curbelo (FL)
Bishop (MI)	Chabot	Curtis

Davidson	King (IA)	Roe (TN)
Davis, Rodney	King (NY)	Rogers (AL)
Denham	Kinzinger	Rogers (KY)
DesJarlais	Knight	Rohrabacher
Diaz-Balart	Kustoff (TN)	Rokita
Donovan	Labrador	Rooney, Francis
Duffy	LaHood	Ros-Lehtinen
Duncan (SC)	LaMalfa	Roskam
Duncan (TN)	Lamb	Ross
Dunn	Lamborn	Rothfus
Emmer	Lance	Rouzer
Estes (KS)	Latta	Royce (CA)
Faso	Lesko	Russell
Ferguson	Lewis (MN)	Rutherford
Fitzpatrick	Lipinski	Sanford
Fleischmann	LoBiondo	Scalise
Flores	Long	Schweikert
Fortenberry	Loudermilk	Scott, Austin
Fox	Love	Sensenbrenner
Frelinghuysen	Lucas	Sessions
Gaetz	Luetkemeyer	Shimkus
Gallagher	MacArthur	Shuster
Garrett	Marchant	Simpson
Gianforte	Marino	Sinema
Gibbs	Marshall	Smith (MO)
Gohmert	Massie	Smith (NE)
Goodlatte	Mast	Smith (NJ)
Gosar	McCarthy	Smith (TX)
Gottheimer	McCaul	Smucker
Govdy	McClintock	Stefanik
Granger	McHenry	Stewart
Graves (GA)	McKinley	Stivers
Graves (LA)	McMorris	Taylor
Graves (MO)	Rodgers	Tenney
Griffith	McSally	Thompson (PA)
Grothman	Meadows	Thornberry
Guthrie	Messer	Tipton
Handel	Mitchell	Trott
Harris	Moolenaar	Turner
Hartzler	Mooney (WV)	Upton
Hensarling	Mullin	Valadao
Herrera Beutler	Murphy (FL)	Wagner
Hice, Jody B.	Noem	Walberg
Higgins (LA)	Norman	Walden
Hill	Nunes	Walker
Holding	Olson	Walorski
Hollingsworth	Palazzo	Walters, Mimi
Hudson	Palmer	Weber (TX)
Huizenga	Paulsen	Webster (FL)
Hultgren	Pearce	Wenstrup
Hunter	Perry	Westerman
Hurd	Peterson	Williams
Issa	Pittenger	Wilson (SC)
Jenkins (KS)	Poe (TX)	Wittman
Jenkins (WV)	Poliquin	Womack
Johnson (LA)	Polis	Woodall
Johnson (OH)	Posey	Yoder
Johnson, Sam	Ratcliffe	Yoho
Jordan	Reed	Young (AK)
Joyce (OH)	Reichert	Young (IA)
Katko	Renacci	Zeldin
Kelly (MS)	Rice (SC)	
Kelly (PA)	Roby	

NAYS—177

Adams	Courtney	Hastings
Agullar	Crist	Heck
Barragán	Crowley	Higgins (NY)
Bass	Cummings	Himes
Beatty	Davis (CA)	Hoyer
Bera	Davis, Danny	Huffman
Beyer	DeFazio	Jackson Lee
Blumenauer	DeGette	Jayapal
Blunt Rochester	Delaney	Jeffries
Bonamici	DeLauro	Johnson (GA)
Boyle, Brendan	DelBene	Johnson, E. B.
F.	Demings	Kaptur
Brady (PA)	DeSaulnier	Keating
Brown (MD)	Deutch	Kelly (IL)
Brownley (CA)	Dingell	Kennedy
Bustos	Doggett	Khanna
Butterfield	Doyle, Michael	Kihuen
Capuano	F.	Kildee
Carbajal	Engel	Kilmer
Cárdenas	Espallat	Kind
Carson (IN)	Esty (CT)	Krishnamoorthi
Cartwright	Evans	Kuster (NH)
Castor (FL)	Foster	Langevin
Castro (TX)	Frankel (FL)	Larsen (WA)
Chu, Judy	Fudge	Larson (CT)
Cicilline	Gabbard	Lawrence
Clark (MA)	Gallo	Lawson (FL)
Clarke (NY)	Garamendi	Lee
Clay	Gomez	Levin
Cleaver	Gonzalez (TX)	Lewis (GA)
Clyburn	Green, Al	Lieu, Ted
Cohen	Green, Gene	Loebach
Connolly	Grijalva	Lofgren
Cooper	Gutiérrez	Lowenthal
Costa	Hanabusa	Lowey

Luján, Ben Ray	Peters	Smith (WA)
Lynch	Pingree	Soto
Maloney,	Pocan	Speier
Carolyn B.	Price (NC)	Suozzi
Maloney, Sean	Quigley	Swalwell (CA)
Matsui	Raskin	Takano
McCollum	Rice (NY)	Thompson (CA)
McEachin	Richmond	Thompson (MS)
McGovern	Rosen	Titus
McNerney	Roybal-Allard	Tonko
Meeks	Ruiz	Torres
Meng	Ruppersberger	Tsongas
Moore	Ryan (OH)	Vargas
Moulton	Sánchez	Veasey
Nadler	Sarbanes	Vela
Napolitano	Schakowsky	Velázquez
Neal	Schiff	Visclosky
Norcross	Schneider	Wasserman
O'Halleran	Schrader	Schultz
O'Rourke	Scott (VA)	Waters, Maxine
Pallone	Scott, David	Watson Coleman
Panetta	Serrano	Welch
Pascrell	Sewell (AL)	Wilson (FL)
Payne	Shea-Porter	Yarmuth
Pelosi	Sherman	
Perlmutter	Sires	

NOT VOTING—11

Blackburn	Lujan Grisham,	Rooney, Thomas
Ellison	M.	J.
Eshoo	Newhouse	Rush
Harper	Nolan	Walz
Jones		

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶135.13 H.R. 6756—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BYRNE, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on the passage of the bill (H.R. 6756) to amend the Internal Revenue Code of 1986 to promote new business innovation, and for other purposes.

The question being put,

Will the House pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 260
affirmative Nays 156

¶135.14

[Roll No. 412]

YEAS—260

Abraham	Byrne	Doyle, Michael
Aderholt	Calvert	F.
Agullar	Carbajal	Duffy
Allen	Carter (GA)	Duncan (SC)
Amash	Carter (TX)	Duncan (TN)
Amodei	Cartwright	Dunn
Arrington	Chabot	Emmer
Babin	Cheney	Estes (KS)
Bacon	Cloud	Faso
Balderson	Coffman	Ferguson
Banks (IN)	Cole	Fitzpatrick
Barletta	Collins (GA)	Fleischmann
Barr	Collins (NY)	Flores
Barton	Comer	Fortenberry
Bera	Comstock	Fox
Bergman	Conaway	Frelinghuysen
Biggs	Cook	Gaetz
Billirakis	Correa	Gallagher
Bishop (GA)	Costello (PA)	Garamendi
Bishop (MI)	Cramer	Garrett
Bishop (UT)	Crawford	Gianforte
Black	Crist	Gibbs
Blum	Cuellar	Gohmert
Bost	Culberson	Goodlatte
Brady (TX)	Curbelo (FL)	Gosar
Brat	Curtis	Gottheimer
Brooks (AL)	Davidson	Govdy
Brooks (IN)	Davis, Rodney	Granger
Brooks (NY)	Delaney	Graves (GA)
Bucshon	Denham	Graves (LA)
Budd	DesJarlais	Graves (MO)
Burgess	Diaz-Balart	Griffith
Byrne	Donovan	Grothman
Calvert		Guthrie
Carter (GA)		
Carter (TX)		
Chabot		

Handel	Massie	Russell	Serrano	Takano	Velázquez
Harris	Mast	Rutherford	Sewell (AL)	Thompson (CA)	Visclosky
Hartzler	McCarthy	Ryan (OH)	Shea-Porter	Thompson (MS)	Wasserman
Hensarling	McCaul	Sanford	Sherman	Tonko	Schultz
Herrera Beutler	McClintock	Scalise	Sires	Torres	Waters, Maxine
Hice, Jody B.	McHenry	Schneider	Smith (WA)	Tsongas	Watson Coleman
Higgins (LA)	McKinley	Schweikert	Soto	Vargas	Welch
Hill	McMorris	Scott, Austin	Speler	Veasey	Wilson (FL)
Holding	Rodgers	Sensenbrenner	Swalwell (CA)	Vela	Yarmuth
Hollingsworth	McSally	Sessions			
Hudson	Meadows	Shimkus			
Huizenga	Messer	Shuster	Blackburn	Jones	Rooney, Thomas
Hultgren	Mitchell	Simpson	Ellison	Lujan Grisham,	J.
Hunter	Moolenaar	Sinema	Eshoo	M.	Rush
Hurd	Mooney (WV)	Smith (MO)	Harper	Newhouse	Walz
Issa	Mullin	Smith (NE)	Jenkins (WV)	Nolan	
Jenkins (KS)	Murphy (FL)	Smith (NJ)			
Johnson (LA)	Noem	Smith (TX)			
Johnson (OH)	Norman	Smucker			
Johnson, Sam	Nunes	Stefanik			
Jordan	O'Halleran	Stewart			
Joyce (OH)	O'Rourke	Stivers			
Katko	Olson	Suozi			
Kelly (MS)	Palazzo	Taylor			
Kelly (PA)	Palmer	Tenney			
King (IA)	Paulsen	Thompson (PA)			
King (NY)	Pearce	Thornberry			
Kinzinger	Perry	Tipton			
Knight	Peterson	Titus			
Kuster (NH)	Pittenger	Trott			
Kustoff (TN)	Poe (TX)	Turner			
Labrador	Poliquin	Upton			
LaHood	Posey	Valadao			
LaMalfa	Ratcliffe	Wagner			
Lamb	Reed	Walberg			
Lamborn	Reichert	Walden			
Lance	Renacci	Walker			
Latta	Rice (NY)	Walorski			
Lawson (FL)	Rice (SC)	Walters, Mimi			
Lesko	Roby	Weber (TX)			
Lewis (MN)	Roe (TN)	Webster (FL)			
Lipinski	Rogers (AL)	Wenstrup			
LoBiondo	Rogers (KY)	Westerman			
Loeback	Rohrabacher	Williams			
Long	Rokita	Wilson (SC)			
Loudermilk	Rooney, Francis	Wittman			
Love	Ros-Lehtinen	Womack			
Lucas	Rosen	Woodall			
Luetkemeyer	Roskam	Yoder			
MacArthur	Ross	Yoho			
Maloney, Sean	Rothfus	Young (AK)			
Marchant	Rouzer	Young (IA)			
Marino	Royce (CA)	Zeldin			
Marshall	Ruiz				

NAYS—156

Adams	Engel	Lieu, Ted
Barragán	Españat	Lofgren
Bass	Esty (CT)	Lowenthal
Beatty	Evans	Lowey
Beyer	Foster	Lujan, Ben Ray
Blumenauer	Frankel (FL)	Lynch
Blunt Rochester	Fudge	Maloney,
Bonamici	Gabbard	Carolyn B.
Boyle, Brendan	Gallego	Matsui
F.	Gomez	McCollum
Brady (PA)	Gonzalez (TX)	McEachin
Brown (MD)	Green, Al	McGovern
Bustos	Green, Gene	McNerney
Butterfield	Grijalva	Meeks
Capuano	Gutiérrez	Meng
Cárdenas	Hanabusa	Moore
Carson (IN)	Hastings	Moulton
Castor (FL)	Heck	Nadler
Castro (TX)	Higgins (NY)	Napolitano
Chu, Judy	Himes	Neal
Cicilline	Hoyer	Norcross
Clark (MA)	Huffman	Pallone
Clarke (NY)	Jackson Lee	Panetta
Clay	Jayapal	Pascrell
Cleaver	Jeffries	Payne
Clyburn	Johnson (GA)	Pelosi
Cohen	Johnson, E. B.	Perlmutter
Connolly	Kaptur	Peters
Cooper	Keating	Pingree
Costa	Kelly (IL)	Pocan
Courtney	Kennedy	Polis
Crowley	Khanna	Price (NC)
Cummings	Kihuen	Quigley
Davis (CA)	Kildee	Raskin
Davis, Danny	Kilmer	Richmond
DeFazio	Kind	Roybal-Allard
DeGette	Krishnamoorthi	Ruppersberger
DeLauro	Langevin	Sánchez
DeBene	Larsen (WA)	Sarbanes
Demings	Larson (CT)	Schakowsky
DeSaulnier	Lawrence	Schiff
Deutch	Lee	Schrader
Dingell	Levin	Scott (VA)
Doggett	Lewis (GA)	Scott, David

NOT VOTING—12

Blackburn	Jones	Rooney, Thomas
Ellison	Lujan Grisham,	J.
Eshoo	M.	Rush
Harper	Newhouse	Walz
Jenkins (WV)	Nolan	

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶135.15 SAVE OUR SEAS

On motion of Mr. DENHAM, by unanimous consent, the bill of the Senate (S. 3508) to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶135.16 RAILROAD AND RAIL TRANSIT AGENCIES SAFETY AUDITS

On motion of Mr. DENHAM, by unanimous consent, the bill (H.R. 1093) to require the Federal Railroad Administration and the Federal Transit Authority to provide appropriate Congressional notice of safety audits conducted with respect to railroads and rail transit agencies; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. DENHAM submitted the following amendment, recommended by the Committee on Transportation and Infrastructure, which was agreed to:

Strike out all after the enacting clause and insert the following:

SECTION 1. NOTICE OF COMPREHENSIVE SAFETY ASSESSMENTS.

(a) INITIAL NOTICE.—Not later than 10 business days after the Federal Railroad Administration initiates a comprehensive safety assessment of an entity providing regularly scheduled intercity or commuter rail passenger transportation, the Federal Railroad Administration shall notify in electronic format the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, and each member of Congress representing a State in which the service that is the subject of the assessment being conducted is located, of the initiation of that assessment.

(b) FINDINGS.—Not later than 90 days after completion of a comprehensive safety assessment described in subsection (a), the Federal Railroad Administration shall transmit in electronic format to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee

on Commerce, Science, and Transportation of the Senate, and to each member of Congress representing a State in which the service that is the subject of the assessment being conducted is located, its findings of that assessment, including identified defects and any recommendations.

(c) DEFINITION.—For purpose of this section, the term “comprehensive safety assessment” means a focused review of the safety-related processes and procedures, compliance with safety regulations and requirements, and overall safety culture of an entity providing regularly scheduled intercity or commuter rail passenger transportation.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: “An Act to require the Federal Railroad Administration to provide appropriate congressional notice of comprehensive safety assessments conducted with respect to intercity or commuter rail passenger transportation.”

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶135.17 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 46. An Act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

H.R. 1551. An Act to modernize copyright law, and for other purposes.

H.R. 2259. An Act to amend the Peace Corps Act to expand services and benefits for volunteers, and for other purposes.

H.R. 4958. An Act to increase, effective as of December 1, 2018, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

And then,

¶135.18 ADJOURNMENT

On motion of Mr. GOHMERT, at 6 o'clock and 1 minute p.m., the House adjourned.

¶135.19 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COFFMAN:

H.R. 6926. A bill to provide deferment to certain Federal student loan borrowers who are accruing aeronautical experience required for airline transport pilot certification; to the Committee on Education and the Workforce.

By Mr. BUCK (for himself and Mr. COSTA):

H.R. 6927. A bill to extend the jurisdiction of the Commodity Futures Trading Commission to include the setting of reference prices for aluminum premiums, and for other purposes; to the Committee on Agriculture.

By Mr. MCNERNEY:

H.R. 6928. A bill to amend the Internal Revenue Code of 1986 to impose a tax on fossil fuels and to use the revenues for economic benefit; to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Energy and Commerce, Science, Space, and Technology, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SANCHEZ (for herself, Mr. POCAN, Mr. ELLISON, Mr. TAKANO, Mrs. WATSON COLEMAN, Mr. GRIJALVA, Mrs. LAWRENCE, Ms. SCHAKOWSKY, Mr. VEASEY, Mrs. NAPOLITANO, Ms. PINGREE, Mr. CAPUANO, Mr. ESPAILLAT, Mr. GENE GREEN of Texas, Mrs. TORRES, Mr. MCNERNEY, Ms. NORTON, Mr. NADLER, Mr. TED LIEU of California, Ms. LEE, Mr. PAYNE, Mr. COHEN, Mr. CARTWRIGHT, Mr. SMITH of Washington, Mr. NOLAN, Mr. LYNCH, Ms. ROYBAL-ALLARD, Ms. MOORE, Ms. WASSERMAN SULTZ, Ms. MCCOLLUM, and Mr. SCOTT of Virginia):

H.R. 6929. A bill to improve the retirement security of American families by strengthening Social Security; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. STEFANIK (for herself, Mr. ZELDIN, Mr. KING of New York, Mr. SUOZZI, Miss RICE of New York, Mr. MEEKS, Ms. MENG, Ms. VELÁZQUEZ, Mr. JEFFRIES, Ms. CLARKE of New York, Mr. NADLER, Mr. DONOVAN, Mrs. CAROLYN B. MALONEY of New York, Mr. ESPAILLAT, Mr. CROWLEY, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mr. SEAN PATRICK MALONEY of New York, Mr. FASO, Mr. TONKO, Ms. TENNEY, Mr. REED, Mr. KATKO, Mr. HIGGINS of New York, and Mr. COLLINS of New York):

H.R. 6930. A bill to designate the facility of the United States Postal Service located at 10 Miller Street in Plattsburgh, New York, as the "Ross Bouyea Post Office Building"; to the Committee on Oversight and Government Reform.

By Ms. MOORE (for herself, Mr. COLE, Ms. HERRERA BEUTLER, Ms. CLARKE of New York, Ms. NORTON, Mr. PAYNE, Mr. RYAN of Ohio, Mr. GRIJALVA, Ms. JACKSON LEE, Ms. DELAURO, Mr. KHANNA, Mr. BRADY of Pennsylvania, Mrs. WATSON COLEMAN, and Mr. KING of New York):

H.R. 6931. A bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life; to the Committee on Energy and Commerce.

By Mr. ABRAHAM (for himself, Mr. DESJARLAIS, Mr. BUCHANAN, Ms. SEWELL of Alabama, and Mr. GRAVES of Louisiana):

H.R. 6932. A bill to amend title XVIII of the Social Security Act to improve home health payment reforms under the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas (for himself and Mr. NEAL):

H.R. 6933. A bill to amend title II of the Social Security Act to replace the windfall

elimination provision with a formula equalizing benefits for certain individuals with non-covered employment, and for other purposes; to the Committee on Ways and Means.

By Mr. BERA:

H.R. 6934. A bill to amend the Richard B. Russell National School Lunch Act to provide additional reimbursement to schools with a breakfast after the bell program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BERA:

H.R. 6935. A bill to amend the Higher Education Act of 1965 to provide for job training Federal Pell Grants and to increase support for working students; to the Committee on Education and the Workforce.

By Mr. BERA (for himself, Ms. KUSTER of New Hampshire, Mr. CARBAJAL, Mr. KILMER, and Mr. MOULTON):

H.R. 6936. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for health insurance costs of eligible retirees; to the Committee on Ways and Means.

By Mr. BERA (for himself and Ms. KUSTER of New Hampshire):

H.R. 6937. A bill to amend the Internal Revenue Code of 1986 to improve health savings accounts, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BISHOP of Michigan:

H.R. 6938. A bill to reduce the size of the Federal workforce through attrition, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. CHENEY:

H.R. 6939. A bill to protect and ensure multiple use and public access to public lands in Wyoming per the request of the respective counties, and for other purposes; to the Committee on Natural Resources.

By Mr. COOK (for himself and Ms. JUDY CHU of California):

H.R. 6940. A bill to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses; to the Committee on Small Business.

By Mr. CRIST (for himself and Mr. MULLIN):

H.R. 6941. A bill to extend the authority of the Secretary of Veterans Affairs regarding presumptions of service connection for diseases associated with exposure to herbicide agents, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. DELAURO:

H.R. 6942. A bill to authorize the Attorney General to make grants to States to provide the right to counsel in civil actions related to eviction, and for other purposes; to the Committee on the Judiciary.

By Mrs. DINGELL:

H.R. 6943. A bill to permit the Federal Trade Commission to implement and enforce the Telemarketing and Consumer Fraud and Abuse Prevention Act with respect to certain common carriers, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HECK (for himself, Mr. KILMER, Mr. CONNOLLY, Mr. PETERS, Mr. SMITH of Washington, Ms. MOORE, Mr. BLUMENAUER, Mr. POCAN, and Mr. CARTWRIGHT):

H.R. 6944. A bill to establish centers of excellence for innovative stormwater control infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HIMES (for himself, Ms. ESTY of Connecticut, and Mr. LARSON of Connecticut):

H.R. 6945. A bill to establish a competitive grant program assisting the development of innovative early learning curricula for low-income children; to the Committee on Education and the Workforce.

By Mr. HIMES (for himself, Mr. CONNOLLY, and Mr. POLIS):

H.R. 6946. A bill to establish an Early Learning Challenge Fund to support States in building and strengthening systems of high-quality early learning and development programs, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HIMES:

H.R. 6947. A bill to provide for higher education reform; to the Committee on Education and the Workforce.

By Mr. HOLDING (for himself and Mr. MOULTON):

H.R. 6948. A bill to amend title XVIII of the Social Security Act to ensure equitable payment for, and preserve Medicare beneficiary access to, diagnostic radiopharmaceuticals under the Medicare hospital outpatient prospective payment system; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KINZINGER (for himself, Mr. WELCH, Mr. MCKINLEY, and Mr. TONKO):

H.R. 6949. A bill to amend the Energy Policy and Conservation Act to establish the CHP Technical Assistance Partnership Program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN (for himself, Mr. COURTNEY, and Mr. CICILLINE):

H.R. 6950. A bill to amend the Wild and Scenic Rivers Act to designate certain river segments within the Wood-Pawcatuck watershed as components of the National Wild and Scenic Rivers System, and for other purposes; to the Committee on Natural Resources.

By Mrs. LAWRENCE (for herself, Mr. QUIGLEY, Ms. MOORE, Ms. JACKSON

LEE, Mr. GRIJALVA, Mrs. WATSON COLEMAN, Ms. NORTON, Mrs. BUSTOS, Mr. BRADY of Pennsylvania, Ms. LEE, Ms. JAYAPAL, Ms. WASSERMAN SULTZ, Mr. CARSON of Indiana, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. CASTOR of Florida, Mr. MOULTON, Ms. SCHAKOWSKY, Mr. JEFFRIES, Mrs. BEATTY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. JOHNSON of Georgia, Mr. PAYNE, Mrs. DEMINGS, Ms. SEWELL of Alabama, Mr. DANNY K. DAVIS of Illinois, Mr. BUTTERFIELD, Mr. MEEKS, Mr. HASTINGS, Mr. LAWSON of Florida, Ms. KELLY of Illinois, Mr. VEASEY, Mr. AL GREEN of Texas, Ms. MAXINE WATERS of California, Mr. LEWIS of Georgia, Mr. BISHOP of Georgia, Mr. THOMPSON of Mississippi, Mr. CLAY, Ms. ADAMS, Ms. FUDGE, Ms. CLARKE of New York, Ms. BASS, Ms. VELÁZQUEZ, Ms. HANABUSA, Mr. RYAN of Ohio, Ms. ROYBAL-ALLARD, and Ms. LOFGREN):

H.R. 6951. A bill to amend the Safe Drinking Water Act to address lead contamination in school drinking water; to the Committee on Energy and Commerce.

By Mrs. LOWEY:

H.R. 6952. A bill to amend title II of the Social Security Act to credit prospectively in-

dividuals serving as caregivers of dependent relatives with deemed wages for up to five years of such service; to the Committee on Ways and Means.

By Ms. MENG (for herself, Ms. ADAMS, Ms. BASS, Mr. BLUMENAUER, Ms. JUDY CHU of California, Mr. CICILLINE, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. COHEN, Ms. DELAURO, Mrs. DINGELL, Mr. ESPAILLAT, Ms. FRANKEL of Florida, Mr. GALLEG0, Mr. GOMEZ, Mr. GRIJALVA, Mr. HASTINGS, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. KHANNA, Ms. KUSTER of New Hampshire, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MEEKS, Mr. NADLER, Mrs. NAPOLITANO, Ms. NORTON, Mr. PAYNE, Mr. QUIGLEY, Mr. RASKIN, Mr. RICHMOND, Mr. RUSH, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. SERRANO, Ms. SEWELL of Alabama, Mr. SIREs, Mr. SOTO, Ms. TITUS, Mr. TONKO, Mrs. TORRES, Mr. VEASEY, Mr. VELA, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, and Ms. MOORE):

H.R. 6953. A bill to amend subpart 1 of part A of title IV of the Elementary and Secondary Education Act of 1965 to provide States with the option of using grant funds to supply menstrual hygiene products to students; to the Committee on Education and the Workforce.

By Mr. NEAL:

H.R. 6954. A bill to provide for the carriage of certain television broadcast stations, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PANETTA:

H.R. 6955. A bill to establish a procedure to revoke the security clearance of a special counsel appointed by the Attorney General, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERS (for himself, Mr. BACON, Mr. VALADAO, Mr. KILMER, Mr. WELCH, Mr. CRIST, Mr. PANETTA, Ms. BONAMICI, Mr. AGUILAR, Mr. SCOTT of Virginia, Mr. EVANS, Ms. TSONGAS, Mr. BEYER, Mr. LAWSON of Florida, Mr. VEASEY, Mr. DEUTCH, and Mr. KHANNA):

H.R. 6956. A bill to permit the office of a Member of the House of Representatives to employ up to 4 paid interns under the office's Members' Representational Allowance without affecting the number of other employees whom the office may employ under such Allowance; to the Committee on House Administration.

By Mr. ROKITA (for himself, Mr. LIPINSKI, Mr. PETERSON, Mr. RUSSELL, and Mr. ABRAHAM):

H.R. 6957. A bill to address the need for pilot development and encourage more individuals to enter the field of aviation, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FRANCIS ROONEY of Florida (for himself and Mr. WELCH):

H.R. 6958. A bill to provide for a study and report on the feasibility of basing reimbursement rates for Medicare part B drugs and covered part D drugs on the average prices

for such drugs in the member-states of the Organization for Economic Cooperation and Development; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUIZ (for himself and Mr. WENSTRUP):

H.R. 6959. A bill to direct the Secretary of Veterans Affairs to take actions necessary to ensure that certain individuals may update the burn pit registry with a registered individual's cause of death, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SCHIFF (for himself, Mrs. NAPOLITANO, Mrs. TORRES, Ms. JACKSON LEE, Ms. CLARKE of New York, Mr. PAYNE, Mr. VELA, Ms. HANABUSA, Ms. LOFGREN, and Mr. GRIJALVA):

H.R. 6960. A bill to provide for a grant program to support access to free eye care services for students attending public elementary schools and secondary schools; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SINEMA (for herself, Mr. GOSAR, and Mr. GRIJALVA):

H.R. 6961. A bill to direct the Secretary of Agriculture to carry out a grant program to award grants to qualified partnerships to remove non-native plant species that contribute to drought conditions, and for other purposes; to the Committee on Agriculture.

By Mr. SMITH of Washington:

H.R. 6962. A bill to amend title II of the Social Security Act to expand the exception to the windfall elimination provision based on years of coverage; to the Committee on Ways and Means.

By Mr. TIPTON:

H.R. 6963. A bill to amend title 38, United States Code, to expand the eligibility of low-income veterans to receive dental care; to the Committee on Veterans' Affairs.

By Mr. SESSIONS (for himself, Mr. FASO, Mr. COLE, Mr. BACON, Ms. GRANGER, Mr. HILL, Mr. AMODEI, Mr. BYRNE, Mr. GIANFORTE, Mr. LANCE, Mr. MITCHELL, Mr. JOHNSON of Ohio, Mr. POE of Texas, Mr. BISHOP of Michigan, Ms. TENNEY, Mr. OLSON, Mr. BUCK, Mr. MEADOWS, and Mr. CRAMER):

H. Res. 1089. A resolution expressing the sense of the House of Representatives that a replacement for the Patient Protection and Affordable Care Act should have certain features; to the Committee on Energy and Commerce.

By Mr. REED (for himself, Mr. GOTTHEIMER, Mr. BERA, Mr. COFFMAN, Mr. CURBELO of Florida, Ms. ESTY of Connecticut, Mr. FASO, Mr. FITZPATRICK, Mr. GALLAGHER, Mr. GONZALEZ of Texas, Mr. KILMER, Mr. LANCE, Mr. LIPINSKI, Mrs. MURPHY of Florida, Mr. PETERS, Ms. ROSEN, Mr. SCHRADER, Ms. SINEMA, Mr. TROTT, Mr. UPTON, Mr. BISHOP of Michigan, Mr. SUOZZI, Mr. WELCH, Mr. NOLAN, Mr. SMUCKER, Mr. CARBAJAL, Mr. COOPER, Mr. O'HALLERAN, Mr. HIMES, and Mr. SOTO):

H. Res. 1090. A resolution expressing the sense of the House of Representatives to encourage consensus and increase accountability and transparency, and for other purposes; to the Committee on Rules.

By Mr. CHABOT (for himself, Mr. ENGEL, Mr. ROYCE of California, Mr.

SCHIFF, Mr. YOHO, Mr. SHERMAN, Mrs. COMSTOCK, and Mr. CROWLEY):

H. Res. 1091. A resolution calling on the Government of Burma to release Burmese journalists Wa Lone and Kyaw Soe Oo sentenced to seven years imprisonment after investigating attacks against civilians by Burma's military and security forces, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BURGESS (for himself, Mr. MCCLINTOCK, Mr. WEBER of Texas, Mr. GRAVES of Louisiana, and Mr. KING of Iowa):

H. Res. 1092. A resolution expressing the sense of the House of Representatives that the President should redirect and target foreign assistance provided to El Salvador, Guatemala, and Honduras in a manner that addresses the driving causes of illegal immigration into the United States from such countries, and for other purposes; to the Committee on Foreign Affairs.

By Ms. BASS (for herself, Mr. MARINO, Mr. LANGEVIN, Mrs. BLACK, Mrs. LAWRENCE, Mr. BACON, Mr. MITCHELL, Mr. DANNY K. DAVIS of Illinois, Ms. ADAMS, Mrs. BEATTY, Mr. BISHOP of Georgia, Mr. CARSON of Indiana, Ms. JUDY CHU of California, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CORREA, Ms. DELAURO, Mr. ENGEL, Ms. FUDGE, Mrs. HARTZLER, Mr. HASTINGS, Ms. NORTON, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Mr. KEATING, Ms. LEE, Ms. LOFGREN, Mr. LOWENTHAL, Ms. MOORE, Mr. RUSH, Mr. TAKANO, Mrs. WATSON COLEMAN, Ms. WILSON of Florida, Mr. CRIST, Ms. MATSUI, Ms. BARRAGAN, Mr. MCGOVERN, Ms. ROYBAL-ALLARD, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. STIVERS, Ms. BLUNT ROCHESTER, Ms. WASSERMAN SCHULTZ, Mr. RICHMOND, Mr. CLEAVER, Ms. BORDALLO, and Ms. HANABUSA):

H. Res. 1093. A resolution expressing support for the designation of September 2018 as "National Kinship Care Month"; to the Committee on Ways and Means.

By Mr. BRADY of Pennsylvania (for himself, Mr. GALLEG0, and Mr. YOUNG of Alaska):

H. Res. 1094. A resolution commemorating the 100th anniversary of the Armistice Agreement, the 100th anniversary of the return of the Unknown Soldier, and the 100th anniversary of the Tomb of the Unknown Soldier; to the Committee on Armed Services.

By Ms. DELAURO (for herself, Mr. DUFFY, Mrs. DINGELL, Ms. WASSERMAN SCHULTZ, Mrs. COMSTOCK, Mr. LARSON of Connecticut, Mr. VELA, Mrs. MIMI WALTERS of California, Ms. BASS, Mr. MEEKS, Ms. BORDALLO, Mrs. LAWRENCE, Ms. MENG, Ms. VELÁZQUEZ, Mr. CARBAJAL, Mr. FITZPATRICK, Ms. MCCOLLUM, Mr. AL GREEN of Texas, Mrs. BUSTOS, Mr. COHEN, Ms. MOORE, Mr. CLEAVER, Mr. GRIJALVA, Mr. LIPINSKI, Mr. RASKIN, Mr. HASTINGS, Ms. CASTOR of Florida, and Mr. RENACCI):

H. Res. 1095. A resolution expressing support for the designation of September 2018 as National Ovarian Cancer Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. GROTHMAN:

H. Res. 1096. A resolution expressing the sense of the House of Representatives that the integrity of Medicare should be preserved by maintaining the current eligibility age of 65; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in

each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROSEN (for herself, Mr. POLIS, and Ms. SHEA-PORTER):

H. Res. 1097. A resolution supporting responsible middle class tax cuts; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH (for himself, Mr. GUTIÉRREZ, Mr. SHIMKUS, Mr. ROSKAM, Mr. DANNY K. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. LIPINSKI, Mr. QUIGLEY, Mr. FOSTER, Mr. HULTGREN, Mr. KINZINGER, Mrs. BUSTOS, Mr. RODNEY DAVIS of Illinois, Ms. KELLY of Illinois, Mr. BOST, Mr. LAHOOD, Mr. SCHNEIDER, and Mr. KRISHNAMOORTHY):

H. Res. 1098. A resolution recognizing and commemorating the bicentennial of the State of Illinois; to the Committee on Oversight and Government Reform.

¶135.20 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 334: Mr. HUFFMAN.
H.R. 947: Mr. RICHMOND.
H.R. 1006: Mr. BLUMENAUER.
H.R. 1268: Mr. FORTENBERRY.
H.R. 1270: Mr. KIND, Ms. CLARK of Massachusetts, and Mr. CALVERT.
H.R. 1291: Mr. HECK.
H.R. 1298: Mr. TIPTON.
H.R. 1300: Mr. BISHOP of Georgia.
H.R. 1456: Mr. PASCRELL.
H.R. 2044: Mr. CARSON of Indiana.
H.R. 2051: Mr. BERA.
H.R. 2070: Mr. VELA.
H.R. 2077: Mr. DONOVAN, Ms. HANABUSA, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 2315: Ms. DELBENE, Mr. THOMPSON of Pennsylvania, Mr. REED, and Mr. MITCHELL.
H.R. 2358: Ms. PELOSI and Mr. VISLOSKEY.
H.R. 2417: Mr. DESAULNIER.
H.R. 2472: Mr. LANCE.
H.R. 2587: Ms. SHEA-PORTER and Mr. TIPTON.
H.R. 2651: Ms. CASTOR of Florida.
H.R. 2735: Ms. DELBENE.
H.R. 2754: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2777: Mr. VELA.
H.R. 2790: Mr. AL GREEN of Texas.
H.R. 2820: Mr. CASTRO of Texas and Mr. WENSTRUP.
H.R. 2902: Ms. ESHOO.
H.R. 2953: Mr. DUFFY and Mr. SCHIFF.
H.R. 3124: Mr. YODER.
H.R. 3145: Mr. SOTO.
H.R. 3239: Mr. UPTON.
H.R. 3325: Mr. LAHOOD, Mr. LAMALFA, and Mr. LOBIONDO.
H.R. 3520: Mr. DEFazio and Mr. LAWSON of Florida.
H.R. 3773: Mr. VELA.
H.R. 3981: Mr. KENNEDY.
H.R. 4094: Mr. MCEACHIN.
H.R. 4099: Mr. CURTIS.
H.R. 4107: Mr. BACON, Ms. MOORE, Mr. KINZINGER, Mr. KELLY of Pennsylvania, Mr. MARINO, Mr. JEFFRIES, Mrs. MURPHY of Florida, Mr. CHABOT, Mr. PEARCE, Mr. LEWIS of Minnesota, Mr. COOPER, Mr. STEWART, Mrs. HARTZLER, Mr. MEADOWS, Mrs. BLACK, Mr. KIHUEN, Mr. LAHOOD, Mr. PETERSON, Mr. DUNN, and Mr. LOBIONDO.
H.R. 4122: Mr. GUTIÉRREZ.
H.R. 4250: Mr. KILMER.
H.R. 4518: Mr. LIPINSKI.

H.R. 4556: Mr. KHANNA and Mr. GRIJALVA.
H.R. 4591: Mr. PERRY.
H.R. 4691: Mr. HUFFMAN, Ms. SHEA-PORTER, Ms. STEFANIK, Mr. SCHNEIDER, Ms. TITUS, Mr. KATKO, Mr. CARTWRIGHT, Ms. MENG, Mr. SOTO, Mr. NORCROSS, and Ms. CLARKE of New York.
H.R. 4775: Mr. GENE GREEN of Texas.
H.R. 5115: Ms. BASS and Ms. HERRERA BEUTLER.
H.R. 5132: Mr. DAVID SCOTT of Georgia and Mr. COLLINS of Georgia.
H.R. 5282: Ms. SHEA-PORTER.
H.R. 5306: Mr. TIPTON and Mr. BURGESS.
H.R. 5308: Mr. SCHNEIDER and Mr. HULTGREN.
H.R. 5358: Mrs. HANDEL, Mr. UPTON, and Mr. RUTHERFORD.
H.R. 5374: Mr. CORREA.
H.R. 5409: Mr. SARBANES.
H.R. 5476: Mr. O'ROURKE.
H.R. 5499: Mr. SCHNEIDER, Mr. THOMAS J. ROONEY of Florida, Mr. CRAMER, Mr. BABIN, Ms. WASSERMAN SCHULTZ, Mr. MCCAUL, Ms. HERRERA BEUTLER, Mr. HIGGINS of Louisiana, Mr. SIMPSON, Mr. FITZPATRICK, Mr. HARPER, and Mr. SMITH of Washington.
H.R. 5533: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARTWRIGHT, Mr. KILDEE, Mr. PRICE of North Carolina, Mr. KRISHNAMOORTHY, Mr. VARGAS, Ms. CLARK of Massachusetts, Mr. GENE GREEN of Texas, Mr. MEEKS, Ms. TITUS, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. AGUILAR, Mrs. DINGELL, Mrs. DEMINGS, Mr. EVANS, Ms. FUDGE, Ms. KAPTUR, Mr. THOMPSON of Mississippi, and Mr. LANGEVIN.
H.R. 5588: Mr. COSTA, Mr. KHANNA, Mr. VARGAS, Mr. TED LIEU of California, Ms. BARRAGÁN, Mr. MCNERNEY, Mr. SCHIFF, Mrs. TORRES, and Mr. GOMEZ.
H.R. 5621: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Mr. OLSON.
H.R. 5690: Mr. PETERS.
H.R. 5706: Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 5858: Mr. WITTMAN.
H.R. 5881: Mr. MCKINLEY.
H.R. 5965: Ms. LOFGREN and Mr. NADLER.
H.R. 6033: Mr. VELA, Mr. CAPUANO, Mrs. BUSTOS, Mr. CORREA, Mr. VEASEY, Ms. WILSON of Florida, Ms. MOORE, and Mr. KRISHNAMOORTHY.
H.R. 6080: Mr. BISHOP of Georgia.
H.R. 6114: Mr. VELA, Mr. KHANNA, Mr. AGUILAR, Mr. RODNEY DAVIS of Illinois, Mrs. LOWEY, and Mr. KATKO.
H.R. 6207: Ms. MCCOLLUM.
H.R. 6224: Mr. GALLEG0.
H.R. 6251: Mr. KIND.
H.R. 6269: Mr. KRISHNAMOORTHY.
H.R. 6272: Mr. GIANFORTE.
H.R. 6288: Mr. LIPINSKI.
H.R. 6406: Mr. KATKO.
H.R. 6417: Mr. FLORES.
H.R. 6421: Mr. BISHOP of Michigan.
H.R. 6469: Mr. DELANEY.
H.R. 6503: Ms. SCHAKOWSKY.
H.R. 6505: Ms. MATSUI and Mrs. WATSON COLEMAN.
H.R. 6510: Mr. THOMPSON of California, Mr. KEATING, Mr. CLEAVER, and Mr. BISHOP of Michigan.
H.R. 6517: Mr. BERA.
H.R. 6614: Ms. KUSTER of New Hampshire.
H.R. 6639: Mrs. WALORSKI.
H.R. 6651: Mr. SHERMAN, Mr. REICHERT, Mr. CICILLINE, and Mr. MCCAUL.
H.R. 6653: Mr. MESSER.
H.R. 6664: Mr. BARTON.
H.R. 6713: Mr. SOTO and Mr. KNIGHT.
H.R. 6734: Mr. STIVERS, Mr. GARAMENDI, and Mr. BACON.
H.R. 6747: Mr. RENACCI and Mr. MACARTHUR.
H.R. 6774: Mrs. HARTZLER.
H.R. 6775: Ms. LOFGREN.
H.R. 6793: Mr. ROSKAM, Mr. BOST, Mr. KINZINGER, and Ms. SCHAKOWSKY.

H.R. 6824: Mr. BANKS of Indiana.
H.R. 6855: Mr. CICILLINE and Ms. BLUNT ROCHESTER.
H.R. 6869: Ms. STEFANIK, Mr. KIND, and Mr. DEFazio.
H.R. 6873: Mr. POCAN.
H.R. 6876: Mr. BROWN of Maryland, Mr. GONZALEZ of Texas, Mr. MCGOVERN, Mr. ESPAILLAT, and Mr. DESAULNIER.
H.R. 6886: Mr. THOMPSON of Mississippi.
H.R. 6893: Mr. CUMMINGS.
H.R. 6898: Mr. FITZPATRICK and Ms. STEFANIK.
H.R. 6901: Mrs. LAWRENCE.
H.R. 6910: Mr. BRADY of Texas, Mr. OLSON, and Mr. WEBER of Texas.
H.J. Res. 140: Mrs. NAPOLITANO and Mr. HUFFMAN.
H. Con. Res. 138: Mr. PALLONE, Mr. GARAMENDI, Ms. SPEIER, and Ms. LOFGREN.
H. Con. Res. 140: Mr. MAST, Mr. COOK, and Mr. STIVERS.
H. Res. 199: Mr. TROTT.
H. Res. 910: Mr. COOK, Ms. LEE, and Mr. LEWIS of Georgia.
H. Res. 931: Mr. PERRY.
H. Res. 932: Mr. WOODALL.
H. Res. 993: Mr. TURNER, Ms. ROSELEHTINEN, Mrs. LOVE, and Mr. SHIMKUS.
H. Res. 1006: Mr. TED LIEU of California, Mr. PERRY, and Mr. GARRETT.
H. Res. 1034: Mr. SHIMKUS, Mr. WITTMAN, Mr. BUDD, Ms. HANABUSA, Mr. LANCE, Ms. JENKINS of Kansas, Mr. LEWIS of Minnesota, and Mrs. LESKO.
H. Res. 1035: Mr. OLSON, Mr. GENE GREEN of Texas, and Mr. LOBIONDO.
H. Res. 1052: Mr. TED LIEU of California.
H. Res. 1057: Ms. MCCOLLUM.
H. Res. 1058: Mr. KENNEDY, Mr. LARSON of Connecticut, Ms. CASTOR of Florida, Mr. SWALWELL of California, Mr. RASKIN, Mr. DOGGETT, Ms. GABBARD, Mr. PERLMUTTER, Ms. HANABUSA, Miss RICE of New York, Ms. MAXINE WATERS of California, and Mr. HECK.
H. Res. 1062: Mr. MCGOVERN and Mr. TED LIEU of California.
H. Res. 1068: Mr. HECK, Ms. JAYAPAL, Ms. MAXINE WATERS of California, Mr. GARAMENDI, Mr. PERLMUTTER, Ms. BROWNLEY of California, Mr. CRIST, Ms. CLARKE of New York, Mr. ELLISON, and Mrs. LAWRENCE.
H. Res. 1073: Mr. KENNEDY.
H. Res. 1075: Mr. MACARTHUR.

FRIDAY, SEPTEMBER 28, 2018 (136)

¶136.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. POE of Texas, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
September 28, 2018.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶136.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. POE of Texas, announced he had examined and approved the Journal of the proceedings of Thursday, September 27, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶136.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6392. A communication from the President of the United States, transmitting designation of funding as an emergency requirement, pursuant to Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, div. C, Sec. 113(b) (H. Doc. No. 115—159); to the Committee on Appropriations and ordered to be printed.

6393. A communication from the President of the United States, transmitting designation for Overseas Contingency Operations/Global War on Terrorism all funding so designated by the Congress, pursuant to Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, div. A, Sec. 9023 (H. Doc. No. 115—158); to the Committee on Appropriations and ordered to be printed.

6394. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0765; Product Identifier 2018-NM-105-AD; Amendment 39-19379; AD 2018-17-25] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6395. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0506; Product Identifier 2018-NM-045-AD; Amendment 39-19378; AD 2018-17-24] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6396. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0454; Product Identifier 2017-NM-056-AD; Amendment 39-19387; AD 2018-18-08] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6397. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0789; Product Identifier 2018-NM-120-AD; Amendment 39-19395; AD 2018-18-16] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6398. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes [Docket No.: FAA-2018-0493; Product Identifier 2017-NM-141-AD; Amendment 39-19389; AD 2018-18-10] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6399. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones

Aeronauticas, S.A. (CASA)) Airplanes [Docket No.: FAA-2018-0552; Product Identifier 2018-NM-049-AD; Amendment 39-19402; AD 2018-19-02] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6400. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2018-0418; Product Identifier 2017-SW-016-AD; Amendment 39-19390; AD 2018-18-11] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6401. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2018-0384; Product Identifier 2017-SW-061-AD; Amendment 39-19401; AD 2018-19-01] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6402. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2018-0613; Product Identifier 2018-SW-041-AD; Amendment 39-19391; AD 2018-18-12] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6403. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Turboprop Engines [Docket No.: FAA-2017-1050; Product Identifier 2017-NE-39-AD; Amendment 39-19393; AD 2018-18-14] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6404. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Deutschland Ltd and Co KG Tay 620-15 Engines [Docket No.: FAA-2018-0235; Product Identifier 2018-NE-08-AD; Amendment 39-19367; AD 2018-17-13] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6405. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0112; Product Identifier 2017-NM-161-AD; Amendment 39-19392; AD 2018-18-13] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6406. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saab Aeronautics (Formerly Known as Saab AB, Saab Aerosystems) Airplanes [Docket No.: FAA-2018-0271; Product Identifier 2017-NM-111-AD; Amendment 39-19396; AD 2018-18-17] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6407. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2018-0448; Product Identifier 2017-NM-129-AD; Amendment 39-19403; AD 2018-19-03] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6408. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. Turboprop and Turboshaft Engines [Docket No.: FAA-2018-0479; Product Identifier 2016-NE-23-AD; Amendment 39-19369; AD 2018-17-15] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6409. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turboprop Engines [Docket No.: FAA-2018-0777; Product Identifier 2018-NE-28-AD; Amendment 39-19366; AD 2018-17-12] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6410. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Learjet, Inc. Airplanes [Docket No.: FAA-2018-0327; Product Identifier 2018-CE-001-AD; Amendment 39-19404; AD 2018-19-04] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6411. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0364; Product Identifier 2017-NM-154-AD; Amendment 39-19398; AD 2018-18-19] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6412. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0396; Product Identifier 2017-NM-156-AD; Amendment 39-19400; AD 2018-18-21] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6413. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0365; Product Identifier 2017-NM-155-AD; Amendment 39-19399; AD 2018-18-20] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6414. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Linstrand Propane Cylinders [Docket

No.: FAA-2018-0754; Product Identifier 2018-CE-028-AD; Amendment 39-19365; AD 2018-17-11] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6415. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Regional Airplanes [Docket No.: FAA-2018-0391; Product Identifier 2017-NM-165-AD; Amendment 39-19384; AD 2018-18-05] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6416. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0361; Product Identifier 2017-NM-160-AD; Amendment 39-19373; AD 2018-17-19] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6417. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0169; Product Identifier 2017-NM-095-AD; Amendment 39-19372; AD 2018-17-18] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6418. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule amendments — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2017-0792; Product Identifier 2017-NE-28-AD; Amendment 39-19336; AD 2018-15-04] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6419. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GE Aviation Czech s.r.o. Turboprop Engines [Docket No.: FAA-2018-0723; Product Identifier 2018-NE-17-AD; Amendment 39-19350; AD 2018-16-10] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6420. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace and Class E Airspace, and Revocation of Class E Airspace: New Smyrna Beach, FL [Docket No.: FAA-2018-0328; Airspace Docket No.: 18-ASO-7] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6421. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Lyons, KS [Docket No.: FAA-2018-0139; Airspace Docket No.: 18-ACE-1] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6422. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Crows Landing, CA [Docket No.: FAA-2017-1088; Airspace Docket No.: 17-AWP-25] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6423. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31211; Amdt. No.: 3815] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6424. A letter from the Paralegal Specialist, FTA, Department of Transportation, transmitting the Department's final rule — Capital Leases [Docket No.: FTA-2018-0006] (RIN: 2132-AB34) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

136.4 HEALTH EQUITY AND ACCESS FOR RETURNING TROOPS AND SERVICEMEMBERS

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

When said bill was considered and read twice.

Mr. Sam JOHNSON of Texas, submitted the following amendment which was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Health Equity and Access for Returning Troops and Servicemembers Act of 2018” or the “HEARTS Act of 2018”.

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

(a) TRICARE ELIGIBILITY.—

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

“(6)(A) The requirement in paragraph (2)(A) to enroll in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) shall not apply to a person described in subparagraph (B) during any month in which such person is not entitled to a benefit described in subparagraph (A) of section 226(b)(2) of the Social Security Act (42 U.S.C. 426(b)(2)) if such person has received the counseling and information under subparagraph (C).

“(B) A person described in this subparagraph is a person—

“(i) who is under 65 years of age;

“(ii) who is entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2));

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

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

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

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

(3) IDENTIFICATION OF PERSONS.—Section 1110a of such title is amended by adding at the end the following new subsection:

“(c) CERTAIN INDIVIDUALS NOT REQUIRED TO ENROLL IN MEDICARE PART B.—In carrying out subsection (a), the Secretary of Defense shall coordinate with the Secretary of Health and Human Services and the Commissioner of Social Security to—

“(1) identify persons described in subparagraph (B) of section 1086(d)(6) of this title; and

“(2) provide information and counseling pursuant to subparagraph (D) of such section.”.

(b) NON-APPLICATION OF MEDICARE PART B LATE ENROLLMENT PENALTY.—Section 1839(b) of the Social Security Act (42 U.S.C. 1395r(b)) is amended, in the second sentence, by inserting “or months for which the individual can demonstrate that the individual is an individual described in paragraph (6)(B) of section 1086(d) of title 10, United States Code, who is enrolled in the TRICARE program pursuant to such section” after “an individual described in section 1837(k)(3)”.

(c) REPORT.—Not later than October 1, 2024, the Secretary of Defense, the Secretary of Health and Human Services, and the Commissioner of Social Security shall jointly submit to the Committees on Armed Services of the House of Representatives and the Senate, the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives, and the Committee on Finance of the Senate a report on the implementation of section 1086(d)(6) of title 10, United States Code, as added by subsection (a). Such report shall include, with respect to the period covered by the report—

(1) the number of individuals enrolled in TRICARE for Life who are not enrolled in the supplementary medical insurance program under part B of title XVIII of the Social Security Act (42 U.S.C. 1395j et seq.) by reason of such section 1086(d)(6); and

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

(B) are entitled to hospital insurance benefits under part A of title XVIII of the Social Security Act pursuant to receiving benefits for 24 months as described in subparagraph (A) or (C) of section 226(b)(2) of such Act (42 U.S.C. 426(b)(2)); and

(C) because of such entitlement, are no longer enrolled in TRICARE Standard, TRICARE Prime, TRICARE Extra, or

TRICARE Select under chapter 55 of title 10, United States Code.

(d) DEPOSIT OF SAVINGS INTO MEDICARE IMPROVEMENT FUND.—Section 1898(b)(1) of the Social Security Act (42 U.S.C. 1395iii(b)(1)) is amended by striking “during and after fiscal year 2021, \$0” and inserting “during and after fiscal year 2024, \$5,000,000”.

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

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

(a) BENEFIT.—

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

(A) in subsection (s)(2)—

(i) in subparagraph (FF), by striking “and” at the end;

(ii) in subparagraph (GG), by inserting “and” at the end; and

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

“(HH) a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in subsection (jjj)); and”;

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

“(jjj) PROSTATE CANCER DNA SPECIMEN PROVENANCE ASSAY TEST.—The term ‘prostate cancer DNA Specimen Provenance Assay Test’ (DSPA test) means a test that, after a determination of cancer in one or more prostate biopsy specimens obtained from an individual, assesses the identity of the DNA in such specimens by comparing such DNA with the DNA that was separately taken from such individual at the time of the biopsy.”.

(2) EXCLUSION FROM COVERAGE.—Section 1862(a)(1) of the Social Security Act (42 U.S.C. 1395y(a)(1)) is amended—

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

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

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

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

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

“(w) PROSTATE CANCER DNA SPECIMEN PROVENANCE ASSAY TESTS.—

“(1) PAYMENT FOR COVERED TESTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the payment amount for a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in section 1861(jjj)) shall be \$200. Such payment shall be payment for all of the specimens obtained from the biopsy furnished to an individual that are tested.

“(B) LIMITATION.—Payment for a DSPA test under subparagraph (A) may only be made on an assignment-related basis.

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

“(2) HCPCS CODE AND MODIFIER ASSIGNMENT.—

“(A) IN GENERAL.—The Secretary shall assign one or more HCPCS codes to a prostate

cancer DNA Specimen Provenance Assay test and may use a modifier to facilitate making payment under this section for such test.

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

“(3) DNA MATCH REVIEW.—

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

“(B) POSTING ON INTERNET WEBSITE.—Not later than July 1, 2023, the Secretary shall post on the Internet website of the Centers for Medicare & Medicaid Services the findings of the review conducted under subparagraph (A).”.

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

(1) by striking “and (BB)” and inserting “(BB)”;

(2) by inserting before the semicolon at the end the following: “, and (CC) with respect to a prostate cancer DNA Specimen Provenance Assay test (DSPA test) (as defined in section 1861(jjj)), the amount paid shall be an amount equal to 80 percent of the lesser of the actual charge for the test or the amount specified under section 1834(w)”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶136.5 PROTECTING FAMILY AND SMALL BUSINESS TAX CUTS

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

Pending consideration of said bill,

Pursuant to House Resolution 1084, the amendment in the nature of a substitute recommended by the Committee on Ways and Means, printed in the bill, modified by the following amendment printed in Part C of House Report 115-985, was considered as agreed to:

At the end, add the following:

SEC. 301. BUDGETARY EFFECTS.

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

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

When said bill, as amended, was considered and read twice.

After debate,

Pursuant to House Resolution 1084, the previous question was ordered on the bill, as amended.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

Mr. LARSON of Connecticut, moved to recommit the bill to the Committee on Ways and Means with instructions to report the bill back to the House forthwith with the following amendment:

Add at the end the following new title:

TITLE III—EFFECTIVE DATE

SEC. 300. SHORT TITLE.

This title may be cited as the “Protect Medicare and Social Security Trust Funds Act of 2018”.

SEC. 301. EFFECTIVE DATE.

Notwithstanding any other provision of this Act, no provision of this Act (or any amendment made thereby) shall take effect unless and until the Chief Actuaries of the Medicare Hospital Insurance Trust Fund and of the Old-Age and Survivor Insurance and Disability Insurance Trust Funds have certified that the enactment of this Act will not harm the financial position of any of these trust funds. Such analysis shall be based on widely agreed-upon economic theory, conventionally agreed-upon economic metrics of macroeconomic analysis, and accepted models of distribution and growth.

After debate,

By unanimous consent, the previous question was ordered on the motion to recommit with instructions.

The question being put, *viva voce*,

Will the House recommit said bill with instructions?

The SPEAKER pro tempore, Mr. WEBER of Texas, announced that the yeas had it.

Mr. LARSON of Connecticut, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WEBER of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶136.6 AMENDMENT OF THE SENATE TO H.R. 6 WITH AN AMENDMENT

Mr. WALDEN moved to suspend the rules and agree to the following resolution (H. Res. 1099):

Resolved, That upon the adoption of this resolution the House shall be considered to have taken from the Speaker's table the bill, H.R. 6, with the Senate amendment thereto, and to have concurred in the Senate amendment with the following amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate to the text of the bill, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment for Patients and Communities Act” or the “SUPPORT for Patients and Communities Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—MEDICAID PROVISIONS TO ADDRESS THE OPIOID CRISIS

Sec. 1001. At-risk youth Medicaid protection.

- Sec. 1002. Health insurance for former foster youth.
- Sec. 1003. Demonstration project to increase substance use provider capacity under the Medicaid program.
- Sec. 1004. Medicaid drug review and utilization.
- Sec. 1005. Guidance to improve care for infants with neonatal abstinence syndrome and their mothers; GAO study on gaps in Medicaid coverage for pregnant and postpartum women with substance use disorder.
- Sec. 1006. Medicaid health homes for substance-use-disorder Medicaid enrollees.
- Sec. 1007. Caring recovery for infants and babies.
- Sec. 1008. Peer support enhancement and evaluation review.
- Sec. 1009. Medicaid substance use disorder treatment via telehealth.
- Sec. 1010. Enhancing patient access to non-opioid treatment options.
- Sec. 1011. Assessing barriers to opioid use disorder treatment.
- Sec. 1012. Help for moms and babies.
- Sec. 1013. Securing flexibility to treat substance use disorders.
- Sec. 1014. MACPAC study and report on MAT utilization controls under State Medicaid programs.
- Sec. 1015. Opioid addiction treatment programs enhancement.
- Sec. 1016. Better data sharing to combat the opioid crisis.
- Sec. 1017. Report on innovative State initiatives and strategies to provide housing-related services and supports to individuals struggling with substance use disorders under Medicaid.
- Sec. 1018. Technical assistance and support for innovative State strategies to provide housing-related supports under Medicaid.

TITLE II—MEDICARE PROVISIONS TO ADDRESS THE OPIOID CRISIS

- Sec. 2001. Expanding the use of telehealth services for the treatment of opioid use disorder and other substance use disorders.
- Sec. 2002. Comprehensive screenings for seniors.
- Sec. 2003. Every prescription conveyed securely.
- Sec. 2004. Requiring prescription drug plan sponsors under Medicare to establish drug management programs for at-risk beneficiaries.
- Sec. 2005. Medicare coverage of certain services furnished by opioid treatment programs.
- Sec. 2006. Encouraging appropriate prescribing under Medicare for victims of opioid overdose.
- Sec. 2007. Automatic escalation to external review under a Medicare part D drug management program for at-risk beneficiaries.
- Sec. 2008. Suspension of payments by Medicare prescription drug plans and MA-PD plans pending investigations of credible allegations of fraud by pharmacies.

TITLE III—FDA AND CONTROLLED SUBSTANCE PROVISIONS

Subtitle A—FDA Provisions

CHAPTER 1—IN GENERAL

- Sec. 3001. Clarifying FDA regulation of non-addictive pain products.
- Sec. 3002. Evidence-based opioid analgesic prescribing guidelines and report.

CHAPTER 2—STOP COUNTERFEIT DRUGS BY REGULATING AND ENHANCING ENFORCEMENT NOW

- Sec. 3011. Short title.

- Sec. 3012. Notification, nondistribution, and recall of controlled substances.
- Sec. 3013. Single source pattern of imported illegal drugs.
- Sec. 3014. Strengthening FDA and CBP coordination and capacity.

CHAPTER 3—STOP ILLICIT DRUG IMPORTATION

- Sec. 3021. Short title.
- Sec. 3022. Restricting entrance of illicit drugs.

CHAPTER 4—SECURING OPIOIDS AND UNUSED NARCOTICS WITH DELIBERATE DISPOSAL AND PACKAGING

- Sec. 3031. Short title.
- Sec. 3032. Safety-enhancing packaging and disposal features.

CHAPTER 5—POSTAPPROVAL STUDY REQUIREMENTS

- Sec. 3041. Clarifying FDA postmarket authorities.

Subtitle B—Controlled Substance Provisions CHAPTER 1—MORE FLEXIBILITY WITH RESPECT TO MEDICATION-ASSISTED TREATMENT FOR OPIOID USE DISORDERS

- Sec. 3201. Allowing for more flexibility with respect to medication-assisted treatment for opioid use disorders.
- Sec. 3202. Medication-assisted treatment for recovery from substance use disorder.
- Sec. 3203. Grants to enhance access to substance use disorder treatment.
- Sec. 3204. Delivery of a controlled substance by a pharmacy to be administered by injection or implantation.

CHAPTER 2—EMPOWERING PHARMACISTS IN THE FIGHT AGAINST OPIOID ABUSE

- Sec. 3211. Short title.
- Sec. 3212. Programs and materials for training on certain circumstances under which a pharmacist may decline to fill a prescription.

CHAPTER 3—SAFE DISPOSAL OF UNUSED MEDICATION

- Sec. 3221. Short title.
- Sec. 3222. Disposal of controlled substances of a hospice patient by employees of a qualified hospice program.
- Sec. 3223. GAO study and report on hospice safe drug management.

CHAPTER 4—SPECIAL REGISTRATION FOR TELEMEDICINE CLARIFICATION

- Sec. 3231. Short title.
- Sec. 3232. Regulations relating to a special registration for telemedicine.

CHAPTER 5—SYNTHETIC ABUSE AND LABELING OF TOXIC SUBSTANCES

- Sec. 3241. Controlled substance analogues.

CHAPTER 6—ACCESS TO INCREASED DRUG DISPOSAL

- Sec. 3251. Short title.
- Sec. 3252. Definitions.
- Sec. 3253. Authority to make grants.
- Sec. 3254. Application.
- Sec. 3255. Use of grant funds.
- Sec. 3256. Eligibility for grant.
- Sec. 3257. Duration of grants.
- Sec. 3258. Accountability and oversight.
- Sec. 3259. Duration of program.
- Sec. 3260. Authorization of appropriations.

CHAPTER 7—USING DATA TO PREVENT OPIOID DIVERSION

- Sec. 3271. Short title.
- Sec. 3272. Purpose.
- Sec. 3273. Amendments.
- Sec. 3274. Report.

CHAPTER 8—OPIOID QUOTA REFORM

- Sec. 3281. Short title.
- Sec. 3282. Strengthening considerations for DEA opioid quotas.

CHAPTER 9—PREVENTING DRUG DIVERSION

- Sec. 3291. Short title.
- Sec. 3292. Improvements to prevent drug diversion.

TITLE IV—OFFSETS

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

TITLE V—OTHER MEDICAID PROVISIONS Subtitle A—Mandatory Reporting With Respect to Adult Behavioral Health Measures

- Sec. 5001. Mandatory reporting with respect to adult behavioral health measures.

Subtitle B—Medicaid IMD Additional Info

- Sec. 5011. Short title.
- Sec. 5012. MACPAC exploratory study and report on institutions for mental diseases requirements and practices under Medicaid.

Subtitle C—CHIP Mental Health and Substance Use Disorder Parity

- Sec. 5021. Short title.
- Sec. 5022. Ensuring access to mental health and substance use disorder services for children and pregnant women under the Children's Health Insurance Program.

Subtitle D—Medicaid Reentry

- Sec. 5031. Short title.
- Sec. 5032. Promoting State innovations to ease transitions integration to the community for certain individuals.

Subtitle E—Medicaid Partnership

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

Subtitle F—IMD CARE Act

- Sec. 5051. Short title.
- Sec. 5052. State option to provide Medicaid coverage for certain individuals with substance use disorders who are patients in certain institutions for mental diseases.

Subtitle G—Medicaid Improvement Fund

- Sec. 5061. Medicaid Improvement Fund.

TITLE VI—OTHER MEDICARE PROVISIONS

Subtitle A—Testing of Incentive Payments for Behavioral Health Providers for Adoption and Use of Certified Electronic Health Record Technology

- Sec. 6001. Testing of incentive payments for behavioral health providers for adoption and use of certified electronic health record technology.

Subtitle B—Abuse Deterrent Access

- Sec. 6011. Short title.
- Sec. 6012. Study on abuse-deterrent opioid formulations access barriers under Medicare.

Subtitle C—Medicare Opioid Safety Education

- Sec. 6021. Medicare opioid safety education.

Subtitle D—Opioid Addiction Action Plan

- Sec. 6031. Short title.
- Sec. 6032. Action plan on recommendations for changes under Medicare and Medicaid to prevent opioids addictions and enhance access to medication-assisted treatment.

Subtitle E—Advancing High Quality Treatment for Opioid Use Disorders in Medicare

Sec. 6041. Short title.

Sec. 6042. Opioid use disorder treatment demonstration program.

Subtitle F—Responsible Education Achieves Care and Healthy Outcomes for Users' Treatment

Sec. 6051. Short title.

Sec. 6052. Grants to provide technical assistance to outlier prescribers of opioids.

Subtitle G—Preventing Addiction for Susceptible Seniors

Sec. 6061. Short title.

Sec. 6062. Electronic prior authorization for covered part D drugs.

Sec. 6063. Program integrity transparency measures under Medicare parts C and D.

Sec. 6064. Expanding eligibility for medication therapy management programs under part D.

Sec. 6065. Commit to opioid medical prescriber accountability and safety for seniors.

Sec. 6066. No additional funds authorized.

Subtitle H—Expanding Oversight of Opioid Prescribing and Payment

Sec. 6071. Short title.

Sec. 6072. Medicare Payment Advisory Commission report on opioid payment, adverse incentives, and data under the Medicare program.

Sec. 6073. No additional funds authorized.

Subtitle I—Dr. Todd Graham Pain Management, Treatment, and Recovery

Sec. 6081. Short title.

Sec. 6082. Review and adjustment of payments under the Medicare outpatient prospective payment system to avoid financial incentives to use opioids instead of non-opioid alternative treatments.

Sec. 6083. Expanding access under the Medicare program to addiction treatment in Federally qualified health centers and rural health clinics.

Sec. 6084. Studying the availability of supplemental benefits designed to treat or prevent substance use disorders under Medicare Advantage plans.

Sec. 6085. Clinical psychologist services models under the Center for Medicare and Medicaid Innovation; GAO study and report.

Sec. 6086. Dr. Todd Graham pain management study.

Subtitle J—Combating Opioid Abuse for Care in Hospitals

Sec. 6091. Short title.

Sec. 6092. Developing guidance on pain management and opioid use disorder prevention for hospitals receiving payment under part A of the Medicare program.

Sec. 6093. Requiring the review of quality measures relating to opioids and opioid use disorder treatments furnished under the Medicare program and other federal health care programs.

Sec. 6094. Technical expert panel on reducing surgical setting opioid use; Data collection on perioperative opioid use.

Sec. 6095. Requiring the posting and periodic update of opioid prescribing guidance for Medicare beneficiaries.

Subtitle K—Providing Reliable Options for Patients and Educational Resources

Sec. 6101. Short title.

Sec. 6102. Requiring Medicare Advantage plans and part D prescription drug plans to include information on risks associated with opioids and coverage of non-pharmacological therapies and nonopioid medications or devices used to treat pain.

Sec. 6103. Requiring Medicare Advantage plans and prescription drug plans to provide information on the safe disposal of prescription drugs.

Sec. 6104. Revising measures used under the Hospital Consumer Assessment of Healthcare Providers and Systems survey relating to pain management.

Subtitle L—Fighting the Opioid Epidemic With Sunshine

Sec. 6111. Fighting the opioid epidemic with sunshine.

TITLE VII—PUBLIC HEALTH PROVISIONS

Subtitle A—Awareness and Training

Sec. 7001. Report on effects on public health of synthetic drug use.

Sec. 7002. First responder training.

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

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

Subtitle C—Indexing Narcotics, Fentanyl, and Opioids

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

Sec. 7022. Interdepartmental Substance Use Disorders Coordinating Committee.

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

Sec. 7024. Study on prescribing limits.

Subtitle D—Ensuring Access to Quality Sober Living

Sec. 7031. National recovery housing best practices.

Subtitle E—Advancing Cutting Edge Research

Sec. 7041. Unique research initiatives.

Sec. 7042. Pain research.

Subtitle F—Jessie's Law

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

Sec. 7052. Communication with families during emergencies.

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

Subtitle G—Protecting Pregnant Women and Infants

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

Sec. 7062. Protecting moms and infants.

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

Sec. 7064. Prenatal and postnatal health.

Sec. 7065. Plans of safe care.

Subtitle H—Substance Use Disorder Treatment Workforce

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

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

Sec. 7073. Programs for health care workforce.

Subtitle I—Preventing Overdoses While in Emergency Rooms

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

Subtitle J—Alternatives to Opioids in the Emergency Department

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

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

Sec. 7101. Establishment of regional centers of excellence in substance use disorder education.

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

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

Subtitle M—Comprehensive Opioid Recovery Centers

Sec. 7121. Comprehensive opioid recovery centers.

Subtitle N—Trauma-Informed Care

Sec. 7131. CDC surveillance and data collection for child, youth, and adult trauma.

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

Sec. 7133. National Child Traumatic Stress Initiative.

Sec. 7134. Grants to improve trauma support services and mental health care for children and youth in educational settings.

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Subtitle O—Eliminating Opioid Related Infectious Diseases

Sec. 7141. Reauthorization and expansion of program of surveillance and education regarding infections associated with illicit drug use and other risk factors.

Subtitle P—Peer Support Communities of Recovery

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- Sec. 8061. Short title.
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- Sec. 8081. Supporting family-focused residential treatment.
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Subtitle L—Budgetary Effects

- Sec. 8231. Budgetary effect.

**TITLE I—MEDICAID PROVISIONS TO
 ADDRESS THE OPIOID CRISIS**

SEC. 1001. AT-RISK YOUTH MEDICAID PROTECTION.

(a) IN GENERAL.—Section 1902 of the Social Security Act (42 U.S.C. 1396a) is amended—

- (1) in subsection (a)—
 (A) by striking “and” at the end of paragraph (82);
 (B) by striking the period at the end of paragraph (83) and inserting “; and”; and
 (C) by inserting after paragraph (83) the following new paragraph:

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

“(B) in the case of an individual who is an eligible juvenile described in paragraph (2)(A) of subsection (nn), the State shall, prior to the individual's release from such a public institution, conduct a redetermination of eligibility for such individual with respect to such medical assistance (without requiring a new application from the individual) and, if the State determines pursuant to such redetermination that the individual continues to meet the eligibility requirements for such medical assistance, the State shall restore coverage for such medical assistance to such an individual upon the individual's release from such public institution; and

“(C) in the case of an individual who is an eligible juvenile described in paragraph (2)(B) of subsection (nn), the State shall process any application for medical assistance submitted by, or on behalf of, such individual such that the State makes a determination of eligibility for such individual with respect to such medical assistance upon release of such individual from such public institution.”; and

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

“(nn) JUVENILE; ELIGIBLE JUVENILE; PUBLIC INSTITUTION.—For purposes of subsection (a)(84) and this subsection:

“(1) JUVENILE.—The term ‘juvenile’ means an individual who is—

“(A) under 21 years of age; or

“(B) described in subsection (a)(10)(A)(i)(IX).

“(2) ELIGIBLE JUVENILE.—The term ‘eligible juvenile’ means a juvenile who is an inmate of a public institution and who—

“(A) was determined eligible for medical assistance under the State plan immediately before becoming an inmate of such a public institution; or

“(B) is determined eligible for such medical assistance while an inmate of a public institution.

“(3) INMATE OF A PUBLIC INSTITUTION.—The term ‘inmate of a public institution’ has the meaning given such term for purposes of applying the subdivision (A) following paragraph (30) of section 1905(a), taking into account the exception in such subdivision for a patient of a medical institution.”.

(b) NO CHANGE IN EXCLUSION FROM MEDICAL ASSISTANCE FOR INMATES OF PUBLIC INSTITUTIONS.—Nothing in this section shall be construed as changing the exclusion from medical assistance under the subdivision (A) following paragraph (30) of section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)), as redesignated by section 1006(b)(2)(B) of this Act, including any applicable restrictions on a State submitting claims for Federal financial participation under title XIX of such Act for such assistance.

(c) NO CHANGE IN CONTINUITY OF ELIGIBILITY BEFORE ADJUDICATION OR SENTENCING.—Nothing in this section shall be construed to mandate, encourage, or suggest that a State suspend or terminate coverage for individuals before they have been adjudicated or sentenced.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by subsection (a) shall apply to eligibility of juveniles who become inmates of public institutions on or after the date that is 1 year after the date of the enactment of this Act.

(2) RULE FOR CHANGES REQUIRING STATE LEGISLATION.—In the case of a State plan for medical assistance under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendments made by subsection (a), the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet these additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

SEC. 1002. HEALTH INSURANCE FOR FORMER FOSTER YOUTH.

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

(1) IN GENERAL.—Section 1902(a)(10)(A)(i)(IX) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)(IX)) is amended—

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

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

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

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect with respect to foster youth who attain 18 years of age on or after January 1, 2023.

(b) **GUIDANCE.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue guidance to States, with respect to the State Medicaid programs of such States—

(1) on best practices for—

(A) removing barriers and ensuring streamlined, timely access to Medicaid coverage for former foster youth up to age 26; and

(B) conducting outreach and raising awareness among such youth regarding Medicaid coverage options for such youth; and

(2) which shall include examples of States that have successfully extended Medicaid coverage to former foster youth up to age 26.

SEC. 1003. DEMONSTRATION PROJECT TO INCREASE SUBSTANCE USE PROVIDER CAPACITY UNDER THE MEDICAID PROGRAM.

Section 1903 of the Social Security Act (42 U.S.C. 1396b) is amended by adding at the end the following new subsection:

“(aa) **DEMONSTRATION PROJECT TO INCREASE SUBSTANCE USE PROVIDER CAPACITY.**—

“(1) **IN GENERAL.**—Not later than the date that is 180 days after the date of the enactment of this subsection, the Secretary shall, in consultation, as appropriate, with the Director of the Agency for Healthcare Research and Quality and the Assistant Secretary for Mental Health and Substance Use, conduct a 54-month demonstration project for the purpose described in paragraph (2) under which the Secretary shall—

“(A) for the first 18-month period of such project, award planning grants described in paragraph (3); and

“(B) for the remaining 36-month period of such project, provide to each State selected under paragraph (4) payments in accordance with paragraph (5).

“(2) **PURPOSE.**—The purpose described in this paragraph is for each State selected under paragraph (4) to increase the treatment capacity of providers participating under the State plan (or a waiver of such plan) to provide substance use disorder treatment or recovery services under such plan (or waiver) through the following activities:

“(A) For the purpose described in paragraph (3)(C)(i), activities that support an ongoing assessment of the behavioral health treatment needs of the State, taking into account the matters described in subclauses (I) through (IV) of such paragraph.

“(B) Activities that, taking into account the results of the assessment described in subparagraph (A), support the recruitment, training, and provision of technical assistance for providers participating under the State plan (or a waiver of such plan) that offer substance use disorder treatment or recovery services.

“(C) Improved reimbursement for and expansion of, through the provision of education, training, and technical assistance, the number or treatment capacity of providers participating under the State plan (or waiver) that—

“(i) are authorized to dispense drugs approved by the Food and Drug Administration for individuals with a substance use disorder who need withdrawal management or maintenance treatment for such disorder;

“(ii) have in effect a registration or waiver under section 303(g) of the Controlled Sub-

stances Act for purposes of dispensing narcotic drugs to individuals for maintenance treatment or detoxification treatment and are in compliance with any regulation promulgated by the Assistant Secretary for Mental Health and Substance Use for purposes of carrying out the requirements of such section 303(g); and

“(iii) are qualified under applicable State law to provide substance use disorder treatment or recovery services.

“(D) Improved reimbursement for and expansion of, through the provision of education, training, and technical assistance, the number or treatment capacity of providers participating under the State plan (or waiver) that have the qualifications to address the treatment or recovery needs of—

“(i) individuals enrolled under the State plan (or a waiver of such plan) who have neonatal abstinence syndrome, in accordance with guidelines issued by the American Academy of Pediatrics and American College of Obstetricians and Gynecologists relating to maternal care and infant care with respect to neonatal abstinence syndrome;

“(ii) pregnant women, postpartum women, and infants, particularly the concurrent treatment, as appropriate, and comprehensive case management of pregnant women, postpartum women and infants, enrolled under the State plan (or a waiver of such plan);

“(iii) adolescents and young adults between the ages of 12 and 21 enrolled under the State plan (or a waiver of such plan); or

“(iv) American Indian and Alaska Native individuals enrolled under the State plan (or a waiver of such plan).

“(3) **PLANNING GRANTS.**—

“(A) **IN GENERAL.**—The Secretary shall, with respect to the first 18-month period of the demonstration project conducted under paragraph (1), award planning grants to at least 10 States selected in accordance with subparagraph (B) for purposes of preparing an application described in paragraph (4)(C) and carrying out the activities described in subparagraph (C).

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

“(i) select States that have a State plan (or waiver of the State plan) approved under this title;

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

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

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

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

“(I) An estimate of the number of individuals enrolled under the State plan (or a waiver of such plan) who have a substance use disorder.

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

“(III) Information on the gap in substance use disorder treatment or recovery services under the State plan (or waiver) based on the information described in subclauses (I) and (II).

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

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

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

“(4) **POST-PLANNING STATES.**—

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

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

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

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

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

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

“(C) **APPLICATIONS.**—

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

“(I) A proposed process for carrying out the ongoing assessment described in paragraph (2)(A), taking into account the results of the initial assessment described in paragraph (3)(C)(i).

“(II) A review of reimbursement methodologies and other policies related to substance use disorder treatment or recovery services under the State plan (or waiver) that may create barriers to increasing the number of providers delivering such services.

“(III) The development of a plan, taking into account activities carried out under paragraph (3)(C)(ii), that will result in long-term and sustainable provider networks under the State plan (or waiver) that will offer a continuum of care for substance use disorders. Such plan shall include the following:

“(aa) Specific activities to increase the number of providers (including providers that specialize in providing substance use disorder treatment or recovery services, hospitals, health care systems, Federally qualified health centers, and, as applicable, cer-

tified community behavioral health clinics) that offer substance use disorder treatment, recovery, or support services, including short-term detoxification services, outpatient substance use disorder services, and evidence-based peer recovery services.

“(bb) Strategies that will incentivize providers described in subparagraphs (C) and (D) of paragraph (2) to obtain the necessary training, education, and support to deliver substance use disorder treatment or recovery services in the State.

“(cc) Milestones and timeliness for implementing activities set forth in the plan.

“(dd) Specific measurable targets for increasing the substance use disorder treatment and recovery provider network under the State plan (or a waiver of such plan).

“(IV) A proposed process for reporting the information required under paragraph (6)(A), including information to assess the effectiveness of the efforts of the State to expand the capacity of providers to deliver substance use disorder treatment or recovery services during the period of the demonstration project under this subsection.

“(V) The expected financial impact of the demonstration project under this subsection on the State.

“(VI) A description of all funding sources available to the State to provide substance use disorder treatment or recovery services in the State.

“(VII) A preliminary plan for how the State will sustain any increase in the capacity of providers to deliver substance use disorder treatment or recovery services resulting from the demonstration project under this subsection after the termination of such demonstration project.

“(VIII) A description of how the State will coordinate the goals of the demonstration project with any waiver granted (or submitted by the State and pending) pursuant to section 1115 for the delivery of substance use services under the State plan, as applicable.

“(ii) CONSULTATION.—In completing an application under clause (i), a State shall consult with relevant stakeholders, including Medicaid managed care plans, health care providers, and Medicaid beneficiary advocates, and include in such application a description of such consultation.

“(5) PAYMENT.—

“(A) IN GENERAL.—For each quarter occurring during the period for which the demonstration project is conducted (after the first 18 months of such period), the Secretary shall pay under this subsection, subject to subparagraph (C), to each State selected under paragraph (4) an amount equal to 80 percent of so much of the qualified sums expended during such quarter.

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

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

“(6) REPORTS.—

“(A) STATE REPORTS.—A State receiving payments under paragraph (5) shall, for the

period of the demonstration project under this subsection, submit to the Secretary a quarterly report, with respect to expenditures for substance use disorder treatment or recovery services for which payment is made to the State under this subsection, on the following:

“(i) The specific activities with respect to which payment under this subsection was provided.

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

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

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

“(B) CMS REPORTS.—

“(i) INITIAL REPORT.—Not later than October 1, 2020, the Administrator of the Centers for Medicare & Medicaid Services shall, in consultation with the Director of the Agency for Healthcare Research and Quality and the Assistant Secretary for Mental Health and Substance Use, submit to Congress an initial report on—

“(I) the States awarded planning grants under paragraph (3);

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

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

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

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

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

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

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

“(iii) FINAL REPORT.—Not later than October 1, 2024, the Administrator of the Centers for Medicare & Medicaid Services shall, in consultation with the Director of the Agency for Healthcare Research and Quality and the Assistant Secretary for Mental Health and Substance Use, submit to Congress a final report—

“(I) providing updates on the matters reported in the interim report under clause (ii);

“(II) including a description of any changes made with respect to the demonstration project under this subsection after the submission of such interim report; and

“(III) evaluating such demonstration project.

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

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

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

SEC. 1004. MEDICAID DRUG REVIEW AND UTILIZATION.

(a) MEDICAID DRUG UTILIZATION REVIEW.—

(1) STATE PLAN REQUIREMENT.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)), as amended by section 1001, is further amended—

(A) in paragraph (83), at the end, by striking “and”;

(B) in paragraph (84), at the end, by striking the period and inserting “; and”; and

(C) by inserting after paragraph (84) the following new paragraph:

“(85) provide that the State is in compliance with the drug review and utilization requirements under subsection (oo)(1).”

(2) DRUG REVIEW AND UTILIZATION REQUIREMENTS.—Section 1902 of the Social Security Act (42 U.S.C. 1396a), as amended by section 1001, is further amended by adding at the end the following new subsection:

“(oo) DRUG REVIEW AND UTILIZATION REQUIREMENTS.—

“(1) IN GENERAL.—For purposes of subsection (a)(85), the drug review and utilization requirements under this subsection are, subject to paragraph (3) and beginning October 1, 2019, the following:

“(A) CLAIMS REVIEW LIMITATIONS.—

“(i) IN GENERAL.—The State has in place—

“(I) safety edits (as specified by the State) for subsequent fills for opioids and a claims review automated process (as designed and implemented by the State) that indicates when an individual enrolled under the State plan (or under a waiver of the State plan) is prescribed a subsequent fill of opioids in excess of any limitation that may be identified by the State;

“(II) safety edits (as specified by the State) on the maximum daily morphine equivalent that can be prescribed to an individual enrolled under the State plan (or under a waiver of the State plan) for treatment of chronic pain and a claims review automated process (as designed and implemented by the State) that indicates when an individual enrolled under the plan (or waiver) is prescribed the morphine equivalent for such treatment in excess of any limitation that may be identified by the State; and

“(III) a claims review automated process (as designed and implemented by the State) that monitors when an individual enrolled under the State plan (or under a waiver of the State plan) is concurrently prescribed opioids and—

“(aa) benzodiazepines; or

“(bb) antipsychotics.

“(ii) MANAGED CARE ENTITIES.—The State requires each managed care entity (as defined in section 1932(a)(1)(B)) with respect to which the State has a contract under section 1903(m) or under section 1905(t)(3) to have in place, subject to paragraph (3), with respect to individuals who are eligible for medical assistance under the State plan (or under a waiver of the State plan) and who are enrolled with the entity, the limitations described in subclauses (I) and (II) of clause (i) and a claims review automated process described in subclause (III) of such clause.

“(iii) RULES OF CONSTRUCTION.—Nothing in this subparagraph may be construed as pro-

hibiting a State or managed care entity from designing and implementing a claims review automated process under this subparagraph that provides for prospective or retrospective reviews of claims. Nothing in this subparagraph shall be understood as prohibiting the exercise of clinical judgment from a provider enrolled as a participating provider in a State plan (or waiver of the State plan) or contracting with a managed care entity regarding the best items and services for an individual enrolled under such State plan (or waiver).

“(B) PROGRAM TO MONITOR ANTIPSYCHOTIC MEDICATIONS BY CHILDREN.—The State has in place a program (as designed and implemented by the State) to monitor and manage the appropriate use of antipsychotic medications by children enrolled under the State plan (or under a waiver of the State plan) and submits annually to the Secretary such information as the Secretary may require on activities carried out under such program for individuals not more than the age of 18 years generally and children in foster care specifically.

“(C) FRAUD AND ABUSE IDENTIFICATION.—The State has in place a process (as designed and implemented by the State) that identifies potential fraud or abuse of controlled substances by individuals enrolled under the State plan (or under a waiver of the State plan), health care providers prescribing drugs to individuals so enrolled, and pharmacies dispensing drugs to individuals so enrolled.

“(D) REPORTS.—The State shall include in the annual report submitted to the Secretary under section 1927(g)(3)(D) information on the limitations, requirement, program, and processes applied by the State under subparagraphs (A) through (C) in accordance with such manner and time as specified by the Secretary.

“(E) CLARIFICATION.—Nothing shall prevent a State from satisfying the requirement—

“(i) described in subparagraph (A) by having safety edits or a claims review automated process described in such subparagraph that was in place before October 1, 2019;

“(ii) described in subparagraph (B) by having a program described in such subparagraph that was in place before such date; or

“(iii) described in subparagraph (C) by having a process described in such subparagraph that was in place before such date.

“(2) ANNUAL REPORT BY SECRETARY.—For each fiscal year beginning with fiscal year 2020, the Secretary shall submit to Congress a report on the most recent information submitted by States under paragraph (1)(D).

“(3) EXCEPTIONS.—

“(A) CERTAIN INDIVIDUALS EXEMPTED.—The drug review and utilization requirements under this subsection shall not apply with respect to an individual who—

“(i) is receiving—

“(I) hospice or palliative care; or

“(II) treatment for cancer;

“(ii) is a resident of a long-term care facility, of a facility described in section 1905(d), or of another facility for which frequently abused drugs are dispensed for residents through a contract with a single pharmacy; or

“(iii) the State elects to treat as exempted from such requirements.

“(B) EXCEPTION RELATING TO ENSURING ACCESS.—In order to ensure reasonable access to health care, the Secretary shall waive the drug review and utilization requirements under this subsection, with respect to a State, in the case of natural disasters and similar situations, and in the case of the provision of emergency services (as defined for purposes of section 1860D-4(c)(5)(D)(ii)(II)).”

(3) MANAGED CARE ENTITIES.—Section 1932 of the Social Security Act (42 U.S.C. 1396u-2)

is amended by adding at the end the following new subsection:

“(i) DRUG UTILIZATION REVIEW ACTIVITIES AND REQUIREMENTS.—Beginning not later than October 1, 2019, each contract under a State plan with a managed care entity (other than a primary care case manager) under section 1903(m) shall provide that the entity is in compliance with the applicable provisions of section 438.3(s)(2) of title 42, Code of Federal Regulations, section 483.3(s)(4) of such title, and section 483.3(s)(5) of such title, as such provisions were in effect on March 31, 2018.”

(b) IDENTIFYING AND ADDRESSING INAPPROPRIATE PRESCRIBING AND BILLING PRACTICES UNDER MEDICAID.—

(1) IN GENERAL.—Section 1927(g) of the Social Security Act (42 U.S.C. 1396r-8(g)) is amended—

(A) in paragraph (1)(A)—

(i) by striking “of section 1903(i)(10)(B)” and inserting “of section 1902(a)(54)”;

(ii) by striking “, by not later than January 1, 1993,”;

(iii) by inserting after “gross overuse,” the following: “excessive utilization,”; and

(iv) by striking “or inappropriate or medically unnecessary care” and inserting “inappropriate or medically unnecessary care, or prescribing or billing practices that indicate abuse or excessive utilization”; and

(B) in paragraph (2)(B)—

(i) by inserting after “gross overuse,” the following: “excessive utilization,”; and

(ii) by striking “or inappropriate or medically unnecessary care” and inserting “inappropriate or medically unnecessary care, or prescribing or billing practices that indicate abuse or excessive utilization”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect with respect to retrospective drug use reviews conducted on or after October 1, 2020.

SEC. 1005. GUIDANCE TO IMPROVE CARE FOR INFANTS WITH NEONATAL ABSTINENCE SYNDROME AND THEIR MOTHERS; GAO STUDY ON GAPS IN MEDICAID COVERAGE FOR PREGNANT AND POSTPARTUM WOMEN WITH SUBSTANCE USE DISORDER.

(a) GUIDANCE.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall issue guidance to improve care for infants with neonatal abstinence syndrome and their families. Such guidance shall include—

(1) best practices from States with respect to innovative or evidenced-based payment models that focus on prevention, screening, treatment, plans of safe care, and postdischarge services for mothers and fathers with substance use disorders and babies with neonatal abstinence syndrome that improve care and clinical outcomes;

(2) recommendations for States on available financing options under the Medicaid program under title XIX of such Act and under the Children's Health Insurance Program under title XXI of such Act for Children's Health Insurance Program Health Services Initiative funds for parents with substance use disorders, infants with neonatal abstinence syndrome, and home-visiting services;

(3) guidance and technical assistance to State Medicaid agencies regarding additional flexibilities and incentives related to screening, prevention, and postdischarge services, including parenting supports, and infant-caregiver bonding, including breastfeeding when it is appropriate; and

(4) guidance regarding suggested terminology and ICD codes to identify infants with neonatal abstinence syndrome and neonatal opioid withdrawal syndrome, which could include opioid-exposure, opioid withdrawal not requiring pharmacotherapy, and

opioid withdrawal requiring pharmacotherapy.

(b) GAO STUDY.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study, and submit to Congress a report, addressing gaps in coverage for pregnant women with substance use disorder under the Medicaid program under title XIX of the Social Security Act, and gaps in coverage for postpartum women with substance use disorder who had coverage during their pregnancy under the Medicaid program under such title.

SEC. 1006. MEDICAID HEALTH HOMES FOR SUBSTANCE-USE-DISORDER MEDICAID ENROLLEES.

(a) EXTENSION OF ENHANCED FMAP FOR CERTAIN HEALTH HOMES FOR INDIVIDUALS WITH SUBSTANCE USE DISORDERS.—Section 1945(c) of the Social Security Act (42 U.S.C. 1396w-4(c)) is amended—

(1) in paragraph (1), by inserting “subject to paragraph (4),” after “except that,”; and

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

“(4) SPECIAL RULE RELATING TO SUBSTANCE USE DISORDER HEALTH HOMES.—

“(A) IN GENERAL.—In the case of a State with an SUD-focused State plan amendment approved by the Secretary on or after October 1, 2018, the Secretary may, at the request of the State, extend the application of the Federal medical assistance percentage described in paragraph (1) to payments for the provision of health home services to SUD-eligible individuals under such State plan amendment, in addition to the first 8 fiscal year quarters the State plan amendment is in effect, for the subsequent 2 fiscal year quarters that the State plan amendment is in effect. Nothing in this section shall be construed as prohibiting a State with a State plan amendment that is approved under this section and that is not an SUD-focused State plan amendment from additionally having approved on or after such date an SUD-focused State plan amendment under this section, including for purposes of application of this paragraph.

“(B) REPORT REQUIREMENTS.—In the case of a State with an SUD-focused State plan amendment for which the application of the Federal medical assistance percentage has been extended under subparagraph (A), such State shall, at the end of the period of such State plan amendment, submit to the Secretary a report on the following, with respect to SUD-eligible individuals provided health home services under such State plan amendment:

“(i) The quality of health care provided to such individuals, with a focus on outcomes relevant to the recovery of each such individual.

“(ii) The access of such individuals to health care.

“(iii) The total expenditures of such individuals for health care.

For purposes of this subparagraph, the Secretary shall specify all applicable measures for determining quality, access, and expenditures.

“(C) BEST PRACTICES.—Not later than October 1, 2020, the Secretary shall make publicly available on the internet website of the Centers for Medicare & Medicaid Services best practices for designing and implementing an SUD-focused State plan amendment, based on the experiences of States that have State plan amendments approved under this section that include SUD-eligible individuals.

“(D) DEFINITIONS.—For purposes of this paragraph:

“(i) SUD-ELIGIBLE INDIVIDUALS.—The term ‘SUD-eligible individual’ means, with respect to a State, an individual who satisfies all of the following:

“(I) The individual is an eligible individual with chronic conditions.

“(II) The individual is an individual with a substance use disorder.

“(III) The individual has not previously received health home services under any other State plan amendment approved for the State under this section by the Secretary.

“(ii) SUD-FOCUSED STATE PLAN AMENDMENT.—The term ‘SUD-focused State plan amendment’ means a State plan amendment under this section that is designed to provide health home services primarily to SUD-eligible individuals.”.

(b) REQUIREMENT FOR STATE MEDICAID PLANS TO PROVIDE COVERAGE FOR MEDICATION-ASSISTED TREATMENT.—

(1) REQUIREMENT FOR STATE MEDICAID PLANS TO PROVIDE COVERAGE FOR MEDICATION-ASSISTED TREATMENT.—Section 1902(a)(10)(A) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)) is amended, in the matter preceding clause (i), by striking “and (28)” and inserting “(28), and (29)”.

(2) INCLUSION OF MEDICATION-ASSISTED TREATMENT AS MEDICAL ASSISTANCE.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)) is amended—

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

(B) by redesignating paragraph (29) as paragraph (30); and

(C) by inserting after paragraph (28) the following new paragraph:

“(29) subject to paragraph (2) of subsection (ee), for the period beginning October 1, 2020, and ending September 30, 2025, medication-assisted treatment (as defined in paragraph (1) of such subsection); and”.

(3) MEDICATION-ASSISTED TREATMENT DEFINED; WAIVERS.—Section 1905 of the Social Security Act (42 U.S.C. 1396d) is amended by adding at the end the following new subsection:

“(ee) MEDICATION-ASSISTED TREATMENT.—

“(1) DEFINITION.—For purposes of subsection (a)(29), the term ‘medication-assisted treatment’—

“(A) means all drugs approved under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), including methadone, and all biological products licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) to treat opioid use disorders; and

“(B) includes, with respect to the provision of such drugs and biological products, counseling services and behavioral therapy.

“(2) EXCEPTION.—The provisions of paragraph (29) of subsection (a) shall not apply with respect to a State for the period specified in such paragraph, if before the beginning of such period the State certifies to the satisfaction of the Secretary that implementing such provisions statewide for all individuals eligible to enroll in the State plan (or waiver of the State plan) would not be feasible by reason of a shortage of qualified providers of medication-assisted treatment, or facilities providing such treatment, that will contract with the State or a managed care entity with which the State has a contract under section 1903(m) or under section 1905(t)(3).”.

(4) EFFECTIVE DATE.—

(A) IN GENERAL.—Subject to subparagraph (B), the amendments made by this subsection shall apply with respect to medical assistance provided on or after October 1, 2020, and before October 1, 2025.

(B) EXCEPTION FOR STATE LEGISLATION.—In the case of a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) that the Secretary of Health and Human Services determines requires State legislation in order for the respective plan to meet any requirement imposed by the amendments made by this subsection, the respective plan shall not be regarded as failing

to comply with the requirements of such title solely on the basis of its failure to meet such an additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be considered to be a separate regular session of the State legislature.

SEC. 1007. CARING RECOVERY FOR INFANTS AND BABIES.

(a) STATE PLAN AMENDMENT.—Section 1902(a) of the Social Security Act (42 U.S.C. 1396a(a)), as amended by sections 1001 and 1004, is further amended—

(1) in paragraph (84)(C), by striking “and” after the semicolon;

(2) in paragraph (85), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (85), the following new paragraph:

“(86) provide, at the option of the State, for making medical assistance available on an inpatient or outpatient basis at a residential pediatric recovery center (as defined in subsection (pp)) to infants with neonatal abstinence syndrome.”.

(b) RESIDENTIAL PEDIATRIC RECOVERY CENTER DEFINED.—Section 1902 of such Act (42 U.S.C. 1396a), as amended by sections 1001 and 1004, is further amended by adding at the end the following new subsection:

“(pp) RESIDENTIAL PEDIATRIC RECOVERY CENTER DEFINED.—

“(1) IN GENERAL.—For purposes of section 1902(a)(86), the term ‘residential pediatric recovery center’ means a center or facility that furnishes items and services for which medical assistance is available under the State plan to infants with the diagnosis of neonatal abstinence syndrome without any other significant medical risk factors.

“(2) COUNSELING AND SERVICES.—A residential pediatric recovery center may offer counseling and other services to mothers (and other appropriate family members and caretakers) of infants receiving treatment at such centers if such services are otherwise covered under the State plan under this title or under a waiver of such plan. Such other services may include the following:

“(A) Counseling or referrals for services.

“(B) Activities to encourage caregiver-infant bonding.

“(C) Training on caring for such infants.”.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on the date of enactment of this Act and shall apply to medical assistance furnished on or after that date, without regard to final regulations to carry out such amendments being promulgated as of such date.

SEC. 1008. PEER SUPPORT ENHANCEMENT AND EVALUATION REVIEW.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Energy and Commerce of the House of Representatives, the Committee on Finance of the Senate, and the Committee on Health, Education, Labor and Pensions of the Senate a report on the provision of peer support services under the Medicaid program.

(b) CONTENT OF REPORT.—

(1) IN GENERAL.—The report required under subsection (a) shall include the following information:

(A) Information on State coverage of peer support services under Medicaid, including—

(i) the mechanisms through which States may provide such coverage, including through existing statutory authority or through waivers;

(ii) the populations to which States have provided such coverage;

(iii) the payment models, including any alternative payment models, used by States to pay providers of such services; and

(iv) where available, information on Federal and State spending under Medicaid for peer support services.

(B) Information on selected State experiences in providing medical assistance for peer support services under State Medicaid plans and whether States measure the effects of providing such assistance with respect to—

(i) improving access to behavioral health services;

(ii) improving early detection, and preventing worsening, of behavioral health disorders;

(iii) reducing chronic and comorbid conditions; and

(iv) reducing overall health costs.

(2) RECOMMENDATIONS.—The report required under subsection (a) shall include recommendations, including recommendations for such legislative and administrative actions related to improving services, including peer support services, and access to peer support services under Medicaid as the Comptroller General of the United States determines appropriate.

SEC. 1009. MEDICAID SUBSTANCE USE DISORDER TREATMENT VIA TELEHEALTH.

(a) DEFINITIONS.—In this section:

(1) COMPTROLLER GENERAL.—The term “Comptroller General” means the Comptroller General of the United States.

(2) SCHOOL-BASED HEALTH CENTER.—The term “school-based health center” has the meaning given that term in section 2110(c)(9) of the Social Security Act (42 U.S.C. 1397jj(c)(9)).

(3) SECRETARY.—The term “Secretary” means the Secretary of Health and Human Services.

(4) UNDERSERVED AREA.—The term “underserved area” means a health professional shortage area (as defined in section 332(a)(1)(A) of the Public Health Service Act (42 U.S.C. 254e(a)(1)(A))) and a medically underserved area (according to a designation under section 330(b)(3)(A) of the Public Health Service Act (42 U.S.C. 254b(b)(3)(A))).

(b) GUIDANCE TO STATES REGARDING FEDERAL REIMBURSEMENT FOR FURNISHING SERVICES AND TREATMENT FOR SUBSTANCE USE DISORDERS UNDER MEDICAID USING SERVICES DELIVERED VIA TELEHEALTH, INCLUDING IN SCHOOL-BASED HEALTH CENTERS.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall issue guidance to States on the following:

(1) State options for Federal reimbursement of expenditures under Medicaid for furnishing services and treatment for substance use disorders, including assessment, medication-assisted treatment, counseling, medication management, and medication adherence with prescribed medication regimens, using services delivered via telehealth. Such guidance shall also include guidance on furnishing services and treatments that address the needs of high-risk individuals, including at least the following groups:

(A) American Indians and Alaska Natives.

(B) Adults under the age of 40.

(C) Individuals with a history of non-fatal overdose.

(D) Individuals with a co-occurring serious mental illness and substance use disorder.

(2) State options for Federal reimbursement of expenditures under Medicaid for education directed to providers serving Medicaid beneficiaries with substance use disorders using the hub and spoke model, through contracts with managed care entities, through administrative claiming for disease management activities, and under

Delivery System Reform Incentive Payment (“DSRIP”) programs.

(3) State options for Federal reimbursement of expenditures under Medicaid for furnishing services and treatment for substance use disorders for individuals enrolled in Medicaid in a school-based health center using services delivered via telehealth.

(c) GAO EVALUATION OF CHILDREN’S ACCESS TO SERVICES AND TREATMENT FOR SUBSTANCE USE DISORDERS UNDER MEDICAID.—

(1) STUDY.—The Comptroller General shall evaluate children’s access to services and treatment for substance use disorders under Medicaid. The evaluation shall include an analysis of State options for improving children’s access to such services and treatment and for improving outcomes, including by increasing the number of Medicaid providers who offer services or treatment for substance use disorders in a school-based health center using services delivered via telehealth, particularly in rural and underserved areas. The evaluation shall include an analysis of Medicaid provider reimbursement rates for services and treatment for substance use disorders.

(2) REPORT.—Not later than 1 year after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the evaluation conducted under paragraph (1), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

(d) REPORT ON REDUCING BARRIERS TO USING SERVICES DELIVERED VIA TELEHEALTH AND REMOTE PATIENT MONITORING FOR PEDIATRIC POPULATIONS UNDER MEDICAID.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall issue a report to the Committee on Finance of the Senate and the Committee on Energy and Commerce of the House of Representatives identifying best practices and potential solutions for reducing barriers to using services delivered via telehealth to furnish services and treatment for substance use disorders among pediatric populations under Medicaid. The report shall include—

(A) analyses of the best practices, barriers, and potential solutions for using services delivered via telehealth to diagnose and provide services and treatment for children with substance use disorders, including opioid use disorder; and

(B) identification and analysis of the differences, if any, in furnishing services and treatment for children with substance use disorders using services delivered via telehealth and using services delivered in person, such as, and to the extent feasible, with respect to—

- (i) utilization rates;
- (ii) costs;
- (iii) avoidable inpatient admissions and readmissions;
- (iv) quality of care; and
- (v) patient, family, and provider satisfaction.

(2) PUBLICATION.—The Secretary shall publish the report required under paragraph (1) on a public internet website of the Department of Health and Human Services.

SEC. 1010. ENHANCING PATIENT ACCESS TO NON-OPIOID TREATMENT OPTIONS.

Not later than January 1, 2019, the Secretary of Health and Human Services, acting through the Administrator of the Centers for Medicare & Medicaid Services, shall issue 1 or more final guidance documents, or update existing guidance documents, to States regarding mandatory and optional items and services that may be provided under a State plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), or under a waiver

of such a plan, for non-opioid treatment and management of pain, including, but not limited to, evidence-based, non-opioid pharmacological therapies and non-pharmacological therapies.

SEC. 1011. ASSESSING BARRIERS TO OPIOID USE DISORDER TREATMENT.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study regarding the barriers to providing medication used in the treatment of substance use disorders under Medicaid distribution models such as the “buy-and-bill” model, and options for State Medicaid programs to remove or reduce such barriers. The study shall include analyses of each of the following models of distribution of substance use disorder treatment medications, particularly buprenorphine, naltrexone, and buprenorphine-naloxone combinations:

(A) The purchasing, storage, and administration of substance use disorder treatment medications by providers.

(B) The dispensing of substance use disorder treatment medications by pharmacists.

(C) The ordering, prescribing, and obtaining substance use disorder treatment medications on demand from specialty pharmacies by providers.

(2) REQUIREMENTS.—For each model of distribution specified in paragraph (1), the Comptroller General shall evaluate how each model presents barriers or could be used by selected State Medicaid programs to reduce the barriers related to the provision of substance use disorder treatment by examining what is known about the effects of the model of distribution on—

(A) Medicaid beneficiaries’ access to substance use disorder treatment medications;

(B) the differential cost to the program between each distribution model for medication-assisted treatment; and

(C) provider willingness to provide or prescribe substance use disorder treatment medications.

(b) REPORT.—Not later than 15 months after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations for such legislation and administrative action as the Comptroller General determines appropriate.

SEC. 1012. HELP FOR MOMS AND BABIES.

(a) MEDICAID STATE PLAN.—Section 1905(a) of the Social Security Act (42 U.S.C. 1396d(a)), as amended by section 1006, is further amended by adding at the end the following new sentence: “In the case of a woman who is eligible for medical assistance on the basis of being pregnant (including through the end of the month in which the 60-day period beginning on the last day of her pregnancy ends), who is a patient in an institution for mental diseases for purposes of receiving treatment for a substance use disorder, and who was enrolled for medical assistance under the State plan immediately before becoming a patient in an institution for mental diseases or who becomes eligible to enroll for such medical assistance while such a patient, the exclusion from the definition of ‘medical assistance’ set forth in the subdivision (B) following paragraph (30) of the first sentence of this subsection shall not be construed as prohibiting Federal financial participation for medical assistance for items or services that are provided to the woman outside of the institution.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendment made by subsection (a) shall take effect on the date of enactment of this Act.

(2) RULE FOR CHANGES REQUIRING STATE LEGISLATION.—In the case of a State plan under title XIX of the Social Security Act which the Secretary of Health and Human Services determines requires State legislation (other than legislation appropriating funds) in order for the plan to meet the additional requirements imposed by the amendment made by subsection (a), the State plan shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet these additional requirements before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of the enactment of this Act. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of such session shall be deemed to be a separate regular session of the State legislature.

SEC. 1013. SECURING FLEXIBILITY TO TREAT SUBSTANCE USE DISORDERS.

Section 1903(m) of the Social Security Act (42 U.S.C. 1396b(m)) is amended by adding at the end the following new paragraph:

“(7) Payment shall be made under this title to a State for expenditures for capitalization payments described in section 438.6(e) of title 42, Code of Federal Regulations (or any successor regulation).”.

SEC. 1014. MACPAC STUDY AND REPORT ON MAT UTILIZATION CONTROLS UNDER STATE MEDICAID PROGRAMS.

(a) STUDY.—The Medicaid and CHIP Payment and Access Commission shall conduct a study and analysis of utilization control policies applied to medication-assisted treatment for substance use disorders under State Medicaid programs, including policies and procedures applied both in fee-for-service Medicaid and in risk-based managed care Medicaid, which shall—

(1) include an inventory of such utilization control policies and related protocols for ensuring access to medically necessary treatment;

(2) determine whether managed care utilization control policies and procedures for medication-assisted treatment for substance use disorders are consistent with section 438.210(a)(4)(i) of title 42, Code of Federal Regulations; and

(3) identify policies that—

(A) limit an individual’s access to medication-assisted treatment for a substance use disorder by limiting the quantity of medication-assisted treatment prescriptions, or the number of refills for such prescriptions, available to the individual as part of a prior authorization process or similar utilization protocols; and

(B) apply without evaluating individual instances of fraud, waste, or abuse.

(b) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Medicaid and CHIP Payment and Access Commission shall make publicly available a report containing the results of the study conducted under subsection (a).

SEC. 1015. OPIOID ADDICTION TREATMENT PROGRAMS ENHANCEMENT.

(a) T-MSIS SUBSTANCE USE DISORDER DATA BOOK.—

(1) IN GENERAL.—Not later than the date that is 12 months after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall publish on the public website of the Centers for Medicare & Medicaid Services a report with comprehensive data on the prevalence of substance use disorders in the Medicaid beneficiary population and services provided for the treatment of substance use disorders under Medicaid.

(2) CONTENT OF REPORT.—The report required under paragraph (1) shall include, at a

minimum, the following data for each State (including, to the extent available, for the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa):

(A) The number and percentage of individuals enrolled in the State Medicaid plan or waiver of such plan in each of the major enrollment categories (as defined in a public letter from the Medicaid and CHIP Payment and Access Commission to the Secretary) who have been diagnosed with a substance use disorder and whether such individuals are enrolled under the State Medicaid plan or a waiver of such plan, including the specific waiver authority under which they are enrolled, to the extent available.

(B) A list of the substance use disorder treatment services by each major type of service, such as counseling, medication-assisted treatment, peer support, residential treatment, and inpatient care, for which beneficiaries in each State received at least 1 service under the State Medicaid plan or a waiver of such plan.

(C) The number and percentage of individuals with a substance use disorder diagnosis enrolled in the State Medicaid plan or waiver of such plan who received substance use disorder treatment services under such plan or waiver by each major type of service under subparagraph (B) within each major setting type, such as outpatient, inpatient, residential, and other home-based and community-based settings.

(D) The number of services provided under the State Medicaid plan or waiver of such plan per individual with a substance use disorder diagnosis enrolled in such plan or waiver for each major type of service under subparagraph (B).

(E) The number and percentage of individuals enrolled in the State Medicaid plan or waiver, by major enrollment category, who received substance use disorder treatment through—

(i) a Medicaid managed care entity (as defined in section 1932(a)(1)(B) of the Social Security Act (42 U.S.C. 1396u-2(a)(1)(B))), including the number of such individuals who received such assistance through a prepaid inpatient health plan or a prepaid ambulatory health plan;

(ii) a fee-for-service payment model; or

(iii) an alternative payment model, to the extent available.

(F) The number and percentage of individuals with a substance use disorder who receive substance use disorder treatment services in an outpatient or home-based and community-based setting after receiving treatment in an inpatient or residential setting, and the number of services received by such individuals in the outpatient or home-based and community-based setting.

(3) ANNUAL UPDATES.—The Secretary shall issue an updated version of the report required under paragraph (1) not later than January 1 of each calendar year through 2024.

(4) USE OF T-MSIS DATA.—The report required under paragraph (1) and updates required under paragraph (3) shall—

(A) use data and definitions from the Transformed Medicaid Statistical Information System (“T-MSIS”) data set that is no more than 12 months old on the date that the report or update is published; and

(B) as appropriate, include a description with respect to each State of the quality and completeness of the data and caveats describing the limitations of the data reported to the Secretary by the State that is sufficient to communicate the appropriate uses for the information.

(b) MAKING T-MSIS DATA ON SUBSTANCE USE DISORDERS AVAILABLE TO RESEARCHERS.—

(1) IN GENERAL.—The Secretary shall publish in the Federal Register a system of records notice for the data specified in paragraph (2) for the Transformed Medicaid Statistical Information System, in accordance with section 552a(e)(4) of title 5, United States Code. The notice shall outline policies that protect the security and privacy of the data that, at a minimum, meet the security and privacy policies of SORN 09-70-0541 for the Medicaid Statistical Information System.

(2) REQUIRED DATA.—The data covered by the systems of records notice required under paragraph (1) shall be sufficient for researchers and States to analyze the prevalence of substance use disorders in the Medicaid beneficiary population and the treatment of substance use disorders under Medicaid across all States (including the District of Columbia, Puerto Rico, the United States Virgin Islands, Guam, the Northern Mariana Islands, and American Samoa), forms of treatment, and treatment settings.

(3) INITIATION OF DATA-SHARING ACTIVITIES.—Not later than January 1, 2019, the Secretary shall initiate the data-sharing activities outlined in the notice required under paragraph (1).

SEC. 1016. BETTER DATA SHARING TO COMBAT THE OPIOID CRISIS.

(a) IN GENERAL.—Section 1903(m) of the Social Security Act (42 U.S.C. 1396b(m)), as amended by section 1013, is further amended by adding at the end the following new paragraph:

“(8)(A) The State agency administering the State plan under this title may have reasonable access, as determined by the State, to 1 or more prescription drug monitoring program databases administered or accessed by the State to the extent the State agency is permitted to access such databases under State law.

“(B) Such State agency may facilitate reasonable access, as determined by the State, to 1 or more prescription drug monitoring program databases administered or accessed by the State, to same extent that the State agency is permitted under State law to access such databases, for—

“(i) any provider enrolled under the State plan to provide services to Medicaid beneficiaries; and

“(ii) any managed care entity (as defined under section 1932(a)(1)(B)) that has a contract with the State under this subsection or under section 1905(t)(3).

“(C) Such State agency may share information in such databases, to the same extent that the State agency is permitted under State law to share information in such databases, with—

“(i) any provider enrolled under the State plan to provide services to Medicaid beneficiaries; and

“(ii) any managed care entity (as defined under section 1932(a)(1)(B)) that has a contract with the State under this subsection or under section 1905(t)(3).”

(b) SECURITY AND PRIVACY.—All applicable State and Federal security and privacy protections and laws shall apply to any State agency, individual, or entity accessing 1 or more prescription drug monitoring program databases or obtaining information in such databases in accordance with section 1903(m)(8) of the Social Security Act (as added by subsection (a)).

(c) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act.

SEC. 1017. REPORT ON INNOVATIVE STATE INITIATIVES AND STRATEGIES TO PROVIDE HOUSING-RELATED SERVICES AND SUPPORTS TO INDIVIDUALS STRUGGLING WITH SUBSTANCE USE DISORDERS UNDER MEDICAID.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the

Secretary of Health and Human Services shall issue a report to Congress describing innovative State initiatives and strategies for providing housing-related services and supports under a State Medicaid program to individuals with substance use disorders who are experiencing or at risk of experiencing homelessness.

(b) CONTENT OF REPORT.—The report required under subsection (a) shall describe the following:

(1) Existing methods and innovative strategies developed and adopted by State Medicaid programs that have achieved positive outcomes in increasing housing stability among Medicaid beneficiaries with substance use disorders who are experiencing or at risk of experiencing homelessness, including Medicaid beneficiaries with substance use disorders who are—

(A) receiving treatment for substance use disorders in inpatient, residential, outpatient, or home-based and community-based settings;

(B) transitioning between substance use disorder treatment settings; or

(C) living in supportive housing or another model of affordable housing.

(2) Strategies employed by Medicaid managed care organizations, primary care case managers, hospitals, accountable care organizations, and other care coordination providers to deliver housing-related services and supports and to coordinate services provided under State Medicaid programs across different treatment settings.

(3) Innovative strategies and lessons learned by States with Medicaid waivers approved under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), including—

(A) challenges experienced by States in designing, securing, and implementing such waivers or plan amendments;

(B) how States developed partnerships with other organizations such as behavioral health agencies, State housing agencies, housing providers, health care services agencies and providers, community-based organizations, and health insurance plans to implement waivers or State plan amendments; and

(C) how and whether States plan to provide Medicaid coverage for housing-related services and supports in the future, including by covering such services and supports under State Medicaid plans or waivers.

(4) Existing opportunities for States to provide housing-related services and supports through a Medicaid waiver under sections 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n) or through a State Medicaid plan amendment, such as the Assistance in Community Integration Service pilot program, which promotes supportive housing and other housing-related supports under Medicaid for individuals with substance use disorders and for which Maryland has a waiver approved under such section 1115 to conduct the program.

(5) Innovative strategies and partnerships developed and implemented by State Medicaid programs or other entities to identify and enroll eligible individuals with substance use disorders who are experiencing or at risk of experiencing homelessness in State Medicaid programs.

SEC. 1018. TECHNICAL ASSISTANCE AND SUPPORT FOR INNOVATIVE STATE STRATEGIES TO PROVIDE HOUSING-RELATED SUPPORTS UNDER MEDICAID.

(a) IN GENERAL.—The Secretary of Health and Human Services shall provide technical assistance and support to States regarding the development and expansion of innovative State strategies (including through State Medicaid demonstration projects) to provide housing-related supports and services and

care coordination services under Medicaid to individuals with substance use disorders.

(b) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall issue a report to Congress detailing a plan of action to carry out the requirements of subsection (a).

TITLE II—MEDICARE PROVISIONS TO ADDRESS THE OPIOID CRISIS

SEC. 2001. EXPANDING THE USE OF TELEHEALTH SERVICES FOR THE TREATMENT OF OPIOID USE DISORDER AND OTHER SUBSTANCE USE DISORDERS.

(a) **IN GENERAL.**—Section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) is amended—

(1) in paragraph (2)(B)—

(A) in clause (i), in the matter preceding subclause (I), by striking “clause (ii)” and inserting “clause (ii) and paragraph (6)(C)”; and

(B) in clause (ii), in the heading, by striking “FOR HOME DIALYSIS THERAPY”;

(2) in paragraph (4)(C)—

(A) in clause (i), by striking “paragraph (6)” and inserting “paragraphs (5), (6), and (7)”; and

(B) in clause (ii)(X), by inserting “or telehealth services described in paragraph (7)” before the period at the end; and

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

“(7) **TREATMENT OF SUBSTANCE USE DISORDER SERVICES FURNISHED THROUGH TELEHEALTH.**—The geographic requirements described in paragraph (4)(C)(i) shall not apply with respect to telehealth services furnished on or after July 1, 2019, to an eligible telehealth individual with a substance use disorder diagnosis for purposes of treatment of such disorder or co-occurring mental health disorder, as determined by the Secretary, at an originating site described in paragraph (4)(C)(ii) (other than an originating site described in subclause (IX) of such paragraph).”.

(b) **IMPLEMENTATION.**—The Secretary of Health and Human Services (in this section referred to as the “Secretary”) may implement the amendments made by this section by interim final rule.

(c) **REPORT.**—

(1) **IN GENERAL.**—Not later than 5 years after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the impact of the implementation of the amendments made by this section with respect to telehealth services under section 1834(m) of the Social Security Act (42 U.S.C. 1395m(m)) on—

(A) the utilization of health care items and services under title XVIII of such Act (42 U.S.C. 1395 et seq.) related to substance use disorders, including emergency department visits; and

(B) health outcomes related to substance use disorders, such as opioid overdose deaths.

(2) **FUNDING.**—For purposes of carrying out paragraph (1), in addition to funds otherwise available, the Secretary shall provide for the transfer, from the Federal Supplementary Medical Insurance Trust Fund under section 1841, of \$3,000,000 to the Centers for Medicare & Medicaid Services Program Management Account to remain available until expended.

SEC. 2002. COMPREHENSIVE SCREENINGS FOR SENIORS.

(a) **INITIAL PREVENTIVE PHYSICAL EXAMINATION.**—Section 1861(ww) of the Social Security Act (42 U.S.C. 1395x(ww)) is amended—

(1) in paragraph (1)—

(A) by striking “paragraph (2) and” and inserting “paragraph (2).”; and

(B) by inserting “and the furnishing of a review of any current opioid prescriptions (as defined in paragraph (4)),” after “upon the agreement with the individual.”; and

(2) in paragraph (2)—

(A) by redesignating subparagraph (N) as subparagraph (O); and

(B) by inserting after subparagraph (M) the following new subparagraph:

“(N) Screening for potential substance use disorders.”; and

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

“(4) For purposes of paragraph (1), the term ‘a review of any current opioid prescriptions’ means, with respect to an individual determined to have a current prescription for opioids—

“(A) a review of the potential risk factors to the individual for opioid use disorder;

“(B) an evaluation of the individual’s severity of pain and current treatment plan;

“(C) the provision of information on non-opioid treatment options; and

“(D) a referral to a specialist, as appropriate.”.

(b) **ANNUAL WELLNESS VISIT.**—Section 1861(hhh)(2) of the Social Security Act (42 U.S.C. 1395x(hhh)(2)) is amended—

(1) by redesignating subparagraph (G) as subparagraph (I); and

(2) by inserting after subparagraph (F) the following new subparagraphs:

“(G) Screening for potential substance use disorders and referral for treatment as appropriate.

“(H) The furnishing of a review of any current opioid prescriptions (as defined in subsection (ww)(4)).”.

(c) **RULE OF CONSTRUCTION.**—Nothing in the amendments made by subsection (a) or (b) shall be construed to prohibit separate payment for structured assessment and intervention services for substance abuse furnished to an individual on the same day as an initial preventive physical examination or an annual wellness visit.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall apply to examinations and visits furnished on or after January 1, 2020.

SEC. 2003. EVERY PRESCRIPTION CONVEYED SECURELY.

(a) **IN GENERAL.**—Section 1860D-4(e) of the Social Security Act (42 U.S.C. 1395w-104(e)) is amended by adding at the end the following:

“(7) **REQUIREMENT OF E-PRESCRIBING FOR CONTROLLED SUBSTANCES.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), a prescription for a covered part D drug under a prescription drug plan (or under an MA-PD plan) for a schedule II, III, IV, or V controlled substance shall be transmitted by a health care practitioner electronically in accordance with an electronic prescription drug program that meets the requirements of paragraph (2).

“(B) **EXCEPTION FOR CERTAIN CIRCUMSTANCES.**—The Secretary shall, through rulemaking, specify circumstances and processes by which the Secretary may waive the requirement under subparagraph (A), with respect to a covered part D drug, including in the case of—

“(i) a prescription issued when the practitioner and dispensing pharmacy are the same entity;

“(ii) a prescription issued that cannot be transmitted electronically under the most recently implemented version of the National Council for Prescription Drug Programs SCRIPT Standard;

“(iii) a prescription issued by a practitioner who received a waiver or a renewal thereof for a period of time as determined by the Secretary, not to exceed one year, from the requirement to use electronic prescribing due to demonstrated economic hardship, technological limitations that are not reasonably within the control of the practitioner, or other exceptional circumstance demonstrated by the practitioner;

“(iv) a prescription issued by a practitioner under circumstances in which, not-

withstanding the practitioner’s ability to submit a prescription electronically as required by this subsection, such practitioner reasonably determines that it would be impractical for the individual involved to obtain substances prescribed by electronic prescription in a timely manner, and such delay would adversely impact the individual’s medical condition involved;

“(v) a prescription issued by a practitioner prescribing a drug under a research protocol;

“(vi) a prescription issued by a practitioner for a drug for which the Food and Drug Administration requires a prescription to contain elements that are not able to be included in electronic prescribing, such as a drug with risk evaluation and mitigation strategies that include elements to assure safe use;

“(vii) a prescription issued by a practitioner—

“(I) for an individual who receives hospice care under this title; and

“(II) that is not covered under the hospice benefit under this title; and

“(viii) a prescription issued by a practitioner for an individual who is—

“(I) a resident of a nursing facility (as defined in section 1919(a)); and

“(II) dually eligible for benefits under this title and title XIX.

(C) **DISPENSING.**—(i) Nothing in this paragraph shall be construed as requiring a sponsor of a prescription drug plan under this part, MA organization offering an MA-PD plan under part C, or a pharmacist to verify that a practitioner, with respect to a prescription for a covered part D drug, has a waiver (or is otherwise exempt) under subparagraph (B) from the requirement under subparagraph (A).

“(ii) Nothing in this paragraph shall be construed as affecting the ability of the plan to cover or the pharmacists’ ability to continue to dispense covered part D drugs from otherwise valid written, oral, or fax prescriptions that are consistent with laws and regulations.

“(iii) Nothing in this paragraph shall be construed as affecting the ability of an individual who is being prescribed a covered part D drug to designate a particular pharmacy to dispense the covered part D drug to the extent consistent with the requirements under subsection (b)(1) and under this paragraph.

(D) **ENFORCEMENT.**—The Secretary shall, through rulemaking, have authority to enforce and specify appropriate penalties for non-compliance with the requirement under subparagraph (A).”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to coverage of drugs prescribed on or after January 1, 2021.

(c) **UPDATE OF BIOMETRIC COMPONENT OF MULTIFACTOR AUTHENTICATION.**—Not later than 1 year after the date of enactment of this Act, the Attorney General shall update the requirements for the biometric component of multifactor authentication with respect to electronic prescriptions of controlled substances.

SEC. 2004. REQUIRING PRESCRIPTION DRUG PLAN SPONSORS UNDER MEDICARE TO ESTABLISH DRUG MANAGEMENT PROGRAMS FOR AT-RISK BENEFICIARIES.

Section 1860D-4(c) of the Social Security Act (42 U.S.C. 1395w-104(c)) is amended—

(1) in paragraph (1), by inserting after subparagraph (E) the following new subparagraph:

“(F) With respect to plan years beginning on or after January 1, 2022, a drug management program for at-risk beneficiaries described in paragraph (5).”; and

(2) in paragraph (5)(A), by inserting “(and for plan years beginning on or after January

1, 2022, a PDP sponsor shall)” after “A PDP sponsor may”.

SEC. 2005. MEDICARE COVERAGE OF CERTAIN SERVICES FURNISHED BY OPIOID TREATMENT PROGRAMS.

(a) **COVERAGE.**—Section 1861(s)(2) of the Social Security Act (42 U.S.C. 1395x(s)(2)) is amended—

(1) in subparagraph (FF), by striking at the end “and”;

(2) in subparagraph (GG), by inserting at the end “and”; and

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

“(HH) opioid use disorder treatment services (as defined in subsection (jjj)).”.

(b) **OPIOID USE DISORDER TREATMENT SERVICES AND OPIOID TREATMENT PROGRAM DEFINED.**—Section 1861 of the Social Security Act (42 U.S.C. 1395x) is amended by adding at the end the following new subsection:

“(jjj) **OPIOID USE DISORDER TREATMENT SERVICES; OPIOID TREATMENT PROGRAM.**—

“(1) **OPIOID USE DISORDER TREATMENT SERVICES.**—The term ‘opioid use disorder treatment services’ means items and services that are furnished by an opioid treatment program for the treatment of opioid use disorder, including—

“(A) opioid agonist and antagonist treatment medications (including oral, injected, or implanted versions) that are approved by the Food and Drug Administration under section 505 of the Federal Food, Drug, and Cosmetic Act for use in the treatment of opioid use disorder;

“(B) dispensing and administration of such medications, if applicable;

“(C) substance use counseling by a professional to the extent authorized under State law to furnish such services;

“(D) individual and group therapy with a physician or psychologist (or other mental health professional to the extent authorized under State law);

“(E) toxicology testing, and

“(F) other items and services that the Secretary determines are appropriate (but in no event to include meals or transportation).”

“(2) **OPIOID TREATMENT PROGRAM.**—The term ‘opioid treatment program’ means an entity that is an opioid treatment program (as defined in section 8.2 of title 42 of the Code of Federal Regulations, or any successor regulation) that—

“(A) is enrolled under section 1866(j);

“(B) has in effect a certification by the Substance Abuse and Mental Health Services Administration for such a program;

“(C) is accredited by an accrediting body approved by the Substance Abuse and Mental Health Services Administration; and

“(D) meets such additional conditions as the Secretary may find necessary to ensure—

“(i) the health and safety of individuals being furnished services under such program; and

“(ii) the effective and efficient furnishing of such services.”.

(c) **PAYMENT.**—

(1) **IN GENERAL.**—Section 1833(a)(1) of the Social Security Act (42 U.S.C. 1395l(a)(1)) is amended—

(A) by striking “and (BB)” and inserting “(BB)”; and

(B) by inserting before the semicolon at the end the following “, and (CC) with respect to opioid use disorder treatment services furnished during an episode of care, the amount paid shall be equal to the amount payable under section 1834(w) less any copayment required as specified by the Secretary”.

(2) **PAYMENT DETERMINATION.**—Section 1834 of the Social Security Act (42 U.S.C. 1395m) is amended by adding at the end the following new subsection:

“(w) **OPIOID USE DISORDER TREATMENT SERVICES.**—

“(1) **IN GENERAL.**—The Secretary shall pay to an opioid treatment program (as defined in paragraph (2) of section 1861(jjj)) an amount that is equal to 100 percent of a bundled payment under this part for opioid use disorder treatment services (as defined in paragraph (1) of such section) that are furnished by such program to an individual during an episode of care (as defined by the Secretary) beginning on or after January 1, 2020. The Secretary shall ensure, as determined appropriate by the Secretary, that no duplicative payments are made under this part or part D for items and services furnished by an opioid treatment program.

“(2) **CONSIDERATIONS.**—The Secretary may implement this subsection through one or more bundles based on the type of medication provided (such as buprenorphine, methadone, naltrexone, or a new innovative drug), the frequency of services, the scope of services furnished, characteristics of the individuals furnished such services, or other factors as the Secretary determine appropriate. In developing such bundles, the Secretary may consider payment rates paid to opioid treatment programs for comparable services under State plans under title XIX or under the TRICARE program under chapter 55 of title 10 of the United States Code.

“(3) **ANNUAL UPDATES.**—The Secretary shall provide an update each year to the bundled payment amounts under this subsection.”.

(d) **INCLUDING OPIOID TREATMENT PROGRAMS AS MEDICARE PROVIDERS.**—Section 1866(e) of the Social Security Act (42 U.S.C. 1395cc(e)) is amended—

(1) in paragraph (1), by striking at the end “and”;

(2) in paragraph (2), by striking the period at the end and inserting “; and”; and

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

“(3) opioid treatment programs (as defined in paragraph (2) of section 1861(jjj)), but only with respect to the furnishing of opioid use disorder treatment services (as defined in paragraph (1) of such section).”.

SEC. 2006. ENCOURAGING APPROPRIATE PRESCRIBING UNDER MEDICARE FOR VICTIMS OF OPIOID OVERDOSE.

Section 1860D-4(c)(5)(C) of the Social Security Act (42 U.S.C. 1395w-104(c)(5)(C)) is amended—

(1) in clause (i), in the matter preceding subclause (I), by striking “For purposes” and inserting “Except as provided in clause (v), for purposes”; and

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

“(v) **TREATMENT OF ENROLLEES WITH A HISTORY OF OPIOID-RELATED OVERDOSE.**—

“(I) **IN GENERAL.**—For plan years beginning not later than January 1, 2021, a part D eligible individual who is not an exempted individual described in clause (ii) and who is identified under this clause as a part D eligible individual with a history of opioid-related overdose (as defined by the Secretary) shall be included as a potentially at-risk beneficiary for prescription drug abuse under the drug management program under this paragraph.

“(II) **IDENTIFICATION AND NOTICE.**—For purposes of this clause, the Secretary shall—

“(aa) identify part D eligible individuals with a history of opioid-related overdose (as so defined); and

“(bb) notify the PDP sponsor of the prescription drug plan in which such an individual is enrolled of such identification.”.

SEC. 2007. AUTOMATIC ESCALATION TO EXTERNAL REVIEW UNDER A MEDICARE PART D DRUG MANAGEMENT PROGRAM FOR AT-RISK BENEFICIARIES.

(a) **IN GENERAL.**—Section 1860D-4(c)(5) of the Social Security Act (42 U.S.C. 1395ww-10(c)(5)) is amended—

(1) in subparagraph (B), in each of clauses (ii)(III) and (iii)(IV), by striking “and the option of an automatic escalation to external review” and inserting “, including notice that if on reconsideration a PDP sponsor affirms its denial, in whole or in part, the case shall be automatically forwarded to the independent, outside entity contracted with the Secretary for review and resolution”; and

(2) in subparagraph (E), by striking “and the option” and all that follows and inserting the following: “and if on reconsideration a PDP sponsor affirms its denial, in whole or in part, the case shall be automatically forwarded to the independent, outside entity contracted with the Secretary for review and resolution.”.

(b) **EFFECTIVE DATE.**—The amendments made by subsection (a) shall apply beginning not later January 1, 2021.

SEC. 2008. SUSPENSION OF PAYMENTS BY MEDICARE PRESCRIPTION DRUG PLANS AND MA-PD PLANS PENDING INVESTIGATIONS OF CREDIBLE ALLEGATIONS OF FRAUD BY PHARMACIES.

(a) **IN GENERAL.**—Section 1860D-12(b) of the Social Security Act (42 U.S.C. 1395w-112(b)) is amended by adding at the end the following new paragraph:

“(7) **SUSPENSION OF PAYMENTS PENDING INVESTIGATION OF CREDIBLE ALLEGATIONS OF FRAUD BY PHARMACIES.**—

“(A) **IN GENERAL.**—Section 1862(o)(1) shall apply with respect to a PDP sponsor with a contract under this part, a pharmacy, and payments to such pharmacy under this part in the same manner as such section applies with respect to the Secretary, a provider of services or supplier, and payments to such provider of services or supplier under this title. A PDP sponsor shall notify the Secretary regarding the imposition of any payment suspension pursuant to the previous sentence, such as through the secure internet website portal (or other successor technology) established under section 1859(i).

“(B) **RULE OF CONSTRUCTION.**—Nothing in this paragraph shall be construed as limiting the authority of a PDP sponsor to conduct postpayment review.”.

(b) **APPLICATION TO MA-PD PLANS.**—Section 1857(f)(3) of the Social Security Act (42 U.S.C. 1395w-27(f)(3)) is amended by adding at the end the following new subparagraph:

“(D) **SUSPENSION OF PAYMENTS PENDING INVESTIGATION OF CREDIBLE ALLEGATIONS OF FRAUD BY PHARMACIES.**—Section 1860D-12(b)(7).”.

(c) **CONFORMING AMENDMENT.**—Section 1862(o)(3) of the Social Security Act (42 U.S.C. 1395y(o)(3)) is amended by inserting “, section 1860D-12(b)(7) (including as applied pursuant to section 1857(f)(3)(D)),” after “this subsection”.

(d) **CLARIFICATION RELATING TO CREDIBLE ALLEGATION OF FRAUD.**—Section 1862(o) of the Social Security Act (42 U.S.C. 1395y(o)) is amended by adding at the end the following new paragraph:

“(4) **CREDIBLE ALLEGATION OF FRAUD.**—In carrying out this subsection, section 1860D-12(b)(7) (including as applied pursuant to section 1857(f)(3)(D)), and section 1903(i)(2)(C), a fraud hotline tip (as defined by the Secretary) without further evidence shall not be treated as sufficient evidence for a credible allegation of fraud.”.

(e) **EFFECTIVE DATE.**—The amendments made by this section shall apply with respect to plan years beginning on or after January 1, 2020.

**TITLE III—FDA AND CONTROLLED
SUBSTANCE PROVISIONS**
Subtitle A—FDA Provisions
CHAPTER 1—IN GENERAL

**SEC. 3001. CLARIFYING FDA REGULATION OF
NON-ADDICTIVE PAIN PRODUCTS.**

(a) **PUBLIC MEETINGS.**—Not later than one year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), acting through the Commissioner of Food and Drugs, shall hold not less than one public meeting to address the challenges and barriers of developing non-addictive medical products intended to treat acute or chronic pain or addiction, which may include—

(1) the manner by which the Secretary may incorporate the risks of misuse and abuse of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) into the risk benefit assessments under subsections (d) and (e) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), section 510(k) of such Act (21 U.S.C. 360(k)), or section 515(c) of such Act (21 U.S.C. 360e(c)), as applicable;

(2) the application of novel clinical trial designs (consistent with section 3021 of the 21st Century Cures Act (Public Law 114-255)), use of real world evidence (consistent with section 505F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355g)), and use of patient experience data (consistent with section 569C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-8c)) for the development of non-addictive medical products intended to treat pain or addiction;

(3) the evidentiary standards and the development of opioid-sparing data for inclusion in the labeling of medical products intended to treat acute or chronic pain; and

(4) the application of eligibility criteria under sections 506 and 515B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356, 360e-3) for non-addictive medical products intended to treat pain or addiction.

(b) **GUIDANCE.**—Not less than one year after the public meetings are conducted under subsection (a) the Secretary shall issue one or more final guidance documents, or update existing guidance documents, to help address challenges to developing non-addictive medical products to treat pain or addiction. Such guidance documents shall include information regarding—

(1) how the Food and Drug Administration may apply sections 506 and 515B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356, 360e-3) to non-addictive medical products intended to treat pain or addiction, including the circumstances under which the Secretary—

(A) may apply the eligibility criteria under such sections 506 and 515B to non-addictive medical products intended to treat pain or addiction;

(B) considers the risk of addiction of controlled substances approved to treat pain when establishing unmet medical need; and

(C) considers pain, pain control, or pain management in assessing whether a disease or condition is a serious or life-threatening disease or condition;

(2) the methods by which sponsors may evaluate acute and chronic pain, endpoints for non-addictive medical products intended to treat pain, the manner in which endpoints and evaluations of efficacy will be applied across and within review divisions, taking into consideration the etiology of the underlying disease, and the manner in which sponsors may use surrogate endpoints, intermediate endpoints, and real world evidence;

(3) the manner in which the Food and Drug Administration will assess evidence to support the inclusion of opioid-sparing data in the labeling of non-addictive medical prod-

ucts intended to treat acute or chronic pain, including—

(A) alternative data collection methodologies, including the use of novel clinical trial designs (consistent with section 3021 of the 21st Century Cures Act (Public Law 114-255)) and real world evidence (consistent with section 505F of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355g)), including patient registries and patient reported outcomes, as appropriate, to support product labeling;

(B) ethical considerations of exposing subjects to controlled substances in clinical trials to develop opioid-sparing data and considerations on data collection methods that reduce harm, which may include the reduction of opioid use as a clinical benefit;

(C) endpoints, including primary, secondary, and surrogate endpoints, to evaluate the reduction of opioid use;

(D) best practices for communication between sponsors and the agency on the development of data collection methods, including the initiation of data collection; and

(E) the appropriate format in which to submit such data results to the Secretary; and

(4) the circumstances under which the Food and Drug Administration considers misuse and abuse of a controlled substance (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802)) in making the risk benefit assessment under paragraphs (2) and (4) of subsection (d) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and in finding that a drug is unsafe under paragraph (1) or (2) of subsection (e) of such section.

(c) **DEFINITIONS.**—In this section—

(1) the term “medical product” means a drug (as defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(g)(1))), biological product (as defined in section 351(i) of the Public Health Service Act (42 U.S.C. 262(i))), or device (as defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h))); and

(2) the term “opioid-sparing” means reducing, replacing, or avoiding the use of opioids or other controlled substances intended to treat acute or chronic pain.

**SEC. 3002. EVIDENCE-BASED OPIOID ANALGESIC
PRESCRIBING GUIDELINES AND REPORT.**

(a) **GUIDELINES.**—The Commissioner of Food and Drugs shall develop evidence-based opioid analgesic prescribing guidelines for the indication-specific treatment of acute pain only for the relevant therapeutic areas where such guidelines do not exist.

(b) **PUBLIC INPUT.**—In developing the guidelines under subsection (a), the Commissioner of Food and Drugs shall—

(1) consult with stakeholders, which may include conducting a public meeting of medical professional societies (including any State-based societies), health care providers, State medical boards, medical specialties including pain medicine specialty societies, patient groups, pharmacists, academic or medical research entities, and other entities with experience in health care, as appropriate;

(2) collaborate with the Director of the Centers for Disease Control and Prevention, as applicable and appropriate, and other Federal agencies with relevant expertise as appropriate; and

(3) provide for a notice and comment period consistent with section 701(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371(h)) for the submission of comments by the public.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, or, if earlier, at the time the guidelines under subsection (a) are finalized, the Commissioner of Food and Drugs shall submit to the Committee on Energy and Commerce of the

House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and post on the public website of the Food and Drug Administration, a report on how the Food and Drug Administration will utilize the guidelines under subsection (a) to protect the public health and a description of the public health need with respect to each such indication-specific treatment guideline.

(d) **UPDATES.**—The Commissioner of Food and Drugs shall periodically—

(1) update the guidelines under subsection (a), informed by public input described in subsection (b); and

(2) submit to the committees specified in subsection (c) and post on the public website of the Food and Drug Administration an updated report under such subsection.

(e) **STATEMENT TO ACCOMPANY GUIDELINES AND RECOMMENDATIONS.**—The Commissioner of Food and Drugs shall ensure that opioid analgesic prescribing guidelines and other recommendations developed under this section are accompanied by a clear statement that such guidelines or recommendations, as applicable—

(1) are intended to help inform clinical decisionmaking by prescribers and patients; and

(2) are not intended to be used for the purposes of restricting, limiting, delaying, or denying coverage for, or access to, a prescription issued for a legitimate medical purpose by an individual practitioner acting in the usual course of professional practice.

**CHAPTER 2—STOP COUNTERFEIT DRUGS
BY REGULATING AND ENHANCING EN-
FORCEMENT NOW**

SEC. 3011. SHORT TITLE.

This chapter may be cited as the “Stop Counterfeit Drugs by Regulating and Enhancing Enforcement Now Act” or the “SCREEN Act”.

**SEC. 3012. NOTIFICATION, NONDISTRIBUTION,
AND RECALL OF CONTROLLED SUB-
STANCES.**

(a) **PROHIBITED ACTS.**—Section 301 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331) is amended by adding at the end the following:

“(eee) The failure to comply with any order issued under section 569D.”.

(b) **NOTIFICATION, NONDISTRIBUTION, AND RECALL OF CONTROLLED SUBSTANCES.**—Subchapter E of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb et seq.) is amended by adding at the end the following:

**“SEC. 569D. NOTIFICATION, NONDISTRIBUTION,
AND RECALL OF CONTROLLED SUB-
STANCES.**

“(a) **ORDER TO CEASE DISTRIBUTION AND RECALL.**—

“(1) **IN GENERAL.**—If the Secretary determines there is a reasonable probability that a controlled substance would cause serious adverse health consequences or death, the Secretary may, after providing the appropriate person with an opportunity to consult with the agency, issue an order requiring manufacturers, importers, distributors, or pharmacists, who distribute such controlled substance to immediately cease distribution of such controlled substance.

“(2) **HEARING.**—An order under paragraph (1) shall provide the person subject to the order with an opportunity for an informal hearing, to be held not later than 10 days after the date of issuance of the order, on whether adequate evidence exists to justify an amendment to the order, and what actions are required by such amended order pursuant to subparagraph (3).

“(3) **ORDER RESOLUTION.**—After an order is issued according to the process under paragraphs (1) and (2), the Secretary shall, except as provided in paragraph (4)—

“(A) vacate the order, if the Secretary determines that inadequate grounds exist to support the actions required by the order;

“(B) continue the order ceasing distribution of the controlled substance until a date specified in such order; or

“(C) amend the order to require a recall of the controlled substance, including any requirements to notify appropriate persons, a timetable for the recall to occur, and a schedule for updates to be provided to the Secretary regarding such recall.

“(4) RISK ASSESSMENT.—If the Secretary determines that the risk of recalling a controlled substance presents a greater health risk than the health risk of not recalling such controlled substance from use, an amended order under subparagraph (B) or (C) of paragraph (3) shall not include either a recall order for, or an order to cease distribution of, such controlled substance, as applicable.

“(5) ACTION FOLLOWING ORDER.—Any person who is subject to an order pursuant to subparagraph (B) or (C) of paragraph (3) shall immediately cease distribution of or recall, as applicable, the controlled substance and provide notification as required by such order.

“(b) NOTICE TO PERSONS AFFECTED.—If the Secretary determines necessary, the Secretary may require the person subject to an order pursuant to paragraph (1) or an amended order pursuant to subparagraph (B) or (C) of paragraph (3) to provide either a notice of a recall order for, or an order to cease distribution of, such controlled substance, as applicable, under this section to appropriate persons, including persons who manufacture, distribute, import, or offer for sale such product that is the subject of an order and to the public. In providing such notice, the Secretary may use the assistance of health professionals who prescribed or dispensed such controlled substances.

“(c) NONDELEGATION.—An order described in subsection (a)(3) shall be ordered by the Secretary or an official designated by the Secretary. An official may not be so designated under this section unless the official is the Director of the Center for Drug Evaluation and Research or an official senior to such Director.

“(d) SAVINGS CLAUSE.—Nothing contained in this section shall be construed as limiting—

“(1) the authority of the Secretary to issue an order to cease distribution of, or to recall, any drug under any other provision of this Act or the Public Health Service Act; or

“(2) the ability of the Secretary to request any person to perform a voluntary activity related to any drug subject to this Act or the Public Health Service Act.”.

(c) CONTROLLED SUBSTANCES SUBJECT TO REFUSAL.—The third sentence of section 801(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(a)) is amended by inserting “, or is a controlled substance subject to an order under section 569D” before “, or (4)”.

(d) EFFECTIVE DATE.—Sections 301(eee) and 569D of the Federal Food, Drug, and Cosmetic Act, as added by subsections (a) and (b), shall be effective beginning on the date of enactment of this Act.

SEC. 3013. SINGLE SOURCE PATTERN OF IMPORTED ILLEGAL DRUGS.

Section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381), as amended by section 3012, is further amended by adding at the end the following:

“(t) SINGLE SOURCE PATTERN OF IMPORTED ILLEGAL DRUGS.—If the Secretary determines that a person subject to debarment as a result of engaging in a pattern of importing or offering for import controlled substances or drugs as described in section 306(b)(3)(D), and

such pattern is identified by the Secretary as being offered for import from the same manufacturer, distributor, or importer, the Secretary may by order determine all drugs being offered for import from such person as adulterated or misbranded, unless such person can provide evidence otherwise.”.

SEC. 3014. STRENGTHENING FDA AND CBP COORDINATION AND CAPACITY.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”), acting through the Commissioner of Food and Drugs, shall coordinate with the Secretary of Homeland Security to carry out activities related to customs and border protection and in response to illegal controlled substances and drug imports, including at sites of import (such as international mail facilities), that will provide improvements to such facilities, technologies, and inspection capacity. Such Secretaries may carry out such activities through a memorandum of understanding between the Food and Drug Administration and the U.S. Customs and Border Protection.

(b) FDA IMPORT FACILITIES AND INSPECTION CAPACITY.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall, in collaboration with the Secretary of Homeland Security and the Postmaster General of the United States Postal Service, provide that import facilities in which the Food and Drug Administration operates or carries out activities related to drug imports within the international mail facilities include—

(A) facility upgrades and improved capacity in order to increase and improve inspection and detection capabilities, which may include, as the Secretary determines appropriate—

(i) improvements to facilities, such as upgrades or renovations, and support for the maintenance of existing import facilities and sites to improve coordination between Federal agencies;

(ii) improvements in equipment and information technology enhancement to identify unapproved, counterfeit, or other unlawful controlled substances for destruction;

(iii) the construction of, or upgrades to, laboratory capacity for purposes of detection and testing of imported goods;

(iv) upgrades to the security of import facilities; and

(v) innovative technology and equipment to facilitate improved and near-real-time information sharing between the Food and Drug Administration, the Department of Homeland Security, and the United States Postal Service; and

(B) innovative technology, including controlled substance detection and testing equipment and other applicable technology, in order to collaborate with the U.S. Customs and Border Protection to share near-real-time information, including information about test results, as appropriate.

(2) INNOVATIVE TECHNOLOGY.—Any technology used in accordance with paragraph (1)(B) shall be interoperable with technology used by other relevant Federal agencies, including the U.S. Customs and Border Protection, as the Secretary determines appropriate and practicable.

(c) REPORT.—Not later than 6 months after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security and the Postmaster General of the United States Postal Service, shall report to the Committee on Energy and Commerce and the Committee on Homeland Security of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Homeland Security and Governmental Affairs of the Senate on the implementation of this section, including a summary of progress

made toward near-real-time information sharing and the interoperability of such technologies.

CHAPTER 3—STOP ILLICIT DRUG IMPORTATION

SEC. 3021. SHORT TITLE.

This chapter may be cited as the “Stop Illicit Drug Importation Act of 2018”.

SEC. 3022. RESTRICTING ENTRANCE OF ILLICIT DRUGS.

(a) FOOD AND DRUG ADMINISTRATION AND U.S. CUSTOMS AND BORDER PROTECTION COOPERATION.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”), acting through the Commissioner of Food and Drugs and in consultation with the U.S. Customs and Border Protection, shall develop and periodically update a mutually agreed upon list of the controlled substances that the Secretary will refer to U.S. Customs and Border Protection, unless the Secretary and U.S. Customs and Border Protection agree otherwise, when such substances are offered for import via international mail and appear to violate the Controlled Substances Act (21 U.S.C. 801 et seq.), the Controlled Substances Import and Export Act (21 U.S.C. 951 et seq.), the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), or any other applicable law. The Secretary shall transfer controlled substances on such list to the U.S. Customs and Border Protection. If the Secretary identifies additional packages that appear to be the same as such package containing a controlled substance, such additional packages may also be transferred to U.S. Customs and Border Protection. The U.S. Customs and Border Protection shall receive such packages consistent with the requirements of the Controlled Substances Act (21 U.S.C. 801 et seq.).

(2) REPORT.—Not later than 9 months after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs and in consultation with the Secretary of Homeland Security, shall report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate on the implementation of this section.

(b) DEBARMENT, TEMPORARY DENIAL OF APPROVAL, AND SUSPENSION.—

(1) PROHIBITED ACT.—Section 301(cc) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 331(cc)) is amended—

(A) by inserting “or a drug” after “food”; and

(B) by inserting “from such activity” after “person debarred”.

(2) DEBARMENT.—Section 306(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 335a(b)) is amended—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting “or (3)” after “paragraph (2)”; and

(ii) in subparagraph (A), by striking the comma at the end and inserting a semicolon;

(iii) in subparagraph (B), by striking “, or” and inserting a semicolon;

(iv) in subparagraph (C), by striking the period and inserting “; or”; and

(v) by adding at the end the following:

“(D) a person from importing or offering for import into the United States a drug.”;

(B) in paragraph (3)—

(i) in the heading, by inserting “OR DRUG” after “FOOD”; and

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

(iii) in subparagraph (B), by striking the period and inserting a semicolon; and

(iv) by adding at the end the following:

“(C) the person has been convicted of a felony for conduct relating to the importation

into the United States of any drug or controlled substance (as defined in section 102 of the Controlled Substances Act);

“(D) the person has engaged in a pattern of importing or offering for import—

“(i) controlled substances that are prohibited from importation under section 401(m) of the Tariff Act of 1930 (19 U.S.C. 1401(m)); or

“(ii) adulterated or misbranded drugs that are—

“(I) not designated in an authorized electronic data interchange system as a product that is regulated by the Secretary; or

“(II) knowingly or intentionally falsely designated in an authorized electronic data interchange system as a product that is regulated by the Secretary.”; and

(C) by adding at the end the following:

“(5) DEFINITION.—For purposes of paragraph (3)(D), the term ‘pattern of importing or offering for import’ means importing or offering for import a drug described in clause (i) or (ii) of paragraph (3)(D) in an amount, frequency, or dosage that is inconsistent with personal or household use by the importer.”.

(c) IMPORTS AND EXPORTS.—Section 801(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(a)), as amended, is further amended—

(1) by striking “, then such article shall be refused admission” inserting “or (5) such article is being imported or offered for import in violation of section 301(cc), then any such article described in any of clauses (1) through (5) shall be refused admission”;

(2) by inserting “If it appears from the examination of such samples or otherwise that the article is a counterfeit drug, such article shall be refused admission.” before “With respect to an article of food, if importation”;

(3) by striking “Clause (2) of the third sentence” and all that follows through the period at the end and inserting the following: “Neither clause (2) nor clause (5) of the third sentence of this subsection shall be construed to prohibit the admission of narcotic drugs, the importation of which is permitted under the Controlled Substances Import and Export Act.”.

(d) CERTAIN ILLICIT ARTICLES.—Section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381), as amended, is amended by adding at the end the following—

“(u) ILLICIT ARTICLES CONTAINING ACTIVE PHARMACEUTICAL INGREDIENTS.—

“(1) IN GENERAL.—For purposes of this section, an article that is being imported or offered for import into the United States may be treated by the Secretary as a drug if the article—

“(A) is not—

“(i) accompanied by an electronic import entry for such article submitted using an authorized electronic data interchange system; and

“(ii) designated in such a system as an article regulated by the Secretary (which may include regulation as a drug, a device, a dietary supplement, or other product that is regulated under this Act); and

“(B) is an ingredient that presents significant public health concern and is, or contains—

“(i) an active ingredient in a drug—

“(I) that is approved under section 505 or licensed under section 351 of the Public Health Service Act; or

“(II) for which—

“(aa) an investigational use exemption has been authorized under section 505(i) of this Act or section 351(a) of the Public Health Service Act; and

“(bb) a substantial clinical investigation has been instituted, and such investigation has been made public; or

“(ii) a substance that has a chemical structure that is substantially similar to the chemical structure of an active ingredient in a drug or biological product described in subclause (I) or (II) of clause (i).

“(2) EFFECT.—This subsection shall not be construed to bear upon any determination of whether an article is a drug within the meaning of section 201(g), other than for the purposes described in paragraph (1).”.

CHAPTER 4—SECURING OPIOIDS AND UNUSED NARCOTICS WITH DELIBERATE DISPOSAL AND PACKAGING

SEC. 3031. SHORT TITLE.

This chapter may be cited as the “Securing Opioids and Unused Narcotics with Deliberate Disposal and Packaging Act of 2018” or the “SOUND Disposal and Packaging Act”.

SEC. 3032. SAFETY-ENHANCING PACKAGING AND DISPOSAL FEATURES.

(a) DELIBERATE DISPOSAL AND PACKAGING ELEMENTS OF STRATEGY.—Section 505-1(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1(e)) is amended by adding at the end the following:

“(4) PACKAGING AND DISPOSAL.—The Secretary may require a risk evaluation mitigation strategy for a drug for which there is a serious risk of an adverse drug experience described in subparagraph (B) or (C) of subsection (b)(1), taking into consideration the factors described in subparagraphs (C) and (D) of subsection (f)(2) and in consultation with other relevant Federal agencies with authorities over drug disposal packaging, which may include requiring that—

“(A) the drug be made available for dispensing to certain patients in unit dose packaging, packaging that provides a set duration, or another packaging system that the Secretary determines may mitigate such serious risk; or

“(B) the drug be dispensed to certain patients with a safe disposal packaging or safe disposal system for purposes of rendering drugs nonretrievable (as defined in section 1300.05 of title 21, Code of Federal Regulations (or any successor regulation)) if the Secretary determines that such safe disposal packaging or system may mitigate such serious risk and is sufficiently available.”.

(b) ASSURING ACCESS AND MINIMIZING BURDEN.—Section 505-1(f)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1(f)(2)(C)) is amended—

(1) in clause (i) by striking “and” at the end; and

(2) by adding at the end the following:

“(iii) patients with functional limitations; and”.

(c) APPLICATION TO ABBREVIATED NEW DRUG APPLICATIONS.—Section 505-1(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1(i)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraph (B) as subparagraph (C); and

(B) inserting after subparagraph (A) the following:

“(B) A packaging or disposal requirement, if required under subsection (e)(4) for the applicable listed drug.”; and

(2) in paragraph (2)—

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

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

“(B) shall permit packaging systems and safe disposal packaging or safe disposal systems that are different from those required for the applicable listed drug under subsection (e)(4); and”.

(d) GAO REPORT.—Not later than 12 months after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit to Congress a report containing—

(1) a description of available evidence, if any, on the effectiveness of site-of-use, in-home controlled substance disposal products and packaging technologies;

(2) an evaluation of existing reference standards with respect to controlled substance disposal products and packaging technologies, including any such standards established by a standards development organization, and how such standards should be considered in ensuring effectiveness of such products and technologies;

(3) identification of ways in which such disposal products intended for use by patients, consumers, and other end users that are not registrants under the Controlled Substances Act (21 U.S.C. 801 et seq.), are made available to the public and any barriers to the use of such disposal products;

(4) identification of ways in which packaging technologies are made available to the public and any barriers to the use of such technologies;

(5) a description of current Federal oversight, if any, of site-of-use, in-home controlled substance disposal products, including—

(A) identification of the Federal agencies that oversee such products;

(B) identification of the methods of disposal of controlled substances recommended by such agencies for site-of-use, in-home disposal; and

(C) a description of the effectiveness of such recommendations at preventing the diversion of legally prescribed controlled substances;

(6) a description of current Federal oversight, if any, of controlled substance packaging technologies, including—

(A) identification of the Federal agencies that oversee such technologies;

(B) identification of the technologies recommended by such agencies, including unit dose packaging, packaging that provides a set duration, and other packaging systems that may mitigate abuse or misuse; and

(C) a description of the effectiveness of such recommendations at preventing the diversion of legally prescribed controlled substances; and

(7) recommendations, as appropriate, on—

(A) whether site-of-use, in-home controlled substance disposal products and packaging technologies require Federal oversight and, if so, which agency or agencies should be responsible for such oversight and, as applicable, review of such products or technologies; and

(B) whether there are applicable standards that should be considered to ensure the effectiveness of such products.

CHAPTER 5—POSTAPPROVAL STUDY REQUIREMENTS

SEC. 3041. CLARIFYING FDA POSTMARKET AUTHORITIES.

(a) DEFINITION OF ADVERSE DRUG EXPERIENCE.—Section 505-1(b)(1)(E) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1(b)(1)(E)) is amended by striking “of the drug” and inserting “of the drug, which may include reduced effectiveness under the conditions of use prescribed in the labeling of such drug, but which may not include reduced effectiveness that is in accordance with such labeling”.

(b) SAFETY LABELING CHANGES.—Section 505(o)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(o)(4)) is amended—

(1) in subparagraph (A) by—

(A) striking “SAFETY INFORMATION” and inserting “SAFETY OR NEW EFFECTIVENESS INFORMATION”; and

(B) by striking “If the Secretary becomes” and all that follows through “in the labeling of the drug” and inserting “If the Secretary becomes aware of new information, including any new safety information or information

related to reduced effectiveness, that the Secretary determines should be included in the labeling of the drug”;

(2) in clause (i) of subparagraph (B), by inserting before the semicolon “, or new effectiveness information”;

(3) in subparagraph (C) by striking “safety information” and inserting “safety or new effectiveness information”; and

(4) in subparagraph (E) by striking “safety information” and inserting “safety or new effectiveness information”.

(c) GUIDANCE.—Not less than one year after the date of enactment of this Act, the Secretary of Health and Human Services shall issue guidance regarding the circumstances under which the Food and Drug Administration may require postmarket studies or clinical trials to assess the potential reduction in effectiveness of a drug and how such reduction in effectiveness could result in a change to the benefits of the drug and the risks to the patient. Such guidance shall also address how the Food and Drug Administration may apply this section and the amendments made thereby with respect to circumstances under which the Food and Drug Administration may require postmarket studies or clinical trials and safety labeling changes related to the use of controlled substances for acute or chronic pain.

Subtitle B—Controlled Substance Provisions **CHAPTER 1—MORE FLEXIBILITY WITH RESPECT TO MEDICATION-ASSISTED TREATMENT FOR OPIOID USE DISORDERS**

SEC. 3201. ALLOWING FOR MORE FLEXIBILITY WITH RESPECT TO MEDICATION-ASSISTED TREATMENT FOR OPIOID USE DISORDERS.

(a) CONFORMING APPLICABLE NUMBER.—Subclause (II) of section 303(g)(2)(B)(iii) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(B)(iii)) is amended to read as follows:

“(II) The applicable number is—

“(aa) 100 if, not sooner than 1 year after the date on which the practitioner submitted the initial notification, the practitioner submits a second notification to the Secretary of the need and intent of the practitioner to treat up to 100 patients;

“(bb) 100 if the practitioner holds additional credentialing, as defined in section 8.2 of title 42, Code of Federal Regulations (or successor regulations);

“(cc) 100 if the practitioner provides medication-assisted treatment (MAT) using covered medications (as such terms are defined in section 8.2 of title 42, Code of Federal Regulations (or successor regulations)) in a qualified practice setting (as described in section 8.615 of title 42, Code of Federal Regulations (or successor regulations)); or

“(dd) 275 if the practitioner meets the requirements specified in sections 8.610 through 8.655 of title 42, Code of Federal Regulations (or successor regulations).”.

(b) ELIMINATING ANY TIME LIMITATION FOR NURSE PRACTITIONERS AND PHYSICIAN ASSISTANTS TO BECOME QUALIFYING PRACTITIONERS.—Clause (iii) of section 303(g)(2)(G) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)) is amended—

(1) in subclause (I), by striking “or” at the end; and

(2) by amending subclause (II) to read as follows:

“(II) a qualifying other practitioner, as defined in clause (iv), who is a nurse practitioner or physician assistant; or”.

(c) IMPOSING A TIME LIMITATION FOR CLINICAL NURSE SPECIALISTS, CERTIFIED REGISTERED NURSE ANESTHETISTS, AND CERTIFIED NURSE MIDWIVES TO BECOME QUALIFYING PRACTITIONERS.—Clause (iii) of section 303(g)(2)(G) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)), as amended by sub-

section (b), is further amended by adding at the end the following:

“(III) for the period beginning on October 1, 2018, and ending on October 1, 2023, a qualifying other practitioner, as defined in clause (iv), who is a clinical nurse specialist, certified registered nurse anesthetist, or certified nurse midwife.”.

(d) DEFINITION OF QUALIFYING OTHER PRACTITIONER.—Section 303(g)(2)(G)(iv) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(iv)) is amended by striking “nurse practitioner or physician assistant” each place it appears and inserting “nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, certified nurse midwife, or physician assistant”.

(e) REPORT BY SECRETARY.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services, in consultation with the Drug Enforcement Administration, shall submit to Congress a report that assesses the care provided by qualifying practitioners (as defined in section 303(g)(2)(G)(iii) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(iii))) who are treating, in the case of physicians, more than 100 patients, and in the case of qualifying practitioners who are not physicians, more than 30 patients. Such report shall include recommendations on future applicable patient number levels and limits. In preparing such report, the Secretary shall study, with respect to opioid use disorder treatment—

(1) the average frequency with which qualifying practitioners see their patients;

(2) the average frequency with which patients receive counseling, including the rates by which such counseling is provided by such a qualifying practitioner directly, or by referral;

(3) the frequency of toxicology testing, including the average frequency with which random toxicology testing is administered;

(4) the average monthly patient caseload for each type of qualifying practitioner;

(5) the treatment retention rates for patients;

(6) overdose and mortality rates; and

(7) any available information regarding the diversion of drugs by patients receiving such treatment from such a qualifying practitioner.

SEC. 3202. MEDICATION-ASSISTED TREATMENT FOR RECOVERY FROM SUBSTANCE USE DISORDER.

(a) WAIVERS FOR MAINTENANCE TREATMENT OR DETOXIFICATION.—Section 303(g)(2)(G)(i) of the Controlled Substances Act (21 U.S.C. 823(g)(2)(G)(i)) is amended by adding at the end the following:

“(VIII) The physician graduated in good standing from an accredited school of allopathic medicine or osteopathic medicine in the United States during the 5-year period immediately preceding the date on which the physician submits to the Secretary a written notification under subparagraph (B) and successfully completed a comprehensive allopathic or osteopathic medicine curriculum or accredited medical residency that—

“(aa) included not less than 8 hours of training on treating and managing opioid-dependent patients; and

“(bb) included, at a minimum—

“(AA) the training described in items (aa) through (gg) of subclause (IV); and

“(BB) training with respect to any other best practice the Secretary determines should be included in the curriculum, which may include training on pain management, including assessment and appropriate use of opioid and non-opioid alternatives.”.

(b) TREATMENT FOR CHILDREN.—The Secretary of Health and Human Services shall consider ways to ensure that an adequate number of qualified practitioners, as defined

in subparagraph (G)(ii) of section 303(g)(2) of the Controlled Substances Act (21 U.S.C. 823(g)(2)), who have a specialty in pediatrics or the treatment of children or adolescents, are granted a waiver under such section 303(g)(2) to treat children and adolescents with substance use disorders.

(c) TECHNICAL AMENDMENT.—Section 102(24) of the Controlled Substances Act (21 U.S.C. 802(24)) is amended by striking “Health, Education, and Welfare” and inserting “Health and Human Services”.

SEC. 3203. GRANTS TO ENHANCE ACCESS TO SUBSTANCE USE DISORDER TREATMENT.

(a) IN GENERAL.—The Secretary of Health and Human Services shall establish a grant program under which the Secretary may make grants to accredited schools of allopathic medicine or osteopathic medicine and teaching hospitals located in the United States to support the development of curricula that meet the requirements under subclause (VIII) of section 303(g)(2)(G)(ii) of the Controlled Substances Act, as added by section 3202(a) of this Act.

(b) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated, for grants under subsection (a), \$4,000,000 for each of fiscal years 2019 through 2023.

SEC. 3204. DELIVERY OF A CONTROLLED SUBSTANCE BY A PHARMACY TO BE ADMINISTERED BY INJECTION OR IMPLANTATION.

(a) IN GENERAL.—The Controlled Substances Act is amended by inserting after section 309 (21 U.S.C. 829) the following:

“DELIVERY OF A CONTROLLED SUBSTANCE BY A PHARMACY TO AN ADMINISTERING PRACTITIONER

“SEC. 309A. (a) IN GENERAL.—Notwithstanding section 102(10), a pharmacy may deliver a controlled substance to a practitioner in accordance with a prescription that meets the requirements of this title and the regulations issued by the Attorney General under this title, for the purpose of administering the controlled substance by the practitioner if—

“(1) the controlled substance is delivered by the pharmacy to the prescribing practitioner or the practitioner administering the controlled substance, as applicable, at the location listed on the practitioner’s certificate of registration issued under this title;

“(2) the controlled substance is to be administered for the purpose of maintenance or detoxification treatment under section 303(g)(2) and—

“(A) the practitioner who issued the prescription is a qualifying practitioner authorized under, and acting within the scope of that section; and

“(B) the controlled substance is to be administered by injection or implantation;

“(3) the pharmacy and the practitioner are authorized to conduct the activities specified in this section under the law of the State in which such activities take place;

“(4) the prescription is not issued to supply any practitioner with a stock of controlled substances for the purpose of general dispensing to patients;

“(5) except as provided in subsection (b), the controlled substance is to be administered only to the patient named on the prescription not later than 14 days after the date of receipt of the controlled substance by the practitioner; and

“(6) notwithstanding any exceptions under section 307, the prescribing practitioner, and the practitioner administering the controlled substance, as applicable, maintain complete and accurate records of all controlled substances delivered, received, administered, or otherwise disposed of under this section, including the persons to whom controlled substances were delivered and

such other information as may be required by regulations of the Attorney General.

“(b) MODIFICATION OF NUMBER OF DAYS BEFORE WHICH CONTROLLED SUBSTANCE SHALL BE ADMINISTERED.—

“(1) INITIAL 2-YEAR PERIOD.—During the 2-year period beginning on the date of enactment of this section, the Attorney General, in coordination with the Secretary, may reduce the number of days described in subsection (a)(5) if the Attorney General determines that such reduction will—

“(A) reduce the risk of diversion; or

“(B) protect the public health.

“(2) MODIFICATIONS AFTER SUBMISSION OF REPORT.—After the date on which the report described in section 3204(b) of the SUPPORT for Patients and Communities Act is submitted, the Attorney General, in coordination with the Secretary, may modify the number of days described in subsection (a)(5).

“(3) MINIMUM NUMBER OF DAYS.—Any modification under this subsection shall be for a period of not less than 7 days.”

(b) STUDY AND REPORT.—Not later than 2 years after the date of enactment of this section, the Comptroller General of the United States shall conduct a study and submit to Congress a report on access to and potential diversion of controlled substances administered by injection or implantation.

(c) TECHNICAL AND CONFORMING AMENDMENT.—The table of contents for the Comprehensive Drug Abuse Prevention and Control Act of 1970 is amended by inserting after the item relating to section 309 the following:

“Sec. 309A. Delivery of a controlled substance by a pharmacy to an administering practitioner.”

CHAPTER 2—EMPOWERING PHARMACISTS IN THE FIGHT AGAINST OPIOID ABUSE

SEC. 3211. SHORT TITLE.

This chapter may be cited as the “Empowering Pharmacists in the Fight Against Opioid Abuse Act”.

SEC. 3212. PROGRAMS AND MATERIALS FOR TRAINING ON CERTAIN CIRCUMSTANCES UNDER WHICH A PHARMACIST MAY DECLINE TO FILL A PRESCRIPTION.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Administrator of the Drug Enforcement Administration, Commissioner of Food and Drugs, Director of the Centers for Disease Control and Prevention, and Assistant Secretary for Mental Health and Substance Use, shall develop and disseminate, as appropriate, materials for pharmacists, health care providers, and patients on—

(1) circumstances under which a pharmacist may, consistent with section 309 of the Controlled Substances Act (21 U.S.C. 829) and regulations thereunder, including section 1306.04 of title 21, Code of Federal Regulations, decline to fill a prescription for a controlled substance because the pharmacist suspects the prescription is fraudulent, forged, or of doubtful, questionable, or suspicious origin; and

(2) other Federal requirements pertaining to declining to fill a prescription under such circumstances, including the partial fill of prescriptions for certain controlled substances.

(b) MATERIALS INCLUDED.—In developing materials under subsection (a), the Secretary of Health and Human Services shall include information for—

(1) pharmacists on how to decline to fill a prescription and actions to take after declining to fill a prescription; and

(2) other health care practitioners and the public on a pharmacist’s ability to decline to

fill prescriptions in certain circumstances and a description of those circumstances (as described in the materials developed under subsection (a)(1)).

(c) STAKEHOLDER INPUT.—In developing the programs and materials required under subsection (a), the Secretary of Health and Human Services shall seek input from relevant national, State, and local associations, boards of pharmacy, medical societies, licensing boards, health care practitioners, and patients, including individuals with chronic pain.

CHAPTER 3—SAFE DISPOSAL OF UNUSED MEDICATION

SEC. 3221. SHORT TITLE.

This chapter may be cited as the “Safe Disposal of Unused Medication Act”.

SEC. 3222. DISPOSAL OF CONTROLLED SUBSTANCES OF A HOSPICE PATIENT BY EMPLOYEES OF A QUALIFIED HOSPICE PROGRAM.

(a) IN GENERAL.—Subsection (g) of section 302 of the Controlled Substances Act (21 U.S.C. 822) is amended by adding at the end the following:

“(5)(A) In the case of a person receiving hospice care, an employee of a qualified hospice program, acting within the scope of employment, may handle, without being registered under this section, any controlled substance that was lawfully dispensed to the person receiving hospice care, for the purpose of disposal of the controlled substance so long as such disposal occurs onsite in accordance with all applicable Federal, State, Tribal, and local law and—

“(i) the disposal occurs after the death of a person receiving hospice care;

“(ii) the controlled substance is expired; or

“(iii)(I) the employee is—

“(aa) the physician of the person receiving hospice care; and

“(bb) registered under section 303(f); and

“(II) the hospice patient no longer requires the controlled substance because the plan of care of the hospice patient has been modified.

“(B) For the purposes of this paragraph:

“(i) The terms ‘hospice care’ and ‘hospice program’ have the meanings given to those terms in section 1861(dd) of the Social Security Act.

“(ii) The term ‘employee of a qualified hospice program’ means a physician, physician assistant, nurse, or other person who—

“(I) is employed by, or pursuant to arrangements made by, a qualified hospice program;

“(II)(aa) is licensed to perform medical or nursing services by the jurisdiction in which the person receiving hospice care was located; and

“(bb) is acting within the scope of such employment in accordance with applicable State law; and

“(III) has completed training through the qualified hospice program regarding the disposal of controlled substances in a secure and responsible manner so as to discourage abuse, misuse, or diversion.

“(iii) The term ‘qualified hospice program’ means a hospice program that—

“(I) has written policies and procedures for assisting in the disposal of the controlled substances of a person receiving hospice care after the person’s death;

“(II) at the time when the controlled substances are first ordered—

“(aa) provides a copy of the written policies and procedures to the patient or patient representative and family;

“(bb) discusses the policies and procedures with the patient or representative and the family in a language and manner that they understand to ensure that these parties are educated regarding the safe disposal of controlled substances; and

“(cc) documents in the patient’s clinical record that the written policies and procedures were provided and discussed; and

“(III) at the time following the disposal of the controlled substances—

“(aa) documents in the patient’s clinical record the type of controlled substance, dosage, route of administration, and quantity so disposed; and

“(bb) the time, date, and manner in which that disposal occurred.”

(b) GUIDANCE.—The Attorney General may issue guidance to hospice programs (as defined in paragraph (5) of section 302(g) of the Controlled Substances Act (21 U.S.C. 822(g)), as added by subsection (a)) to assist the programs in satisfying the requirements under such paragraph (5).

(c) RULE OF CONSTRUCTION RELATING TO STATE AND LOCAL LAW.—Nothing in this section or the amendments made by this section shall be construed to prevent a State or local government from imposing additional controls or restrictions relating to the regulation of the disposal of controlled substances in hospice care or hospice programs.

SEC. 3223. GAO STUDY AND REPORT ON HOSPICE SAFE DRUG MANAGEMENT.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States (in this section referred to as the “Comptroller General”) shall conduct a study on the requirements applicable to, and challenges of, hospice programs with regard to the management and disposal of controlled substances in the home of an individual.

(2) CONTENTS.—In conducting the study under paragraph (1), the Comptroller General shall include—

(A) an overview of any challenges encountered by selected hospice programs regarding the disposal of controlled substances, such as opioids, in a home setting, including any key changes in policies, procedures, or best practices for the disposal of controlled substances over time; and

(B) a description of Federal requirements, including requirements under the Medicare program, for hospice programs regarding the disposal of controlled substances in a home setting, and oversight of compliance with those requirements.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to Congress a report containing the results of the study conducted under subsection (a), together with recommendations, if any, for such legislation and administrative action as the Comptroller General determines appropriate.

CHAPTER 4—SPECIAL REGISTRATION FOR TELEMEDICINE CLARIFICATION

SEC. 3231. SHORT TITLE.

This chapter may be cited as the “Special Registration for Telemedicine Clarification Act of 2018”.

SEC. 3232. REGULATIONS RELATING TO A SPECIAL REGISTRATION FOR TELEMEDICINE.

Section 311(h)(2) of the Controlled Substances Act (21 U.S.C. 831(h)(2)) is amended to read as follows:

“(2) REGULATIONS.—Not later than 1 year after the date of enactment of the SUPPORT for Patients and Communities Act, in consultation with the Secretary, the Attorney General shall promulgate final regulations specifying—

“(A) the limited circumstances in which a special registration under this subsection may be issued; and

“(B) the procedure for obtaining a special registration under this subsection.”

CHAPTER 5—SYNTHETIC ABUSE AND LABELING OF TOXIC SUBSTANCES

SEC. 3241. CONTROLLED SUBSTANCE ANALOGUES.

Section 203 of the Controlled Substances Act (21 U.S.C. 813) is amended—

(1) by striking “A controlled” and inserting “(a) IN GENERAL.—A controlled”; and

(2) by adding at the end the following:

“(b) DETERMINATION.—In determining whether a controlled substance analogue was intended for human consumption under subsection (a), the following factors may be considered, along with any other relevant factors:

“(1) The marketing, advertising, and labeling of the substance.

“(2) The known efficacy or usefulness of the substance for the marketed, advertised, or labeled purpose.

“(3) The difference between the price at which the substance is sold and the price at which the substance it is purported to be or advertised as is normally sold.

“(4) The diversion of the substance from legitimate channels and the clandestine importation, manufacture, or distribution of the substance.

“(5) Whether the defendant knew or should have known the substance was intended to be consumed by injection, inhalation, ingestion, or any other immediate means.

“(6) Any controlled substance analogue that is manufactured, formulated, sold, distributed, or marketed with the intent to avoid the provisions of existing drug laws.

“(c) LIMITATION.—For purposes of this section, evidence that a substance was not marketed, advertised, or labeled for human consumption, by itself, shall not be sufficient to establish that the substance was not intended for human consumption.”.

CHAPTER 6—ACCESS TO INCREASED DRUG DISPOSAL

SEC. 3251. SHORT TITLE.

This chapter may be cited as the “Access to Increased Drug Disposal Act of 2018”.

SEC. 3252. DEFINITIONS.

In this chapter—

(1) the term “Attorney General” means the Attorney General, acting through the Assistant Attorney General for the Office of Justice Programs;

(2) the term “authorized collector” means a narcotic treatment program, a hospital or clinic with an on-site pharmacy, a retail pharmacy, or a reverse distributor, that is authorized as a collector under section 1317.40 of title 21, Code of Federal Regulations (or any successor regulation);

(3) the term “covered grant” means a grant awarded under section 3003; and

(4) the term “eligible collector” means a person who is eligible to be an authorized collector.

SEC. 3253. AUTHORITY TO MAKE GRANTS.

The Attorney General shall award grants to States to enable the States to increase the participation of eligible collectors as authorized collectors.

SEC. 3254. APPLICATION.

A State desiring a covered grant shall submit to the Attorney General an application that, at a minimum—

(1) identifies the single State agency that oversees pharmaceutical care and will be responsible for complying with the requirements of the grant;

(2) details a plan to increase participation rates of eligible collectors as authorized collectors; and

(3) describes how the State will select eligible collectors to be served under the grant.

SEC. 3255. USE OF GRANT FUNDS.

A State that receives a covered grant, and any subrecipient of the grant, may use the grant amounts only for the costs of installa-

tion, maintenance, training, purchasing, and disposal of controlled substances associated with the participation of eligible collectors as authorized collectors.

SEC. 3256. ELIGIBILITY FOR GRANT.

The Attorney General shall award a covered grant to 5 States, not less than 3 of which shall be States in the lowest quartile of States based on the participation rate of eligible collectors as authorized collectors, as determined by the Attorney General.

SEC. 3257. DURATION OF GRANTS.

The Attorney General shall determine the period of years for which a covered grant is made to a State.

SEC. 3258. ACCOUNTABILITY AND OVERSIGHT.

A State that receives a covered grant shall submit to the Attorney General a report, at such time and in such manner as the Attorney General may reasonably require, that—

(1) lists the ultimate recipients of the grant amounts;

(2) describes the activities undertaken by the State using the grant amounts; and

(3) contains performance measures relating to the effectiveness of the grant, including changes in the participation rate of eligible collectors as authorized collectors.

SEC. 3259. DURATION OF PROGRAM.

The Attorney General may award covered grants for each of the first 5 fiscal years beginning after the date of enactment of this Act.

SEC. 3260. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated to the Attorney General such sums as may be necessary to carry out this chapter.

CHAPTER 7—USING DATA TO PREVENT OPIOID DIVERSION

SEC. 3271. SHORT TITLE.

This chapter may be cited as the “Using Data To Prevent Opioid Diversion Act of 2018”.

SEC. 3272. PURPOSE.

(a) IN GENERAL.—The purpose of this chapter is to provide drug manufacturers and distributors with access to anonymized information through the Automated Reports and Consolidated Orders System to help drug manufacturers and distributors identify, report, and stop suspicious orders of opioids and reduce diversion rates.

(b) RULE OF CONSTRUCTION.—Nothing in this chapter should be construed to absolve a drug manufacturer, drug distributor, or other Drug Enforcement Administration registrant from the responsibility of the manufacturer, distributor, or other registrant to—

(1) identify, stop, and report suspicious orders; or

(2) maintain effective controls against diversion in accordance with section 303 of the Controlled Substances Act (21 U.S.C. 823) or any successor law or associated regulation.

SEC. 3273. AMENDMENTS.

(a) RECORDS AND REPORTS OF REGISTRANTS.—Section 307 of the Controlled Substances Act (21 U.S.C. 827) is amended—

(1) by redesignating subsections (f), (g), and (h) as subsections (g), (h), and (i), respectively;

(2) by inserting after subsection (e) the following:

“(f)(1) The Attorney General shall, not less frequently than quarterly, make the following information available to manufacturer and distributor registrants through the Automated Reports and Consolidated Orders System, or any subsequent automated system developed by the Drug Enforcement Administration to monitor selected controlled substances:

“(A) The total number of distributor registrants that distribute controlled substances to a pharmacy or practitioner registrant, aggregated by the name and address

of each pharmacy and practitioner registrant.

“(B) The total quantity and type of opioids distributed, listed by Administration Controlled Substances Code Number, to each pharmacy and practitioner registrant described in subparagraph (A).

“(2) The information required to be made available under paragraph (1) shall be made available not later than the 30th day of the first month following the quarter to which the information relates.

“(3)(A) All registered manufacturers and distributors shall be responsible for reviewing the information made available by the Attorney General under this subsection.

“(B) In determining whether to initiate proceedings under this title against a registered manufacturer or distributor based on the failure of the registrant to maintain effective controls against diversion or otherwise comply with the requirements of this title or the regulations issued thereunder, the Attorney General may take into account that the information made available under this subsection was available to the registrant.”; and

(3) by inserting after subsection (i), as so redesignated, the following:

“(j) All of the reports required under this section shall be provided in an electronic format.”.

(b) COOPERATIVE ARRANGEMENTS.—Section 503 of the Controlled Substances Act (21 U.S.C. 873) is amended by striking subsection (c) and inserting the following:

“(c)(1) The Attorney General shall, once every 6 months, prepare and make available to regulatory, licensing, attorneys general, and law enforcement agencies of States a standardized report containing descriptive and analytic information on the actual distribution patterns, as gathered through the Automated Reports and Consolidated Orders System, or any subsequent automated system, pursuant to section 307 and which includes detailed amounts, outliers, and trends of distributor and pharmacy registrants, in such States for the controlled substances contained in schedule II, which, in the discretion of the Attorney General, are determined to have the highest abuse.

“(2) If the Attorney General publishes the report described in paragraph (1) once every 6 months as required under paragraph (1), nothing in this subsection shall be construed to bring an action in any court to challenge the sufficiency of the information or to compel the Attorney General to produce any documents or reports referred to in this subsection.”.

(c) CIVIL AND CRIMINAL PENALTIES.—Section 402 of the Controlled Substances Act (21 U.S.C. 842) is amended—

(1) in subsection (a)—

(A) in paragraph (15), by striking “or” at the end;

(B) in paragraph (16), by striking the period at the end and inserting “; or”; and

(C) by inserting after paragraph (16) the following:

“(17) in the case of a registered manufacturer or distributor of opioids, to fail to review the most recent information, directly related to the customers of the manufacturer or distributor, made available by the Attorney General in accordance with section 307(f).”; and

(2) in subsection (c)—

(A) in paragraph (1), by striking subparagraph (B) and inserting the following:

“(B)(i) Except as provided in clause (ii), in the case of a violation of paragraph (5), (10), or (17) of subsection (a), the civil penalty shall not exceed \$10,000.

“(ii) In the case of a violation described in clause (i) committed by a registered manufacturer or distributor of opioids and related to the reporting of suspicious orders for

opioids, failing to maintain effective controls against diversion of opioids, or failing to review the most recent information made available by the Attorney General in accordance with section 307(f), the penalty shall not exceed \$100,000.”; and

(B) in paragraph (2)—

(i) in subparagraph (A), by inserting “or (D)” after “subparagraph (B)”;

(ii) by adding at the end the following:

“(D) In the case of a violation described in subparagraph (A) that was a violation of paragraph (5), (10), or (17) of subsection (a) committed by a registered manufacturer or distributor of opioids that relates to the reporting of suspicious orders for opioids, failing to maintain effective controls against diversion of opioids, or failing to review the most recent information made available by the Attorney General in accordance with section 307(f), the criminal fine under title 18, United States Code, shall not exceed \$500,000.”.

SEC. 3274. REPORT.

Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report that provides information about how the Attorney General is using data in the Automation of Reports and Consolidated Orders System to identify and stop suspicious activity, including whether the Attorney General is looking at aggregate orders from individual pharmacies to multiple distributors that in total are suspicious, even if no individual order rises to the level of a suspicious order to a given distributor.

CHAPTER 8—OPIOID QUOTA REFORM

SEC. 3281. SHORT TITLE.

This chapter may be cited as the “Opioid Quota Reform Act”.

SEC. 3282. STRENGTHENING CONSIDERATIONS FOR DEA OPIOID QUOTAS.

(a) IN GENERAL.—Section 306 of the Controlled Substances Act (21 U.S.C. 826) is amended—

(1) in subsection (a)—

(A) by inserting “(1)” after “(a)”;

(B) in the second sentence, by striking “Production” and inserting “Except as provided in paragraph (2), production”;

(C) by adding at the end the following:

“(2) The Attorney General may, if the Attorney General determines it will assist in avoiding the overproduction, shortages, or diversion of a controlled substance, establish an aggregate or individual production quota under this subsection, or a procurement quota established by the Attorney General by regulation, in terms of pharmaceutical dosage forms prepared from or containing the controlled substance.”;

(2) in subsection (b), in the first sentence, by striking “production” and inserting “manufacturing”;

(3) in subsection (c), by striking “October” and inserting “December”;

(4) by adding at the end the following:

“(i)(1)(A) In establishing any quota under this section, or any procurement quota established by the Attorney General by regulation, for fentanyl, oxycodone, hydrocodone, oxycodone, or hydromorphone (in this subsection referred to as a ‘covered controlled substance’), the Attorney General shall estimate the amount of diversion of the covered controlled substance that occurs in the United States.

“(B) In estimating diversion under this paragraph, the Attorney General—

“(i) shall consider information the Attorney General, in consultation with the Secretary of Health and Human Services, determines reliable on rates of overdose deaths and abuse and overall public health impact related to the covered controlled substance in the United States; and

“(ii) may take into consideration whatever other sources of information the Attorney General determines reliable.

“(C) After estimating the amount of diversion of a covered controlled substance, the Attorney General shall make appropriate quota reductions, as determined by the Attorney General, from the quota the Attorney General would have otherwise established had such diversion not been considered.

“(2)(A) For any year for which the approved aggregate production quota for a covered controlled substance is higher than the approved aggregate production quota for the covered controlled substance for the previous year, the Attorney General, in consultation with the Secretary of Health and Human Services, shall include in the final order an explanation of why the public health benefits of increasing the quota clearly outweigh the consequences of having an increased volume of the covered controlled substance available for sale, and potential diversion, in the United States.

“(B) Not later than 1 year after the date of enactment of this subsection, and every year thereafter, the Attorney General shall submit to the Committee on the Judiciary, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate and the Committee on the Judiciary, the Committee on Energy and Commerce, and the Committee on Appropriations of the House of Representatives the following information with regard to each covered controlled substance:

“(i) An anonymized count of the total number of manufacturers issued individual manufacturing quotas that year for the covered controlled substance.

“(ii) An anonymized count of how many such manufacturers were issued an approved manufacturing quota that was higher than the quota issued to that manufacturer for the covered controlled substance in the previous year.

“(3) Not later than 1 year after the date of enactment of this subsection, the Attorney General shall submit to Congress a report on how the Attorney General, when fixing and adjusting production and manufacturing quotas under this section for covered controlled substances, will—

“(A) take into consideration changes in the accepted medical use of the covered controlled substances; and

“(B) work with the Secretary of Health and Human Services on methods to appropriately and anonymously estimate the type and amount of covered controlled substances that are submitted for collection from approved drug collection receptacles, mail-back programs, and take-back events.”.

(b) CONFORMING CHANGE.—The Law Revision Counsel is directed to amend the heading for subsection (b) of section 826 of title 21, United States Code, by striking “PRODUCTION” and inserting “MANUFACTURING”.

CHAPTER 9—PREVENTING DRUG DIVERSION

SEC. 3291. SHORT TITLE.

This chapter may be cited as the “Preventing Drug Diversion Act of 2018”.

SEC. 3292. IMPROVEMENTS TO PREVENT DRUG DIVERSION.

(a) DEFINITION.—Section 102 of the Controlled Substances Act (21 U.S.C. 802) is amended by adding at the end the following:

“(57) The term ‘suspicious order’ may include, but is not limited to—

“(A) an order of a controlled substance of unusual size;

“(B) an order of a controlled substance deviating substantially from a normal pattern; and

“(C) orders of controlled substances of unusual frequency.”.

(b) SUSPICIOUS ORDERS.—Part C of the Controlled Substances Act (21 U.S.C. 821 et seq.)

is amended by adding at the end the following:

“SEC. 312. SUSPICIOUS ORDERS.

“(a) REPORTING.—Each registrant shall—

“(1) design and operate a system to identify suspicious orders for the registrant;

“(2) ensure that the system designed and operated under paragraph (1) by the registrant complies with applicable Federal and State privacy laws; and

“(3) upon discovering a suspicious order or series of orders, notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business.

“(b) SUSPICIOUS ORDER DATABASE.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Attorney General shall establish a centralized database for collecting reports of suspicious orders.

“(2) SATISFACTION OF REPORTING REQUIREMENTS.—If a registrant reports a suspicious order to the centralized database established under paragraph (1), the registrant shall be considered to have complied with the requirement under subsection (a)(3) to notify the Administrator of the Drug Enforcement Administration and the Special Agent in Charge of the Division Office of the Drug Enforcement Administration for the area in which the registrant is located or conducts business.

“(c) SHARING INFORMATION WITH THE STATES.—

“(1) IN GENERAL.—The Attorney General shall prepare and make available information regarding suspicious orders in a State, including information in the database established under subsection (b)(1), to the point of contact for purposes of administrative, civil, and criminal oversight relating to the diversion of controlled substances for the State, as designated by the Governor or chief executive officer of the State.

“(2) TIMING.—The Attorney General shall provide information in accordance with paragraph (1) within a reasonable period of time after obtaining the information.

“(3) COORDINATION.—In establishing the process for the provision of information under this subsection, the Attorney General shall coordinate with States to ensure that the Attorney General has access to information, as permitted under State law, possessed by the States relating to prescriptions for controlled substances that will assist in enforcing Federal law.”.

(c) REPORTS TO CONGRESS.—

(1) DEFINITION.—In this subsection, the term “suspicious order” has the meaning given that term in section 102 of the Controlled Substances Act, as amended by this chapter.

(2) ONE-TIME REPORT.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the reporting of suspicious orders, which shall include—

(A) a description of the centralized database established under section 312 of the Controlled Substances Act, as added by this section, to collect reports of suspicious orders;

(B) a description of the system and reports established under section 312 of the Controlled Substances Act, as added by this section, to share information with States;

(C) information regarding how the Attorney General used reports of suspicious orders before the date of enactment of this Act and after the date of enactment of this Act, including how the Attorney General received the reports and what actions were taken in response to the reports; and

(D) descriptions of the data analyses conducted on reports of suspicious orders to

identify, analyze, and stop suspicious activity.

(3) **ADDITIONAL REPORTS.**—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the date that is 5 years after the date of enactment of this Act, the Attorney General shall submit to Congress a report providing, for the previous year—

(A) the number of reports of suspicious orders;

(B) a summary of actions taken in response to reports, in the aggregate, of suspicious orders; and

(C) a description of the information shared with States based on reports of suspicious orders.

(4) **ONE-TIME GAO REPORT.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States, in consultation with the Administrator of the Drug Enforcement Administration, shall submit to Congress a report on the reporting of suspicious orders, which shall include an evaluation of the utility of real-time reporting of potential suspicious orders of opioids on a national level using computerized algorithms, including the extent to which such algorithms—

(A) would help ensure that potentially suspicious orders are more accurately captured, identified, and reported in real time to suppliers before orders are filled;

(B) may produce false positives of suspicious order reports that could result in market disruptions for legitimate orders of opioids; and

(C) would reduce the overall length of an investigation that prevents the diversion of suspicious orders of opioids.

TITLE IV—OFFSETS

SEC. 4001. PROMOTING VALUE IN MEDICAID MANAGED CARE.

Section 1903(m) of the Social Security Act (42 U.S.C. 1396b(m)), as amended by sections 1013 and 1016, is further amended by adding at the end the following new paragraph:

“(9)(A) With respect to expenditures described in subparagraph (B) that are incurred by a State for any fiscal year after fiscal year 2020 (and before fiscal year 2024), in determining the pro rata share to which the United States is equitably entitled under subsection (d)(3), the Secretary shall substitute the Federal medical assistance percentage that applies for such fiscal year to the State under section 1905(b) (without regard to any adjustments to such percentage applicable under such section or any other provision of law) for the percentage that applies to such expenditures under section 1905(y).

“(B) Expenditures described in this subparagraph, with respect to a fiscal year to which subparagraph (A) applies, are expenditures incurred by a State for payment for medical assistance provided to individuals described in subclause (VIII) of section 1902(a)(10)(A)(i) by a managed care entity, or other specified entity (as defined in subparagraph (D)(iii)), that are treated as remittances because the State—

“(i) has satisfied the requirement of section 438.8 of title 42, Code of Federal Regulations (or any successor regulation), by electing—

“(I) in the case of a State described in subparagraph (C), to apply a minimum medical loss ratio (as defined in subparagraph (D)(ii)) that is at least 85 percent but not greater than the minimum medical loss ratio (as so defined) that such State applied as of May 31, 2018; or

“(II) in the case of a State not described in subparagraph (C), to apply a minimum medical loss ratio that is equal to 85 percent; and

“(ii) recovered all or a portion of the expenditures as a result of the entity’s failure to meet such ratio.

“(C) For purposes of subparagraph (B), a State described in this subparagraph is a State that as of May 31, 2018, applied a minimum medical loss ratio (as calculated under subsection (d) of section 438.8 of title 42, Code of Federal Regulations (as in effect on June 1, 2018)) for payment for services provided by entities described in such subparagraph under the State plan under this title (or a waiver of the plan) that is equal to or greater than 85 percent.

“(D) For purposes of this paragraph:

“(i) The term ‘managed care entity’ means a medicaid managed care organization described in section 1932(a)(1)(B)(i).

“(ii) The term ‘minimum medical loss ratio’ means, with respect to a State, a minimum medical loss ratio (as calculated under subsection (d) of section 438.8 of title 42, Code of Federal Regulations (as in effect on June 1, 2018)) for payment for services provided by entities described in subparagraph (B) under the State plan under this title (or a waiver of the plan).

“(iii) The term ‘other specified entity’ means—

“(I) a prepaid inpatient health plan, as defined in section 438.2 of title 42, Code of Federal Regulations (or any successor regulation); and

“(II) a prepaid ambulatory health plan, as defined in such section (or any successor regulation).”.

SEC. 4002. REQUIRING REPORTING BY GROUP HEALTH PLANS OF PRESCRIPTION DRUG COVERAGE INFORMATION FOR PURPOSES OF IDENTIFYING PRIMARY PAYER SITUATIONS UNDER THE MEDICARE PROGRAM.

Clause (i) of section 1862(b)(7)(A) of the Social Security Act (42 U.S.C. 1395y(b)(7)(A)) is amended to read as follows:

“(i) secure from the plan sponsor and plan participants such information as the Secretary shall specify for the purpose of identifying situations where the group health plan is or has been—

“(I) a primary plan to the program under this title; or

“(II) for calendar quarters beginning on or after January 1, 2020, a primary payer with respect to benefits relating to prescription drug coverage under part D; and”.

SEC. 4003. ADDITIONAL RELIGIOUS EXEMPTION FROM HEALTH COVERAGE RESPONSIBILITY REQUIREMENT.

(a) **IN GENERAL.**—Section 5000A(d)(2)(A) of the Internal Revenue Code of 1986 is amended to read as follows:

“(A) **RELIGIOUS CONSCIENCE EXEMPTIONS.**—

“(i) **IN GENERAL.**—Such term shall not include any individual for any month if such individual has in effect an exemption under section 1311(d)(4)(H) of the Patient Protection and Affordable Care Act which certifies that—

“(I) such individual is a member of a recognized religious sect or division thereof which is described in section 1402(g)(1), and is adherent of established tenets or teachings of such sect or division as described in such section; or

“(II) such individual is a member of a religious sect or division thereof which is not described in section 1402(g)(1), who relies solely on a religious method of healing, and for whom the acceptance of medical health services would be inconsistent with the religious beliefs of the individual.

“(ii) **SPECIAL RULES.**—

“(I) **MEDICAL HEALTH SERVICES DEFINED.**—For purposes of this subparagraph, the term ‘medical health services’ does not include routine dental, vision and hearing services, midwifery services, vaccinations, necessary medical services provided to children, services required by law or by a third party, and such other services as the Secretary of Health and Human Services may provide in

implementing section 1311(d)(4)(H) of the Patient Protection and Affordable Care Act.

“(II) **ATTESTATION REQUIRED.**—Clause (i)(II) shall apply to an individual for months in a taxable year only if the information provided by the individual under section 1411(b)(5)(A) of such Act includes an attestation that the individual has not received medical health services during the preceding taxable year.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall apply to taxable years beginning after December 31, 2018.

(c) **CONSTRUCTION.**—Nothing in the amendment made by subsection (a) shall preempt any State law requiring the provision of medical treatment for children, especially those who are seriously ill.

SEC. 4004. MODERNIZING THE REPORTING OF BIOLOGICAL AND BIOSIMILAR PRODUCTS.

Subtitle B of title XI of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173) is amended—

(1) in section 1111, as amended by section 3(1) of the Patient Right to Know Drug Prices Act—

(A) in the paragraph (3) inserted by such section 3(1), by striking “an application” and inserting “a biosimilar biological product application”;

(B) in the paragraph (4) inserted by such section 3(1), by inserting “application” before “under section 351(k) of the Public Health Service Act”;

(C) in the paragraph (5) inserted by such section 3(1), by striking “for licensure of a biological product under section 351(k) of the Public Health Service Act” and inserting “under section 351(k) of the Public Health Service Act for licensure of a biological product as biosimilar to, or interchangeable with, a reference product”;

(D) in paragraph (7), as redesignated and amended by such section 3(1), by striking “or under section 351(a) of the Public Health Service Act” and inserting “or the owner, or exclusive licensee, of a patent included in a list provided under section 351(l)(3) of the Public Health Service Act”; and

(E) in the paragraph (12) added by such section 3(1), by striking “means a brand name drug for which a license is in effect under section 351(a)” and inserting “has the meaning given such term in section 351(i)”; and

(2) in section 1112, as amended by section 3(2) of the Patient Right to Know Drug Prices Act—

(A) in subsection (a)—

(i) in paragraph (1), by striking “for which a statement under section 351(l)(3)(B)(i)(I) of the Public Health Service Act has been provided”;

(ii) in paragraph (2)—

(I) in subparagraph (C)(i), by striking “brand name” and inserting “listed”; and

(II) by amending clause (ii) of subparagraph (C) to read as follows:

“(ii) any of the time periods referred to in section 351(k)(6) of the Public Health Service Act as such period applies to such biosimilar biological product application or to any other biosimilar biological product application based on the same reference product.”;

(B) in subsection (b)—

(i) in the subsection heading, by inserting “OR BIOSIMILAR BIOLOGICAL PRODUCT APPLICANT” after “APPLICANT”;

(ii) in paragraph (1)(B), by striking the first sentence and inserting the following:

“A biosimilar biological product applicant that has submitted a biosimilar biological product application that references a reference product and another biosimilar biological product applicant that has submitted a biosimilar biological product application that references the same reference product shall each file the agreement in accordance with subsection (c).”; and

(iii) in paragraph (2)—

(I) by striking “2 generic drug applicants” and inserting “2 or more generic drug applicants”; and

(II) by striking “or an agreement between 2 biosimilar biological product applicants regarding the 1-year period referred to in section 351(k)(6)(A) of the Public Health Service Act as it applies to the biosimilar biological product applications with which the agreement is concerned” and inserting “, an agreement between 2 or more biosimilar biological product applicants regarding a time period referred to in section 351(k)(6) of the Public Health Service Act as it applies to the biosimilar biological product, or an agreement between 2 or more biosimilar biological product applicants regarding the manufacture, marketing, or sale of a biosimilar biological product”; and

(C) in subsection (c)(2), by inserting “were entered into within 30 days of,” after “condition for,”.

TITLE V—OTHER MEDICAID PROVISIONS

Subtitle A—Mandatory Reporting With Respect to Adult Behavioral Health Measures

SEC. 5001. MANDATORY REPORTING WITH RESPECT TO ADULT BEHAVIORAL HEALTH MEASURES.

Section 1139B of the Social Security Act (42 U.S.C. 1320b–9b) is amended—

(1) in subsection (b)—

(A) in paragraph (3)—

(i) by striking “Not later than January 1, 2013” and inserting the following:

“(A) VOLUNTARY REPORTING.—Not later than January 1, 2013”; and

(ii) by adding at the end the following:

“(B) MANDATORY REPORTING WITH RESPECT TO BEHAVIORAL HEALTH MEASURES.—Beginning with the State report required under subsection (d)(1) for 2024, the Secretary shall require States to use all behavioral health measures included in the core set of adult health quality measures and any updates or changes to such measures to report information, using the standardized format for reporting information and procedures developed under subparagraph (A), regarding the quality of behavioral health care for Medicaid eligible adults.”; and

(B) in paragraph (5), by adding at the end the following new subparagraph:

“(C) BEHAVIORAL HEALTH MEASURES.—Beginning with respect to State reports required under subsection (d)(1) for 2024, the core set of adult health quality measures maintained under this paragraph (and any updates or changes to such measures) shall include behavioral health measures.”; and

(2) in subsection (d)(1)(A)—

(A) by striking “the such plan” and inserting “such plan”; and

(B) by striking “subsection (a)(5)” and inserting “subsection (b)(5) and, beginning with the report for 2024, all behavioral health measures included in the core set of adult health quality measures maintained under such subsection (b)(5) and any updates or changes to such measures (as required under subsection (b)(3))”.

Subtitle B—Medicaid IMD Additional Info

SEC. 5011. SHORT TITLE.

This subtitle may be cited as the “Medicaid Institutes for Mental Disease Are Decisive in Delivering Inpatient Treatment for Individuals but Opportunities for Needed Access are Limited without Information Needed about Facility Obligations Act” or the “Medicaid IMD ADDITIONAL INFO Act”.

SEC. 5012. MACPAC EXPLORATORY STUDY AND REPORT ON INSTITUTIONS FOR MENTAL DISEASES REQUIREMENTS AND PRACTICES UNDER MEDICAID.

(a) IN GENERAL.—Not later than January 1, 2020, the Medicaid and CHIP Payment and Access Commission established under sec-

tion 1900 of the Social Security Act (42 U.S.C. 1396) shall conduct an exploratory study, using data from a representative sample of States, and submit to Congress a report on at least the following information, with respect to services furnished to individuals enrolled under State plans under the Medicaid program under title XIX of such Act (42 U.S.C. 1396 et seq.) (or waivers of such plans) who are patients in institutions for mental diseases and for which payment is made through fee-for-service or managed care arrangements under such State plans (or waivers):

(1) A description of such institutions for mental diseases in each such State, including at a minimum—

(A) the number of such institutions in the State;

(B) the facility type of such institutions in the State; and

(C) any coverage limitations under each such State plan (or waiver) on scope, duration, or frequency of such services.

(2) With respect to each such institution for mental diseases in each such State, a description of—

(A) such services provided at such institution;

(B) the process, including any timeframe, used by such institution to clinically assess and reassess such individuals; and

(C) the discharge process used by such institution, including any care continuum of relevant services or facilities provided or used in such process.

(3) A description of—

(A) any Federal waiver that each such State has for such institutions and the Federal statutory authority for such waiver; and

(B) any other Medicaid funding sources used by each such State for funding such institutions, such as supplemental payments.

(4) A summary of State requirements (such as certification, licensure, and accreditation) applied by each such State to such institutions in order for such institutions to receive payment under the State plan (or waiver) and how each such State determines if such requirements have been met.

(5) A summary of State standards (such as quality standards, clinical standards, and facility standards) that such institutions must meet to receive payment under such State plans (or waivers) and how each such State determines if such standards have been met.

(6) If determined appropriate by the Commission, recommendations for policies and actions by Congress and the Centers for Medicare & Medicaid Services, such as on how State Medicaid programs may improve care and improve standards and including a recommendation for how the Centers for Medicare & Medicaid Services can improve data collection from such programs to address any gaps in information.

(b) STAKEHOLDER INPUT.—In carrying out subsection (a), the Medicaid and CHIP Payment and Access Commission shall seek input from State Medicaid directors and stakeholders, including at a minimum the Substance Abuse and Mental Health Services Administration, Centers for Medicare & Medicaid Services, State Medicaid officials, State mental health authorities, Medicaid beneficiary advocates, health care providers, and Medicaid managed care organizations.

(c) DEFINITIONS.—In this section:

(1) REPRESENTATIVE SAMPLE OF STATES.—The term “representative sample of States” means a non-probability sample in which at least two States are selected based on the knowledge and professional judgment of the selector.

(2) STATE.—The term “State” means each of the 50 States, the District of Columbia, and any commonwealth or territory of the United States.

(3) INSTITUTION FOR MENTAL DISEASES.—The term “institution for mental diseases” has the meaning given such term in section 435.1010 of title 42, Code of Federal Regulations, or any successor regulation.

Subtitle C—CHIP Mental Health and Substance Use Disorder Parity

SEC. 5021. SHORT TITLE.

This subtitle may be cited as the “CHIP Mental Health and Substance Use Disorder Parity Act”.

SEC. 5022. ENSURING ACCESS TO MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES FOR CHILDREN AND PREGNANT WOMEN UNDER THE CHILDREN'S HEALTH INSURANCE PROGRAM.

(a) IN GENERAL.—Section 2103(c)(1) of the Social Security Act (42 U.S.C. 1397cc(c)(1)) is amended by adding at the end the following new subparagraph:

“(E) Mental health and substance use disorder services (as defined in paragraph (5)).”.

(b) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—

(1) IN GENERAL.—Section 2103(c) of the Social Security Act (42 U.S.C. 1397cc(c)) is amended—

(A) by redesignating paragraphs (5), (6), (7), and (8) as paragraphs (6), (7), (8), and (9), respectively; and

(B) by inserting after paragraph (4) the following new paragraph:

“(5) MENTAL HEALTH AND SUBSTANCE USE DISORDER SERVICES.—Regardless of the type of coverage elected by a State under subsection (a), child health assistance provided under such coverage for targeted low-income children and, in the case that the State elects to provide pregnancy-related assistance under such coverage pursuant to section 2112, such pregnancy-related assistance for targeted low-income pregnant women (as defined in section 2112(d)) shall—

“(A) include coverage of mental health services (including behavioral health treatment) necessary to prevent, diagnose, and treat a broad range of mental health symptoms and disorders, including substance use disorders; and

“(B) be delivered in a culturally and linguistically appropriate manner.”.

(2) CONFORMING AMENDMENTS.—

(A) Section 2103(a) of the Social Security Act (42 U.S.C. 1397cc(a)) is amended, in the matter before paragraph (1), by striking “paragraphs (5), (6), and (7)” and inserting “paragraphs (5), (6), (7), and (8)”.

(B) Section 2110(a) of the Social Security Act (42 U.S.C. 1397jj(a)) is amended—

(i) in paragraph (18), by striking “substance abuse” each place it appears and inserting “substance use”; and

(ii) in paragraph (19), by striking “substance abuse” and inserting “substance use”.

(C) Section 2110(b)(5)(A)(i) of the Social Security Act (42 U.S.C. 1397jj(b)(5)(A)(i)) is amended by striking “subsection (c)(5)” and inserting “subsection (c)(6)”.

(c) ASSURING ACCESS TO CARE.—Section 2102(a)(7)(B) of the Social Security Act (42 U.S.C. 1397bb(c)(2)) is amended by striking “section 2103(c)(5)” and inserting “paragraphs (5) and (6) of section 2103(c)”.

(d) MENTAL HEALTH SERVICES PARITY.—Subparagraph (A) of paragraph (7) of section 2103(c) of the Social Security Act (42 U.S.C. 1397cc(c)) (as redesignated by subsection (b)(1)) is amended to read as follows:

“(A) IN GENERAL.—A State child health plan shall ensure that the financial requirements and treatment limitations applicable to mental health and substance use disorder services (as described in paragraph (5)) provided under such plan comply with the requirements of section 2726(a) of the Public Health Service Act in the same manner as such requirements or limitations apply to a group health plan under such section.”.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Subject to paragraph (2), the amendments made by this section shall take effect with respect to child health assistance provided on or after the date that is 1 year after the date of the enactment of this Act.

(2) EXCEPTION FOR STATE LEGISLATION.—In the case of a State child health plan under title XXI of the Social Security Act (or a waiver of such plan), which the Secretary of Health and Human Services determines requires State legislation in order for the respective plan (or waiver) to meet any requirement imposed by the amendments made by this section, the respective plan (or waiver) shall not be regarded as failing to comply with the requirements of such title solely on the basis of its failure to meet such an additional requirement before the first day of the first calendar quarter beginning after the close of the first regular session of the State legislature that begins after the date of enactment of this section. For purposes of the previous sentence, in the case of a State that has a 2-year legislative session, each year of the session shall be considered to be a separate regular session of the State legislature.

Subtitle D—Medicaid Reentry

SEC. 5031. SHORT TITLE.

This subtitle may be cited as the “Medicaid Reentry Act”.

SEC. 5032. PROMOTING STATE INNOVATIONS TO EASE TRANSITIONS INTEGRATION TO THE COMMUNITY FOR CERTAIN INDIVIDUALS.

(a) STAKEHOLDER GROUP DEVELOPMENT OF BEST PRACTICES; STATE MEDICAID PROGRAM INNOVATION.—

(1) STAKEHOLDER GROUP BEST PRACTICES.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall convene a stakeholder group of representatives of managed care organizations, Medicaid beneficiaries, health care providers, the National Association of Medicaid Directors, and other relevant representatives from local, State, and Federal jail and prison systems to develop best practices (and submit to the Secretary and Congress a report on such best practices) for States—

(A) to ease the health care-related transition of an individual who is an inmate of a public institution from the public institution to the community, including best practices for ensuring continuity of health insurance coverage or coverage under the State Medicaid plan under title XIX of the Social Security Act, as applicable, and relevant social services; and

(B) to carry out, with respect to such an individual, such health care-related transition not later than 30 days after such individual is released from the public institution.

(2) STATE MEDICAID PROGRAM INNOVATION.—The Secretary of Health and Human Services shall work with States on innovative strategies to help individuals who are inmates of public institutions and otherwise eligible for medical assistance under the Medicaid program under title XIX of the Social Security Act transition, with respect to enrollment for medical assistance under such program, seamlessly to the community.

(b) GUIDANCE ON INNOVATIVE SERVICE DELIVERY SYSTEMS DEMONSTRATION PROJECT OPPORTUNITIES.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services, through the Administrator of the Centers for Medicare & Medicaid Services, shall issue a State Medicaid Director letter, based on best practices developed under subsection (a)(1), regarding opportunities to design demonstration projects under section 1115 of the Social Security Act (42 U.S.C. 1315) to improve care

transitions for certain individuals who are soon-to-be former inmates of a public institution and who are otherwise eligible to receive medical assistance under title XIX of such Act, including systems for, with respect to a period (not to exceed 30 days) immediately prior to the day on which such individuals are expected to be released from such institution—

(1) providing assistance and education for enrollment under a State plan under the Medicaid program under title XIX of such Act for such individuals during such period; and

(2) providing health care services for such individuals during such period.

(c) RULE OF CONSTRUCTION.—Nothing under title XIX of the Social Security Act or any other provision of law precludes a State from reclassifying or suspending (rather than terminating) eligibility of an individual for medical assistance under title XIX of the Social Security Act while such individual is an inmate of a public institution.

Subtitle E—Medicaid Partnership

SEC. 5041. SHORT TITLE.

This subtitle may be cited as the “Medicaid Providers Are Required To Note Experiences in Record Systems to Help In-need Patients Act” or the “Medicaid PARTNERSHIP Act”.

SEC. 5042. MEDICAID PROVIDERS ARE REQUIRED TO NOTE EXPERIENCES IN RECORD SYSTEMS TO HELP IN-NEED PATIENTS.

(a) REQUIREMENTS UNDER THE MEDICAID PROGRAM RELATING TO QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAMS AND PRESCRIBING CERTAIN CONTROLLED SUBSTANCES.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) is amended by inserting after section 1943 the following new section:

“SEC. 1944. REQUIREMENTS RELATING TO QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAMS AND PRESCRIBING CERTAIN CONTROLLED SUBSTANCES.

“(a) IN GENERAL.—Subject to subsection (d), beginning October 1, 2021, a State—

“(1) shall require each covered provider to check, in accordance with such timing, manner, and form as specified by the State, the prescription drug history of a covered individual being treated by the covered provider through a qualified prescription drug monitoring program described in subsection (b) before prescribing to such individual a controlled substance; and

“(2) in the case that such a provider is not able to conduct such a check despite a good faith effort by such provider—

“(A) shall require the provider to document such good faith effort, including the reasons why the provider was not able to conduct the check; and

“(B) may require the provider to submit, upon request, such documentation to the State.

“(b) QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAM DESCRIBED.—A qualified prescription drug monitoring program described in this subsection is, with respect to a State, a prescription drug monitoring program administered by the State that, at a minimum, satisfies each of the following criteria:

“(1) The program facilitates access by a covered provider to, at a minimum, the following information with respect to a covered individual, in as close to real-time as possible:

“(A) Information regarding the prescription drug history of a covered individual with respect to controlled substances.

“(B) The number and type of controlled substances prescribed to and filled for the covered individual during at least the most recent 12-month period.

“(C) The name, location, and contact information (or other identifying number selected by the State, such as a national provider identifier issued by the National Plan and Provider Enumeration System of the Centers for Medicare & Medicaid Services) of each covered provider who prescribed a controlled substance to the covered individual during at least the most recent 12-month period.

“(2) The program facilitates the integration of information described in paragraph (1) into the workflow of a covered provider, which may include the electronic system the covered provider uses to prescribe controlled substances.

A qualified prescription drug monitoring program described in this subsection, with respect to a State, may have in place, in accordance with applicable State and Federal law, a data-sharing agreement with the State Medicaid program that allows the medical director and pharmacy director of such program (and any designee of such a director who reports directly to such director) to access the information described in paragraph (1) in an electronic format. The State Medicaid program under this title may facilitate reasonable and limited access, as determined by the State and ensuring documented beneficiary protections regarding the use of such data, to such qualified prescription drug monitoring program for the medical director or pharmacy director of any managed care entity (as defined under section 1932(a)(1)(B)) that has a contract with the State under section 1903(m) or under section 1905(t)(3), or the medical director or pharmacy director of any entity that has a contract to manage the pharmaceutical benefit with respect to individuals enrolled in the State plan (or under a waiver of the State plan). All applicable State and Federal security and privacy laws shall apply to the directors or designees of such directors of any State Medicaid program or entity accessing a qualified prescription drug monitoring program under this section.

“(c) APPLICATION OF PRIVACY RULES CLARIFICATION.—The Secretary shall clarify privacy requirements, including requirements under the regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note), related to the sharing of data under subsection (b) in the same manner as the Secretary is required under subparagraph (J) of section 1860D–4(c)(5) to clarify privacy requirements related to the sharing of data described in such subparagraph.

“(d) ENSURING ACCESS.—In order to ensure reasonable access to health care, the Secretary shall waive the application of the requirement under subsection (a), with respect to a State, in the case of natural disasters and similar situations, and in the case of the provision of emergency services (as defined for purposes of section 1860D–4(c)(5)(D)(ii)(II)).

“(e) REPORTS.—

“(1) STATE REPORTS.—Each State shall include in the annual report submitted to the Secretary under section 1927(g)(3)(D), beginning with such reports submitted for 2023, information including, at a minimum, the following information for the most recent 12-month period:

“(A) The percentage of covered providers (as determined pursuant to a process established by the State) who checked the prescription drug history of a covered individual through a qualified prescription drug monitoring program described in subsection (b) before prescribing to such individual a controlled substance.

“(B) Aggregate trends with respect to prescribing controlled substances such as—

“(i) the quantity of daily morphine milligram equivalents prescribed for controlled substances;

“(ii) the number and quantity of daily morphine milligram equivalents prescribed for controlled substances per covered individual; and

“(iii) the types of controlled substances prescribed, including the dates of such prescriptions, the supplies authorized (including the duration of such supplies), and the period of validity of such prescriptions, in different populations (such as individuals who are elderly, individuals with disabilities, and individuals who are enrolled under both this title and title XVIII).

“(C) Whether or not the State requires (and a detailed explanation as to why the State does or does not require) pharmacists to check the prescription drug history of a covered individual through a qualified prescription drug monitoring program described in subsection (b) before dispensing a controlled substance to such individual.

“(D) An accounting of any data or privacy breach of a qualified prescription drug monitoring program described in subsection (b), the number of covered individuals impacted by each such breach, and a description of the steps the State has taken to address each such breach, including, to the extent required by State or Federal law or otherwise determined appropriate by the State, alerting any such impacted individual and law enforcement of the breach.

“(2) REPORT BY CMS.—Not later than October 1, 2023, the Administrator of the Centers for Medicare & Medicaid Services shall publish on the publicly available website of the Centers for Medicare & Medicaid Services a report including the following information:

“(A) Guidance for States on how States can increase the percentage of covered providers who use qualified prescription drug monitoring programs described in subsection (b).

“(B) Best practices for how States and covered providers should use such qualified prescription drug monitoring programs to reduce the occurrence of abuse of controlled substances.

“(f) INCREASE TO FMAP AND FEDERAL MATCHING RATES FOR CERTAIN EXPENDITURES RELATING TO QUALIFIED PRESCRIPTION DRUG MONITORING PROGRAMS.—

“(1) IN GENERAL.—With respect to a State that meets the condition described in paragraph (2) and any quarter occurring during fiscal year 2019 or fiscal year 2020, the Federal medical assistance percentage or Federal matching rate that would otherwise apply to such State under section 1903(a) for such quarter, with respect to expenditures by the State for activities under the State plan (or a waiver of such plan) to design, develop, or implement a prescription drug monitoring program (and to make connections to such program) that satisfies the criteria described in paragraphs (1) and (2) of subsection (b), shall be equal to 100 percent.

“(2) CONDITION.—The condition described in this paragraph, with respect to a State, is that the State (in this paragraph referred to as the ‘administering State’) has in place agreements with all States that are contiguous to such administering State that, when combined, enable covered providers in all such contiguous States to access, through the prescription drug monitoring program, the information that is described in subsection (b)(1) of covered individuals of such administering State and that covered providers in such administering State are able to access through such program.

“(g) RULE OF CONSTRUCTION.—Nothing in this section prevents a State from requiring pharmacists to check the prescription drug history of covered individuals through a qualified prescription drug monitoring pro-

gram before dispensing controlled substances to such individuals.

“(h) DEFINITIONS.—In this section:

“(1) CONTROLLED SUBSTANCE.—The term ‘controlled substance’ means a drug that is included in schedule II of section 202(c) of the Controlled Substances Act and, at the option of the State involved, a drug included in schedule III or IV of such section.

“(2) COVERED INDIVIDUAL.—The term ‘covered individual’ means, with respect to a State, an individual who is enrolled in the State plan (or under a waiver of such plan). Such term does not include an individual who—

“(A) is receiving—

“(i) hospice or palliative care; or

“(ii) treatment for cancer;

“(B) is a resident of a long-term care facility, of a facility described in section 1905(d), or of another facility for which frequently abused drugs are dispensed for residents through a contract with a single pharmacy; or

“(C) the State elects to treat as exempted from such term.

“(3) COVERED PROVIDER.—

“(A) IN GENERAL.—The term ‘covered provider’ means, subject to subparagraph (B), with respect to a State, a health care provider who is participating under the State plan (or waiver of the State plan) and licensed, registered, or otherwise permitted by the State to prescribe a controlled substance (or the designee of such provider).

“(B) EXCEPTIONS.—

“(i) IN GENERAL.—Beginning October 1, 2021, for purposes of this section, such term does not include a health care provider included in any type of health care provider determined by the Secretary to be exempt from application of this section under clause (ii).

“(ii) EXCEPTIONS PROCESS.—Not later than October 1, 2020, the Secretary, after consultation with the National Association of Medicaid Directors, national health care provider associations, Medicaid beneficiary advocates, and advocates for individuals with rare diseases, shall determine, based on such consultations, the types of health care providers (if any) that should be exempted from the definition of the term ‘covered provider’ for purposes of this section.”

(b) GUIDANCE.—Not later than October 1, 2019, the Administrator of the Centers for Medicare & Medicaid Services, in consultation with the Director of the Centers for Disease Control and Prevention, shall issue guidance on best practices on the uses of prescription drug monitoring programs required of prescribers and on protecting the privacy of Medicaid beneficiary information maintained in and accessed through prescription drug monitoring programs.

(c) DEVELOPMENT OF MODEL STATE PRACTICES.—

(1) IN GENERAL.—Not later than October 1, 2020, the Secretary of Health and Human Services shall develop and publish model practices to assist State Medicaid program operations in identifying and implementing strategies to utilize data-sharing agreements described in the matter following paragraph (2) of section 1944(b) of the Social Security Act, as added by subsection (a), for the following purposes:

(A) Monitoring and preventing fraud, waste, and abuse.

(B) Improving health care for individuals enrolled in a State plan under title XIX of such Act (or under a waiver of such plan) who—

(i) transition in and out of coverage under such title;

(ii) may have sources of health care coverage in addition to coverage under such title; or

(iii) pay for prescription drugs with cash.

(C) Any other purposes specified by the Secretary.

(2) ELEMENTS OF MODEL PRACTICES.—The model practices described in paragraph (1)—

(A) shall include strategies for assisting States in allowing the medical director or pharmacy director (or designees of such a director) of managed care organizations or pharmaceutical benefit managers to access information with respect to all covered individuals served by such managed care organizations or pharmaceutical benefit managers to access as a single data set, in an electronic format; and

(B) shall include any appropriate beneficiary protections and privacy guidelines.

(3) CONSULTATION.—In developing model practices under this subsection, the Secretary shall consult with the National Association of Medicaid Directors, managed care entities (as defined in section 1932(a)(1)(B) of the Social Security Act) with contracts with States pursuant to section 1903(m) of such Act, pharmaceutical benefit managers, physicians and other health care providers, beneficiary advocates, and individuals with expertise in health care technology related to prescription drug monitoring programs and electronic health records.

(d) REPORT BY COMPTROLLER GENERAL.—Not later than October 1, 2020, the Comptroller General of the United States shall issue a report examining the operation of prescription drug monitoring programs administered by States, including data security and access standards used by such programs.

Subtitle F—IMD CARE Act

SEC. 5051. SHORT TITLE.

This title may be cited as the “Individuals in Medicaid Deserve Care that is Appropriate and Responsible in its Execution Act” or the “IMD CARE Act”.

SEC. 5052. STATE OPTION TO PROVIDE MEDICAID COVERAGE FOR CERTAIN INDIVIDUALS WITH SUBSTANCE USE DISORDERS WHO ARE PATIENTS IN CERTAIN INSTITUTIONS FOR MENTAL DISEASES.

(a) IN GENERAL.—Title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), as amended by preceding sections of this Act, is further amended—

(1) in section 1905(a), in the subdivision (B) that follows paragraph (30), by inserting “(except in the case of services provided under a State plan amendment described in section 1915(l))” before the period; and

(2) in section 1915, by adding at the end the following new subsection:

“(1) STATE PLAN AMENDMENT OPTION TO PROVIDE MEDICAL ASSISTANCE FOR CERTAIN INDIVIDUALS WHO ARE PATIENTS IN CERTAIN INSTITUTIONS FOR MENTAL DISEASES.—

“(1) IN GENERAL.—With respect to calendar quarters beginning during the period beginning October 1, 2019, and ending September 30, 2023, a State may elect, through a State plan amendment, to provide medical assistance for items and services furnished to an eligible individual who is a patient in an eligible institution for mental diseases in accordance with the requirements of this subsection.

“(2) PAYMENTS.—Subject to paragraphs (3) and (4), amounts expended under a State plan amendment under paragraph (1) for services described in such paragraph furnished, with respect to a 12-month period, to an eligible individual who is a patient in an eligible institution for mental diseases shall be treated as medical assistance for which payment is made under section 1903(a) but only to the extent that such services are furnished for not more than a period of 30 days (whether or not consecutive) during such 12-month period.

“(3) MAINTENANCE OF EFFORT.—

“(A) IN GENERAL.—As a condition for a State receiving payments under section 1903(a) for medical assistance provided in accordance with this subsection, the State shall (during the period in which it so furnished such medical assistance through a State plan amendment under this subsection) maintain on an annual basis a level of funding expended by the State (and political subdivisions thereof) other than under this title from non-Federal funds for—

“(i) items and services furnished to eligible individuals who are patients in eligible institutions for mental diseases that is not less than the level of such funding for such items and services for the most recently ended fiscal year as of the date of enactment of this subsection or, if higher, for the most recently ended fiscal year as of the date the State submits a State plan amendment to the Secretary to provide such medical assistance in accordance with this subsection; and

“(ii) items and services (including services described in subparagraph (B)) furnished to eligible individuals in outpatient and community-based settings that is not less than the level of such funding for such items and services for the most recently ended fiscal year as of the date of enactment of this subsection or, if higher, for the most recently ended fiscal year as of the date the State submits a State plan amendment to the Secretary to provide such medical assistance in accordance with this subsection.

“(B) SERVICES DESCRIBED.—For purposes of subparagraph (A)(ii), services described in this subparagraph are the following:

“(i) Outpatient and community-based substance use disorder treatment.

“(ii) Evidence-based recovery and support services.

“(iii) Clinically-directed therapeutic treatment to facilitate recovery skills, relapse prevention, and emotional coping strategies.

“(iv) Outpatient medication-assisted treatment, related therapies, and pharmacology.

“(v) Counseling and clinical monitoring.

“(vi) Outpatient withdrawal management and related treatment designed to alleviate acute emotional, behavioral, cognitive, or biomedical distress resulting from, or occurring with, an individual's use of alcohol and other drugs.

“(vii) Routine monitoring of medication adherence.

“(viii) Other outpatient and community-based services for the treatment of substance use disorders, as designated by the Secretary.

“(C) STATE REPORTING REQUIREMENT.—

“(i) IN GENERAL.—Prior to approval of a State plan amendment under this subsection, as a condition for a State receiving payments under section 1903(a) for medical assistance provided in accordance with this subsection, the State shall report to the Secretary, in accordance with the process established by the Secretary under clause (ii), the information deemed necessary by the Secretary under such clause.

“(ii) PROCESS.—Not later than the date that is 8 months after the date of enactment of this subsection, the Secretary shall establish a process for States to report to the Secretary, at such time and in such manner as the Secretary deems appropriate, such information as the Secretary deems necessary to verify a State's compliance with subparagraph (A).

“(4) ENSURING A CONTINUUM OF SERVICES.—

“(A) IN GENERAL.—As a condition for a State receiving payments under section 1903(a) for medical assistance provided in accordance with this subsection, the State shall carry out each of the requirements described in subparagraphs (B) through (D).

“(B) NOTIFICATION.—Prior to approval of a State plan amendment under this subsection, the State shall notify the Secretary

of how the State will ensure that eligible individuals receive appropriate evidence-based clinical screening prior to being furnished with items and services in an eligible institution for mental diseases, including initial and periodic assessments to determine the appropriate level of care, length of stay, and setting for such care for each individual.

“(C) OUTPATIENT SERVICES; INPATIENT AND RESIDENTIAL SERVICES.—

“(i) OUTPATIENT SERVICES.—The State shall, at a minimum, provide medical assistance for services that could otherwise be covered under the State plan, consistent with each of the following outpatient levels of care:

“(I) Early intervention for individuals who, for a known reason, are at risk of developing substance-related problems and for individuals for whom there is not yet sufficient information to document a diagnosable substance use disorder.

“(II) Outpatient services for less than 9 hours per week for adults, and for less than 6 hours per week for adolescents, for recovery or motivational enhancement therapies and strategies.

“(III) Intensive outpatient services for 9 hours or more per week for adults, and for 6 hours or more per week for adolescents, to treat multidimensional instability.

“(IV) Partial hospitalization services for 20 hours or more per week for adults and adolescents to treat multidimensional instability that does not require 24-hour care.

“(ii) INPATIENT AND RESIDENTIAL SERVICES.—The State shall provide medical assistance for services that could otherwise be covered under the State plan, consistent with at least 2 of the following inpatient and residential levels of care:

“(I) Clinically managed, low-intensity residential services that provide adults and adolescents with 24-hour living support and structure with trained personnel and at least 5 hours of clinical service per week per individual.

“(II) Clinically managed, population-specific, high-intensity residential services that provide adults with 24-hour care with trained counselors to stabilize multidimensional imminent danger along with less intense milieu and group treatment for those with cognitive or other impairments unable to use full active milieu or therapeutic community.

“(III) Clinically managed, medium-intensity residential services for adolescents, and clinically managed, high-intensity residential services for adults, that provide 24-hour care with trained counselors to stabilize multidimensional imminent danger and preparation for outpatient treatment.

“(IV) Medically monitored, high-intensity inpatient services for adolescents, and medically monitored, intensive inpatient services withdrawal management for adults, that provide 24-hour nursing care, make physicians available for significant problems in Dimensions 1, 2, or 3, and provide counseling services 16 hours per day.

“(V) Medically managed, intensive inpatient services for adolescents and adults that provide 24-hour nursing care and daily physician care for severe, unstable problems in Dimensions 1, 2 or 3.

“(D) TRANSITION OF CARE.—In order to ensure an appropriate transition for an eligible individual from receiving care in an eligible institution for mental diseases to receiving care at a lower level of clinical intensity within the continuum of care (including outpatient services), the State shall ensure that—

“(i) a placement in such eligible institution for mental diseases would allow for an eligible individual's successful transition to the community, considering such factors as proximity to an individual's support network (such as family members, employment, and

counseling and other services near an individual's residence); and

“(ii) all eligible institutions for mental diseases that furnish items and services to individuals for which medical assistance is provided under the State plan—

“(I) are able to provide care at such lower level of clinical intensity; or

“(II) have an established relationship with another facility or provider that is able to provide care at such lower level of clinical intensity and accepts patients receiving medical assistance under this title under which the eligible institution for mental diseases may arrange for individuals to receive such care from such other facility or provider.

“(5) APPLICATION TO MANAGED CARE.—Payments for, and limitations to, medical assistance furnished in accordance with this subsection shall be in addition to and shall not be construed to limit or supersede the ability of States to make monthly capitation payments to managed care organizations for individuals receiving treatment in institutions for mental diseases in accordance with section 438.6(e) of title 42, Code of Federal Regulations (or any successor regulation).

“(6) OTHER MEDICAL ASSISTANCE.—The provision of medical assistance for items and services furnished to an eligible individual who is a patient in an eligible institution for mental diseases in accordance with the requirements of this subsection shall not prohibit Federal financial participation for medical assistance for items or services that are provided to such eligible individual in or away from the eligible institution for mental disease during any period in which the eligible individual is receiving items or services in accordance with this subsection.

“(7) DEFINITIONS.—In this subsection:

“(A) DIMENSIONS 1, 2, OR 3.—The term ‘Dimensions 1, 2, or 3’ has the meaning given that term for purposes of the publication of the American Society of Addiction Medicine entitled ‘The ASAM Criteria: Treatment Criteria for Addictive Substance-Related, and Co-Occurring Conditions, 2013’.

“(B) ELIGIBLE INDIVIDUAL.—The term ‘eligible individual’ means an individual who—

“(i) with respect to a State, is enrolled for medical assistance under the State plan or a waiver of such plan;

“(ii) is at least 21 years of age;

“(iii) has not attained 65 years of age; and

“(iv) has at least 1 substance use disorder.

“(C) ELIGIBLE INSTITUTION FOR MENTAL DISEASES.—The term ‘eligible institution for mental diseases’ means an institution for mental diseases that—

“(i) follows reliable, evidence-based practices; and

“(ii) offers at least 2 forms of medication-assisted treatment for substance use disorders on site, including, in the case of medication-assisted treatment for opioid use disorder, at least 1 antagonist and 1 partial agonist.

“(D) INSTITUTION FOR MENTAL DISEASES.—The term ‘institution for mental diseases’ has the meaning given that term in section 1905(i).”.

(b) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (a) shall be construed as encouraging a State to place an individual in an inpatient or a residential care setting where a home or community-based care setting would be more appropriate for the individual, or as preventing a State from conducting or pursuing a demonstration project under section 1115 of the Social Security Act to improve access to, and the quality of, substance use disorder treatment for eligible populations.

Subtitle G—Medicaid Improvement Fund**SEC. 5061. MEDICAID IMPROVEMENT FUND.**

Section 1941(b)(1) of the Social Security Act (42 U.S.C. 1396w-1(b)(1)) is amended by striking “\$0” and inserting “\$31,000,000”.

TITLE VI—OTHER MEDICARE PROVISIONS**Subtitle A—Testing of Incentive Payments for Behavioral Health Providers for Adoption and Use of Certified Electronic Health Record Technology****SEC. 6001. TESTING OF INCENTIVE PAYMENTS FOR BEHAVIORAL HEALTH PROVIDERS FOR ADOPTION AND USE OF CERTIFIED ELECTRONIC HEALTH RECORD TECHNOLOGY.**

Section 1115A(b)(2)(B) of the Social Security Act (42 U.S.C. 1315a(b)(2)(B)) is amended by adding at the end the following new clause:

“(xxv) Providing, for the adoption and use of certified EHR technology (as defined in section 1848(o)(4)) to improve the quality and coordination of care through the electronic documentation and exchange of health information, incentive payments to behavioral health providers (such as psychiatric hospitals (as defined in section 1861(f)), community mental health centers (as defined in section 1861(ff)(3)(B)), hospitals that participate in a State plan under title XIX or a waiver of such plan, treatment facilities that participate in such a State plan or such a waiver, mental health or substance use disorder providers that participate in such a State plan or such a waiver, clinical psychologists (as defined in section 1861(ii)), nurse practitioners (as defined in section 1861(aa)(5)) with respect to the provision of psychiatric services, and clinical social workers (as defined in section 1861(hh)(1)).”.

Subtitle B—Abuse Deterrent Access**SEC. 6011. SHORT TITLE.**

This subtitle may be cited as the “Abuse Deterrent Access Act of 2018”.

SEC. 6012. STUDY ON ABUSE-DETERRENT OPIOID FORMULATIONS ACCESS BARRIERS UNDER MEDICARE.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall conduct a study and submit to Congress a report on—

(1) the adequacy of access to abuse-deterrent opioid formulations for individuals with chronic pain enrolled in an MA-PD plan under part C of title XVIII of the Social Security Act or a prescription drug plan under part D of such title of such Act, taking into account any barriers preventing such individuals from accessing such formulations under such MA-PD or part D plans, such as cost-sharing tiers, fail-first requirements, the price of such formulations, and prior authorization requirements; and

(2) the effectiveness of abuse-deterrent opioid formulations in preventing opioid abuse or misuse; the impact of the use of abuse-deterrent opioid formulations on the use or abuse of other prescription or illicit opioids (including changes in deaths from such opioids); and other public health consequences of the use of abuse-deterrent opioid formulations, such as an increase in rates of human immunodeficiency virus.

(b) DEFINITION OF ABUSE-DETERRENT OPIOID FORMULATION.—In this section, the term “abuse-deterrent opioid formulation” means an opioid that is a prodrug or that has certain abuse-deterrent properties, such as physical or chemical barriers, agonist or antagonist combinations, aversion properties, delivery system mechanisms, or other features designed to prevent abuse of such opioid.

Subtitle C—Medicare Opioid Safety Education**SEC. 6021. MEDICARE OPIOID SAFETY EDUCATION.**

(a) IN GENERAL.—Section 1804 of the Social Security Act (42 U.S.C. 1395b-2) is amended by adding at the end the following new subsection:

“(d) The notice provided under subsection (a) shall include—

“(1) references to educational resources regarding opioid use and pain management;

“(2) a description of categories of alternative, non-opioid pain management treatments covered under this title; and

“(3) a suggestion for the beneficiary to talk to a physician regarding opioid use and pain management.”.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to notices distributed prior to each Medicare open enrollment period beginning after January 1, 2019.

Subtitle D—Opioid Addiction Action Plan**SEC. 6031. SHORT TITLE.**

This subtitle may be cited as the “Opioid Addiction Action Plan Act”.

SEC. 6032. ACTION PLAN ON RECOMMENDATIONS FOR CHANGES UNDER MEDICARE AND MEDICAID TO PREVENT OPIOIDS ADDICTIONS AND ENHANCE ACCESS TO MEDICATION-ASSISTED TREATMENT.

(a) IN GENERAL.—Not later than January 1, 2020, the Secretary of Health and Human Services (in this section referred to as the “Secretary”), in collaboration with the Pain Management Best Practices Inter-Agency Task Force convened under section 101(b) of the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114-198), shall develop an action plan as described in subsection (b).

(b) ACTION PLAN COMPONENTS.—The action plan shall include a review by the Secretary of Medicare and Medicaid payment and coverage policies that may be viewed as potential obstacles to an effective response to the opioid crisis, and recommendations, as determined appropriate by the Secretary, on the following:

(1) A review of payment and coverage policies under the Medicare program under title XVIII of the Social Security Act and the Medicaid program under title XIX of such Act, including a review of coverage and payment under such programs of all medication-assisted treatment approved by the Food and Drug Administration related to the treatment of opioid use disorder and other therapies that manage chronic and acute pain and treat and minimize risk of opioid misuse and abuse, including in such review, payment under the Medicare prospective payment system for inpatient hospital services under section 1886(d) of such Act (42 U.S.C. 1395ww(d)) and the Medicare prospective payment system for hospital outpatient department services under section 1833(t) of such Act (42 U.S.C. 1395I(t)), to determine whether those payment policies resulted in incentives or disincentives that have contributed to the opioid crisis.

(2) Recommendations for payment and service delivery models to be tested as appropriate by the Center for Medicare and Medicaid Innovation and other federally authorized demonstration projects, including value-based models, that may encourage the use of appropriate medication-assisted treatment approved by the Food and Drug Administration for the treatment of opioid use disorder and other therapies that manage chronic and acute pain and treat and minimize risk of opioid misuse and abuse.

(3) Recommendations for data collection that could facilitate research and policymaking regarding prevention of opioid use

disorder as well as data that would aid the Secretary in making coverage and payment decisions under the Medicare and Medicaid programs related to the access to appropriate opioid dependence treatments.

(4) A review of Medicare and Medicaid beneficiaries’ access to the full range of medication-assisted treatment approved by the Food and Drug Administration for the treatment of opioid use disorder and other therapies that manage chronic and acute pain and treat and minimize risk of opioid misuse and abuse, including access of beneficiaries residing in rural or medically underserved communities.

(5) A review of payment and coverage policies under the Medicare program and the Medicaid program related to medical devices that are non-opioid based treatments approved by the Food and Drug Administration for the management of acute pain and chronic pain, for monitoring substance use withdrawal and preventing overdoses of controlled substances, and for treating substance use disorder, including barriers to patient access.

(c) STAKEHOLDER MEETINGS.—

(1) IN GENERAL.—Beginning not later than 3 months after the date of the enactment of this section, the Secretary shall convene a public stakeholder meeting to solicit public comment on the components of the action plan described in subsection (b).

(2) PARTICIPANTS.—Participants of meetings described in paragraph (1) shall include representatives from the Food and Drug Administration and National Institutes of Health, biopharmaceutical industry members, medical researchers, health care providers, the medical device industry, the Medicare program, the Medicaid program, and patient advocates.

(d) REQUEST FOR INFORMATION.—Not later than 3 months after the date of the enactment of this section, the Secretary shall issue a request for information seeking public feedback regarding ways in which the Centers for Medicare & Medicaid Services can help address the opioid crisis through the development of and application of the action plan.

(e) REPORT TO CONGRESS.—Not later than June 1, 2020, the Secretary shall submit to Congress, and make public, a report that includes—

(1) a summary of the results of the Secretary’s review and any recommendations under the action plan;

(2) the Secretary’s planned next steps with respect to the action plan; and

(3) an evaluation of price trends for drugs used to reverse opioid overdoses (such as naloxone), including recommendations on ways to lower such prices for consumers.

(f) DEFINITION OF MEDICATION-ASSISTED TREATMENT.—In this section, the term “medication-assisted treatment” includes opioid treatment programs, behavioral therapy, and medications to treat substance abuse disorder.

Subtitle E—Advancing High Quality Treatment for Opioid Use Disorders in Medicare**SEC. 6041. SHORT TITLE.**

This subtitle may be cited as the “Advancing High Quality Treatment for Opioid Use Disorders in Medicare Act”.

SEC. 6042. OPIOID USE DISORDER TREATMENT DEMONSTRATION PROGRAM.

Title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) is amended by inserting after section 1866E (42 U.S.C. 1395cc-5) the following new section:

“SEC. 1866F. OPIOID USE DISORDER TREATMENT DEMONSTRATION PROGRAM.

“(a) IMPLEMENTATION OF 4-YEAR DEMONSTRATION PROGRAM.—

“(1) IN GENERAL.—Not later than January 1, 2021, the Secretary shall implement a 4-

year demonstration program under this title (in this section referred to as the 'Program') to increase access of applicable beneficiaries to opioid use disorder treatment services, improve physical and mental health outcomes for such beneficiaries, and to the extent possible, reduce expenditures under this title. Under the Program, the Secretary shall make payments under subsection (e) to participants (as defined in subsection (c)(1)(A)) for furnishing opioid use disorder treatment services delivered through opioid use disorder care teams, or arranging for such services to be furnished, to applicable beneficiaries participating in the Program.

"(2) OPIOID USE DISORDER TREATMENT SERVICES.—For purposes of this section, the term 'opioid use disorder treatment services'—

"(A) means, with respect to an applicable beneficiary, services that are furnished for the treatment of opioid use disorders and that utilize drugs approved under section 505 of the Federal Food, Drug, and Cosmetic Act for the treatment of opioid use disorders in an outpatient setting; and

"(B) includes—

"(i) medication-assisted treatment;

"(ii) treatment planning;

"(iii) psychiatric, psychological, or counseling services (or any combination of such services), as appropriate;

"(iv) social support services, as appropriate; and

"(v) care management and care coordination services, including coordination with other providers of services and suppliers not on an opioid use disorder care team.

"(b) PROGRAM DESIGN.—

"(1) IN GENERAL.—The Secretary shall design the Program in such a manner to allow for the evaluation of the extent to which the Program accomplishes the following purposes:

"(A) Reduces hospitalizations and emergency department visits.

"(B) Increases use of medication-assisted treatment for opioid use disorders.

"(C) Improves health outcomes of individuals with opioid use disorders, including by reducing the incidence of infectious diseases (such as hepatitis C and HIV).

"(D) Does not increase the total spending on items and services under this title.

"(E) Reduces deaths from opioid overdose.

"(F) Reduces the utilization of inpatient residential treatment.

"(2) CONSULTATION.—In designing the Program, including the criteria under subsection (e)(2)(A), the Secretary shall, not later than 3 months after the date of the enactment of this section, consult with specialists in the field of addiction, clinicians in the primary care community, and beneficiary groups.

"(c) PARTICIPANTS; OPIOID USE DISORDER CARE TEAMS.—

"(1) PARTICIPANTS.—

"(A) DEFINITION.—In this section, the term 'participant' means an entity or individual—

"(i) that is otherwise enrolled under this title and that is—

"(I) a physician (as defined in section 1861(r)(1));

"(II) a group practice comprised of at least one physician described in subclause (I);

"(III) a hospital outpatient department;

"(IV) a federally qualified health center (as defined in section 1861(aa)(4));

"(V) a rural health clinic (as defined in section 1861(aa)(2));

"(VI) a community mental health center (as defined in section 1861(ff)(3)(B));

"(VII) a clinic certified as a certified community behavioral health clinic pursuant to section 223 of the Protecting Access to Medicare Act of 2014; or

"(VIII) any other individual or entity specified by the Secretary;

"(ii) that applied for and was selected to participate in the Program pursuant to an application and selection process established by the Secretary; and

"(iii) that establishes an opioid use disorder care team (as defined in paragraph (2)) through employing or contracting with health care practitioners described in paragraph (2)(A), and uses such team to furnish or arrange for opioid use disorder treatment services in the outpatient setting under the Program.

"(B) PREFERENCE.—In selecting participants for the Program, the Secretary shall give preference to individuals and entities that are located in areas with a prevalence of opioid use disorders that is higher than the national average prevalence.

"(2) OPIOID USE DISORDER CARE TEAMS.—

"(A) IN GENERAL.—For purposes of this section, the term 'opioid use disorder care team' means a team of health care practitioners established by a participant described in paragraph (1)(A) that—

"(i) shall include—

"(I) at least one physician (as defined in section 1861(r)(1)) furnishing primary care services or addiction treatment services to an applicable beneficiary; and

"(II) at least one eligible practitioner (as defined in paragraph (3)), who may be a physician who meets the criterion in subclause (I); and

"(ii) may include other practitioners licensed under State law to furnish psychiatric, psychological, counseling, and social services to applicable beneficiaries.

"(B) REQUIREMENTS FOR RECEIPT OF PAYMENT UNDER PROGRAM.—In order to receive payments under subsection (e), each participant in the Program shall—

"(i) furnish opioid use disorder treatment services through opioid use disorder care teams to applicable beneficiaries who agree to receive the services;

"(ii) meet minimum criteria, as established by the Secretary; and

"(iii) submit to the Secretary, in such form, manner, and frequency as specified by the Secretary, with respect to each applicable beneficiary for whom opioid use disorder treatment services are furnished by the opioid use disorder care team, data and such other information as the Secretary determines appropriate to—

"(I) monitor and evaluate the Program;

"(II) determine if minimum criteria are met under clause (ii); and

"(III) determine the incentive payment under subsection (e).

"(3) ELIGIBLE PRACTITIONER DEFINED.—For purposes of this section, the term 'eligible practitioner' means a physician or other health care practitioner, such as a nurse practitioner, that—

"(A) is enrolled under section 1866(j)(1);

"(B) is authorized to prescribe or dispense narcotic drugs to individuals for maintenance treatment or detoxification treatment; and

"(C) has in effect a waiver in accordance with section 303(g) of the Controlled Substances Act for such purpose and is otherwise in compliance with regulations promulgated by the Substance Abuse and Mental Health Services Administration to carry out such section.

"(d) PARTICIPATION OF APPLICABLE BENEFICIARIES.—

"(1) APPLICABLE BENEFICIARY DEFINED.—In this section, the term 'applicable beneficiary' means an individual who—

"(A) is entitled to, or enrolled for, benefits under part A and enrolled for benefits under part B;

"(B) is not enrolled in a Medicare Advantage plan under part C;

"(C) has a current diagnosis for an opioid use disorder; and

"(D) meets such other criteria as the Secretary determines appropriate.

Such term shall include an individual who is dually eligible for benefits under this title and title XIX if such individual satisfies the criteria described in subparagraphs (A) through (D).

"(2) VOLUNTARY BENEFICIARY PARTICIPATION; LIMITATION ON NUMBER OF BENEFICIARIES.—An applicable beneficiary may participate in the Program on a voluntary basis and may terminate participation in the Program at any time. Not more than 20,000 applicable beneficiaries may participate in the Program at any time.

"(3) SERVICES.—In order to participate in the Program, an applicable beneficiary shall agree to receive opioid use disorder treatment services from a participant. Participation under the Program shall not affect coverage of or payment for any other item or service under this title for the applicable beneficiary.

"(4) BENEFICIARY ACCESS TO SERVICES.—Nothing in this section shall be construed as encouraging providers to limit applicable beneficiary access to services covered under this title, and applicable beneficiaries shall not be required to relinquish access to any benefit under this title as a condition of receiving services from a participant in the Program.

"(e) PAYMENTS.—

"(1) PER APPLICABLE BENEFICIARY PER MONTH CARE MANAGEMENT FEE.—

"(A) IN GENERAL.—The Secretary shall establish a schedule of per applicable beneficiary per month care management fees. Such a per applicable beneficiary per month care management fee shall be paid to a participant in addition to any other amount otherwise payable under this title to the health care practitioners in the participant's opioid use disorder care team or, if applicable, to the participant. A participant may use such per applicable beneficiary per month care management fee to deliver additional services to applicable beneficiaries, including services not otherwise eligible for payment under this title.

"(B) PAYMENT AMOUNTS.—In carrying out subparagraph (A), the Secretary may—

"(i) consider payments otherwise payable under this title for opioid use disorder treatment services and the needs of applicable beneficiaries;

"(ii) pay a higher per applicable beneficiary per month care management fee for an applicable beneficiary who receives more intensive treatment services from a participant and for whom those services are appropriate based on clinical guidelines for opioid use disorder care;

"(iii) pay a higher per applicable beneficiary per month care management fee for the month in which the applicable beneficiary begins treatment with a participant than in subsequent months, to reflect the greater time and costs required for the planning and initiation of treatment, as compared to maintenance of treatment; and

"(iv) take into account whether a participant's opioid use disorder care team refers applicable beneficiaries to other suppliers or providers for any opioid use disorder treatment services.

"(C) NO DUPLICATE PAYMENT.—The Secretary shall make payments under this paragraph to only one participant for services furnished to an applicable beneficiary during a calendar month.

"(2) INCENTIVE PAYMENTS.—

"(A) IN GENERAL.—Under the Program, the Secretary shall establish a performance-based incentive payment, which shall be paid (using a methodology established and at a time determined appropriate by the Secretary) to participants based on the perform-

ance of participants with respect to criteria, as determined appropriate by the Secretary, in accordance with subparagraph (B).

“(B) CRITERIA.—

“(i) IN GENERAL.—Criteria described in subparagraph (A) may include consideration of the following:

“(I) Patient engagement and retention in treatment.

“(II) Evidence-based medication-assisted treatment.

“(III) Other criteria established by the Secretary.

“(ii) REQUIRED CONSULTATION AND CONSIDERATION.—In determining criteria described in subparagraph (A), the Secretary shall—

“(I) consult with stakeholders, including clinicians in the primary care community and in the field of addiction medicine; and

“(II) consider existing clinical guidelines for the treatment of opioid use disorders.

“(C) NO DUPLICATE PAYMENT.—The Secretary shall ensure that no duplicate payments under this paragraph are made with respect to an applicable beneficiary.

“(f) MULTIPAYER STRATEGY.—In carrying out the Program, the Secretary shall encourage other payers to provide similar payments and to use similar criteria as applied under the Program under subsection (e)(2)(C). The Secretary may enter into a memorandum of understanding with other payers to align the methodology for payment provided by such a payer related to opioid use disorder treatment services with such methodology for payment under the Program.

“(g) EVALUATION.—

“(1) IN GENERAL.—The Secretary shall conduct an intermediate and final evaluation of the program. Each such evaluation shall determine the extent to which each of the purposes described in subsection (b) have been accomplished under the Program.

“(2) REPORTS.—The Secretary shall submit to Congress—

“(A) a report with respect to the intermediate evaluation under paragraph (1) not later than 3 years after the date of the implementation of the Program; and

“(B) a report with respect to the final evaluation under paragraph (1) not later than 6 years after such date.

“(h) FUNDING.—

“(1) ADMINISTRATIVE FUNDING.—For the purposes of implementing, administering, and carrying out the Program (other than for purposes described in paragraph (2)), \$5,000,000 shall be available from the Federal Supplementary Medical Insurance Trust Fund under section 1841.

“(2) CARE MANAGEMENT FEES AND INCENTIVES.—For the purposes of making payments under subsection (e), \$10,000,000 shall be available from the Federal Supplementary Medical Insurance Trust Fund under section 1841 for each of fiscal years 2021 through 2024.

“(3) AVAILABILITY.—Amounts transferred under this subsection for a fiscal year shall be available until expended.

“(i) WAIVERS.—The Secretary may waive any provision of this title as may be necessary to carry out the Program under this section.”.

Subtitle F—Responsible Education Achieves Care and Healthy Outcomes for Users' Treatment

SEC. 6051. SHORT TITLE.

This subtitle may be cited as the “Responsible Education Achieves Care and Healthy Outcomes for Users' Treatment Act of 2018” or the “REACH OUT Act of 2018”.

SEC. 6052. GRANTS TO PROVIDE TECHNICAL ASSISTANCE TO OUTLIER PRESCRIBERS OF OPIOIDS.

(a) GRANTS AUTHORIZED.—The Secretary of Health and Human Services (in this section

referred to as the “Secretary”) shall, through the Centers for Medicare & Medicaid Services, award grants, contracts, or cooperative agreements to eligible entities for the purposes described in subsection (b).

(b) USE OF FUNDS.—Grants, contracts, and cooperative agreements awarded under subsection (a) shall be used to support eligible entities through technical assistance—

(1) to educate and provide outreach to outlier prescribers of opioids about best practices for prescribing opioids;

(2) to educate and provide outreach to outlier prescribers of opioids about non-opioid pain management therapies; and

(3) to reduce the amount of opioid prescriptions prescribed by outlier prescribers of opioids.

(c) APPLICATION.—Each eligible entity seeking to receive a grant, contract, or cooperative agreement under subsection (a) shall submit to the Secretary an application, at such time, in such manner, and containing such information as the Secretary may require.

(d) GEOGRAPHIC DISTRIBUTION.—In awarding grants, contracts, and cooperative agreements under this section, the Secretary shall prioritize establishing technical assistance resources in each State.

(e) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) an organization—

(i) that has demonstrated experience providing technical assistance to health care professionals on a State or regional basis; and

(ii) that has at least—

(I) one individual who is a representative of consumers on its governing body; and

(II) one individual who is a representative of health care providers on its governing body; or

(B) an entity that is a quality improvement entity with a contract under part B of title XI of the Social Security Act (42 U.S.C. 1320c et seq.).

(2) OUTLIER PRESCRIBER OF OPIOIDS.—The term “outlier prescriber of opioids” means, with respect to a period, a prescriber identified by the Secretary under subparagraph (D)(ii) of section 1860D-4(c)(4) of the Social Security Act (42 U.S.C. 1395w-104(c)(4)), as added by section 6065 of this Act, to be an outlier prescriber of opioids for such period.

(3) PRESCRIBERS.—The term “prescriber” means any health care professional, including a nurse practitioner or physician assistant, who is licensed to prescribe opioids by the State or territory in which such professional practices.

(f) FUNDING.—For purposes of implementing this section, \$75,000,000 shall be available from the Federal Supplementary Medical Insurance Trust Fund under section 1841 of the Social Security Act (42 U.S.C. 1395t), to remain available until expended.

Subtitle G—Preventing Addiction for Susceptible Seniors

SEC. 6061. SHORT TITLE.

This subtitle may be cited as the “Preventing Addiction for Susceptible Seniors Act of 2018” or the “PASS Act of 2018”.

SEC. 6062. ELECTRONIC PRIOR AUTHORIZATION FOR COVERED PART D DRUGS.

Section 1860D-4(e)(2) of the Social Security Act (42 U.S.C. 1395w-104(e)(2)) is amended by adding at the end the following new subparagraph:

“(B) ELECTRONIC PRIOR AUTHORIZATION.—

“(i) IN GENERAL.—Not later than January 1, 2021, the program shall provide for the secure electronic transmission of—

“(I) a prior authorization request from the prescribing health care professional for coverage of a covered part D drug for a part D eligible individual enrolled in a part D plan

(as defined in section 1860D-23(a)(5)) to the PDP sponsor or Medicare Advantage organization offering such plan; and

“(II) a response, in accordance with this subparagraph, from such PDP sponsor or Medicare Advantage organization, respectively, to such professional.

“(ii) ELECTRONIC TRANSMISSION.—

“(I) EXCLUSIONS.—For purposes of this subparagraph, a facsimile, a proprietary payer portal that does not meet standards specified by the Secretary, or an electronic form shall not be treated as an electronic transmission described in clause (i).

“(II) STANDARDS.—In order to be treated, for purposes of this subparagraph, as an electronic transmission described in clause (i), such transmission shall comply with technical standards adopted by the Secretary in consultation with the National Council for Prescription Drug Programs, other standard setting organizations determined appropriate by the Secretary, and stakeholders including PDP sponsors, Medicare Advantage organizations, health care professionals, and health information technology software vendors.

“(III) APPLICATION.—Notwithstanding any other provision of law, for purposes of this subparagraph, the Secretary may require the use of such standards adopted under subclause (II) in lieu of any other applicable standards for an electronic transmission described in clause (i) for a covered part D drug for a part D eligible individual.”.

SEC. 6063. PROGRAM INTEGRITY TRANSPARENCY MEASURES UNDER MEDICARE PARTS C AND D.

(a) IN GENERAL.—Section 1859 of the Social Security Act (42 U.S.C. 1395w-28) is amended by adding at the end the following new subsection:

“(i) PROGRAM INTEGRITY TRANSPARENCY MEASURES.—

“(1) PROGRAM INTEGRITY PORTAL.—

“(A) IN GENERAL.—Not later than 2 years after the date of the enactment of this subsection, the Secretary shall, after consultation with stakeholders, establish a secure internet website portal (or other successor technology) that would allow a secure path for communication between the Secretary, MA plans under this part, prescription drug plans under part D, and an eligible entity with a contract under section 1893 (such as a Medicare drug integrity contractor or an entity responsible for carrying out program integrity activities under this part and part D) for the purpose of enabling through such portal (or other successor technology)—

“(i) the referral by such plans of substantiated or suspicious activities, as defined by the Secretary, of a provider of services (including a prescriber) or supplier related to fraud, waste, and abuse for initiating or assisting investigations conducted by the eligible entity; and

“(ii) data sharing among such MA plans, prescription drug plans, and the Secretary.

“(B) REQUIRED USES OF PORTAL.—The Secretary shall disseminate the following information to MA plans under this part and prescription drug plans under part D through the secure internet website portal (or other successor technology) established under subparagraph (A):

“(i) Providers of services and suppliers that have been referred pursuant to subparagraph (A)(i) during the previous 12-month period.

“(ii) Providers of services and suppliers who are the subject of an active exclusion under section 1128 or who are subject to a suspension of payment under this title pursuant to section 1862(o) or otherwise.

“(iii) Providers of services and suppliers who are the subject of an active revocation of participation under this title, including

for not satisfying conditions of participation.

“(iv) In the case of such a plan that makes a referral under subparagraph (A)(i) through the portal (or other successor technology) with respect to activities of substantiated or suspicious activities of fraud, waste, or abuse of a provider of services (including a prescriber) or supplier, if such provider (including a prescriber) or supplier has been the subject of an administrative action under this title or title XI with respect to similar activities, a notification to such plan of such action so taken.

“(C) RULEMAKING.—For purposes of this paragraph, the Secretary shall, through rulemaking, specify what constitutes substantiated or suspicious activities of fraud, waste, and abuse, using guidance such as what is provided in the Medicare Program Integrity Manual 4.8. In carrying out this subsection, a fraud hotline tip (as defined by the Secretary) without further evidence shall not be treated as sufficient evidence for substantiated fraud, waste, or abuse.

“(D) HIPAA COMPLIANT INFORMATION ONLY.—For purposes of this subsection, communications may only occur if the communications are permitted under the Federal regulations (concerning the privacy of individually identifiable health information) promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996.

“(2) QUARTERLY REPORTS.—Beginning not later than 2 years after the date of the enactment of this subsection, the Secretary shall make available to MA plans under this part and prescription drug plans under part D in a timely manner (but no less frequently than quarterly) and using information submitted to an entity described in paragraph (1) through the portal (or other successor technology) described in such paragraph or pursuant to section 1893, information on fraud, waste, and abuse schemes and trends in identifying suspicious activity. Information included in each such report shall—

“(A) include administrative actions, pertinent information related to opioid overprescribing, and other data determined appropriate by the Secretary in consultation with stakeholders; and

“(B) be anonymized information submitted by plans without identifying the source of such information.

“(3) CLARIFICATION.—Nothing in this subsection shall preclude or otherwise affect referrals to the Inspector General of the Department of Health and Human Services or other law enforcement entities.”.

(b) CONTRACT REQUIREMENT TO COMMUNICATE PLAN CORRECTIVE ACTIONS AGAINST OPIOIDS OVER-PRESCRIBERS.—Section 1857(e) of the Social Security Act (42 U.S.C. 1395w-27(e)) is amended by adding at the end the following new paragraph:

“(5) COMMUNICATING PLAN CORRECTIVE ACTIONS AGAINST OPIOIDS OVER-PRESCRIBERS.—

“(A) IN GENERAL.—Beginning with plan years beginning on or after January 1, 2021, a contract under this section with an MA organization shall require the organization to submit to the Secretary, through the process established under subparagraph (B), information on the investigations, credible evidence of suspicious activities of a provider of services (including a prescriber) or supplier related to fraud, and other actions taken by such plans related to inappropriate prescribing of opioids.

“(B) PROCESS.—Not later than January 1, 2021, the Secretary shall, in consultation with stakeholders, establish a process under which MA plans and prescription drug plans shall submit to the Secretary information described in subparagraph (A).

“(C) REGULATIONS.—For purposes of this paragraph, including as applied under sec-

tion 1860D-12(b)(3)(D), the Secretary shall, pursuant to rulemaking—

“(i) specify a definition for the term ‘inappropriate prescribing’ and a method for determining if a provider of services prescribes inappropriate prescribing; and

“(ii) establish the process described in subparagraph (B) and the types of information that shall be submitted through such process.”.

(c) REFERENCE UNDER PART D TO PROGRAM INTEGRITY TRANSPARENCY MEASURES.—Section 1860D-4 of the Social Security Act (42 U.S.C. 1395w-104) is amended by adding at the end the following new subsection:

“(m) PROGRAM INTEGRITY TRANSPARENCY MEASURES.—For program integrity transparency measures applied with respect to prescription drug plan and MA plans, see section 1859(i).”.

SEC. 6064. EXPANDING ELIGIBILITY FOR MEDICATION THERAPY MANAGEMENT PROGRAMS UNDER PART D.

Section 1860D-4(c)(2)(A)(ii) of the Social Security Act (42 U.S.C. 1395w-104(c)(2)(A)(ii)) is amended—

(1) by redesignating subclauses (I) through (III) as items (aa) through (cc), respectively, and adjusting the margins accordingly;

(2) by striking “are part D eligible individuals who—” and inserting “are the following:

“(I) Part D eligible individuals who—”; and

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

“(II) Beginning January 1, 2021, at-risk beneficiaries for prescription drug abuse (as defined in paragraph (5)(C)).”.

SEC. 6065. COMMIT TO OPIOID MEDICAL PRESCRIBER ACCOUNTABILITY AND SAFETY FOR SENIORS.

Section 1860D-4(c)(4) of the Social Security Act (42 U.S.C. 1395w-104(c)(4)) is amended by adding at the end the following new subparagraph:

“(D) NOTIFICATION AND ADDITIONAL REQUIREMENTS WITH RESPECT TO OUTLIER PRESCRIBERS OF OPIOIDS.—

“(i) NOTIFICATION.—Not later than January 1, 2021, the Secretary shall, in the case of a prescriber identified by the Secretary under clause (ii) to be an outlier prescriber of opioids, provide, subject to clause (iv), an annual notification to such prescriber that such prescriber has been so identified and that includes resources on proper prescribing methods and other information as specified in accordance with clause (iii).

“(ii) IDENTIFICATION OF OUTLIER PRESCRIBERS OF OPIOIDS.—

“(I) IN GENERAL.—The Secretary shall, subject to subclause (III), using the valid prescriber National Provider Identifiers included pursuant to subparagraph (A) on claims for covered part D drugs for part D eligible individuals enrolled in prescription drug plans under this part or MA-PD plans under part C and based on the thresholds established under subclause (II), identify prescribers that are outlier opioids prescribers for a period of time specified by the Secretary.

“(II) ESTABLISHMENT OF THRESHOLDS.—For purposes of subclause (I) and subject to subclause (III), the Secretary shall, after consultation with stakeholders, establish thresholds, based on prescriber specialty and geographic area, for identifying whether a prescriber in a specialty and geographic area is an outlier prescriber of opioids as compared to other prescribers of opioids within such specialty and area.

“(III) EXCLUSIONS.—The following shall not be included in the analysis for identifying outlier prescribers of opioids under this clause:

“(aa) Claims for covered part D drugs for part D eligible individuals who are receiving hospice care under this title.

“(bb) Claims for covered part D drugs for part D eligible individuals who are receiving oncology services under this title.

“(cc) Prescribers who are the subject of an investigation by the Centers for Medicare & Medicaid Services or the Inspector General of the Department of Health and Human Services.

“(iii) CONTENTS OF NOTIFICATION.—The Secretary shall include the following information in the notifications provided under clause (i):

“(I) Information on how such prescriber compares to other prescribers within the same specialty and geographic area.

“(II) Information on opioid prescribing guidelines, based on input from stakeholders, that may include the Centers for Disease Control and Prevention guidelines for prescribing opioids for chronic pain and guidelines developed by physician organizations.

“(III) Other information determined appropriate by the Secretary.

“(iv) MODIFICATIONS AND EXPANSIONS.—

“(I) FREQUENCY.—Beginning 5 years after the date of the enactment of this subparagraph, the Secretary may change the frequency of the notifications described in clause (i) based on stakeholder input and changes in opioid prescribing utilization and trends.

“(II) EXPANSION TO OTHER PRESCRIPTIONS.—The Secretary may expand notifications under this subparagraph to include identifications and notifications with respect to concurrent prescriptions of covered Part D drugs used in combination with opioids that are considered to have adverse side effects when so used in such combination, as determined by the Secretary.

“(v) ADDITIONAL REQUIREMENTS FOR PERSISTENT OUTLIER PRESCRIBERS.—In the case of a prescriber who the Secretary determines is persistently identified under clause (ii) as an outlier prescriber of opioids, the following shall apply:

“(I) Such prescriber may be required to enroll in the program under this title under section 1866(j) if such prescriber is not otherwise required to enroll, but only after other appropriate remedies have been provided, such as the provision of education funded through section 6052 of the SUPPORT for Patients and Communities Act, for a period determined by the Secretary as sufficient to correct the prescribing patterns that lead to identification of such prescriber as a persistent outlier prescriber of opioids. The Secretary shall determine the length of the period for which such prescriber is required to maintain such enrollment, which shall be the minimum period necessary to correct such prescribing patterns.

“(II) Not less frequently than annually (and in a form and manner determined appropriate by the Secretary), the Secretary, consistent with clause (iv)(I), shall communicate information on such prescribers to sponsors of a prescription drug plan and Medicare Advantage organizations offering an MA-PD plan.

“(vi) PUBLIC AVAILABILITY OF INFORMATION.—The Secretary shall make aggregate information under this subparagraph available on the internet website of the Centers for Medicare & Medicaid Services. Such information shall be in a form and manner determined appropriate by the Secretary and shall not identify any specific prescriber. In carrying out this clause, the Secretary shall consult with interested stakeholders.

“(vii) OPIOIDS DEFINED.—For purposes of this subparagraph, the term ‘opioids’ has such meaning as specified by the Secretary.

“(viii) OTHER ACTIVITIES.—Nothing in this subparagraph shall preclude the Secretary from conducting activities that provide prescribers with information as to how they compare to other prescribers that are in ad-

dition to the activities under this subparagraph, including activities that were being conducted as of the date of the enactment of this subparagraph.”.

SEC. 6066. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out the requirements of this subtitle and the amendments made by this subtitle. Such requirements shall be carried out using amounts otherwise authorized to be appropriated.

Subtitle H—Expanding Oversight of Opioid Prescribing and Payment

SEC. 6071. SHORT TITLE.

This subtitle may be cited as the “Expanding Oversight of Opioid Prescribing and Payment Act of 2018”.

SEC. 6072. MEDICARE PAYMENT ADVISORY COMMISSION REPORT ON OPIOID PAYMENT, ADVERSE INCENTIVES, AND DATA UNDER THE MEDICARE PROGRAM.

Not later than March 15, 2019, the Medicare Payment Advisory Commission shall submit to Congress a report on, with respect to the Medicare program under title XVIII of the Social Security Act, the following:

(1) A description of how the Medicare program pays for pain management treatments (both opioid and non-opioid pain management alternatives) in both inpatient and outpatient hospital settings.

(2) The identification of incentives under the hospital inpatient prospective payment system under section 1886 of the Social Security Act (42 U.S.C. 1395ww) and incentives under the hospital outpatient prospective payment system under section 1833(t) of such Act (42 U.S.C. 1395l(t)) for prescribing opioids and incentives under each such system for prescribing non-opioid treatments, and recommendations as the Commission deems appropriate for addressing any of such incentives that are adverse incentives.

(3) A description of how opioid use is tracked and monitored through Medicare claims data and other mechanisms and the identification of any areas in which further data and methods are needed for improving data and understanding of opioid use.

SEC. 6073. NO ADDITIONAL FUNDS AUTHORIZED.

No additional funds are authorized to be appropriated to carry out the requirements of this subtitle. Such requirements shall be carried out using amounts otherwise authorized to be appropriated.

Subtitle I—Dr. Todd Graham Pain Management, Treatment, and Recovery

SEC. 6081. SHORT TITLE.

This subtitle may be cited as the “Dr. Todd Graham Pain Management, Treatment, and Recovery Act of 2018”.

SEC. 6082. REVIEW AND ADJUSTMENT OF PAYMENTS UNDER THE MEDICARE OUTPATIENT PROSPECTIVE PAYMENT SYSTEM TO AVOID FINANCIAL INCENTIVES TO USE OPIOIDS INSTEAD OF NON-OPIOID ALTERNATIVE TREATMENTS.

(a) **OUTPATIENT PROSPECTIVE PAYMENT SYSTEM.**—Section 1833(t) of the Social Security Act (42 U.S.C. 1395l(t)) is amended by adding at the end the following new paragraph:

“(22) **REVIEW AND REVISIONS OF PAYMENTS FOR NON-OPIOID ALTERNATIVE TREATMENTS.**—

“(A) **IN GENERAL.**—With respect to payments made under this subsection for covered OPD services (or groups of services), including covered OPD services assigned to a comprehensive ambulatory payment classification, the Secretary—

“(i) shall, as soon as practicable, conduct a review (part of which may include a request for information) of payments for opioids and evidence-based non-opioid alternatives for pain management (including drugs and devices, nerve blocks, surgical injections, and neuromodulation) with a goal of ensuring

that there are not financial incentives to use opioids instead of non-opioid alternatives;

“(ii) may, as the Secretary determines appropriate, conduct subsequent reviews of such payments; and

“(iii) shall consider the extent to which revisions under this subsection to such payments (such as the creation of additional groups of covered OPD services to classify separately those procedures that utilize opioids and non-opioid alternatives for pain management) would reduce payment incentives to use opioids instead of non-opioid alternatives for pain management.

“(B) **PRIORITY.**—In conducting the review under clause (i) of subparagraph (A) and considering revisions under clause (iii) of such subparagraph, the Secretary shall focus on covered OPD services (or groups of services) assigned to a comprehensive ambulatory payment classification that primarily include surgical services, and other services determined by the Secretary which generally involve treatment for pain management.

“(C) **REVISIONS.**—If the Secretary identifies revisions to payments pursuant to subparagraph (A)(iii), the Secretary shall, as determined appropriate, begin making such revisions for services furnished on or after January 1, 2020. Revisions under the previous sentence shall be treated as adjustments for purposes of application of paragraph (9)(B).

“(D) **RULES OF CONSTRUCTION.**—Nothing in this paragraph shall be construed to preclude the Secretary—

“(i) from conducting a demonstration before making the revisions described in subparagraph (C); or

“(ii) prior to implementation of this paragraph, from changing payments under this subsection for covered OPD services (or groups of services) which include opioids or non-opioid alternatives for pain management.”.

(b) **AMBULATORY SURGICAL CENTERS.**—Section 1833(i) of the Social Security Act (42 U.S.C. 1395l(i)) is amended by adding at the end the following new paragraph:

“(8) The Secretary shall conduct a similar type of review as required under paragraph (22) of section 1833(t), including the second sentence of subparagraph (C) of such paragraph, to payment for services under this subsection, and make such revisions under this paragraph, in an appropriate manner (as determined by the Secretary).”.

SEC. 6083. EXPANDING ACCESS UNDER THE MEDICARE PROGRAM TO ADDICTION TREATMENT IN FEDERALLY QUALIFIED HEALTH CENTERS AND RURAL HEALTH CLINICS.

(a) **FEDERALLY QUALIFIED HEALTH CENTERS.**—Section 1834(o) of the Social Security Act (42 U.S.C. 1395m(o)) is amended by adding at the end the following new paragraph:

“(3) **ADDITIONAL PAYMENTS FOR CERTAIN FQHCs WITH PHYSICIANS OR OTHER PRACTITIONERS RECEIVING DATA 2000 WAIVERS.**—

“(A) **IN GENERAL.**—In the case of a Federally qualified health center with respect to which, beginning on or after January 1, 2019, Federally qualified health center services (as defined in section 1861(aa)(3)) are furnished for the treatment of opioid use disorder by a physician or practitioner who meets the requirements described in subparagraph (C), the Secretary shall, subject to availability of funds under subparagraph (D), make a payment (at such time and in such manner as specified by the Secretary) to such Federally qualified health center after receiving and approving an application submitted by such Federally qualified health center under subparagraph (B). Such a payment shall be in an amount determined by the Secretary, based on an estimate of the average costs of training for purposes of receiving a waiver described in subparagraph (C)(ii). Such a pay-

ment may be made only one time with respect to each such physician or practitioner.

“(B) **APPLICATION.**—In order to receive a payment described in subparagraph (A), a Federally qualified health center shall submit to the Secretary an application for such a payment at such time, in such manner, and containing such information as specified by the Secretary. A Federally qualified health center may apply for such a payment for each physician or practitioner described in subparagraph (A) furnishing services described in such subparagraph at such center.

“(C) **REQUIREMENTS.**—For purposes of subparagraph (A), the requirements described in this subparagraph, with respect to a physician or practitioner, are the following:

“(i) The physician or practitioner is employed by or working under contract with a Federally qualified health center described in subparagraph (A) that submits an application under subparagraph (B).

“(ii) The physician or practitioner first receives a waiver under section 303(g) of the Controlled Substances Act on or after January 1, 2019.

“(D) **FUNDING.**—For purposes of making payments under this paragraph, there are appropriated, out of amounts in the Treasury not otherwise appropriated, \$6,000,000, which shall remain available until expended.”.

(b) **RURAL HEALTH CLINIC.**—Section 1833 of the Social Security Act (42 U.S.C. 1395l) is amended—

(1) by redesignating the subsection (z) relating to medical review of spinal subluxation services as subsection (aa); and

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

“(bb) **ADDITIONAL PAYMENTS FOR CERTAIN RURAL HEALTH CLINICS WITH PHYSICIANS OR PRACTITIONERS RECEIVING DATA 2000 WAIVERS.**—

“(1) **IN GENERAL.**—In the case of a rural health clinic with respect to which, beginning on or after January 1, 2019, rural health clinic services (as defined in section 1861(aa)(1)) are furnished for the treatment of opioid use disorder by a physician or practitioner who meets the requirements described in paragraph (3), the Secretary shall, subject to availability of funds under paragraph (4), make a payment (at such time and in such manner as specified by the Secretary) to such rural health clinic after receiving and approving an application described in paragraph (2). Such payment shall be in an amount determined by the Secretary, based on an estimate of the average costs of training for purposes of receiving a waiver described in paragraph (3)(B). Such payment may be made only one time with respect to each such physician or practitioner.

“(2) **APPLICATION.**—In order to receive a payment described in paragraph (1), a rural health clinic shall submit to the Secretary an application for such a payment at such time, in such manner, and containing such information as specified by the Secretary. A rural health clinic may apply for such a payment for each physician or practitioner described in paragraph (1) furnishing services described in such paragraph at such clinic.

“(3) **REQUIREMENTS.**—For purposes of paragraph (1), the requirements described in this paragraph, with respect to a physician or practitioner, are the following:

“(A) The physician or practitioner is employed by or working under contract with a rural health clinic described in paragraph (1) that submits an application under paragraph (2).

“(B) The physician or practitioner first receives a waiver under section 303(g) of the Controlled Substances Act on or after January 1, 2019.

“(4) **FUNDING.**—For purposes of making payments under this subsection, there are appropriated, out of amounts in the Treas-

ury not otherwise appropriated, \$2,000,000, which shall remain available until expended.”.

SEC. 6084. STUDYING THE AVAILABILITY OF SUPPLEMENTAL BENEFITS DESIGNED TO TREAT OR PREVENT SUBSTANCE USE DISORDERS UNDER MEDICARE ADVANTAGE PLANS.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall submit to Congress a report on the availability of supplemental health care benefits (as described in section 1852(a)(3)(A) of the Social Security Act (42 U.S.C. 1395w–22(a)(3)(A))) designed to treat or prevent substance use disorders under Medicare Advantage plans offered under part C of title XVIII of such Act. Such report shall include the analysis described in subsection (c) and any differences in the availability of such benefits under specialized MA plans for special needs individuals (as defined in section 1859(b)(6) of such Act (42 U.S.C. 1395w–28(b)(6))) offered to individuals entitled to medical assistance under title XIX of such Act and other such Medicare Advantage plans.

(b) CONSULTATION.—The Secretary shall develop the report described in subsection (a) in consultation with relevant stakeholders, including—

- (1) individuals entitled to benefits under part A or enrolled under part B of title XVIII of the Social Security Act;
- (2) entities who advocate on behalf of such individuals;
- (3) Medicare Advantage organizations;
- (4) pharmacy benefit managers; and
- (5) providers of services and suppliers (as such terms are defined in section 1861 of such Act (42 U.S.C. 1395x)).

(c) CONTENTS.—The report described in subsection (a) shall include an analysis on the following:

(1) The extent to which plans described in such subsection offer supplemental health care benefits relating to coverage of—

(A) medication-assisted treatments for opioid use, substance use disorder counseling, peer recovery support services, or other forms of substance use disorder treatments (whether furnished in an inpatient or outpatient setting); and

(B) non-opioid alternatives for the treatment of pain.

(2) Challenges associated with such plans offering supplemental health care benefits relating to coverage of items and services described in subparagraph (A) or (B) of paragraph (1).

(3) The impact, if any, of increasing the applicable rebate percentage determined under section 1854(b)(1)(C) of the Social Security Act (42 U.S.C. 1395w–24(b)(1)(C)) for plans offering such benefits relating to such coverage would have on the availability of such benefits relating to such coverage offered under Medicare Advantage plans.

(4) Potential ways to improve upon such coverage or to incentivize such plans to offer additional supplemental health care benefits relating to such coverage.

SEC. 6085. CLINICAL PSYCHOLOGIST SERVICES MODELS UNDER THE CENTER FOR MEDICARE AND MEDICAID INNOVATION; GAO STUDY AND REPORT.

(a) CMI MODELS.—Section 1115A(b)(2)(B) of the Social Security Act (42 U.S.C. 1315a(b)(2)(B)), as amended by section 6001, is further amended by adding at the end the following new clauses:

“(xxvi) Supporting ways to familiarize individuals with the availability of coverage under part B of title XVIII for qualified psychologist services (as defined in section 1861(ii)).

“(xxvii) Exploring ways to avoid unnecessary hospitalizations or emergency depart-

ment visits for mental and behavioral health services (such as for treating depression) through use of a 24-hour, 7-day a week help line that may inform individuals about the availability of treatment options, including the availability of qualified psychologist services (as defined in section 1861(ii)).”.

(b) GAO STUDY AND REPORT.—Not later than 18 months after the date of the enactment of this Act, the Comptroller General of the United States shall conduct a study, and submit to Congress a report, on mental and behavioral health services under the Medicare program under title XVIII of the Social Security Act, including an examination of the following:

(1) Information about services furnished by psychiatrists, clinical psychologists, and other professionals.

(2) Information about ways that Medicare beneficiaries familiarize themselves about the availability of Medicare payment for qualified psychologist services (as defined in section 1861(ii) of the Social Security Act (42 U.S.C. 1395x(ii))) and ways that the provision of such information could be improved.

SEC. 6086. DR. TODD GRAHAM PAIN MANAGEMENT STUDY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall conduct a study analyzing best practices as well as payment and coverage for pain management services under title XVIII of the Social Security Act and submit to the Committee on Ways and Means and the Committee on Energy and Commerce of the House of Representatives and the Committee on Finance of the Senate a report containing options for revising payment to providers and suppliers of services and coverage related to the use of multi-disciplinary, evidence-based, non-opioid treatments for acute and chronic pain management for individuals entitled to benefits under part A or enrolled under part B of title XVIII of the Social Security Act. The Secretary shall make such report available on the public website of the Centers for Medicare & Medicaid Services.

(b) CONSULTATION.—In developing the report described in subsection (a), the Secretary shall consult with—

(1) relevant agencies within the Department of Health and Human Services;

(2) licensed and practicing osteopathic and allopathic physicians, behavioral health practitioners, physician assistants, nurse practitioners, dentists, pharmacists, and other providers of health services;

(3) providers and suppliers of services (as such terms are defined in section 1861 of the Social Security Act (42 U.S.C. 1395x));

(4) substance abuse and mental health professional organizations;

(5) pain management professional organizations and advocacy entities, including individuals who personally suffer chronic pain;

(6) medical professional organizations and medical specialty organizations;

(7) licensed health care providers who furnish alternative pain management services;

(8) organizations with expertise in the development of innovative medical technologies for pain management;

(9) beneficiary advocacy organizations; and

(10) other organizations with expertise in the assessment, diagnosis, treatment, and management of pain, as determined appropriate by the Secretary.

(c) CONTENTS.—The report described in subsection (a) shall include the following:

(1) An analysis of payment and coverage under title XVIII of the Social Security Act with respect to the following:

(A) Evidence-based treatments and technologies for chronic or acute pain, including

such treatments that are covered, not covered, or have limited coverage under such title.

(B) Evidence-based treatments and technologies that monitor substance use withdrawal and prevent overdoses of opioids.

(C) Evidence-based treatments and technologies that treat substance use disorders.

(D) Items and services furnished by practitioners through a multi-disciplinary treatment model for pain management, including the patient-centered medical home.

(E) Items and services furnished to beneficiaries with psychiatric disorders, substance use disorders, or who are at risk of suicide, or have comorbidities and require consultation or management of pain with one or more specialists in pain management, mental health, or addiction treatment.

(2) An evaluation of the following:

(A) Barriers inhibiting individuals entitled to benefits under part A or enrolled under part B of such title from accessing treatments and technologies described in subparagraphs (A) through (E) of paragraph (1).

(B) Costs and benefits associated with potential expansion of coverage under such title to include items and services not covered under such title that may be used for the treatment of pain, such as acupuncture, therapeutic massage, and items and services furnished by integrated pain management programs.

(C) Pain management guidance published by the Federal Government that may be relevant to coverage determinations or other coverage requirements under title XVIII of the Social Security Act.

(3) An assessment of all guidance published by the Department of Health and Human Services on or after January 1, 2016, relating to the prescribing of opioids. Such assessment shall consider incorporating into such guidance relevant elements of the “VaDoD Clinical Practice Guideline for Opioid Therapy for Chronic Pain” published in February 2017 by the Department of Veterans Affairs and Department of Defense, including adoption of elements of the Department of Defense and Department of Veterans Affairs pain rating scale.

(4) The options described in subsection (d).

(5) The impact analysis described in subsection (e).

(d) OPTIONS.—The options described in this subsection are, with respect to individuals entitled to benefits under part A or enrolled under part B of title XVIII of the Social Security Act, legislative and administrative options for accomplishing the following:

(1) Improving coverage of and payment for pain management therapies without the use of opioids, including interventional pain therapies, and options to augment opioid therapy with other clinical and complementary, integrative health services to minimize the risk of substance use disorder, including in a hospital setting.

(2) Improving coverage of and payment for medical devices and non-opioid based pharmacological and non-pharmacological therapies approved or cleared by the Food and Drug Administration for the treatment of pain as an alternative or augment to opioid therapy.

(3) Improving and disseminating treatment strategies for beneficiaries with psychiatric disorders, substance use disorders, or who are at risk of suicide, and treatment strategies to address health disparities related to opioid use and opioid abuse treatment.

(4) Improving and disseminating treatment strategies for beneficiaries with comorbidities who require a consultation or comanagement of pain with one or more specialists in pain management, mental health, or addiction treatment, including in a hospital setting.

(5) Educating providers on risks of co-administration of opioids and other drugs, particularly benzodiazepines.

(6) Ensuring appropriate case management for beneficiaries who transition between inpatient and outpatient hospital settings, or between opioid therapy to non-opioid therapy, which may include the use of care transition plans.

(7) Expanding outreach activities designed to educate providers of services and suppliers under the Medicare program and individuals entitled to benefits under part A or under part B of such title on alternative, non-opioid therapies to manage and treat acute and chronic pain.

(8) Creating a beneficiary education tool on alternatives to opioids for chronic pain management.

(e) **IMPACT ANALYSIS.**—The impact analysis described in this subsection consists of an analysis of any potential effects implementing the options described in subsection (d) would have—

(1) on expenditures under the Medicare program; and

(2) on preventing or reducing opioid addiction for individuals receiving benefits under the Medicare program.

Subtitle J—Combating Opioid Abuse for Care in Hospitals

SEC. 6091. SHORT TITLE.

This subtitle may be cited as the “Combating Opioid Abuse for Care in Hospitals Act of 2018” or the “COACH Act of 2018”.

SEC. 6092. DEVELOPING GUIDANCE ON PAIN MANAGEMENT AND OPIOID USE DISORDER PREVENTION FOR HOSPITALS RECEIVING PAYMENT UNDER PART A OF THE MEDICARE PROGRAM.

(a) **IN GENERAL.**—Not later than July 1, 2019, the Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall develop and publish on the public website of the Centers for Medicare & Medicaid Services guidance for hospitals receiving payment under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.) on pain management strategies and opioid use disorder prevention strategies with respect to individuals entitled to benefits under such part.

(b) **CONSULTATION.**—In developing the guidance described in subsection (a), the Secretary shall consult with relevant stakeholders, including—

(1) medical professional organizations;

(2) providers and suppliers of services (as such terms are defined in section 1861 of the Social Security Act (42 U.S.C. 1395x));

(3) health care consumers or groups representing such consumers; and

(4) other entities determined appropriate by the Secretary.

(c) **CONTENTS.**—The guidance described in subsection (a) shall include, with respect to hospitals and individuals described in such subsection, the following:

(1) Best practices regarding evidence-based screening and practitioner education initiatives relating to screening and treatment protocols for opioid use disorder, including—

(A) methods to identify such individuals at-risk of opioid use disorder, including risk stratification;

(B) ways to prevent, recognize, and treat opioid overdoses; and

(C) resources available to such individuals, such as opioid treatment programs, peer support groups, and other recovery programs.

(2) Best practices for such hospitals to educate practitioners furnishing items and services at such hospital with respect to pain management and substance use disorders, including education on—

(A) the adverse effects of prolonged opioid use;

(B) non-opioid, evidence-based, non-pharmacological pain management treatments;

(C) monitoring programs for individuals who have been prescribed opioids; and

(D) the prescribing of naloxone along with an initial opioid prescription.

(3) Best practices for such hospitals to make such individuals aware of the risks associated with opioid use (which may include use of the notification template described in paragraph (4)).

(4) A notification template developed by the Secretary, for use as appropriate, for such individuals who are prescribed an opioid that—

(A) explains the risks and side effects associated with opioid use (including the risks of addiction and overdose) and the importance of adhering to the prescribed treatment regimen, avoiding medications that may have an adverse interaction with such opioid, and storing such opioid safely and securely;

(B) highlights multimodal and evidence-based non-opioid alternatives for pain management;

(C) encourages such individuals to talk to their health care providers about such alternatives;

(D) provides for a method (through signature or otherwise) for such an individual, or person acting on such individual's behalf, to acknowledge receipt of such notification template;

(E) is worded in an easily understandable manner and made available in multiple languages determined appropriate by the Secretary; and

(F) includes any other information determined appropriate by the Secretary.

(5) Best practices for such hospital to track opioid prescribing trends by practitioners furnishing items and services at such hospital, including—

(A) ways for such hospital to establish target levels, taking into account the specialties of such practitioners and the geographic area in which such hospital is located, with respect to opioids prescribed by such practitioners;

(B) guidance on checking the medical records of such individuals against information included in prescription drug monitoring programs;

(C) strategies to reduce long-term opioid prescriptions; and

(D) methods to identify such practitioners who may be over-prescribing opioids.

(6) Other information the Secretary determines appropriate, including any such information from the Opioid Safety Initiative established by the Department of Veterans Affairs or the Opioid Overdose Prevention Toolkit published by the Substance Abuse and Mental Health Services Administration.

SEC. 6093. REQUIRING THE REVIEW OF QUALITY MEASURES RELATING TO OPIOIDS AND OPIOID USE DISORDER TREATMENTS FURNISHED UNDER THE MEDICARE PROGRAM AND OTHER FEDERAL HEALTH CARE PROGRAMS.

Section 1890A of the Social Security Act (42 U.S.C. 1395aaa–1) is amended by adding at the end the following new subsection:

“(g) **TECHNICAL EXPERT PANEL REVIEW OF OPIOID AND OPIOID USE DISORDER QUALITY MEASURES.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this subsection, the Secretary shall establish a technical expert panel for purposes of reviewing quality measures relating to opioids and opioid use disorders, including care, prevention, diagnosis, health outcomes, and treatment furnished to individuals with opioid use disorders. The Secretary may use the entity with a contract under section 1890(a) and amend such contract as necessary to provide for the establishment of such technical expert panel.

“(2) **REVIEW AND ASSESSMENT.**—Not later than 1 year after the date the technical expert panel described in paragraph (1) is established (and periodically thereafter as the Secretary determines appropriate), the technical expert panel shall—

“(A) review quality measures that relate to opioids and opioid use disorders, including existing measures and those under development;

“(B) identify gaps in areas of quality measurement that relate to opioids and opioid use disorders, and identify measure development priorities for such measure gaps; and

“(C) make recommendations to the Secretary on quality measures with respect to opioids and opioid use disorders for purposes of improving care, prevention, diagnosis, health outcomes, and treatment, including recommendations for revisions of such measures, need for development of new measures, and recommendations for including such measures in the Merit-Based Incentive Payment System under section 1848(q), the alternative payment models under section 1833(z)(3)(C), the shared savings program under section 1899, the quality reporting requirements for inpatient hospitals under section 1886(b)(3)(B)(viii), and the hospital value-based purchasing program under section 1886(o).

“(3) **CONSIDERATION OF MEASURES BY SECRETARY.**—The Secretary shall consider—

“(A) using opioid and opioid use disorder measures (including measures used under the Merit-Based Incentive Payment System under section 1848(q), measures recommended under paragraph (2)(C), and other such measures identified by the Secretary) in alternative payment models under section 1833(z)(3)(C) and in the shared savings program under section 1899; and

“(B) using opioid measures described in subparagraph (A), as applicable, in the quality reporting requirements for inpatient hospitals under section 1886(b)(3)(B)(viii), and in the hospital value-based purchasing program under section 1886(o).

“(4) **PRIORITIZATION OF MEASURE DEVELOPMENT.**—The Secretary shall prioritize for measure development the gaps in quality measures identified under paragraph (2)(B).

“(5) **PRIORITIZATION OF MEASURE ENDORSEMENT.**—The Secretary—

“(A) during the period beginning on the date of the enactment of this subsection and ending on December 31, 2023, shall prioritize the endorsement of measures relating to opioids and opioid use disorders by the entity with a contract under subsection (a) of section 1890 in connection with endorsement of measures described in subsection (b)(2) of such section; and

“(B) on and after January 1, 2024, may prioritize the endorsement of such measures by such entity.”.

SEC. 6094. TECHNICAL EXPERT PANEL ON REDUCING SURGICAL SETTING OPIOID USE; DATA COLLECTION ON PERIOPERATIVE OPIOID USE.

(a) **TECHNICAL EXPERT PANEL ON REDUCING SURGICAL SETTING OPIOID USE.**—

(1) **IN GENERAL.**—Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall convene a technical expert panel, including medical and surgical specialty societies and hospital organizations, to provide recommendations on reducing opioid use in the inpatient and outpatient surgical settings and on best practices for pain management, including with respect to the following:

(A) Approaches that limit patient exposure to opioids during the perioperative period, including pre-surgical and post-surgical injections, and that identify such patients at risk of opioid use disorder pre-operation.

(B) Shared decision making with patients and families on pain management, including a review of payment to ensure payment under the Medicare program under title XVIII of the Social Security Act accounts for time spent on shared decision making.

(C) Education on the safe use, storage, and disposal of opioids.

(D) Prevention of opioid misuse and abuse after discharge.

(E) Development of a clinical algorithm to identify and treat at-risk, opiate-tolerant patients and reduce reliance on opioids for acute pain during the perioperative period.

(2) **REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to Congress and make public a report containing the recommendations developed under paragraph (1) and an action plan for broader implementation of pain management protocols that limit the use of opioids in the perioperative setting and upon discharge from such setting.

(b) **DATA COLLECTION ON PERIOPERATIVE OPIOID USE.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that contains the following:

(1) The diagnosis-related group codes identified by the Secretary as having the highest volume of surgeries.

(2) With respect to each of such diagnosis-related group codes so identified, a determination by the Secretary of the data that is both available and reported on opioid use following such surgeries, such as with respect to—

(A) surgical volumes, practices, and opioid prescribing patterns;

(B) opioid consumption, including—

- (i) perioperative days of therapy;
- (ii) average daily dose at the hospital, including dosage greater than 90 milligram morphine equivalent;
- (iii) post-discharge prescriptions and other combination drugs that are used before intervention and after intervention;
- (iv) quantity and duration of opioid prescription at discharge; and
- (v) quantity consumed and number of refills;

(C) regional anesthesia and analgesia practices, including pre-surgical and post-surgical injections;

(D) naloxone reversal;

(E) post-operative respiratory failure;

(F) information about storage and disposal; and

(G) such other information as the Secretary may specify.

(3) Recommendations for improving data collection on perioperative opioid use, including an analysis to identify and reduce barriers to collecting, reporting, and analyzing the data described in paragraph (2), including barriers related to technological availability.

SEC. 6095. REQUIRING THE POSTING AND PERIODIC UPDATE OF OPIOID PRESCRIBING GUIDANCE FOR MEDICARE BENEFICIARIES.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall post on the public website of the Centers for Medicare & Medicaid Services all guidance published by the Department of Health and Human Services on or after January 1, 2016, relating to the prescribing of opioids and applicable to opioid prescriptions for individuals entitled to benefits under part A of title XVIII of the Social Security Act (42 U.S.C. 1395c et seq.) or enrolled under part B of such title of such Act (42 U.S.C. 1395j et seq.).

(b) **UPDATE OF GUIDANCE.**—

(1) **PERIODIC UPDATE.**—The Secretary shall, in consultation with the entities specified in paragraph (2), periodically (as determined appropriate by the Secretary) update guidance described in subsection (a) and revise the posting of such guidance on the website described in such subsection.

(2) **CONSULTATION.**—The entities specified in this paragraph are the following:

(A) Medical professional organizations.

(B) Providers and suppliers of services (as such terms are defined in section 1861 of the Social Security Act (42 U.S.C. 1395x)).

(C) Health care consumers or groups representing such consumers.

(D) Other entities determined appropriate by the Secretary.

Subtitle K—Providing Reliable Options for Patients and Educational Resources

SEC. 6101. SHORT TITLE.

This subtitle may be cited as the “Providing Reliable Options for Patients and Educational Resources Act of 2018” or the “PROPER Act of 2018”.

SEC. 6102. REQUIRING MEDICARE ADVANTAGE PLANS AND PART D PRESCRIPTION DRUG PLANS TO INCLUDE INFORMATION ON RISKS ASSOCIATED WITH OPIOIDS AND COVERAGE OF NON-PHARMACOLOGICAL THERAPIES AND NONOPIOID MEDICATIONS OR DEVICES USED TO TREAT PAIN.

Section 1860D–4(a)(1) of the Social Security Act (42 U.S.C. 1395w–104(a)(1)) is amended—

(1) in subparagraph (A), by inserting “, subject to subparagraph (C),” before “including”;

(2) in subparagraph (B), by adding at the end the following new clause:

“(vi) For plan year 2021 and each subsequent plan year, subject to subparagraph (C), with respect to the treatment of pain—

“(I) the risks associated with prolonged opioid use; and

“(II) coverage of nonpharmacological therapies, devices, and nonopioid medications—

“(aa) in the case of an MA–PD plan under part C, under such plan; and

“(bb) in the case of a prescription drug plan, under such plan and under parts A and B.”; and

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

“(C) **TARGETED PROVISION OF INFORMATION.**—A PDP sponsor of a prescription drug plan may, in lieu of disclosing the information described in subparagraph (B)(vi) to each enrollee under the plan, disclose such information through mail or electronic communications to a subset of enrollees under the plan, such as enrollees who have been prescribed an opioid in the previous 2-year period.”.

SEC. 6103. REQUIRING MEDICARE ADVANTAGE PLANS AND PRESCRIPTION DRUG PLANS TO PROVIDE INFORMATION ON THE SAFE DISPOSAL OF PRESCRIPTION DRUGS.

(a) **MEDICARE ADVANTAGE.**—Section 1852 of the Social Security Act (42 U.S.C. 1395w–22) is amended by adding at the end the following new subsection:

“(n) **PROVISION OF INFORMATION RELATING TO THE SAFE DISPOSAL OF CERTAIN PRESCRIPTION DRUGS.**—

“(1) **IN GENERAL.**—In the case of an individual enrolled under an MA or MA–PD plan who is furnished an in-home health risk assessment on or after January 1, 2021, such plan shall ensure that such assessment includes information on the safe disposal of prescription drugs that are controlled substances that meets the criteria established under paragraph (2). Such information shall include information on drug takeback programs that meet such requirements determined appropriate by the Secretary and information on in-home disposal.

“(2) **CRITERIA.**—The Secretary shall, through rulemaking, establish criteria the Secretary determines appropriate with respect to information provided to an individual to ensure that such information sufficiently educates such individual on the safe disposal of prescription drugs that are controlled substances.”.

(b) **PRESCRIPTION DRUG PLANS.**—Section 1860D–4(c)(2)(B) of the Social Security Act (42 U.S.C. 1395w–104(c)(2)(B)) is amended—

(1) by striking “may include elements that promote”;

(2) by redesignating clauses (i) through (iii) as subclauses (I) through (III) and adjusting the margins accordingly;

(3) by inserting before subclause (I), as so redesignated, the following new clause:

“(i) may include elements that promote—”;

(4) in subclause (III), as so redesignated, by striking the period at the end and inserting “; and”; and

(5) by adding at the end the following new clause:

“(ii) with respect to plan years beginning on or after January 1, 2021, shall provide for—

“(I) the provision of information to the enrollee on the safe disposal of prescription drugs that are controlled substances that meets the criteria established under section 1852(n)(2), including information on drug takeback programs that meet such requirements determined appropriate by the Secretary and information on in-home disposal; and

“(II) cost-effective means by which an enrollee may so safely dispose of such drugs.”.

SEC. 6104. REVISING MEASURES USED UNDER THE HOSPITAL CONSUMER ASSESSMENT OF HEALTHCARE PROVIDERS AND SYSTEMS SURVEY RELATING TO PAIN MANAGEMENT.

(a) **RESTRICTION ON THE USE OF PAIN QUESTIONS IN HCAHPS.**—Section 1886(b)(3)(B)(viii) of the Social Security Act (42 U.S.C. 1395ww(b)(3)(B)(viii)) is amended by adding at the end the following new subclause:

“(XII)(aa) With respect to a Hospital Consumer Assessment of Healthcare Providers and Systems survey (or a successor survey) conducted on or after January 1, 2020, such survey may not include questions about communication by hospital staff with an individual about such individual’s pain unless such questions take into account, as applicable, whether an individual experiencing pain was informed about risks associated with the use of opioids and about non-opioid alternatives for the treatment of pain.

“(bb) The Secretary shall not include on the Hospital Compare internet website any measures based on the questions appearing on the Hospital Consumer Assessment of Healthcare Providers and Systems survey in 2018 or 2019 about communication by hospital staff with an individual about such individual’s pain.”.

(b) **RESTRICTION ON USE OF 2018 AND 2019 PAIN QUESTIONS IN THE HOSPITAL VALUE-BASED PURCHASING PROGRAM.**—Section 1886(o)(2)(B) of the Social Security Act (42 U.S.C. 1395ww(o)(2)(B)) is amended by adding at the end the following new clause:

“(iii) **HCAHPS PAIN QUESTIONS.**—The Secretary may not include under subparagraph (A) a measure that is based on the questions appearing on the Hospital Consumer Assessment of Healthcare Providers and Systems survey in 2018 or 2019 about communication by hospital staff with an individual about the individual’s pain.”.

Subtitle L—Fighting the Opioid Epidemic With Sunshine

SEC. 6111. FIGHTING THE OPIOID EPIDEMIC WITH SUNSHINE.

(a) **INCLUSION OF INFORMATION REGARDING PAYMENTS TO ADDITIONAL PRACTITIONERS.**—

(1) IN GENERAL.—Section 1128G(e)(6) of the Social Security Act (42 U.S.C. 1320a-7h(e)(6)) is amended—

(A) in subparagraph (A), by adding at the end the following new clauses:

“(iii) A physician assistant, nurse practitioner, or clinical nurse specialist (as such terms are defined in section 1861(aa)(5)).

“(iv) A certified registered nurse anesthetist (as defined in section 1861(bb)(2)).

“(v) A certified nurse-midwife (as defined in section 1861(gg)(2)).”; and

(B) in subparagraph (B), by inserting “, physician assistant, nurse practitioner, clinical nurse specialist, certified nurse anesthetist, or certified nurse-midwife” after “physician”.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to information required to be submitted under section 1128G of the Social Security Act (42 U.S.C. 1320a-7h) on or after January 1, 2022.

(b) SUNSET OF EXCLUSION OF NATIONAL PROVIDER IDENTIFIER OF COVERED RECIPIENT IN INFORMATION MADE PUBLICLY AVAILABLE.—Section 1128G(c)(1)(C)(viii) of the Social Security Act (42 U.S.C. 1320a-7h(c)(1)(C)(viii)) is amended by striking “does not contain” and inserting “in the case of information made available under this subparagraph prior to January 1, 2022, does not contain”.

(c) ADMINISTRATION.—Chapter 35 of title 44, United States Code, shall not apply to this section or the amendments made by this section.

TITLE VII—PUBLIC HEALTH PROVISIONS

Subtitle A—Awareness and Training

SEC. 7001. REPORT ON EFFECTS ON PUBLIC HEALTH OF SYNTHETIC DRUG USE.

(a) IN GENERAL.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services, in coordination with the Surgeon General of the Public Health Service, shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on the health effects of new psychoactive substances, including synthetic drugs, used by adolescents and young adults.

(b) NEW PSYCHOACTIVE SUBSTANCE DEFINED.—For purposes of subsection (a), the term “new psychoactive substance” means a controlled substance analogue (as defined in section 102(32) of the Controlled Substances Act (21 U.S.C. 802(32))).

SEC. 7002. FIRST RESPONDER TRAINING.

Section 546 of the Public Health Service Act (42 U.S.C. 290ee-1) is amended—

(1) in subsection (c)—

(A) in paragraph (2), by striking “and” at the end;

(B) in paragraph (3), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(4) train and provide resources for first responders and members of other key community sectors on safety around fentanyl, carfentanil, and other dangerous licit and illicit drugs to protect themselves from exposure to such drugs and respond appropriately when exposure occurs.”;

(2) in subsection (d), by striking “and mechanisms for referral to appropriate treatment for an entity receiving a grant under this section” and inserting “mechanisms for referral to appropriate treatment, and safety around fentanyl, carfentanil, and other dangerous licit and illicit drugs”;

(3) in subsection (f)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period and inserting “; and”; and

(C) by adding at the end the following:

“(5) the number of first responders and members of other key community sectors

trained on safety around fentanyl, carfentanil, and other dangerous licit and illicit drugs.”;

(4) by redesignating subsection (g) as subsection (h);

(5) by inserting after subsection (f) the following:

“(g) OTHER KEY COMMUNITY SECTORS.—In this section, the term ‘other key community sectors’ includes substance use disorder treatment providers, emergency medical services agencies, agencies and organizations working with prison and jail populations and offender reentry programs, health care providers, harm reduction groups, pharmacies, community health centers, tribal health facilities, and mental health providers.”; and

(6) in subsection (h), as so redesignated, by striking “\$12,000,000 for each of fiscal years 2017 through 2021” and inserting “\$36,000,000 for each of fiscal years 2019 through 2023”.

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

SEC. 7011. PILOT PROGRAM FOR PUBLIC HEALTH LABORATORIES TO DETECT FENTANYL AND OTHER SYNTHETIC OPIOIDS.

(a) GRANTS.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall award grants to, or enter into cooperative agreements with, Federal, State, and local agencies to improve coordination between public health laboratories and laboratories operated by law enforcement agencies, such as Customs and Border Protection and the Drug Enforcement Administration, to improve detection of synthetic opioids, including fentanyl and its analogues, as described in subsection (b).

(b) DETECTION ACTIVITIES.—The Secretary, in consultation with the Director of the National Institute of Standards and Technology, the Director of the Centers for Disease Control and Prevention, the Attorney General of the United States, and the Administrator of the Drug Enforcement Administration, shall, for purposes of this section, develop or identify—

(1) best practices for safely handling and testing synthetic opioids, including fentanyl and its analogues, including with respect to reference materials, instrument calibration, and quality control protocols;

(2) reference materials and quality control standards related to synthetic opioids, including fentanyl and its analogues, to enhance—

(A) clinical diagnostics;

(B) postmortem data collection; and

(C) portable testing equipment utilized by law enforcement and public health officials; and

(3) procedures for the identification of new and emerging synthetic opioid formulations and procedures for reporting those findings to appropriate law enforcement agencies and Federal, State, and local public health laboratories and health departments, as appropriate.

(c) LABORATORIES.—The Secretary shall require recipients of grants or cooperative agreements under subsection (a) to—

(1) follow the best practices established under subsection (b) and have the appropriate capabilities to provide laboratory testing of controlled substances, such as synthetic fentanyl, and biospecimens for the purposes of aggregating and reporting public health information to Federal, State, and local public health officials, laboratories, and other entities the Secretary deems appropriate;

(2) work with law enforcement agencies and public health authorities, as practicable;

(3) provide early warning information to Federal, State, and local law enforcement agencies and public health authorities re-

garding trends or other data related to the supply of synthetic opioids, including fentanyl and its analogues;

(4) provide biosurveillance capabilities with respect to identifying trends in adverse health outcomes associated with non-fatal exposures; and

(5) provide diagnostic testing, as appropriate and practicable, for non-fatal exposures of emergency personnel, first responders, and other individuals.

(d) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated \$15,000,000 for each of fiscal years 2019 through 2023.

Subtitle C—Indexing Narcotics, Fentanyl, and Opioids

SEC. 7021. ESTABLISHMENT OF SUBSTANCE USE DISORDER INFORMATION DASHBOARD.

Title XVII of the Public Health Service Act (42 U.S.C. 300u et seq.) is amended by adding at the end the following new section:

“SEC. 1711. ESTABLISHMENT OF SUBSTANCE USE DISORDER INFORMATION DASHBOARD.

“(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this section, the Secretary of Health and Human Services shall, in consultation with the Director of National Drug Control Policy, establish and periodically update, on the Internet website of the Department of Health and Human Services, a public information dashboard that—

“(1) provides links to information on programs within the Department of Health and Human Services related to the reduction of opioid and other substance use disorders;

“(2) provides access, to the extent practicable and appropriate, to publicly available data, which may include data from agencies within the Department of Health and Human Services and—

“(A) other Federal agencies;

“(B) State, local, and Tribal governments;

“(C) nonprofit organizations;

“(D) law enforcement;

“(E) medical experts;

“(F) public health educators; and

“(G) research institutions regarding prevention, treatment, recovery, and other services for opioid and other substance use disorders;

“(3) provides data on substance use disorder prevention and treatment strategies in different regions of and populations in the United States;

“(4) identifies information on alternatives to controlled substances for pain management, such as approaches studied by the National Institutes of Health Pain Consortium, the National Center for Complementary and Integrative Health, and other institutes and centers at the National Institutes of Health, as appropriate; and

“(5) identifies guidelines and best practices for health care providers regarding treatment of substance use disorders.

“(b) CONTROLLED SUBSTANCE DEFINED.—In this section, the term ‘controlled substance’ has the meaning given that term in section 102 of the Controlled Substances Act (21 U.S.C. 802).”.

SEC. 7022. INTERDEPARTMENTAL SUBSTANCE USE DISORDERS COORDINATING COMMITTEE.

(a) ESTABLISHMENT.—Not later than 3 months after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall, in coordination with the Director of National Drug Control Policy, establish a committee, to be known as the Interdepartmental Substance Use Disorders Coordinating Committee (in this section referred to as the “Committee”), to coordinate Federal activities related to substance use disorders.

(b) MEMBERSHIP.—

(1) **FEDERAL MEMBERS.**—The Committee shall be composed of the following Federal representatives, or the designees of such representatives:

(A) The Secretary, who shall serve as the Chair of the Committee.

(B) The Attorney General of the United States.

(C) The Secretary of Labor.

(D) The Secretary of Housing and Urban Development.

(E) The Secretary of Education.

(F) The Secretary of Veterans Affairs.

(G) The Commissioner of Social Security.

(H) The Assistant Secretary for Mental Health and Substance Use.

(I) The Director of National Drug Control Policy.

(J) Representatives of other Federal agencies that support or conduct activities or programs related to substance use disorders, as determined appropriate by the Secretary.

(2) **NON-FEDERAL MEMBERS.**—The Committee shall include a minimum of 15 non-Federal members appointed by the Secretary, of which—

(A) at least two such members shall be an individual who has received treatment for a diagnosis of a substance use disorder;

(B) at least two such members shall be a director of a State substance abuse agency;

(C) at least two such members shall be a representative of a leading research, advocacy, or service organization for adults with substance use disorder;

(D) at least two such members shall—

(i) be a physician, licensed mental health professional, advance practice registered nurse, or physician assistant; and

(ii) have experience in treating individuals with substance use disorders;

(E) at least one such member shall be a substance use disorder treatment professional who provides treatment services at a certified opioid treatment program;

(F) at least one such member shall be a substance use disorder treatment professional who has research or clinical experience in working with racial and ethnic minority populations;

(G) at least one such member shall be a substance use disorder treatment professional who has research or clinical mental health experience in working with medically underserved populations;

(H) at least one such member shall be a State-certified substance use disorder peer support specialist;

(I) at least one such member shall be a drug court judge or a judge with experience in adjudicating cases related to substance use disorder;

(J) at least one such member shall be a public safety officer with extensive experience in interacting with adults with a substance use disorder; and

(K) at least one such member shall be an individual with experience providing services for homeless individuals with a substance use disorder.

(c) TERMS.—

(1) **IN GENERAL.**—A member of the Committee appointed under subsection (b)(2) shall be appointed for a term of 3 years and may be reappointed for one or more 3-year terms.

(2) **VACANCIES.**—A vacancy on the Committee shall be filled in the same manner in which the original appointment was made. Any individual appointed to fill a vacancy for an unexpired term shall be appointed for the remainder of such term and may serve after the expiration of such term until a successor has been appointed.

(d) **MEETINGS.**—The Committee shall meet not fewer than two times each year.

(e) **DUTIES.**—The Committee shall—

(1) identify areas for improved coordination of activities, if any, related to substance use disorders, including research, services, supports, and prevention activities across all relevant Federal agencies;

(2) identify and provide to the Secretary recommendations for improving Federal programs for the prevention and treatment of, and recovery from, substance use disorders, including by expanding access to prevention, treatment, and recovery services;

(3) analyze substance use disorder prevention and treatment strategies in different regions of and populations in the United States and evaluate the extent to which Federal substance use disorder prevention and treatment strategies are aligned with State and local substance use disorder prevention and treatment strategies;

(4) make recommendations to the Secretary regarding any appropriate changes with respect to the activities and strategies described in paragraphs (1) through (3);

(5) make recommendations to the Secretary regarding public participation in decisions relating to substance use disorders and the process by which public feedback can be better integrated into such decisions; and

(6) make recommendations to ensure that substance use disorder research, services, supports, and prevention activities of the Department of Health and Human Services and other Federal agencies are not unnecessarily duplicative.

(f) **ANNUAL REPORT.**—Not later than 1 year after the date of the enactment of this Act, and annually thereafter for the life of the Committee, the Committee shall publish on the Internet website of the Department of Health and Human Services, which may include the public information dashboard established under section 1711 of the Public Health Service Act, as added by section 7021, a report summarizing the activities carried out by the Committee pursuant to subsection (e), including any findings resulting from such activities.

(g) **WORKING GROUPS.**—The Committee may establish working groups for purposes of carrying out the duties described in subsection (e). Any such working group shall be composed of members of the Committee (or the designees of such members) and may hold such meetings as are necessary to enable the working group to carry out the duties delegated to the working group.

(h) **FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Committee only to the extent that the provisions of such Act do not conflict with the requirements of this section.

(i) **SUNSET.**—The Committee shall terminate on the date that is 6 years after the date on which the Committee is established under subsection (a).

SEC. 7023. NATIONAL MILESTONES TO MEASURE SUCCESS IN CURTAILING THE OPIOID CRISIS.

(a) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”), in coordination with the Administrator of the Drug Enforcement Administration and the Director of the Office of National Drug Control Policy, shall develop or identify existing national indicators (referred to in this section as the “national milestones”) to measure success in curtailing the opioid crisis, with the goal of significantly reversing the incidence and prevalence of opioid misuse and abuse, and opioid-related morbidity and mortality in the United States within 5 years of such date of enactment.

(b) **NATIONAL MILESTONES TO END THE OPIOID CRISIS.**—The national milestones under subsection (a) shall include the following:

(1) Not fewer than 10 indicators or metrics to accurately and expediently measure progress in meeting the goal described in subsection (a), which shall, as appropriate, include indicators or metrics related to—

(A) the number of fatal and non-fatal opioid overdoses;

(B) the number of emergency room visits related to opioid misuse and abuse;

(C) the number of individuals in sustained recovery from opioid use disorder;

(D) the number of infections associated with illicit drug use, such as HIV, viral hepatitis, and infective endocarditis, and available capacity for treating such infections;

(E) the number of providers prescribing medication-assisted treatment for opioid use disorders, including in primary care settings, community health centers, jails, and prisons;

(F) the number of individuals receiving treatment for opioid use disorder; and

(G) additional indicators or metrics, as appropriate, such as metrics pertaining to specific populations, including women and children, American Indians and Alaskan Natives, individuals living in rural and non-urban areas, and justice-involved populations, that would further clarify the progress made in addressing the opioid crisis.

(2) A reasonable goal, such as a percentage decrease or other specified metric, that signifies progress in meeting the goal described in subsection (a), and annual targets to help achieve that goal.

(c) **CONSIDERATION OF OTHER SUBSTANCE USE DISORDERS.**—In developing the national milestones under subsection (b), the Secretary shall, as appropriate, consider other substance use disorders in addition to opioid use disorder.

(d) **EXTENSION OF PERIOD.**—If the Secretary determines that the goal described in subsection (a) will not be achieved with respect to any indicator or metric established under subsection (b)(2) within 5 years of the date of enactment of this Act, the Secretary may extend the timeline for meeting such goal with respect to that indicator or metric. The Secretary shall include with any such extension a rationale for why additional time is needed and information on whether significant changes are needed in order to achieve such goal with respect to the indicator or metric.

(e) **ANNUAL STATUS UPDATE.**—Not later than one year after the date of enactment of this Act, the Secretary shall make available on the Internet website of the Department of Health and Human Services, and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, an update on the progress, including expected progress in the subsequent year, in achieving the goals detailed in the national milestones. Each such update shall include the progress made in the first year or since the previous report, as applicable, in meeting each indicator or metric in the national milestones.

SEC. 7024. STUDY ON PRESCRIBING LIMITS.

Not later than 2 years after the date of enactment of this Act, the Secretary of Health and Human Services, in consultation with the Attorney General of the United States, shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report on the impact of Federal and State laws and regulations that limit the length, quantity, or dosage of opioid prescriptions. Such report shall address—

(1) the impact of such limits on—

(A) the incidence and prevalence of overdose related to prescription opioids;

(B) the incidence and prevalence of overdose related to illicit opioids;

(C) the prevalence of opioid use disorders;

(D) medically appropriate use of, and access to, opioids, including any impact on travel expenses and pain management outcomes for patients, whether such limits are associated with significantly higher rates of negative health outcomes, including suicide, and whether the impact of such limits differs based on the clinical indication for which opioids are prescribed;

(2) whether such limits lead to a significant increase in burden for prescribers of opioids or prescribers of treatments for opioid use disorder, including any impact on patient access to treatment, and whether any such burden is mitigated by any factors such as electronic prescribing or telemedicine; and

(3) the impact of such limits on diversion or misuse of any controlled substance in schedule II, III, or IV of section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)).

Subtitle D—Ensuring Access to Quality Sober Living

SEC. 7031. NATIONAL RECOVERY HOUSING BEST PRACTICES.

Part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.) is amended by adding at the end the following new section:

“SEC. 550. NATIONAL RECOVERY HOUSING BEST PRACTICES.

“(a) BEST PRACTICES FOR OPERATING RECOVERY HOUSING.—

“(1) IN GENERAL.—The Secretary, in consultation with the individuals and entities specified in paragraph (2), shall identify or facilitate the development of best practices, which may include model laws for implementing suggested minimum standards, for operating recovery housing.

“(2) CONSULTATION.—In carrying out the activities described in paragraph (1), the Secretary shall consult with, as appropriate—

“(A) relevant divisions of the Department of Health and Human Services, including the Substance Abuse and Mental Health Services Administration, the Office of Inspector General, the Indian Health Service, and the Centers for Medicare & Medicaid Services;

“(B) the Secretary of Housing and Urban Development;

“(C) directors or commissioners, as applicable, of State health departments, tribal health departments, State Medicaid programs, and State insurance agencies;

“(D) representatives of health insurance issuers;

“(E) national accrediting entities and reputable providers of, and analysts of, recovery housing services, including Indian tribes, tribal organizations, and tribally designated housing entities that provide recovery housing services, as applicable;

“(F) individuals with a history of substance use disorder; and

“(G) other stakeholders identified by the Secretary.

“(b) IDENTIFICATION OF FRAUDULENT RECOVERY HOUSING OPERATORS.—

“(1) IN GENERAL.—The Secretary, in consultation with the individuals and entities described in paragraph (2), shall identify or facilitate the development of common indicators that could be used to identify potentially fraudulent recovery housing operators.

“(2) CONSULTATION.—In carrying out the activities described in paragraph (1), the Secretary shall consult with, as appropriate, the individuals and entities specified in subsection (a)(2) and the Attorney General of the United States.

“(3) REQUIREMENTS.—

“(A) PRACTICES FOR IDENTIFICATION AND REPORTING.—In carrying out the activities described in paragraph (1), the Secretary shall consider how law enforcement, public and private payers, and the public can best iden-

tify and report fraudulent recovery housing operators.

“(B) FACTORS TO BE CONSIDERED.—In carrying out the activities described in paragraph (1), the Secretary shall identify or develop indicators, which may include indicators related to—

“(i) unusual billing practices;

“(ii) average lengths of stays;

“(iii) excessive levels of drug testing (in terms of cost or frequency); and

“(iv) unusually high levels of recidivism.

“(c) DISSEMINATION.—The Secretary shall, as appropriate, disseminate the best practices identified or developed under subsection (a) and the common indicators identified or developed under subsection (b) to—

“(1) State agencies, which may include the provision of technical assistance to State agencies seeking to adopt or implement such best practices;

“(2) Indian tribes, tribal organizations, and tribally designated housing entities;

“(3) the Attorney General of the United States;

“(4) the Secretary of Labor;

“(5) the Secretary of Housing and Urban Development;

“(6) State and local law enforcement agencies;

“(7) health insurance issuers;

“(8) recovery housing entities; and

“(9) the public.

“(d) REQUIREMENTS.—In carrying out the activities described in subsections (a) and (b), the Secretary, in consultation with appropriate individuals and entities described in subsections (a)(2) and (b)(2), shall consider how recovery housing is able to support recovery and prevent relapse, recidivism, or overdose (including overdose death), including by improving access and adherence to treatment, including medication-assisted treatment.

“(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide the Secretary with the authority to require States to adhere to minimum standards in the State oversight of recovery housing.

“(f) DEFINITIONS.—In this section:

“(1) The term ‘recovery housing’ means a shared living environment free from alcohol and illicit drug use and centered on peer support and connection to services that promote sustained recovery from substance use disorders.

“(2) The terms ‘Indian tribe’ and ‘tribal organization’ have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(3) The term ‘tribally designated housing entity’ has the meaning given that term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

“(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated \$3,000,000 for the period of fiscal years 2019 through 2021.”

Subtitle E—Advancing Cutting Edge Research

SEC. 7041. UNIQUE RESEARCH INITIATIVES.

Section 402(n)(1) of the Public Health Service Act (42 U.S.C. 282(n)(1)) is amended—

(1) in subparagraph (A), by striking “or”;

(2) in subparagraph (B), by striking the period and inserting “; or”; and

(3) by adding at the end the following:

“(C) high impact cutting-edge research that fosters scientific creativity and increases fundamental biological understanding leading to the prevention, diagnosis, or treatment of diseases and disorders, or research urgently required to respond to a public health threat.”

SEC. 7042. PAIN RESEARCH.

Section 409J(b) of the Public Health Service Act (42 U.S.C. 284q(b)) is amended—

(1) in paragraph (5)—

(A) in subparagraph (A), by striking “and treatment of pain and diseases and disorders associated with pain” and inserting “treatment, and management of pain and diseases and disorders associated with pain, including information on best practices for the utilization of non-pharmacologic treatments, non-addictive medical products, and other drugs or devices approved or cleared by the Food and Drug Administration”;;

(B) in subparagraph (B), by striking “on the symptoms and causes of pain;” and inserting the following: “on—

“(i) the symptoms and causes of pain, including the identification of relevant biomarkers and screening models and the epidemiology of acute and chronic pain;

“(ii) the diagnosis, prevention, treatment, and management of acute and chronic pain, including with respect to non-pharmacologic treatments, non-addictive medical products, and other drugs or devices approved or cleared by the Food and Drug Administration; and

“(iii) risk factors for, and early warning signs of, substance use disorders in populations with acute and chronic pain; and”;

(C) by striking subparagraphs (C) through (E) and inserting the following:

“(C) make recommendations to the Director of NIH—

“(i) to ensure that the activities of the National Institutes of Health and other Federal agencies are free of unnecessary duplication of effort;

“(ii) on how best to disseminate information on pain care and epidemiological data related to acute and chronic pain; and

“(iii) on how to expand partnerships between public entities and private entities to expand collaborative, cross-cutting research.”;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

“(6) REPORT.—The Secretary shall ensure that recommendations and actions taken by the Director with respect to the topics discussed at the meetings described in paragraph (4) are included in appropriate reports to Congress.”

Subtitle F—Jessie’s Law

SEC. 7051. INCLUSION OF OPIOID ADDICTION HISTORY IN PATIENT RECORDS.

(a) BEST PRACTICES.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the “Secretary”), in consultation with appropriate stakeholders, including a patient with a history of opioid use disorder, an expert in electronic health records, an expert in the confidentiality of patient health information and records, and a health care provider, shall identify or facilitate the development of best practices regarding—

(A) the circumstances under which information that a patient has provided to a health care provider regarding such patient’s history of opioid use disorder should, only at the patient’s request, be prominently displayed in the medical records (including electronic health records) of such patient;

(B) what constitutes the patient’s request for the purpose described in subparagraph (A); and

(C) the process and methods by which the information should be so displayed.

(2) DISSEMINATION.—The Secretary shall disseminate the best practices developed under paragraph (1) to health care providers and State agencies.

(b) REQUIREMENTS.—In identifying or facilitating the development of best practices

under subsection (a), as applicable, the Secretary, in consultation with appropriate stakeholders, shall consider the following:

(1) The potential for addiction relapse or overdose, including overdose death, when opioid medications are prescribed to a patient recovering from opioid use disorder.

(2) The benefits of displaying information about a patient's opioid use disorder history in a manner similar to other potentially lethal medical concerns, including drug allergies and contraindications.

(3) The importance of prominently displaying information about a patient's opioid use disorder when a physician or medical professional is prescribing medication, including methods for avoiding alert fatigue in providers.

(4) The importance of a variety of appropriate medical professionals, including physicians, nurses, and pharmacists, having access to information described in this section when prescribing or dispensing opioid medication, consistent with Federal and State laws and regulations.

(5) The importance of protecting patient privacy, including the requirements related to consent for disclosure of substance use disorder information under all applicable laws and regulations.

(6) All applicable Federal and State laws and regulations.

SEC. 7052. COMMUNICATION WITH FAMILIES DURING EMERGENCIES.

(a) **PROMOTING AWARENESS OF AUTHORIZED DISCLOSURES DURING EMERGENCIES.**—The Secretary of Health and Human Services shall annually notify health care providers regarding permitted disclosures under Federal health care privacy law during emergencies, including overdoses, of certain health information to families, caregivers, and health care providers.

(b) **USE OF MATERIAL.**—For the purposes of carrying out subsection (a), the Secretary of Health and Human Services may use material produced under section 7053 of this Act or section 11004 of the 21st Century Cures Act (42 U.S.C. 1320d-2 note).

SEC. 7053. DEVELOPMENT AND DISSEMINATION OF MODEL TRAINING PROGRAMS FOR SUBSTANCE USE DISORDER PATIENT RECORDS.

(a) **INITIAL PROGRAMS AND MATERIALS.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Health and Human Services (in this section referred to as the “Secretary”), in consultation with appropriate experts, shall identify the following model programs and materials (or if no such programs or materials exist, recognize private or public entities to develop and disseminate such programs and materials):

(1) Model programs and materials for training health care providers (including physicians, emergency medical personnel, psychiatrists, psychologists, counselors, therapists, nurse practitioners, physician assistants, behavioral health facilities and clinics, care managers, and hospitals, including individuals such as general counsels or regulatory compliance staff who are responsible for establishing provider privacy policies) concerning the permitted uses and disclosures, consistent with the standards and regulations governing the privacy and security of substance use disorder patient records promulgated by the Secretary under section 543 of the Public Health Service Act (42 U.S.C. 290dd-2) for the confidentiality of patient records.

(2) Model programs and materials for training patients and their families regarding their rights to protect and obtain information under the standards and regulations described in paragraph (1).

(b) **REQUIREMENTS.**—The model programs and materials described in paragraphs (1) and

(2) of subsection (a) shall address circumstances under which disclosure of substance use disorder patient records is needed to—

(1) facilitate communication between substance use disorder treatment providers and other health care providers to promote and provide the best possible integrated care;

(2) avoid inappropriate prescribing that can lead to dangerous drug interactions, overdose, or relapse; and

(3) notify and involve families and caregivers when individuals experience an overdose.

(c) **PERIODIC UPDATES.**—The Secretary shall—

(1) periodically review and update the model program and materials identified or developed under subsection (a); and

(2) disseminate such updated programs and materials to the individuals described in subsection (a)(1).

(d) **INPUT OF CERTAIN ENTITIES.**—In identifying, reviewing, or updating the model programs and materials under this section, the Secretary shall solicit the input of relevant stakeholders.

(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section—

(1) \$4,000,000 for fiscal year 2019;

(2) \$2,000,000 for each of fiscal years 2020 and 2021; and

(3) \$1,000,000 for each of fiscal years 2022 and 2023.

Subtitle G—Protecting Pregnant Women and Infants

SEC. 7061. REPORT ON ADDRESSING MATERNAL AND INFANT HEALTH IN THE OPIOID CRISIS.

(a) **IN GENERAL.**—Not later than 18 months after the date of the enactment of this Act, the Secretary of Health and Human Services, in coordination with the Centers for Disease Control and Prevention, the National Institutes of Health, the Indian Health Service, and the Substance Abuse and Mental Health Services Administration, shall develop and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that includes—

(1) information on opioid, non-opioid, and non-pharmacologic pain management practices during pregnancy and after pregnancy;

(2) recommendations for increasing public awareness and education about substance use disorders, including opioid use disorders, during and after pregnancy, including available treatment resources in urban and rural areas;

(3) recommendations to prevent, identify, and reduce substance use disorders, including opioid use disorders, during pregnancy to improve care for pregnant women with substance use disorders and their infants; and

(4) an identification of areas in need of further research with respect to acute and chronic pain management during and after pregnancy.

(b) **NO ADDITIONAL FUNDS.**—No additional funds are authorized to be appropriated for purposes of carrying out subsection (a).

SEC. 7062. PROTECTING MOMS AND INFANTS.

(a) **REPORT.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, and make available to the public on the Internet website of the Department of Health and Human Services, a report regarding the implementation of the recommendations in the

strategy relating to prenatal opioid use, including neonatal abstinence syndrome, developed pursuant to section 2 of the Protecting Our Infants Act of 2015 (Public Law 114-91). Such report shall include—

(A) an update on the implementation of the recommendations in the strategy, including information regarding the agencies involved in the implementation; and

(B) information on additional funding or authority the Secretary requires, if any, to implement the strategy, which may include authorities needed to coordinate implementation of such strategy across the Department of Health and Human Services.

(2) **PERIODIC UPDATES.**—The Secretary shall periodically update the report under paragraph (1).

(b) **RESIDENTIAL TREATMENT PROGRAMS FOR PREGNANT AND POSTPARTUM WOMEN.**—Section 508(s) of the Public Health Service Act (42 U.S.C. 290bb-1(s)) is amended by striking “\$16,900,000 for each of fiscal years 2017 through 2021” and inserting “\$29,931,000 for each of fiscal years 2019 through 2023”.

SEC. 7063. EARLY INTERVENTIONS FOR PREGNANT WOMEN AND INFANTS.

(a) **DEVELOPMENT OF EDUCATIONAL MATERIALS BY CENTER FOR SUBSTANCE ABUSE PREVENTION.**—Section 515(b) of the Public Health Service Act (42 U.S.C. 290bb-21(b)) is amended—

(1) in paragraph (13), by striking “and” at the end;

(2) in paragraph (14), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(15) in consultation with relevant stakeholders and in collaboration with the Director of the Centers for Disease Control and Prevention, develop educational materials for clinicians to use with pregnant women for shared decision making regarding pain management and the prevention of substance use disorders during pregnancy.”.

(b) **GUIDELINES AND RECOMMENDATIONS BY CENTER FOR SUBSTANCE ABUSE TREATMENT.**—Section 507(b) of the Public Health Service Act (42 U.S.C. 290bb(b)) is amended—

(1) in paragraph (13), by striking “and” at the end;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(15) in cooperation with the Secretary, implement and disseminate, as appropriate, the recommendations in the report entitled ‘Protecting Our Infants Act: Final Strategy’ issued by the Department of Health and Human Services in 2017; and”.

(c) **SUPPORT OF PARTNERSHIPS BY CENTER FOR SUBSTANCE ABUSE TREATMENT.**—Section 507(b) of the Public Health Service Act (42 U.S.C. 290bb(b)), as amended by subsection (b), is further amended by adding at the end the following:

“(16) in cooperation with relevant stakeholders, and through public-private partnerships, encourage education about substance use disorders for pregnant women and health care providers who treat pregnant women and babies.”.

SEC. 7064. PRENATAL AND POSTNATAL HEALTH.

Section 317L of the Public Health Service Act (42 U.S.C. 247b-13) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1) to read as follows:

“(1) to collect, analyze, and make available data on prenatal smoking and alcohol and other substance abuse and misuse, including—

“(A) data on—

“(i) the incidence, prevalence, and implications of such activities; and

“(ii) the incidence and prevalence of implications and outcomes, including neonatal abstinence syndrome and other maternal and

child health outcomes associated with such activities; and

“(B) additional information or data, as appropriate, on family health history, medication exposures during pregnancy, demographic information, such as race, ethnicity, geographic location, and family history, and other relevant information, to inform such analysis;”;

(B) in paragraph (2)—

(i) by striking “prevention of” and inserting “prevention and long-term outcomes associated with”; and

(ii) by striking “illegal drug use” and inserting “other substance abuse and misuse”;

(C) in paragraph (3), by striking “and cessation programs; and” and inserting “, treatment, and cessation programs;”;

(D) in paragraph (4), by striking “illegal drug use.” and inserting “other substance abuse and misuse; and”; and

(E) by adding at the end the following:

“(5) to issue public reports on the analysis of data described in paragraph (1), including analysis of—

“(A) long-term outcomes of children affected by neonatal abstinence syndrome;

“(B) health outcomes associated with prenatal smoking, alcohol, and substance abuse and misuse; and

“(C) relevant studies, evaluations, or information the Secretary determines to be appropriate.”;

(2) in subsection (b), by inserting “tribal entities,” after “local governments.”;

(3) by redesignating subsection (c) as subsection (d);

(4) by inserting after subsection (b) the following:

“(c) **COORDINATING ACTIVITIES.**—To carry out this section, the Secretary may—

“(1) provide technical and consultative assistance to entities receiving grants under subsection (b);

“(2) ensure a pathway for data sharing between States, tribal entities, and the Centers for Disease Control and Prevention;

“(3) ensure data collection under this section is consistent with applicable State, Federal, and Tribal privacy laws; and

“(4) coordinate with the National Coordinator for Health Information Technology, as appropriate, to assist States and Tribes in implementing systems that use standards recognized by such National Coordinator, as such recognized standards are available, in order to facilitate interoperability between such systems and health information technology systems, including certified health information technology.”; and

(5) in subsection (d), as so redesignated, by striking “2001 through 2005” and inserting “2019 through 2023”.

SEC. 7065. PLANS OF SAFE CARE.

(a) IN GENERAL.—Section 105(a) of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106(a)) is amended by adding at the end the following:

“(7) **GRANTS TO STATES TO IMPROVE AND COORDINATE THEIR RESPONSE TO ENSURE THE SAFETY, PERMANENCY, AND WELL-BEING OF INFANTS AFFECTED BY SUBSTANCE USE.**—

“(A) **PROGRAM AUTHORIZED.**—The Secretary is authorized to make grants to States for the purpose of assisting child welfare agencies, social services agencies, substance use disorder treatment agencies, hospitals with labor and delivery units, medical staff, public health and mental health agencies, and maternal and child health agencies to facilitate collaboration in developing, updating, implementing, and monitoring plans of safe care described in section 106(b)(2)(B)(iii). Section 112(a)(2) shall not apply to the program authorized under this paragraph.

“(B) **DISTRIBUTION OF FUNDS.**—

“(i) **RESERVATIONS.**—Of the amounts made available to carry out subparagraph (A), the Secretary shall reserve—

“(I) no more than 3 percent for the purposes described in subparagraph (G); and

“(II) up to 3 percent for grants to Indian Tribes and tribal organizations to address the needs of infants born with, and identified as being affected by, substance abuse or withdrawal symptoms resulting from prenatal drug exposure or a fetal alcohol spectrum disorder and their families or caregivers, which to the extent practicable, shall be consistent with the uses of funds described under subparagraph (D).

“(ii) **ALLOTMENTS TO STATES AND TERRITORIES.**—The Secretary shall allot the amount made available to carry out subparagraph (A) that remains after application of clause (i) to each State that applies for such a grant, in an amount equal to the sum of—

“(I) \$500,000; and

“(II) an amount that bears the same relationship to any funds made available to carry out subparagraph (A) and remaining after application of clause (i), as the number of live births in the State in the previous calendar year bears to the number of live births in all States in such year.

“(iii) **RATABLE REDUCTION.**—If the amount made available to carry out subparagraph (A) is insufficient to satisfy the requirements of clause (ii), the Secretary shall ratably reduce each allotment to a State.

“(C) **APPLICATION.**—A State desiring a grant under this paragraph shall submit an application to the Secretary at such time and in such manner as the Secretary may require. Such application shall include—

“(i) a description of—

“(I) the impact of substance use disorder in such State, including with respect to the substance or class of substances with the highest incidence of abuse in the previous year in such State, including—

“(aa) the prevalence of substance use disorder in such State;

“(bb) the aggregate rate of births in the State of infants affected by substance abuse or withdrawal symptoms or a fetal alcohol spectrum disorder (as determined by hospitals, insurance claims, claims submitted to the State Medicaid program, or other records), if available and to the extent practicable; and

“(cc) the number of infants identified, for whom a plan of safe care was developed, and for whom a referral was made for appropriate services, as reported under section 106(d)(18);

“(II) the challenges the State faces in developing, implementing, and monitoring plans of safe care in accordance with section 106(b)(2)(B)(iii);

“(III) the State’s lead agency for the grant program and how that agency will coordinate with relevant State entities and programs, including the child welfare agency, the substance use disorder treatment agency, hospitals with labor and delivery units, health care providers, the public health and mental health agencies, programs funded by the Substance Abuse and Mental Health Services Administration that provide substance use disorder treatment for women, the State Medicaid program, the State agency administering the block grant program under title V of the Social Security Act (42 U.S.C. 701 et seq.), the State agency administering the programs funded under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.), the maternal, infant, and early childhood home visiting program under section 511 of the Social Security Act (42 U.S.C. 711), the State judicial system, and other agencies, as determined by the Secretary, and Indian Tribes and tribal organizations, as appropriate, to implement the activities under this paragraph;

“(IV) how the State will monitor local development and implementation of plans of safe care, in accordance with section 106(b)(2)(B)(iii)(II), including how the State

will monitor to ensure plans of safe care address differences between substance use disorder and medically supervised substance use, including for the treatment of a substance use disorder;

“(V) if applicable, how the State plans to utilize funding authorized under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.) to assist in carrying out any plan of safe care, including such funding authorized under section 471(e) of such Act (as in effect on October 1, 2018) for mental health and substance abuse prevention and treatment services and in-home parent skill-based programs and funding authorized under such section 472(j) (as in effect on October 1, 2018) for children with a parent in a licensed residential family-based treatment facility for substance abuse; and

“(VI) an assessment of the treatment and other services and programs available in the State to effectively carry out any plan of safe care developed, including identification of needed treatment, and other services and programs to ensure the well-being of young children and their families affected by substance use disorder, such as programs carried out under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.) and comprehensive early childhood development services and programs such as Head Start programs;

“(ii) a description of how the State plans to use funds for activities described in subparagraph (D) for the purposes of ensuring State compliance with requirements under clauses (ii) and (iii) of section 106(b)(2)(B); and

“(iii) an assurance that the State will comply with requirements to refer a child identified as substance-exposed to early intervention services as required pursuant to a grant under part C of the Individuals with Disabilities Education Act (20 U.S.C. 1431 et seq.).

“(D) **USES OF FUNDS.**—Funds awarded to a State under this paragraph may be used for the following activities, which may be carried out by the State directly, or through grants or subgrants, contracts, or cooperative agreements:

“(i) Improving State and local systems with respect to the development and implementation of plans of safe care, which—

“(I) shall include parent and caregiver engagement, as required under section 106(b)(2)(B)(iii)(I), regarding available treatment and service options, which may include resources available for pregnant, perinatal, and postnatal women; and

“(II) may include activities such as—

“(aa) developing policies, procedures, or protocols for the administration or development of evidence-based and validated screening tools for infants who may be affected by substance use withdrawal symptoms or a fetal alcohol spectrum disorder and pregnant, perinatal, and postnatal women whose infants may be affected by substance use withdrawal symptoms or a fetal alcohol spectrum disorder;

“(bb) improving assessments used to determine the needs of the infant and family;

“(cc) improving ongoing case management services;

“(dd) improving access to treatment services, which may be prior to the pregnant woman’s delivery date; and

“(ee) keeping families safely together when it is in the best interest of the child.

“(ii) Developing policies, procedures, or protocols in consultation and coordination with health professionals, public and private health facilities, and substance use disorder treatment agencies to ensure that—

“(I) appropriate notification to child protective services is made in a timely manner, as required under section 106(b)(2)(B)(ii);

“(II) a plan of safe care is in place, in accordance with section 106(b)(2)(B)(iii), before

the infant is discharged from the birth or health care facility; and

“(III) such health and related agency professionals are trained on how to follow such protocols and are aware of the supports that may be provided under a plan of safe care.

“(iii) Training health professionals and health system leaders, child welfare workers, substance use disorder treatment agencies, and other related professionals such as home visiting agency staff and law enforcement in relevant topics including—

“(I) State mandatory reporting laws established under section 106(b)(2)(B)(i) and the referral and process requirements for notification to child protective services when child abuse or neglect reporting is not mandated;

“(II) the co-occurrence of pregnancy and substance use disorder, and implications of prenatal exposure;

“(III) the clinical guidance about treating substance use disorder in pregnant and postpartum women;

“(IV) appropriate screening and interventions for infants affected by substance use disorder, withdrawal symptoms, or a fetal alcohol spectrum disorder and the requirements under section 106(b)(2)(B)(iii); and

“(V) appropriate multigenerational strategies to address the mental health needs of the parent and child together.

“(iv) Establishing partnerships, agreements, or memoranda of understanding between the lead agency and other entities (including health professionals, health facilities, child welfare professionals, juvenile and family court judges, substance use and mental disorder treatment programs, early childhood education programs, maternal and child health and early intervention professionals (including home visiting providers), peer-to-peer recovery programs such as parent mentoring programs, and housing agencies) to facilitate the implementation of, and compliance with, section 106(b)(2) and clause (ii) of this subparagraph, in areas which may include—

“(I) developing a comprehensive, multi-disciplinary assessment and intervention process for infants, pregnant women, and their families who are affected by substance use disorder, withdrawal symptoms, or a fetal alcohol spectrum disorder, that includes meaningful engagement with and takes into account the unique needs of each family and addresses differences between medically supervised substance use, including for the treatment of substance use disorder, and substance use disorder;

“(II) ensuring that treatment approaches for serving infants, pregnant women, and perinatal and postnatal women whose infants may be affected by substance use, withdrawal symptoms, or a fetal alcohol spectrum disorder, are designed to, where appropriate, keep infants with their mothers during both inpatient and outpatient treatment; and

“(III) increasing access to all evidence-based medication-assisted treatment approved by the Food and Drug Administration, behavioral therapy, and counseling services for the treatment of substance use disorders, as appropriate.

“(v) Developing and updating systems of technology for improved data collection and monitoring under section 106(b)(2)(B)(iii), including existing electronic medical records, to measure the outcomes achieved through the plans of safe care, including monitoring systems to meet the requirements of this Act and submission of performance measures.

“(E) REPORTING.—Each State that receives funds under this paragraph, for each year such funds are received, shall submit a report to the Secretary, disaggregated by geographic location, economic status, and major racial and ethnic groups, except that such

disaggregation shall not be required if the results would reveal personally identifiable information on, with respect to infants identified under section 106(b)(2)(B)(ii)—

“(i) the number who experienced removal associated with parental substance use;

“(ii) the number who experienced removal and subsequently are reunified with parents, and the length of time between such removal and reunification;

“(iii) the number who are referred to community providers without a child protection case;

“(iv) the number who receive services while in the care of their birth parents;

“(v) the number who receive post-reunification services within 1 year after a reunification has occurred; and

“(vi) the number who experienced a return to out-of-home care within 1 year after reunification.

“(F) SECRETARY'S REPORT TO CONGRESS.—The Secretary shall submit an annual report to the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate and the Committee on Education and the Workforce and the Committee on Appropriations of the House of Representatives that includes the information described in subparagraph (E) and recommendations or observations on the challenges, successes, and lessons derived from implementation of the grant program.

“(G) ASSISTING STATES' IMPLEMENTATION.—The Secretary shall use the amount reserved under subparagraph (B)(i)(I) to provide written guidance and technical assistance to support States in complying with and implementing this paragraph, which shall include—

“(i) technical assistance, including programs of in-depth technical assistance, to additional States, territories, and Indian Tribes and tribal organizations in accordance with the substance-exposed infant initiative developed by the National Center on Substance Abuse and Child Welfare;

“(ii) guidance on the requirements of this Act with respect to infants born with and identified as being affected by substance use or withdrawal symptoms or fetal alcohol spectrum disorder, as described in clauses (ii) and (iii) of section 106(b)(2)(B), including by—

“(I) enhancing States' understanding of requirements and flexibilities under the law, including by clarifying key terms;

“(II) addressing state-identified challenges with developing, implementing, and monitoring plans of safe care, including those reported under subparagraph (C)(i)(II);

“(III) disseminating best practices on implementation of plans of safe care, on such topics as differential response, collaboration and coordination, and identification and delivery of services for different populations, while recognizing needs of different populations and varying community approaches across States; and

“(IV) helping States improve the long-term safety and well-being of young children and their families;

“(iii) supporting State efforts to develop information technology systems to manage plans of safe care; and

“(iv) preparing the Secretary's report to Congress described in subparagraph (F).

“(H) SUNSET.—The authority under this paragraph shall sunset on September 30, 2023.”

(b) REPEAL.—The Abandoned Infants Assistance Act of 1988 (42 U.S.C. 5117aa et seq.) is repealed.

Subtitle H—Substance Use Disorder Treatment Workforce

SEC. 7071. LOAN REPAYMENT PROGRAM FOR SUBSTANCE USE DISORDER TREATMENT WORKFORCE.

Title VII of the Public Health Service Act is amended—

(1) by redesignating part F as part G; and

(2) by inserting after part E (42 U.S.C. 294n et seq.) the following:

“PART F—SUBSTANCE USE DISORDER TREATMENT WORKFORCE

“SEC. 781. LOAN REPAYMENT PROGRAM FOR SUBSTANCE USE DISORDER TREATMENT WORKFORCE.

“(a) IN GENERAL.—The Secretary, acting through the Administrator of the Health Resources and Services Administration, shall carry out a program under which—

“(1) the Secretary enters into agreements with individuals to make payments in accordance with subsection (b) on the principal of and interest on any eligible loan; and

“(2) the individuals each agree to the requirements of service in substance use disorder treatment employment, as described in subsection (d).

“(b) PAYMENTS.—For each year of obligated service by an individual pursuant to an agreement under subsection (a), the Secretary shall make a payment to such individual as follows:

“(1) SERVICE IN A SHORTAGE AREA.—The Secretary shall pay—

“(A) for each year of obligated service by an individual pursuant to an agreement under subsection (a), $\frac{1}{6}$ of the principal of and interest on each eligible loan of the individual which is outstanding on the date the individual began service pursuant to the agreement; and

“(B) for completion of the sixth and final year of such service, the remainder of such principal and interest.

“(2) MAXIMUM AMOUNT.—The total amount of payments under this section to any individual shall not exceed \$250,000.

“(c) ELIGIBLE LOANS.—The loans eligible for repayment under this section are each of the following:

“(1) Any loan for education or training for a substance use disorder treatment employment.

“(2) Any loan under part E of title VIII (relating to nursing student loans).

“(3) Any Federal Direct Stafford Loan, Federal Direct PLUS Loan, Federal Direct Unsubsidized Stafford Loan, or Federal Direct Consolidation Loan (as such terms are used in section 455 of the Higher Education Act of 1965).

“(4) Any Federal Perkins Loan under part E of title I of the Higher Education Act of 1965.

“(5) Any other Federal loan as determined appropriate by the Secretary.

“(d) REQUIREMENTS OF SERVICE.—Any individual receiving payments under this program as required by an agreement under subsection (a) shall agree to an annual commitment to full-time employment, with no more than 1 year passing between any 2 years of covered employment, in substance use disorder treatment employment in the United States in—

“(1) a Mental Health Professional Shortage Area, as designated under section 332; or

“(2) a county (or a municipality, if not contained within any county) where the mean drug overdose death rate per 100,000 people over the past 3 years for which official data is available from the State, is higher than the most recent available national average overdose death rate per 100,000 people, as reported by the Centers for Disease Control and Prevention.

“(e) INELIGIBILITY FOR DOUBLE BENEFITS.—No borrower may, for the same service, re-

ceive a reduction of loan obligations or a loan repayment under both—

“(1) this section; and

“(2) any Federally supported loan forgiveness program, including under section 338B, 338I, or 846 of this Act, or section 428J, 428L, 455(m), or 460 of the Higher Education Act of 1965.

“(f) BREACH.—

“(1) LIQUIDATED DAMAGES FORMULA.—The Secretary may establish a liquidated damages formula to be used in the event of a breach of an agreement entered into under subsection (a).

“(2) LIMITATION.—The failure by an individual to complete the full period of service obligated pursuant to such an agreement, taken alone, shall not constitute a breach of the agreement, so long as the individual completed in good faith the years of service for which payments were made to the individual under this section.

“(g) ADDITIONAL CRITERIA.—The Secretary—

“(1) may establish such criteria and rules to carry out this section as the Secretary determines are needed and in addition to the criteria and rules specified in this section; and

“(2) shall give notice to the committees specified in subsection (h) of any criteria and rules so established.

“(h) REPORT TO CONGRESS.—Not later than 5 years after the date of enactment of this section, and every other year thereafter, the Secretary shall prepare and submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report on—

“(1) the number and location of borrowers who have qualified for loan repayments under this section; and

“(2) the impact of this section on the availability of substance use disorder treatment employees nationally and in shortage areas and counties described in subsection (d).

“(i) DEFINITION.—In this section:

“(1) The terms ‘Indian tribe’ and ‘tribal organization’ have the meanings given those terms in section 4 of the Indian Self-Determination and Education Assistance Act.

“(2) The term ‘municipality’ means a city, town, or other public body created by or pursuant to State law, or an Indian tribe.

“(3) The term ‘substance use disorder treatment employment’ means full-time employment (including a fellowship)—

“(A) where the primary intent and function of the position is the direct treatment or recovery support of patients with or in recovery from a substance use disorder, including master’s level social workers, psychologists, counselors, marriage and family therapists, psychiatric mental health practitioners, occupational therapists, psychology doctoral interns, and behavioral health paraprofessionals and physicians, physician assistants, and nurses, who are licensed or certified in accordance with applicable State and Federal laws; and

“(B) which is located at a substance use disorder treatment program, private physician practice, hospital or health system-affiliated inpatient treatment center or outpatient clinic (including an academic medical center-affiliated treatment program), correctional facility or program, youth detention center or program, inpatient psychiatric facility, crisis stabilization unit, community health center, community mental health or other specialty community behavioral health center, recovery center, school, community-based organization, telehealth platform, migrant health center, health program or facility operated by an Indian tribe or tribal organization, Federal medical facility, or any other facility as de-

termined appropriate for purposes of this section by the Secretary.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 7072. CLARIFICATION REGARDING SERVICE IN SCHOOLS AND OTHER COMMUNITY-BASED SETTINGS.

Subpart III of part D of title III of the Public Health Service Act (42 U.S.C. 254f et seq.) is amended by adding at the end the following:

“SEC. 338N. CLARIFICATION REGARDING SERVICE IN SCHOOLS AND OTHER COMMUNITY-BASED SETTINGS.

“(a) SCHOOLS AND COMMUNITY-BASED SETTINGS.—An entity to which a participant in the Scholarship Program or the Loan Repayment Program (referred to in this section as a ‘participant’) is assigned under section 333 may direct such participant to provide service as a behavioral or mental health professional at a school or other community-based setting located in a health professional shortage area.

“(b) OBLIGATED SERVICE.—

“(1) IN GENERAL.—Any service described in subsection (a) that a participant provides may count towards such participant’s completion of any obligated service requirements under the Scholarship Program or the Loan Repayment Program, subject to any limitation imposed under paragraph (2).

“(2) LIMITATION.—The Secretary may impose a limitation on the number of hours of service described in subsection (a) that a participant may credit towards completing obligated service requirements, provided that the limitation allows a member to credit service described in subsection (a) for not less than 50 percent of the total hours required to complete such obligated service requirements.

“(c) RULE OF CONSTRUCTION.—The authorization under subsection (a) shall be notwithstanding any other provision of this subpart or subpart II.”.

SEC. 7073. PROGRAMS FOR HEALTH CARE WORKFORCE.

(a) PROGRAM FOR EDUCATION AND TRAINING IN PAIN CARE.—Section 759 of the Public Health Service Act (42 U.S.C. 294i) is amended—

(1) in subsection (a), by striking “hospices, and other public and private entities” and inserting “hospices, tribal health programs (as defined in section 4 of the Indian Health Care Improvement Act), and other public and nonprofit private entities”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “award may be made under subsection (a) only if the applicant for the award agrees that the program carried out with the award will include” and inserting “entity receiving an award under this section shall develop a comprehensive education and training plan that includes”;

(B) in paragraph (1)—

(i) by inserting “preventing,” after “diagnosing,”; and

(ii) by inserting “non-addictive medical products and non-pharmacologic treatments and” after “including”;

(C) in paragraph (2)—

(i) by inserting “Federal, State, and local” after “applicable”; and

(ii) by striking “the degree to which” and all that follows through “effective pain care” and inserting “opioids”;

(D) in paragraph (3), by inserting “, integrated, evidence-based pain management, and, as appropriate, non-pharmacotherapy” before the semicolon;

(E) in paragraph (4), by striking “; and” and inserting “;”;

(F) by striking paragraph (5) and inserting the following:

“(5) recent findings, developments, and advancements in pain care research and the provision of pain care, which may include non-addictive medical products and non-pharmacologic treatments intended to treat pain; and

“(6) the dangers of opioid abuse and misuse, detection of early warning signs of opioid use disorders (which may include best practices related to screening for opioid use disorders, training on screening, brief intervention, and referral to treatment), and safe disposal options for prescription medications (including such options provided by law enforcement or other innovative deactivation mechanisms).”;

(3) in subsection (d), by inserting “prevention,” after “diagnosis,”; and

(4) in subsection (e), by striking “2010 through 2012” and inserting “2019 through 2023”.

(b) MENTAL AND BEHAVIORAL HEALTH EDUCATION AND TRAINING PROGRAM.—Section 756 of the Public Health Service Act (42 U.S.C. 294e–1) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, trauma,” after “focus on child and adolescent mental health”; and

(B) in paragraphs (2) and (3), by inserting “trauma-informed care and” before “substance use disorder prevention and treatment services”; and

(2) in subsection (f), by striking “2018 through 2022” and inserting “2019 through 2023”.

Subtitle I—Preventing Overdoses While in Emergency Rooms

SEC. 7081. PROGRAM TO SUPPORT COORDINATION AND CONTINUATION OF CARE FOR DRUG OVERDOSE PATIENTS.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”) shall identify or facilitate the development of best practices for—

(1) emergency treatment of known or suspected drug overdose;

(2) the use of recovery coaches, as appropriate, to encourage individuals who experience a non-fatal overdose to seek treatment for substance use disorder and to support coordination and continuation of care;

(3) coordination and continuation of care and treatment, including, as appropriate, through referrals, of individuals after a drug overdose; and

(4) the provision or prescribing of overdose reversal medication, as appropriate.

(b) GRANT ESTABLISHMENT AND PARTICIPATION.—

(1) IN GENERAL.—The Secretary shall award grants on a competitive basis to eligible entities to support implementation of voluntary programs for care and treatment of individuals after a drug overdose, as appropriate, which may include implementation of the best practices described in subsection (a).

(2) ELIGIBLE ENTITY.—In this section, the term “eligible entity” means—

(A) a State substance abuse agency;

(B) an Indian Tribe or tribal organization; or

(C) an entity that offers treatment or other services for individuals in response to, or following, drug overdoses or a drug overdose, such as an emergency department, in consultation with a State substance abuse agency.

(3) APPLICATION.—An eligible entity desiring a grant under this section shall submit an application to the Secretary, at such time and in such manner as the Secretary may require, that includes—

(A) evidence that such eligible entity carries out, or is capable of contracting and coordinating with other community entities to

carry out, the activities described in paragraph (4);

(B) evidence that such eligible entity will work with a recovery community organization to recruit, train, hire, mentor, and supervise recovery coaches and fulfill the requirements described in paragraph (4)(A); and

(C) such additional information as the Secretary may require.

(4) **USE OF GRANT FUNDS.**—An eligible entity awarded a grant under this section shall use such grant funds to—

(A) hire or utilize recovery coaches to help support recovery, including by—

(i) connecting patients to a continuum of care services, such as—

(I) treatment and recovery support programs;

(II) programs that provide non-clinical recovery support services;

(III) peer support networks;

(IV) recovery community organizations;

(V) health care providers, including physicians and other providers of behavioral health and primary care;

(VI) education and training providers;

(VII) employers;

(VIII) housing services; and

(IX) child welfare agencies;

(ii) providing education on overdose prevention and overdose reversal to patients and families, as appropriate;

(iii) providing follow-up services for patients after an overdose to ensure continued recovery and connection to support services;

(iv) collecting and evaluating outcome data for patients receiving recovery coaching services; and

(v) providing other services the Secretary determines necessary to help ensure continued connection with recovery support services, including culturally appropriate services, as applicable;

(B) establish policies and procedures, pursuant to Federal and State law, that address the provision of overdose reversal medication, the administration of all drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and all biological products licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) to treat substance use disorder, and subsequent continuation of, or referral to, evidence-based treatment for patients with a substance use disorder who have experienced a non-fatal drug overdose, in order to support long-term treatment, prevent relapse, and reduce recidivism and future overdose; and

(C) establish integrated models of care for individuals who have experienced a non-fatal drug overdose which may include patient assessment, follow up, and transportation to and from treatment facilities.

(5) **ADDITIONAL PERMISSIBLE USES.**—In addition to the uses described in paragraph (4), a grant awarded under this section may be used, directly or through contractual arrangements, to provide—

(A) all drugs or devices approved or cleared under the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) and all biological products licensed under section 351 of the Public Health Service Act (42 U.S.C. 262) to treat substance use disorders or reverse overdose, pursuant to Federal and State law;

(B) withdrawal and detoxification services that include patient evaluation, stabilization, and preparation for treatment of substance use disorder, including treatment described in subparagraph (A), as appropriate; or

(C) mental health services provided by a certified professional who is licensed and qualified by education, training, or experience to assess the psychosocial background of patients, to contribute to the appropriate treatment plan for patients with substance

use disorder, and to monitor patient progress.

(6) **PREFERENCE.**—In awarding grants under this section, the Secretary shall give preference to eligible entities that meet any or all of the following criteria:

(A) The eligible entity is a critical access hospital (as defined in section 1861(mm)(1) of the Social Security Act (42 U.S.C. 1395x(mm)(1))), a low volume hospital (as defined in section 1886(d)(12)(C)(i) of such Act (42 U.S.C. 1395ww(d)(12)(C)(i))), a sole community hospital (as defined in section 1886(d)(5)(D)(iii) of such Act (42 U.S.C. 1395ww(d)(5)(D)(iii))), or a hospital that receives disproportionate share hospital payments under section 1886(d)(5)(F) of the Social Security Act (42 U.S.C. 1395ww(d)(5)(F)).

(B) The eligible entity is located in a State with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, as determined by the Director of the Centers for Disease Control and Prevention, or under the jurisdiction of an Indian Tribe with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, as determined through appropriate mechanisms as determined by the Secretary in consultation with Indian Tribes.

(C) The eligible entity demonstrates that recovery coaches will be placed in both health care settings and community settings.

(7) **PERIOD OF GRANT.**—A grant awarded to an eligible entity under this section shall be for a period of not more than 5 years.

(c) **DEFINITIONS.**—In this section:

(1) **INDIAN TRIBE; TRIBAL ORGANIZATION.**—The terms “Indian Tribe” and “tribal organization” have the meanings given the terms “Indian tribe” and “tribal organization” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(2) **RECOVERY COACH.**—the term “recovery coach” means an individual—

(A) with knowledge of, or experience with, recovery from a substance use disorder; and

(B) who has completed training from, and is determined to be in good standing by, a recovery services organization capable of conducting such training and making such determination.

(3) **RECOVERY COMMUNITY ORGANIZATION.**—The term “recovery community organization” has the meaning given such term in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)).

(d) **REPORTING REQUIREMENTS.**—

(1) **REPORTS BY GRANTEEES.**—Each eligible entity awarded a grant under this section shall submit to the Secretary an annual report for each year for which the entity has received such grant that includes information on—

(A) the number of individuals treated by the entity for non-fatal overdoses, including the number of non-fatal overdoses where overdose reversal medication was administered;

(B) the number of individuals administered medication-assisted treatment by the entity;

(C) the number of individuals referred by the entity to other treatment facilities after a non-fatal overdose, the types of such other facilities, and the number of such individuals admitted to such other facilities pursuant to such referrals; and

(D) the frequency and number of patients with reoccurrences, including readmissions for non-fatal overdoses and evidence of relapse related to substance use disorder.

(2) **REPORT BY SECRETARY.**—Not later than 5 years after the date of enactment of this Act, the Secretary shall submit to Congress a report that includes an evaluation of the effectiveness of the grant program carried out under this section with respect to long

term health outcomes of the population of individuals who have experienced a drug overdose, the percentage of patients treated or referred to treatment by grantees, and the frequency and number of patients who experienced relapse, were readmitted for treatment, or experienced another overdose.

(e) **PRIVACY.**—The requirements of this section, including with respect to data reporting and program oversight, shall be subject to all applicable Federal and State privacy laws.

(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2019 through 2023.

Subtitle J—Alternatives to Opioids in the Emergency Department

SEC. 7091. EMERGENCY DEPARTMENT ALTERNATIVES TO OPIOIDS DEMONSTRATION PROGRAM.

(a) **DEMONSTRATION PROGRAM GRANTS.**—

(1) **IN GENERAL.**—The Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall carry out a demonstration program for purposes of awarding grants to hospitals and emergency departments, including freestanding emergency departments, to develop, implement, enhance, or study alternatives to opioids for pain management in such settings.

(2) **ELIGIBILITY.**—To be eligible to receive a grant under paragraph (1), a hospital or emergency department shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

(3) **GEOGRAPHIC DISTRIBUTION.**—In awarding grants under this section, the Secretary shall seek to ensure geographical distribution among grant recipients.

(4) **USE OF FUNDS.**—Grants under paragraph (1) shall be used to—

(A) target treatment approaches for painful conditions frequently treated in such settings;

(B) train providers and other hospital personnel on protocols or best practices related to the use and prescription of opioids and alternatives to opioids for pain management in the emergency department; and

(C) develop or continue strategies to provide alternatives to opioids, as appropriate.

(b) **ADDITIONAL DEMONSTRATION PROGRAM.**—The Secretary may carry out a demonstration program similar to the program under subsection (a) for other acute care settings.

(c) **CONSULTATION.**—The Secretary shall implement a process for recipients of grants under subsection (a) or (b) to share evidence-based and best practices and promote consultation with persons having robust knowledge, including emergency departments and physicians that have successfully implemented programs that use alternatives to opioids for pain management, as appropriate, such as approaches studied through the National Center for Complimentary and Integrative Health or other institutes and centers at the National Institutes of Health, as appropriate. The Secretary shall offer to each recipient of a grant under subsection (a) or (b) technical assistance as necessary.

(d) **TECHNICAL ASSISTANCE.**—The Secretary shall identify or facilitate the development of best practices on alternatives to opioids for pain management and provide technical assistance to hospitals and other acute care settings on alternatives to opioids for pain management. The technical assistance provided shall be for the purpose of—

(1) utilizing information from recipients of a grant under subsection (a) or (b) that have successfully implemented alternatives to opioids programs;

(2) identifying or facilitating the development of best practices on the use of alter-

natives to opioids, which may include pain-management strategies that involve non-addictive medical products, non-pharmacologic treatments, and technologies or techniques to identify patients at risk for opioid use disorder;

(3) identifying or facilitating the development of best practices on the use of alternatives to opioids that target common painful conditions and include certain patient populations, such as geriatric patients, pregnant women, and children; and

(4) disseminating information on the use of alternatives to opioids to providers in acute care settings, which may include emergency departments, outpatient clinics, critical access hospitals, Federally qualified health centers, Indian Health Service health facilities, and tribal hospitals.

(e) **REPORT TO THE SECRETARY.**—Each recipient of a grant under this section shall submit to the Secretary (during the period of such grant) annual reports on the progress of the program funded through the grant. These reports shall include, in accordance with all applicable State and Federal privacy laws—

(1) a description of and specific information about the opioid alternative pain management programs, including the demographic characteristics of patients who were treated with an alternative pain management protocol, implemented in hospitals, emergency departments, and other acute care settings;

(2) data on the opioid alternative pain management strategies used, including the number of opioid prescriptions written—

(A) during a baseline period before the program began; or

(B) at various stages of the program; and

(3) data on patients who were eventually prescribed opioids after alternative pain management protocols and treatments were utilized; and

(4) any other information the Secretary determines appropriate.

(f) **REPORT TO CONGRESS.**—Not later than 1 year after completion of the demonstration program under this section, the Secretary shall submit a report to the Congress on the results of the demonstration program and include in the report—

(1) the number of applications received and the number funded;

(2) a summary of the reports described in subsection (e), including data that allows for comparison of programs; and

(3) recommendations for broader implementation of pain management strategies that encourage the use of alternatives to opioids in hospitals, emergency departments, or other acute care settings.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—To carry out this section, there is authorized to be appropriated \$10,000,000 for each of fiscal years 2019 through 2021.

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

SEC. 7101. ESTABLISHMENT OF REGIONAL CENTERS OF EXCELLENCE IN SUBSTANCE USE DISORDER EDUCATION.

Part D of title V of the Public Health Service Act, as amended by section 7031, is further amended by adding at the end the following new section:

“SEC. 551. REGIONAL CENTERS OF EXCELLENCE IN SUBSTANCE USE DISORDER EDUCATION.

“(a) **IN GENERAL.**—The Secretary, in consultation with appropriate agencies, shall award cooperative agreements to eligible entities for the designation of such entities as Regional Centers of Excellence in Substance Use Disorder Education for purposes of improving health professional training resources with respect to substance use disorder prevention, treatment, and recovery.

“(b) **ELIGIBILITY.**—To be eligible to receive a cooperative agreement under subsection (a), an entity shall—

“(1) be an accredited entity that offers education to students in various health professions, which may include—

“(A) a teaching hospital;

“(B) a medical school;

“(C) a certified behavioral health clinic; or

“(D) any other health professions school, school of public health, or Cooperative Extension Program at institutions of higher education, as defined in section 101 of the Higher Education Act of 1965, engaged in the prevention, treatment, or recovery of substance use disorders;

“(2) demonstrate community engagement and partnerships with community stakeholders, including entities that train health professionals, mental health counselors, social workers, peer recovery specialists, substance use treatment programs, community health centers, physician offices, certified behavioral health clinics, research institutions, and law enforcement; and

“(3) submit to the Secretary an application containing such information, at such time, and in such manner, as the Secretary may require.

“(c) **ACTIVITIES.**—An entity receiving an award under this section shall develop, evaluate, and distribute evidence-based resources regarding the prevention and treatment of, and recovery from, substance use disorders. Such resources may include information on—

“(1) the neurology and pathology of substance use disorders;

“(2) advancements in the treatment of substance use disorders;

“(3) techniques and best practices to support recovery from substance use disorders;

“(4) strategies for the prevention and treatment of, and recovery from substance use disorders across patient populations; and

“(5) other topic areas that are relevant to the objectives described in subsection (a).

“(d) **GEOGRAPHIC DISTRIBUTION.**—In awarding cooperative agreements under subsection (a), the Secretary shall take into account regional differences among eligible entities and shall make an effort to ensure geographic distribution.

“(e) **EVALUATION.**—The Secretary shall evaluate each project carried out by an entity receiving an award under this section and shall disseminate the findings with respect to each such evaluation to appropriate public and private entities.

“(f) **FUNDING.**—There is authorized to be appropriated to carry out this section, \$4,000,000 for each of fiscal years 2019 through 2023.”

SEC. 7102. YOUTH PREVENTION AND RECOVERY.

(a) **SUBSTANCE ABUSE TREATMENT SERVICES FOR CHILDREN, ADOLESCENTS, AND YOUNG ADULTS.**—Section 514 of the Public Health Service Act (42 U.S.C. 290bb-7) is amended—

(1) in the section heading, by striking “CHILDREN AND ADOLESCENTS” and inserting “CHILDREN, ADOLESCENTS, AND YOUNG ADULTS”;

(2) in subsection (a)(2), by striking “children, including” and inserting “children, adolescents, and young adults, including”; and

(3) by striking “children and adolescents” each place it appears and inserting “children, adolescents, and young adults”.

(b) **RESOURCE CENTER.**—The Secretary of Health and Human Services (referred to in this section as the “Secretary”, except as otherwise provided), in consultation with the Secretary of Education and other heads of agencies, including the Assistant Secretary for Mental Health and Substance Use and the Administrator of the Health Resources and Services Administration, as appropriate, shall establish a resource center to provide

technical support to recipients of grants under subsection (c).

(c) **YOUTH PREVENTION AND RECOVERY INITIATIVE.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Secretary of Education, shall administer a program to provide support for communities to support the prevention of, treatment of, and recovery from, substance use disorders for children, adolescents, and young adults.

(2) **DEFINITIONS.**—In this subsection:

(A) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(i) a local educational agency that is seeking to establish or expand substance use prevention or recovery support services at one or more high schools;

(ii) a State educational agency;

(iii) an institution of higher education (or consortia of such institutions), which may include a recovery program at an institution of higher education;

(iv) a local board or one-stop operator;

(v) a nonprofit organization with appropriate expertise in providing services or programs for children, adolescents, or young adults, excluding a school;

(vi) a State, political subdivision of a State, Indian tribe, or tribal organization; or

(vii) a high school or dormitory serving high school students that receives funding from the Bureau of Indian Education.

(B) **FOSTER CARE.**—The term “foster care” has the meaning given such term in section 1355.20(a) of title 45, Code of Federal Regulations (or any successor regulations).

(C) **HIGH SCHOOL.**—The term “high school” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(D) **HOMELESS YOUTH.**—The term “homeless youth” has the meaning given the term “homeless children or youths” in section 725 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a).

(E) **INDIAN TRIBE; TRIBAL ORGANIZATION.**—The terms “Indian tribe” and “tribal organization” have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(F) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001) and includes a “postsecondary vocational institution” as defined in section 102(c) of such Act (20 U.S.C. 1002(c)).

(G) **LOCAL EDUCATIONAL AGENCY.**—The term “local educational agency” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(H) **LOCAL BOARD; ONE-STOP OPERATOR.**—The terms “local board” and “one-stop operator” have the meanings given such terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(I) **OUT-OF-SCHOOL YOUTH.**—The term “out-of-school youth” has the meaning given such term in section 129(a)(1)(B) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3164(a)(1)(B)).

(J) **RECOVERY PROGRAM.**—The term “recovery program” means a program—

(i) to help children, adolescents, or young adults who are recovering from substance use disorders to initiate, stabilize, and maintain healthy and productive lives in the community; and

(ii) that includes peer-to-peer support delivered by individuals with lived experience in recovery, and communal activities to build recovery skills and supportive social networks.

(K) **STATE EDUCATIONAL AGENCY.**—The term “State educational agency” has the meaning given such term in section 8101 of the Ele-

mentary and Secondary Education Act (20 U.S.C. 7801).

(3) **BEST PRACTICES.**—The Secretary, in consultation with the Secretary of Education, shall—

(A) identify or facilitate the development of evidence-based best practices for prevention of substance misuse and abuse by children, adolescents, and young adults, including for specific populations such as youth in foster care, homeless youth, out-of-school youth, and youth who are at risk of or have experienced trafficking that address—

(i) primary prevention;

(ii) appropriate recovery support services;

(iii) appropriate use of medication-assisted treatment for such individuals, if applicable, and ways of overcoming barriers to the use of medication-assisted treatment in such population; and

(iv) efficient and effective communication, which may include the use of social media, to maximize outreach efforts;

(B) disseminate such best practices to State educational agencies, local educational agencies, schools and dormitories funded by the Bureau of Indian Education, institutions of higher education, recovery programs at institutions of higher education, local boards, one-stop operators, family and youth homeless providers, and nonprofit organizations, as appropriate;

(C) conduct a rigorous evaluation of each grant funded under this subsection, particularly its impact on the indicators described in paragraph (7)(B); and

(D) provide technical assistance for grantees under this subsection.

(4) **GRANTS AUTHORIZED.**—The Secretary, in consultation with the Secretary of Education, shall award 3-year grants, on a competitive basis, to eligible entities to enable such entities, in coordination with Indian tribes, if applicable, and State agencies responsible for carrying out substance use disorder prevention and treatment programs, to carry out evidence-based programs for—

(A) prevention of substance misuse and abuse by children, adolescents, and young adults, which may include primary prevention;

(B) recovery support services for children, adolescents, and young adults, which may include counseling, job training, linkages to community-based services, family support groups, peer mentoring, and recovery coaching; or

(C) treatment or referrals for treatment of substance use disorders, which may include the use of medication-assisted treatment, as appropriate.

(5) **SPECIAL CONSIDERATION.**—In awarding grants under this subsection, the Secretary shall give special consideration to the unique needs of tribal, urban, suburban, and rural populations.

(6) **APPLICATION.**—To be eligible for a grant under this subsection, an entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require. Such application shall include—

(A) a description of—

(i) the impact of substance use disorders in the population that will be served by the grant program;

(ii) how the eligible entity has solicited input from relevant stakeholders, which may include faculty, teachers, staff, families, students, and experts in substance use disorder prevention, treatment, and recovery in developing such application;

(iii) the goals of the proposed project, including the intended outcomes;

(iv) how the eligible entity plans to use grant funds for evidence-based activities, in accordance with this subsection to prevent, provide recovery support for, or treat sub-

stance use disorders amongst such individuals, or a combination of such activities; and

(v) how the eligible entity will collaborate with relevant partners, which may include State educational agencies, local educational agencies, institutions of higher education, juvenile justice agencies, prevention and recovery support providers, local service providers, including substance use disorder treatment programs, providers of mental health services, youth serving organizations, family and youth homeless providers, child welfare agencies, and primary care providers, in carrying out the grant program; and

(B) an assurance that the eligible entity will participate in the evaluation described in paragraph (3)(C).

(7) **REPORTS TO THE SECRETARY.**—Each eligible entity awarded a grant under this subsection shall submit to the Secretary a report at such time and in such manner as the Secretary may require. Such report shall include—

(A) a description of how the eligible entity used grant funds, in accordance with this subsection, including the number of children, adolescents, and young adults reached through programming; and

(B) a description, including relevant data, of how the grant program has made an impact on the intended outcomes described in paragraph (6)(A)(iii), including—

(i) indicators of student success, which, if the eligible entity is an educational institution, shall include student well-being and academic achievement;

(ii) substance use disorders amongst children, adolescents, and young adults, including the number of overdoses and deaths amongst children, adolescents, and young adults served by the grant during the grant period; and

(iii) other indicators, as the Secretary determines appropriate.

(8) **REPORT TO CONGRESS.**—The Secretary shall, not later than October 1, 2022, submit a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce and the Committee on Education and the Workforce of the House of Representatives a report summarizing the effectiveness of the grant program under this subsection, based on the information submitted in reports required under paragraph (7).

(9) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated \$10,000,000 to carry out this subsection for each of fiscal years 2019 through 2023.

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

SEC. 7111. INFORMATION FROM NATIONAL MENTAL HEALTH AND SUBSTANCE USE POLICY LABORATORY.

Section 501A(b) of the Public Health Service Act (42 U.S.C. 290aa-0(b)) is amended—

(1) in paragraph (5)(C), by striking “; and” at the end and inserting a semicolon;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

“(6) issue and periodically update information for entities applying for grants or cooperative agreements from the Substance Abuse and Mental Health Services Administration in order to—

“(A) encourage the implementation and replication of evidence-based practices; and

“(B) provide technical assistance to applicants for funding, including with respect to justifications for such programs and activities; and”.

Subtitle M—Comprehensive Opioid Recovery Centers

SEC. 7121. COMPREHENSIVE OPIOID RECOVERY CENTERS.

(a) **IN GENERAL.**—Part D of title V of the Public Health Service Act (42 U.S.C. 290dd et seq.), as amended by sections 7031 and 7101, is further amended by adding at the end the following new section:

“SEC. 552. COMPREHENSIVE OPIOID RECOVERY CENTERS.

“(a) **IN GENERAL.**—The Secretary shall award grants on a competitive basis to eligible entities to establish or operate a comprehensive opioid recovery center (referred to in this section as a ‘Center’). A Center may be a single entity or an integrated delivery network.

“(b) **GRANT PERIOD.**—

“(1) **IN GENERAL.**—A grant awarded under subsection (a) shall be for a period of not less than 3 years and not more than 5 years.

“(2) **RENEWAL.**—A grant awarded under subsection (a) may be renewed, on a competitive basis, for additional periods of time, as determined by the Secretary. In determining whether to renew a grant under this paragraph, the Secretary shall consider the data submitted under subsection (h).

“(c) **MINIMUM NUMBER OF CENTERS.**—The Secretary shall allocate the amounts made available under subsection (j) such that not fewer than 10 grants may be awarded. Not more than one grant shall be made to entities in a single State for any one period.

“(d) **APPLICATION.**—

“(1) **ELIGIBLE ENTITY.**—An entity is eligible for a grant under this section if the entity offers treatment and other services for individuals with a substance use disorder.

“(2) **SUBMISSION OF APPLICATION.**—In order to be eligible for a grant under subsection (a), an entity shall submit an application to the Secretary at such time and in such manner as the Secretary may require. Such application shall include—

“(A) evidence that such entity carries out, or is capable of coordinating with other entities to carry out, the activities described in subsection (g); and

“(B) such other information as the Secretary may require.

“(e) **PRIORITY.**—In awarding grants under subsection (a), the Secretary shall give priority to eligible entities—

“(1) located in a State with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, as determined by the Director of the Centers for Disease Control and Prevention; or

“(2) serving an Indian Tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, as determined through appropriate mechanisms determined by the Secretary in consultation with Indian Tribes.

“(f) **PREFERENCE.**—In awarding grants under subsection (a), the Secretary may give preference to eligible entities utilizing technology-enabled collaborative learning and capacity building models, including such models as defined in section 2 of the Expanding Capacity for Health Outcomes Act (Public Law 114-270; 130 Stat. 1395), to conduct the activities described in this section.

“(g) **CENTER ACTIVITIES.**—Each Center shall, at a minimum, carry out the following activities directly, through referral, or through contractual arrangements, which may include carrying out such activities through technology-enabled collaborative learning and capacity building models described in subsection (f):

“(1) **TREATMENT AND RECOVERY SERVICES.**—Each Center shall—

“(A) Ensure that intake, evaluations, and periodic patient assessments meet the indi-

vidualized clinical needs of patients, including by reviewing patient placement in treatment settings to support meaningful recovery.

“(B) Provide the full continuum of treatment services, including—

“(i) all drugs and devices approved or cleared under the Federal Food, Drug, and Cosmetic Act and all biological products licensed under section 351 of this Act to treat substance use disorders or reverse overdoses, pursuant to Federal and State law;

“(ii) medically supervised withdrawal management, that includes patient evaluation, stabilization, and readiness for and entry into treatment;

“(iii) counseling provided by a program counselor or other certified professional who is licensed and qualified by education, training, or experience to assess the psychological and sociological background of patients, to contribute to the appropriate treatment plan for the patient, and to monitor patient progress;

“(iv) treatment, as appropriate, for patients with co-occurring substance use and mental disorders;

“(v) testing, as appropriate, for infections commonly associated with illicit drug use;

“(vi) residential rehabilitation, and outpatient and intensive outpatient programs;

“(vii) recovery housing;

“(viii) community-based and peer recovery support services;

“(ix) job training, job placement assistance, and continuing education assistance to support reintegration into the workforce; and

“(x) other best practices to provide the full continuum of treatment and services, as determined by the Secretary.

“(C) Ensure that all programs covered by the Center include medication-assisted treatment, as appropriate, and do not exclude individuals receiving medication-assisted treatment from any service.

“(D) Periodically conduct patient assessments to support sustained and clinically significant recovery, as defined by the Assistant Secretary for Mental Health and Substance Use.

“(E) Provide onsite access to medication, as appropriate, and toxicology services; for purposes of carrying out this section.

“(F) Operate a secure, confidential, and interoperable electronic health information system.

“(G) Offer family support services such as child care, family counseling, and parenting interventions to help stabilize families impacted by substance use disorder, as appropriate.

“(2) OUTREACH.—Each Center shall carry out outreach activities regarding the services offered through the Centers, which may include—

“(A) training and supervising outreach staff, as appropriate, to work with State and local health departments, health care providers, the Indian Health Service, State and local educational agencies, schools funded by the Indian Bureau of Education, institutions of higher education, State and local workforce development boards, State and local community action agencies, public safety officials, first responders, Indian Tribes, child welfare agencies, as appropriate, and other community partners and the public, including patients, to identify and respond to community needs;

“(B) ensuring that the entities described in subparagraph (A) are aware of the services of the Center; and

“(C) disseminating and making publicly available, including through the internet, evidence-based resources that educate professionals and the public on opioid use disorder and other substance use disorders, in-

cluding co-occurring substance use and mental disorders.

“(h) DATA REPORTING AND PROGRAM OVERSIGHT.—With respect to a grant awarded under subsection (a), not later than 90 days after the end of the first year of the grant period, and annually thereafter for the duration of the grant period (including the duration of any renewal period for such grant), the entity shall submit data, as appropriate, to the Secretary regarding—

“(1) the programs and activities funded by the grant;

“(2) health outcomes of the population of individuals with a substance use disorder who received services from the Center, evaluated by an independent program evaluator through the use of outcomes measures, as determined by the Secretary;

“(3) the retention rate of program participants; and

“(4) any other information that the Secretary may require for the purpose of—ensuring that the Center is complying with all the requirements of the grant, including providing the full continuum of services described in subsection (g)(1)(B).

“(i) PRIVACY.—The provisions of this section, including with respect to data reporting and program oversight, shall be subject to all applicable Federal and State privacy laws.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$10,000,000 for each of fiscal years 2019 through 2023 for purposes of carrying out this section.”

(b) REPORTS TO CONGRESS.—

(1) PRELIMINARY REPORT.—Not later than 3 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a preliminary report that analyzes data submitted under section 552(h) of the Public Health Service Act, as added by subsection (a).

(2) FINAL REPORT.—Not later than 2 years after submitting the preliminary report required under paragraph (1), the Secretary of Health and Human Services shall submit to Congress a final report that includes—

(A) an evaluation of the effectiveness of the comprehensive services provided by the Centers established or operated pursuant to section 552 of the Public Health Service Act, as added by subsection (a), with respect to health outcomes of the population of individuals with substance use disorder who receive services from the Center, which shall include an evaluation of the effectiveness of services for treatment and recovery support and to reduce relapse, recidivism, and overdose; and

(B) recommendations, as appropriate, regarding ways to improve Federal programs related to substance use disorders, which may include dissemination of best practices for the treatment of substance use disorders to health care professionals.

Subtitle N—Trauma-Informed Care

SEC. 7131. CDC SURVEILLANCE AND DATA COLLECTION FOR CHILD, YOUTH, AND ADULT TRAUMA.

(a) DATA COLLECTION.—The Director of the Centers for Disease Control and Prevention (referred to in this section as the “Director”) may, in cooperation with the States, collect and report data on adverse childhood experiences through the Behavioral Risk Factor Surveillance System, the Youth Risk Behavior Surveillance System, and other relevant public health surveys or questionnaires.

(b) TIMING.—The collection of data under subsection (a) may occur biennially.

(c) DATA FROM RURAL AREAS.—The Director shall encourage each State that participates in collecting and reporting data under subsection (a) to collect and report data from rural areas within such State, in order to generate a statistically reliable representation of such areas.

(d) DATA FROM TRIBAL AREAS.—The Director may, in cooperation with Indian Tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) and pursuant to a written request from an Indian Tribe, provide technical assistance to such Indian Tribe to collect and report data on adverse childhood experiences through the Behavioral Risk Factor Surveillance System, the Youth Risk Behavior Surveillance System, or another relevant public health survey or questionnaire.

(e) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated \$2,000,000 for each of fiscal years 2019 through 2023.

SEC. 7132. TASK FORCE TO DEVELOP BEST PRACTICES FOR TRAUMA-INFORMED IDENTIFICATION, REFERRAL, AND SUPPORT.

(a) ESTABLISHMENT.—There is established a task force, to be known as the Interagency Task Force on Trauma-Informed Care (in this section referred to as the “task force”) that shall identify, evaluate, and make recommendations regarding—

(1) best practices with respect to children and youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma; and

(2) ways in which Federal agencies can better coordinate to improve the Federal response to families impacted by substance use disorders and other forms of trauma.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The task force shall be composed of the heads of the following Federal departments and agencies, or their designees:

(A) The Centers for Medicare & Medicaid Services.

(B) The Substance Abuse and Mental Health Services Administration.

(C) The Agency for Healthcare Research and Quality.

(D) The Centers for Disease Control and Prevention.

(E) The Indian Health Service.

(F) The Department of Veterans Affairs.

(G) The National Institutes of Health.

(H) The Food and Drug Administration.

(I) The Health Resources and Services Administration.

(J) The Department of Defense.

(K) The Office of Minority Health of the Department of Health and Human Services.

(L) The Administration for Children and Families.

(M) The Office of the Assistant Secretary for Planning and Evaluation of the Department of Health and Human Services.

(N) The Office for Civil Rights of the Department of Health and Human Services.

(O) The Office of Juvenile Justice and Delinquency Prevention of the Department of Justice.

(P) The Office of Community Oriented Policing Services of the Department of Justice.

(Q) The Office on Violence Against Women of the Department of Justice.

(R) The National Center for Education Evaluation and Regional Assistance of the Department of Education.

(S) The National Center for Special Education Research of the Institute of Education Science.

(T) The Office of Elementary and Secondary Education of the Department of Education.

(U) The Office for Civil Rights of the Department of Education.

(V) The Office of Special Education and Rehabilitative Services of the Department of Education.

(W) The Bureau of Indian Affairs of the Department of the Interior.

(X) The Veterans Health Administration of the Department of Veterans Affairs.

(Y) The Office of Special Needs Assistance Programs of the Department of Housing and Urban Development.

(Z) The Office of Head Start of the Administration for Children and Families.

(AA) The Children's Bureau of the Administration for Children and Families.

(BB) The Bureau of Indian Education of the Department of the Interior.

(CC) Such other Federal agencies as the Secretaries determine to be appropriate.

(2) DATE OF APPOINTMENTS.—The heads of Federal departments and agencies shall appoint the corresponding members of the task force not later than 60 days after the date of enactment of this Act.

(3) CHAIRPERSON.—The task force shall be chaired by the Assistant Secretary for Mental Health and Substance Use, or the Assistant Secretary's designee.

(c) TASK FORCE DUTIES.—The task force shall—

(1) solicit input from stakeholders, including frontline service providers, educators, mental health professionals, researchers, experts in infant, child, and youth trauma, child welfare professionals, and the public, in order to inform the activities under paragraph (2); and

(2) identify, evaluate, make recommendations, and update such recommendations not less than annually, to the general public, the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Interior, the Attorney General, and other relevant cabinet Secretaries, and Congress regarding—

(A) a set of evidence-based, evidence-informed, and promising best practices with respect to—

(i) prevention strategies for individuals at risk of experiencing or being exposed to trauma, including trauma as a result of exposure to substance use;

(ii) the identification of infants, children and youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma;

(iii) the expeditious referral to and implementation of trauma-informed practices and supports that prevent and mitigate the effects of trauma, which may include whole-family and multi-generational approaches; and

(iv) community based or multi-generational practices that support children and their families;

(B) a national strategy on how the task force and member agencies will collaborate, prioritize options for, and implement a co-ordinated approach, which may include—

(i) data sharing;

(ii) providing support to infants, children, and youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma;

(iii) identifying options for coordinating existing grants that support infants, children, and youth, and their families as appropriate, who have experienced, or are at risk of experiencing, exposure to substance use or other trauma, including trauma related to substance use; and

(iv) other ways to improve coordination, planning, and communication within and across Federal agencies, offices, and programs, to better serve children and families impacted by substance use disorders; and

(C) existing Federal authorities at the Department of Education, Department of Health and Human Services, Department of Justice, Department of Labor, Department of the Interior, and other relevant agencies, and specific Federal grant programs to disseminate best practices on, provide training in, or deliver services through, trauma-informed practices, and disseminate such information—

(i) in writing to relevant program offices at such agencies to encourage grant applicants in writing to use such funds, where appropriate, for trauma-informed practices; and

(ii) to the general public through the internet website of the task force.

(d) BEST PRACTICES.—In identifying, evaluating, and recommending the set of best practices under subsection (c), the task force shall—

(1) include guidelines for providing professional development and education for frontline services providers, including school personnel, early childhood education program providers, providers from child- or youth-serving organizations, housing and homeless providers, primary and behavioral health care providers, child welfare and social services providers, juvenile and family court personnel, health care providers, individuals who are mandatory reporters of child abuse or neglect, trained nonclinical providers (including peer mentors and clergy), and first responders, in—

(A) understanding and identifying early signs and risk factors of trauma in infants, children, and youth, and their families as appropriate, including through screening processes and services;

(B) providing practices to prevent and mitigate the impact of trauma, including by fostering safe and stable environments and relationships; and

(C) developing and implementing policies, procedures, or systems that—

(i) are designed to quickly refer infants, children, youth, and their families as appropriate, who have experienced or are at risk of experiencing trauma to the appropriate trauma-informed screening and support and age-appropriate treatment, and to ensure such infants, children, youth, and family members receive such support;

(ii) utilize and develop partnerships with early childhood education programs, local social services organizations, such as organizations serving youth, and clinical mental health or other health care providers with expertise in providing support services and age-appropriate trauma-informed and evidence-based treatment aimed at preventing or mitigating the effects of trauma;

(iii) educate children and youth to—

(I) understand and identify the signs, effects, or symptoms of trauma; and

(II) build the resilience and coping skills to mitigate the effects of experiencing trauma;

(iv) promote and support multi-generational practices that assist parents, foster parents, and kinship and other caregivers in accessing resources related to, and developing environments conducive to, the prevention and mitigation of trauma; and

(v) collect and utilize data from screenings, referrals, or the provision of services and supports to evaluate outcomes and improve processes for trauma-informed services and supports that are culturally sensitive, linguistically appropriate, and specific to age ranges and sex, as applicable;

(2) recommend best practices that are designed to avoid unwarranted custody loss or criminal penalties for parents or guardians in connection with infants, children, and youth who have experienced or are at risk of experiencing trauma; and

(3) recommend opportunities for local- and State-level partnerships that—

(A) are designed to quickly identify and refer children and families, as appropriate, who have experienced or are at risk of experiencing exposure to trauma, including related to substance use;

(B) utilize and develop partnerships with early childhood education programs, local social services organizations, and health care services aimed at preventing or mitigating the effects of exposure to trauma, including related to substance use;

(C) offer community-based prevention activities, including educating families and children on the effects of exposure to trauma, such as trauma related to substance use, and how to build resilience and coping skills to mitigate those effects;

(D) in accordance with Federal privacy protections, utilize non-personally-identifiable data from screenings, referrals, or the provision of services and supports to evaluate and improve processes addressing exposure to trauma, including related to substance use; and

(E) are designed to prevent separation and support reunification of families if in the best interest of the child.

(e) OPERATING PLAN.—Not later than 120 days after the date of enactment of this Act, the task force shall hold the first meeting. Not later than 2 years after such date of enactment, the task force shall submit to the Secretary of Education, Secretary of Health and Human Services, Secretary of Labor, Secretary of the Interior, the Attorney General, and Congress an operating plan for carrying out the activities of the task force described in subsection (c)(2). Such operating plan shall include—

(1) a list of specific activities that the task force plans to carry out for purposes of carrying out duties described in subsection (c)(2), which may include public engagement;

(2) a plan for carrying out the activities under subsection (c)(2);

(3) a list of members of the task force and other individuals who are not members of the task force that may be consulted to carry out such activities;

(4) an explanation of Federal agency involvement and coordination needed to carry out such activities, including any statutory or regulatory barriers to such coordination;

(5) a budget for carrying out such activities;

(6) a proposed timeline for implementing recommendations and efforts identified under subsection (c); and

(7) other information that the task force determines appropriate as related to its duties.

(f) FINAL REPORT.—Not later than 3 years after the date of the first meeting of the task force, the task force shall submit to the general public, Secretary of Education, Secretary of Health and Human Services, Secretary of Labor, Secretary of the Interior, the Attorney General, other relevant cabinet Secretaries, the Committee on Energy and Commerce and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and Congress, a final report containing all of the findings and recommendations required under this section, and shall make such report available online in an accessible format.

(g) ADDITIONAL REPORTS.—In addition to the final report under subsection (f), the task force shall submit—

(1) a report to Congress identifying any recommendations identified under subsection (c) that require additional legislative authority to implement; and

(2) a report to the Governors describing the opportunities for local- and State-level partnerships, professional development, or best practices recommended under subsection (d)(3).

(h) DEFINITIONS.—In this section—

(1) the term “early childhood education program” has the meaning given such term in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003);

(2) The term “Governor” means the chief executive officer of a State; and

(3) the term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin

Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

(i) SUNSET.—The task force shall sunset on the date that is 60 days after the submission of the final report under subsection (f), but not later than September 30, 2023.

SEC. 7133. NATIONAL CHILD TRAUMATIC STRESS INITIATIVE.

Section 582(j) of the Public Health Service Act (42 U.S.C. 290hh-1(j)) (relating to grants to address the problems of persons who experience violence-related stress) is amended by striking “\$46,887,000 for each of fiscal years 2018 through 2022” and inserting “\$63,887,000 for each of fiscal years 2019 through 2023”.

SEC. 7134. GRANTS TO IMPROVE TRAUMA SUPPORT SERVICES AND MENTAL HEALTH CARE FOR CHILDREN AND YOUTH IN EDUCATIONAL SETTINGS.

(a) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHORIZED.—The Secretary, in coordination with the Assistant Secretary for Mental Health and Substance Use, is authorized to award grants to, or enter into contracts or cooperative agreements with, State educational agencies, local educational agencies, Indian Tribes (as defined in section 4 of the Indian Self-Determination and Education Assistance Act) or their tribal educational agencies, a school operated by the Bureau of Indian Education, a Regional Corporation, or a Native Hawaiian educational organization, for the purpose of increasing student access to evidence-based trauma support services and mental health care by developing innovative initiatives, activities, or programs to link local school systems with local trauma-informed support and mental health systems, including those under the Indian Health Service.

(b) DURATION.—With respect to a grant, contract, or cooperative agreement awarded or entered into under this section, the period during which payments under such grant, contract or agreement are made to the recipient may not exceed 4 years.

(c) USE OF FUNDS.—An entity that receives a grant, contract, or cooperative agreement under this section shall use amounts made available through such grant, contract, or cooperative agreement for evidence-based activities, which shall include any of the following:

(1) Collaborative efforts between school-based service systems and trauma-informed support and mental health service systems to provide, develop, or improve prevention, screening, referral, and treatment and support services to students, such as providing trauma screenings to identify students in need of specialized support.

(2) To implement schoolwide positive behavioral interventions and supports, or other trauma-informed models of support.

(3) To provide professional development to teachers, teacher assistants, school leaders, specialized instructional support personnel, and mental health professionals that—

(A) fosters safe and stable learning environments that prevent and mitigate the effects of trauma, including through social and emotional learning;

(B) improves school capacity to identify, refer, and provide services to students in need of trauma support or behavioral health services; or

(C) reflects the best practices for trauma-informed identification, referral, and support developed by the Task Force under section 7132.

(4) Services at a full-service community school that focuses on trauma-informed supports, which may include a full-time site coordinator, or other activities consistent with section 4625 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7275).

(5) Engaging families and communities in efforts to increase awareness of child and

youth trauma, which may include sharing best practices with law enforcement regarding trauma-informed care and working with mental health professionals to provide interventions, as well as longer term coordinated care within the community for children and youth who have experienced trauma and their families.

(6) To provide technical assistance to school systems and mental health agencies.

(7) To evaluate the effectiveness of the program carried out under this section in increasing student access to evidence-based trauma support services and mental health care.

(8) To establish partnerships with or provide subgrants to Head Start agencies (including Early Head Start agencies), public and private preschool programs, child care programs (including home-based providers), or other entities described in subsection (a), to include such entities described in this paragraph in the evidence-based trauma initiatives, activities, support services, and mental health systems established under this section in order to provide, develop, or improve prevention, screening, referral, and treatment and support services to young children and their families.

(d) APPLICATIONS.—To be eligible to receive a grant, contract, or cooperative agreement under this section, an entity described in subsection (a) shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, which shall include the following:

(1) A description of the innovative initiatives, activities, or programs to be funded under the grant, contract, or cooperative agreement, including how such program will increase access to evidence-based trauma support services and mental health care for students, and, as applicable, the families of such students.

(2) A description of how the program will provide linguistically appropriate and culturally competent services.

(3) A description of how the program will support students and the school in improving the school climate in order to support an environment conducive to learning.

(4) An assurance that—

(A) persons providing services under the grant, contract, or cooperative agreement are adequately trained to provide such services; and

(B) teachers, school leaders, administrators, specialized instructional support personnel, representatives of local Indian Tribes or tribal organizations as appropriate, other school personnel, and parents or guardians of students participating in services under this section will be engaged and involved in the design and implementation of the services.

(5) A description of how the applicant will support and integrate existing school-based services with the program in order to provide mental health services for students, as appropriate.

(6) A description of the entities in the community with which the applicant will partner or to which the applicant will provide subgrants in accordance with subsection (c)(8).

(e) INTERAGENCY AGREEMENTS.—

(1) LOCAL INTERAGENCY AGREEMENTS.—To ensure the provision of the services described in subsection (c), a recipient of a grant, contract, or cooperative agreement under this section, or their designee, shall establish a local interagency agreement among local educational agencies, agencies responsible for early childhood education programs, Head Start agencies (including Early Head Start agencies), juvenile justice authorities, mental health agencies, child welfare agencies, and other relevant agencies, authori-

ties, or entities in the community that will be involved in the provision of such services.

(2) CONTENTS.—In ensuring the provision of the services described in subsection (c), the local interagency agreement shall specify with respect to each agency, authority, or entity that is a party to such agreement—

(A) the financial responsibility for the services;

(B) the conditions and terms of responsibility for the services, including quality, accountability, and coordination of the services; and

(C) the conditions and terms of reimbursement among such agencies, authorities, or entities, including procedures for dispute resolution.

(f) EVALUATION.—The Secretary shall reserve not more than 3 percent of the funds made available under subsection (1) for each fiscal year to—

(1) conduct a rigorous, independent evaluation of the activities funded under this section; and

(2) disseminate and promote the utilization of evidence-based practices regarding trauma support services and mental health care.

(g) DISTRIBUTION OF AWARDS.—The Secretary shall ensure that grants, contracts, and cooperative agreements awarded or entered into under this section are equitably distributed among the geographical regions of the United States and among tribal, urban, suburban, and rural populations.

(h) RULE OF CONSTRUCTION.—Nothing in this section shall be construed—

(1) to prohibit an entity involved with a program carried out under this section from reporting a crime that is committed by a student to appropriate authorities; or

(2) to prevent Federal, State, and tribal law enforcement and judicial authorities from exercising their responsibilities with regard to the application of Federal, tribal, and State law to crimes committed by a student.

(i) SUPPLEMENT, NOT SUPPLANT.—Any services provided through programs carried out under this section shall supplement, and not supplant, existing mental health services, including any special education and related services provided under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(j) CONSULTATION WITH INDIAN TRIBES.—In carrying out subsection (a), the Secretary shall, in a timely manner, meaningfully consult with Indian Tribes and their representatives to ensure notice of eligibility.

(k) DEFINITIONS.—In this section:

(1) ELEMENTARY SCHOOL.—The term “elementary school” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) EVIDENCE-BASED.—The term “evidence-based” has the meaning given such term in section 8101(21)(A)(i) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(21)(A)(i)).

(3) NATIVE HAWAIIAN EDUCATIONAL ORGANIZATION.—The term “Native Hawaiian educational organization” has the meaning given such term in section 6207 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7517).

(4) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(5) REGIONAL CORPORATION.—The term “Regional Corporation” has the meaning given the term in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

(6) SCHOOL.—The term “school” means a public elementary school or public secondary school.

(7) SCHOOL LEADER.—The term “school leader” has the meaning given such term in

section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(8) **SECONDARY SCHOOL.**—The term “secondary school” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(9) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

(10) **SPECIALIZED INSTRUCTIONAL SUPPORT PERSONNEL.**—The term “specialized instructional support personnel” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(11) **STATE EDUCATIONAL AGENCY.**—The term “State educational agency” has the meaning given such term in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(1) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section, \$50,000,000 for each of fiscal years 2019 through 2023.

SEC. 7135. RECOGNIZING EARLY CHILDHOOD TRAUMA RELATED TO SUBSTANCE ABUSE.

(a) **DISSEMINATION OF INFORMATION.**—The Secretary of Health and Human Services shall disseminate information, resources, and, if requested, technical assistance to early childhood care and education providers and professionals working with young children on—

(1) ways to properly recognize children who may be impacted by trauma, including trauma related to substance use by a family member or other adult; and

(2) how to respond appropriately in order to provide for the safety and well-being of young children and their families.

(b) **GOALS.**—The information, resources, and technical assistance provided under subsection (a) shall—

(1) educate early childhood care and education providers and professionals working with young children on understanding and identifying the early signs and risk factors of children who might be impacted by trauma, including trauma due to exposure to substance use;

(2) suggest age-appropriate communication tools, procedures, and practices for trauma-informed care, including ways to prevent or mitigate the effects of trauma;

(3) provide options for responding to children impacted by trauma, including due to exposure to substance use, that consider the needs of the child and family, including recommending resources and referrals for evidence-based services to support such family; and

(4) promote whole-family and multi-generational approaches to keep families safely together when it is in the best interest of the child.

(c) **COORDINATION.**—The Secretary of Health and Human Services shall coordinate with the task force to develop best practices for trauma-informed identification, referral, and support authorized under section 7132 in disseminating the information, resources, and technical assistance described under subsection (b).

(d) **RULE OF CONSTRUCTION.**—Such information, resources, and if applicable, technical assistance, shall not be construed to amend the requirements under—

(1) the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

(2) the Head Start Act (42 U.S.C. 9831 et seq.); or

(3) the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

Subtitle O—Eliminating Opioid Related Infectious Diseases

SEC. 7141. REAUTHORIZATION AND EXPANSION OF PROGRAM OF SURVEILLANCE AND EDUCATION REGARDING INFECTIONS ASSOCIATED WITH ILLICIT DRUG USE AND OTHER RISK FACTORS.

Section 317N of the Public Health Service Act (42 U.S.C. 247b-15) is amended to read as follows:

“SEC. 317N. SURVEILLANCE AND EDUCATION REGARDING INFECTIONS ASSOCIATED WITH ILLICIT DRUG USE AND OTHER RISK FACTORS.

“(a) **IN GENERAL.**—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may (directly or through grants to public and nonprofit private entities) provide for programs for the following:

“(1) To cooperate with States and Indian tribes in implementing or maintaining a national system to determine the incidence of infections commonly associated with illicit drug use, such as viral hepatitis, human immunodeficiency virus, and infective endocarditis, and to assist the States in determining the prevalence of such infections, which may include the reporting of cases of such infections.

“(2) To identify, counsel, and offer testing to individuals who are at risk of infections described in paragraph (1) resulting from illicit drug use, receiving blood transfusions prior to July 1992, or other risk factors.

“(3) To provide appropriate referrals for counseling, testing, and medical treatment of individuals identified under paragraph (2) and to ensure, to the extent practicable, the provision of appropriate follow-up services.

“(4) To develop and disseminate public information and education programs for the detection and control of infections described in paragraph (1), with priority given to high-risk populations as determined by the Secretary.

“(5) To improve the education, training, and skills of health professionals in the detection and control of infections described in paragraph (1), including to improve coordination of treatment of substance use disorders and infectious diseases, with priority given to substance use disorder treatment providers, pediatricians and other primary care providers, obstetrician-gynecologists, and infectious disease clinicians, including HIV clinicians.

“(b) **LABORATORY PROCEDURES.**—The Secretary may (directly or through grants to public and nonprofit private entities) carry out programs to provide for improvements in the quality of clinical-laboratory procedures regarding infections described in subsection (a)(1).

“(c) **DEFINITION.**—In this section, the term ‘Indian tribe’ has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act.

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—For the purpose of carrying out this section, there are authorized to be appropriated \$40,000,000 for each of the fiscal years 2019 through 2023.”.

Subtitle P—Peer Support Communities of Recovery

SEC. 7151. BUILDING COMMUNITIES OF RECOVERY.

Section 547 of the Public Health Service Act (42 U.S.C. 290ee-2) is amended to read as follows:

“SEC. 547. BUILDING COMMUNITIES OF RECOVERY.

“(a) **DEFINITION.**—In this section, the term ‘recovery community organization’ means an independent nonprofit organization that—

“(1) mobilizes resources within and outside of the recovery community, which may in-

clude through a peer support network, to increase the prevalence and quality of long-term recovery from substance use disorders; and

“(2) is wholly or principally governed by people in recovery for substance use disorders who reflect the community served.

“(b) **GRANTS AUTHORIZED.**—The Secretary shall award grants to recovery community organizations to enable such organizations to develop, expand, and enhance recovery services.

“(c) **FEDERAL SHARE.**—The Federal share of the costs of a program funded by a grant under this section may not exceed 85 percent.

“(d) **USE OF FUNDS.**—Grants awarded under subsection (b)—

“(1) shall be used to develop, expand, and enhance community and statewide recovery support services; and

“(2) may be used to—

“(A) build connections between recovery networks, including between recovery community organizations and peer support networks, and with other recovery support services, including—

“(i) behavioral health providers;

“(ii) primary care providers and physicians;

“(iii) educational and vocational schools;

“(iv) employers;

“(v) housing services;

“(vi) child welfare agencies; and

“(vii) other recovery support services that facilitate recovery from substance use disorders, including non-clinical community services;

“(B) reduce stigma associated with substance use disorders; and

“(C) conduct outreach on issues relating to substance use disorders and recovery, including—

“(i) identifying the signs of substance use disorder;

“(ii) the resources available to individuals with substance use disorder and to families of an individual with a substance use disorder, including programs that mentor and provide support services to children;

“(iii) the resources available to help support individuals in recovery; and

“(iv) related medical outcomes of substance use disorders, the potential of acquiring an infection commonly associated with illicit drug use, and neonatal abstinence syndrome among infants exposed to opioids during pregnancy.

“(e) **SPECIAL CONSIDERATION.**—In carrying out this section, the Secretary shall give special consideration to the unique needs of rural areas, including areas with an age-adjusted rate of drug overdose deaths that is above the national average and areas with a shortage of prevention and treatment services.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 7152. PEER SUPPORT TECHNICAL ASSISTANCE CENTER.

Title V of the Public Health Service Act (42 U.S.C. 290dd et seq.) is amended by inserting after section 547 the following:

“SEC. 547A. PEER SUPPORT TECHNICAL ASSISTANCE CENTER.

“(a) **ESTABLISHMENT.**—The Secretary, acting through the Assistant Secretary, shall establish or operate a National Peer-Run Training and Technical Assistance Center for Addiction Recovery Support (referred to in this section as the ‘Center’).

“(b) **FUNCTIONS.**—The Center established under subsection (a) shall provide technical assistance and support to recovery community organizations and peer support networks, including such assistance and support related to—

“(1) training on identifying—
 “(A) signs of substance use disorder;
 “(B) resources to assist individuals with a substance use disorder, or resources for families of an individual with a substance use disorder; and
 “(C) best practices for the delivery of recovery support services;

“(2) the provision of translation services, interpretation, or other such services for clients with limited English speaking proficiency;

“(3) data collection to support research, including for translational research;

“(4) capacity building; and

“(5) evaluation and improvement, as necessary, of the effectiveness of such services provided by recovery community organizations.

“(c) **BEST PRACTICES.**—The Center established under subsection (a) shall periodically issue best practices for use by recovery community organizations and peer support networks.

“(d) **RECOVERY COMMUNITY ORGANIZATION.**—In this section, the term ‘recovery community organization’ has the meaning given such term in section 547.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$1,000,000 for each of fiscal years 2019 through 2023.”

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

SEC. 7161. PREVENTING OVERDOSES OF CONTROLLED SUBSTANCES.

(a) **IN GENERAL.**—Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended by inserting after section 392 (42 U.S.C. 280b–1) the following:

“SEC. 392A. PREVENTING OVERDOSES OF CONTROLLED SUBSTANCES.

“(a) **EVIDENCE-BASED PREVENTION GRANTS.**—

“(1) **IN GENERAL.**—The Director of the Centers for Disease Control and Prevention may—

“(A) to the extent practicable, carry out and expand any evidence-based prevention activities described in paragraph (2);

“(B) provide training and technical assistance to States, localities, and Indian tribes for purposes of carrying out such activity; and

“(C) award grants to States, localities, and Indian tribes for purposes of carrying out such activity.

“(2) **EVIDENCE-BASED PREVENTION ACTIVITIES.**—An evidence-based prevention activity described in this paragraph is any of the following activities:

“(A) Improving the efficiency and use of a new or currently operating prescription drug monitoring program, including by—

“(i) encouraging all authorized users (as specified by the State or other entity) to register with and use the program;

“(ii) enabling such users to access any updates to information collected by the program in as close to real-time as possible;

“(iii) improving the ease of use of such program;

“(iv) providing for a mechanism for the program to notify authorized users of any potential misuse or abuse of controlled substances and any detection of inappropriate prescribing or dispensing practices relating to such substances;

“(v) encouraging the analysis of prescription drug monitoring data for purposes of providing de-identified, aggregate reports based on such analysis to State public health agencies, State substance abuse agencies, State licensing boards, and other appropriate State agencies, as permitted under applicable Federal and State law and the policies of the prescription drug monitoring program

and not containing any protected health information, to prevent inappropriate prescribing, drug diversion, or abuse and misuse of controlled substances, and to facilitate better coordination among agencies;

“(vi) enhancing interoperability between the program and any health information technology (including certified health information technology), including by integrating program data into such technology;

“(vii) updating program capabilities to respond to technological innovation for purposes of appropriately addressing the occurrence and evolution of controlled substance overdoses;

“(viii) facilitating and encouraging data exchange between the program and the prescription drug monitoring programs of other States;

“(ix) enhancing data collection and quality, including improving patient matching and proactively monitoring data quality;

“(x) providing prescriber and dispenser practice tools, including prescriber practice insight reports for practitioners to review their prescribing patterns in comparison to such patterns of other practitioners in the specialty; and

“(xi) meeting the purpose of the program established under section 3990, as described in section 3990(a).

“(B) Promoting community or health system interventions.

“(C) Evaluating interventions to prevent controlled substance overdoses.

“(D) Implementing projects to advance an innovative prevention approach with respect to new and emerging public health crises and opportunities to address such crises, such as enhancing public education and awareness on the risks associated with opioids.

“(3) **ADDITIONAL GRANTS.**—The Director may award grants to States, localities, and Indian Tribes—

“(A) to carry out innovative projects for grantees to rapidly respond to controlled substance misuse, abuse, and overdoses, including changes in patterns of controlled substance use; and

“(B) for any other evidence-based activity for preventing controlled substance misuse, abuse, and overdoses as the Director determines appropriate.

“(4) **RESEARCH.**—The Director, in coordination with the Assistant Secretary for Mental Health and Substance Use and the National Mental Health and Substance Use Policy Laboratory established under section 501A, as appropriate and applicable, may conduct studies and evaluations to address substance use disorders, including preventing substance use disorders or other related topics the Director determines appropriate.

“(b) **ENHANCED CONTROLLED SUBSTANCE OVERDOSE DATA COLLECTION, ANALYSIS, AND DISSEMINATION GRANTS.**—

“(1) **IN GENERAL.**—The Director of the Centers for Disease Control and Prevention may—

“(A) to the extent practicable, carry out any controlled substance overdose data collection activities described in paragraph (2);

“(B) provide training and technical assistance to States, localities, and Indian tribes for purposes of carrying out such activity;

“(C) award grants to States, localities, and Indian tribes for purposes of carrying out such activity; and

“(D) coordinate with the Assistant Secretary for Mental Health and Substance Use to collect data pursuant to section 505(d)(1)(A) (relating to the number of individuals admitted to emergency departments as a result of the abuse of alcohol or other drugs).

“(2) **CONTROLLED SUBSTANCE OVERDOSE DATA COLLECTION AND ANALYSIS ACTIVITIES.**—A controlled substance overdose data collection, analysis, and dissemination activity de-

scribed in this paragraph is any of the following activities:

“(A) Improving the timeliness of reporting data to the public, including data on fatal and nonfatal overdoses of controlled substances.

“(B) Enhancing the comprehensiveness of controlled substance overdose data by collecting information on such overdoses from appropriate sources such as toxicology reports, autopsy reports, death scene investigations, and emergency departments.

“(C) Modernizing the system for coding causes of death related to controlled substance overdoses to use an electronic-based system.

“(D) Using data to help identify risk factors associated with controlled substance overdoses.

“(E) Supporting entities involved in providing information on controlled substance overdoses, such as coroners, medical examiners, and public health laboratories to improve accurate testing and standardized reporting of causes and contributing factors to controlled substances overdoses and analysis of various opioid analogues to controlled substance overdoses.

“(F) Working to enable and encourage the access, exchange, and use of information regarding controlled substance overdoses among data sources and entities.

“(c) **DEFINITIONS.**—In this section:

“(1) **CONTROLLED SUBSTANCE.**—The term ‘controlled substance’ has the meaning given that term in section 102 of the Controlled Substances Act.

“(2) **INDIAN TRIBE.**—The term ‘Indian tribe’ has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act.

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—For purposes of carrying out this section, section 3990 of this Act, and section 102 of the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198), there is authorized to be appropriated \$496,000,000 for each of fiscal years 2019 through 2023.”

(b) **EDUCATION AND AWARENESS.**—Section 102 of the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114–198) is amended—

(1) by amending subsection (a) to read as follows:

“(a) **IN GENERAL.**—The Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention and in coordination with the heads of other departments and agencies, shall advance education and awareness regarding the risks related to misuse and abuse of opioids, as appropriate, which may include developing or improving existing programs, conducting activities, and awarding grants that advance the education and awareness of—

“(1) the public, including patients and consumers—

“(A) generally; and

“(B) regarding such risks related to unused opioids and the dispensing options under section 309(f) of the Controlled Substances Act, as applicable; and

“(2) providers, which may include—

“(A) providing for continuing education on appropriate prescribing practices;

“(B) education related to applicable State or local prescriber limit laws, information on the use of non-addictive alternatives for pain management, and the use of overdose reversal drugs, as appropriate;

“(C) disseminating and improving the use of evidence-based opioid prescribing guidelines across relevant health care settings, as appropriate, and updating guidelines as necessary;

“(D) implementing strategies, such as best practices, to encourage and facilitate the use

of prescriber guidelines, in accordance with State and local law;

“(E) disseminating information to providers about prescribing options for controlled substances, including such options under section 309(f) of the Controlled Substances Act, as applicable; and

“(F) disseminating information, as appropriate, on the National Pain Strategy developed by or in consultation with the Assistant Secretary for Health; and

“(3) other appropriate entities.”; and
(2) in subsection (b)—

(A) by striking “opioid abuse” each place such term appears and inserting “opioid misuse and abuse”; and

(B) in paragraph (2), by striking “safe disposal of prescription medications and other” and inserting “non-addictive treatment options, safe disposal options for prescription medications, and other applicable”.

SEC. 7162. PRESCRIPTION DRUG MONITORING PROGRAM.

Section 3990 of the Public Health Service Act (42 U.S.C. 280g-3) is amended to read as follows:

“SEC. 3990. PRESCRIPTION DRUG MONITORING PROGRAM.

“(a) PROGRAM.—

“(1) IN GENERAL.—Each fiscal year, the Secretary, acting through the Director of the Centers for Disease Control and Prevention, in coordination with the heads of other departments and agencies as appropriate, shall support States or localities for the purpose of improving the efficiency and use of PDMPs, including—

“(A) establishment and implementation of a PDMP;

“(B) maintenance of a PDMP;

“(C) improvements to a PDMP by—

“(i) enhancing functional components to work toward—

“(I) universal use of PDMPs among providers and their delegates, to the extent that State laws allow;

“(II) more timely inclusion of data within a PDMP;

“(III) active management of the PDMP, in part by sending proactive or unsolicited reports to providers to inform prescribing; and

“(IV) ensuring the highest level of ease in use of and access to PDMPs by providers and their delegates, to the extent that State laws allow;

“(ii) in consultation with the Office of the National Coordinator for Health Information Technology, improving the intrastate interoperability of PDMPs by—

“(I) making PDMPs more actionable by integrating PDMPs within electronic health records and health information technology infrastructure; and

“(II) linking PDMP data to other data systems within the State, including—

“(aa) the data of pharmacy benefit managers, medical examiners and coroners, and the State’s Medicaid program;

“(bb) worker’s compensation data; and

“(cc) prescribing data of providers of the Department of Veterans Affairs and the Indian Health Service within the State;

“(iii) in consultation with the Office of the National Coordinator for Health Information Technology, improving the interstate interoperability of PDMPs through—

“(I) sharing of dispensing data in near-real time across State lines; and

“(II) integration of automated queries for multistate PDMP data and analytics into clinical workflow to improve the use of such data and analytics by practitioners and dispensers; or

“(iv) improving the ability to include treatment availability resources and referral capabilities within the PDMP.

“(2) LEGISLATION.—As a condition on the receipt of support under this section, the

Secretary shall require a State or locality to demonstrate that it has enacted legislation or regulations—

“(A) to provide for the implementation of the PDMP; and

“(B) to permit the imposition of appropriate penalties for the unauthorized use and disclosure of information maintained by the PDMP.

“(b) PDMP STRATEGIES.—The Secretary shall encourage a State or locality, in establishing, improving, or maintaining a PDMP, to implement strategies that improve—

“(1) the reporting of dispensing in the State or locality of a controlled substance to an ultimate user so the reporting occurs not later than 24 hours after the dispensing event;

“(2) the consultation of the PDMP by each prescribing practitioner, or their designee, in the State or locality before initiating treatment with a controlled substance, or any substance as required by the State to be reported to the PDMP, and over the course of ongoing treatment for each prescribing event;

“(3) the consultation of the PDMP before dispensing a controlled substance, or any substance as required by the State to be reported to the PDMP;

“(4) the proactive notification to a practitioner when patterns indicative of controlled substance misuse by a patient, including opioid misuse, are detected;

“(5) the availability of data in the PDMP to other States, as allowable under State law; and

“(6) the availability of nonidentifiable information to the Centers for Disease Control and Prevention for surveillance, epidemiology, statistical research, or educational purposes.

“(c) DRUG MISUSE AND ABUSE.—In consultation with practitioners, dispensers, and other relevant and interested stakeholders, a State receiving support under this section—

“(1) shall establish a program to notify practitioners and dispensers of information that will help to identify and prevent the unlawful diversion or misuse of controlled substances;

“(2) may, to the extent permitted under State law, notify the appropriate authorities responsible for carrying out drug diversion investigations if the State determines that information in the PDMP maintained by the State indicates an unlawful diversion or abuse of a controlled substance;

“(3) may conduct analyses of controlled substance program data for purposes of providing appropriate State agencies with aggregate reports based on such analyses in as close to real-time as practicable, regarding prescription patterns flagged as potentially presenting a risk of misuse, abuse, addiction, overdose, and other aggregate information, as appropriate and in compliance with applicable Federal and State laws and provided that such reports shall not include protected health information; and

“(4) may access information about prescriptions, such as claims data, to ensure that such prescribing and dispensing history is updated in as close to real-time as practicable, in compliance with applicable Federal and State laws and provided that such information shall not include protected health information.

“(d) EVALUATION AND REPORTING.—As a condition on receipt of support under this section, the State shall report on interoperability with PDMPs of other States and Federal agencies, where appropriate, intrastate interoperability with health information technology systems such as electronic health records, health information exchanges, and e-prescribing, where appropriate, and whether or not the State provides automatic, up-to-date, or daily information about a patient

when a practitioner (or the designee of a practitioner, where permitted) requests information about such patient.

“(e) EVALUATION AND REPORTING.—A State receiving support under this section shall provide the Secretary with aggregate non-identifiable information, as permitted by State law, to enable the Secretary—

“(1) to evaluate the success of the State’s program in achieving the purpose described in subsection (a); or

“(2) to prepare and submit to the Congress the report required by subsection (i)(2).

“(f) EDUCATION AND ACCESS TO THE MONITORING SYSTEM.—A State receiving support under this section shall take steps to—

“(1) facilitate prescribers and dispensers, and their delegates, as permitted by State law, to use the PDMP, to the extent practicable; and

“(2) educate prescribers and dispensers, and their delegates on the benefits of the use of PDMPs.

“(g) ELECTRONIC FORMAT.—The Secretary may issue guidelines specifying a uniform electronic format for the reporting, sharing, and disclosure of information pursuant to PDMPs. To the extent possible, such guidelines shall be consistent with standards recognized by the Office of the National Coordinator for Health Information Technology.

“(h) RULES OF CONSTRUCTION.—

“(1) FUNCTIONS OTHERWISE AUTHORIZED BY LAW.—Nothing in this section shall be construed to restrict the ability of any authority, including any local, State, or Federal law enforcement, narcotics control, licensure, disciplinary, or program authority, to perform functions otherwise authorized by law.

“(2) ADDITIONAL PRIVACY PROTECTIONS.—Nothing in this section shall be construed as preempting any State from imposing any additional privacy protections.

“(3) FEDERAL PRIVACY REQUIREMENTS.—Nothing in this section shall be construed to supersede any Federal privacy or confidentiality requirement, including the regulations promulgated under section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191; 110 Stat. 2033) and section 543 of this Act.

“(4) NO FEDERAL PRIVATE CAUSE OF ACTION.—Nothing in this section shall be construed to create a Federal private cause of action.

“(i) PROGRESS REPORT.—Not later than 3 years after the date of enactment of this section, the Secretary shall—

“(1) complete a study that—

“(A) determines the progress of grantees in establishing and implementing PDMPs consistent with this section;

“(B) provides an analysis of the extent to which the operation of PDMPs has—

“(i) reduced inappropriate use, abuse, diversion of, and overdose with, controlled substances;

“(ii) established or strengthened initiatives to ensure linkages to substance use disorder treatment services; or

“(iii) affected patient access to appropriate care in States operating PDMPs;

“(C) determine the progress of grantees in achieving interstate interoperability and intrastate interoperability of PDMPs, including an assessment of technical, legal, and financial barriers to such progress and recommendations for addressing these barriers;

“(D) determines the progress of grantees in implementing near real-time electronic PDMPs;

“(E) provides an analysis of the privacy protections in place for the information reported to the PDMP in each State or locality receiving support under this section and any recommendations of the Secretary for addi-

tional Federal or State requirements for protection of this information;

“(F) determines the progress of States or localities in implementing technological alternatives to centralized data storage, such as peer-to-peer file sharing or data pointer systems, in PDMPs and the potential for such alternatives to enhance the privacy and security of individually identifiable data; and

“(G) evaluates the penalties that States or localities have enacted for the unauthorized use and disclosure of information maintained in PDMPs, and the criteria used by the Secretary to determine whether such penalties qualify as appropriate for purposes of subsection (a)(2); and

“(2) submit a report to the Congress on the results of the study.

“(j) ADVISORY COUNCIL.—

“(1) ESTABLISHMENT.—A State or locality may establish an advisory council to assist in the establishment, improvement, or maintenance of a PDMP consistent with this section.

“(2) LIMITATION.—A State or locality may not use Federal funds for the operations of an advisory council to assist in the establishment, improvement, or maintenance of a PDMP.

“(3) SENSE OF CONGRESS.—It is the sense of the Congress that, in establishing an advisory council to assist in the establishment, improvement, or maintenance of a PDMP, a State or locality should consult with appropriate professional boards and other interested parties.

“(k) DEFINITIONS.—For purposes of this section:

“(1) The term ‘controlled substance’ means a controlled substance (as defined in section 102 of the Controlled Substances Act) in schedule II, III, or IV of section 202 of such Act.

“(2) The term ‘dispense’ means to deliver a controlled substance to an ultimate user by, or pursuant to the lawful order of, a practitioner, irrespective of whether the dispenser uses the Internet or other means to effect such delivery.

“(3) The term ‘dispenser’ means a physician, pharmacist, or other person that dispenses a controlled substance to an ultimate user.

“(4) The term ‘interstate interoperability’ with respect to a PDMP means the ability of the PDMP to electronically share reported information with another State if the information concerns either the dispensing of a controlled substance to an ultimate user who resides in such other State, or the dispensing of a controlled substance prescribed by a practitioner whose principal place of business is located in such other State.

“(5) The term ‘intrastate interoperability’ with respect to a PDMP means the integration of PDMP data within electronic health records and health information technology infrastructure or linking of a PDMP to other data systems within the State, including the State’s Medicaid program, workers’ compensation programs, and medical examiners or coroners.

“(6) The term ‘nonidentifiable information’ means information that does not identify a practitioner, dispenser, or an ultimate user and with respect to which there is no reasonable basis to believe that the information can be used to identify a practitioner, dispenser, or an ultimate user.

“(7) The term ‘PDMP’ means a prescription drug monitoring program that is State-controlled.

“(8) The term ‘practitioner’ means a physician, dentist, veterinarian, scientific investigator, pharmacy, hospital, or other person licensed, registered, or otherwise permitted, by the United States or the jurisdiction in which the individual practices or does re-

search, to distribute, dispense, conduct research with respect to, administer, or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research.

“(9) The term ‘State’ means each of the 50 States, the District of Columbia, and any commonwealth or territory of the United States.

“(10) The term ‘ultimate user’ means a person who has obtained from a dispenser, and who possesses, a controlled substance for the person’s own use, for the use of a member of the person’s household, or for the use of an animal owned by the person or by a member of the person’s household.

“(11) The term ‘clinical workflow’ means the integration of automated queries for prescription drug monitoring programs data and analytics into health information technologies such as electronic health record systems, health information exchanges, and/or pharmacy dispensing software systems, thus streamlining provider access through automated queries.”.

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

SEC. 7171. REVIEW OF SUBSTANCE USE DISORDER TREATMENT PROVIDERS RECEIVING FEDERAL FUNDING.

(a) IN GENERAL.—The Secretary of Health and Human Services (in this section referred to as the “Secretary”) shall conduct a review of entities that receive Federal funding for the provision of substance use disorder treatment services. The review shall include:

(1) The length of time the entity has provided substance use disorder treatment services and the geographic area served by the entity.

(2) A detailed analysis of the patient population served by the entity, including but not limited to the number of patients, types of diagnosed substance use disorders and the demographic information of such patients, including sex, race, ethnicity, and socioeconomic status.

(3) Detailed information on the types of substance use disorders for which the entity has the experience, capability, and capacity to provide such services.

(4) An analysis of how the entity handles patients requiring treatment for a substance use disorder that the organization is not able to treat.

(5) An analysis of what is needed in order to improve the entity’s ability to meet the addiction treatment needs of the communities served by that entity.

(6) Based on the identified needs of the communities served, a description of unmet needs and inadequate services and how such needs and services could be better addressed to treat individuals with methamphetamine, cocaine, including crack cocaine, heroin, opioid, and other substance use disorders.

(b) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Secretary shall develop and submit to Congress a plan to direct appropriate resources to entities that provide substance use disorder treatment services in order to address inadequacies in services or funding identified through the survey described in subsection (a).

Subtitle S—Other Health Provisions

SEC. 7181. STATE RESPONSE TO THE OPIOID ABUSE CRISIS.

(a) IN GENERAL.—Section 1003 of the 21st Century Cures Act (Public Law 114-255) is amended—

(1) in subsection (a)—

(A) by striking “the authorization of appropriations under subsection (b) to carry out the grant program described in subsection (c)” and inserting “subsection (h) to carry out the grant program described in subsection (b)”;

(B) by inserting “and Indian Tribes” after “States”;

(2) by striking subsection (b);

(3) by redesignating subsections (c) through (e) as subsections (b) through (d), respectively;

(4) by redesignating subsection (f) as subsection (j);

(5) in subsection (b), as so redesignated—

(A) in paragraph (1)—

(i) in the paragraph heading, by inserting “AND TRIBAL” after “STATE”;

(ii) by striking “States for the purpose of addressing the opioid abuse crisis within such States” and inserting “States and Indian Tribes for the purpose of addressing the opioid abuse crisis within such States and Indian Tribes”;

(iii) by inserting “or Indian Tribes” after “preference to States”; and

(iv) by inserting before the period of the second sentence “or other Indian Tribes, as applicable”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “to a State”;

(ii) in subparagraph (A), by striking “Improving State” and inserting “Establishing or improving”;

(iii) in subparagraph (C), by inserting “preventing diversion of controlled substances,” after “treatment programs,”; and

(iv) in subparagraph (E), by striking “as the State determines appropriate, related to addressing the opioid abuse crisis within the State” and inserting “as the State or Indian Tribe determines appropriate, related to addressing the opioid abuse crisis within the State or Indian Tribe, including directing resources in accordance with local needs related to substance use disorders”;

(6) in subsection (c), as so redesignated, by striking “subsection (c)” and inserting “subsection (b)”;

(7) in subsection (d), as so redesignated—

(A) in the matter preceding paragraph (1), by striking “the authorization of appropriations under subsection (b)” and inserting “subsection (h)”;

(B) in paragraph (1), by striking “subsection (c)” and inserting “subsection (b)”;

(8) by inserting after subsection (d), as so redesignated, the following:

“(e) INDIAN TRIBES.—

“(1) DEFINITION.—For purposes of this section, the term ‘Indian Tribe’ has the meaning given the term ‘Indian tribe’ in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(2) APPROPRIATE MECHANISMS.—The Secretary, in consultation with Indian Tribes, shall identify and establish appropriate mechanisms for Tribes to demonstrate or report the information as required under subsections (b), (c), and (d).

“(f) REPORT TO CONGRESS.—Not later than 1 year after the date on which amounts are first awarded after the date of enactment of this subsection, pursuant to subsection (b), and annually thereafter, the Secretary shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing the information provided to the Secretary in reports made pursuant to subsection (c), including the purposes for which grant funds are awarded under this section and the activities of such grant recipients.

“(g) TECHNICAL ASSISTANCE.—The Secretary, including through the Tribal Training and Technical Assistance Center of the Substance Abuse and Mental Health Services Administration, shall provide State agencies and Indian Tribes, as applicable, with technical assistance concerning grant application and submission procedures under this section, award management activities, and

enhancing outreach and direct support to rural and underserved communities and providers in addressing the opioid crisis.

“(h) AUTHORIZATION OF APPROPRIATIONS.—For purposes of carrying out the grant program under subsection (b), there is authorized to be appropriated \$500,000,000 for each of fiscal years 2019 through 2021, to remain available until expended.

“(i) SET ASIDE.—Of the amounts made available for each fiscal year to award grants under subsection (b) for a fiscal year, 5 percent of such amount for such fiscal year shall be made available to Indian Tribes, and up to 15 percent of such amount for such fiscal year may be set aside for States with the highest age-adjusted rate of drug overdose death based on the ordinal ranking of States according to the Director of the Centers for Disease Control and Prevention.”.

(b) CONFORMING AMENDMENT.—Section 1004(c) of the 21st Century Cures Act (Public Law 114-255) is amended by striking “, the FDA Innovation Account, or the Account For the State Response to the Opioid Abuse Crisis” and inserting “or the FDA Innovation Account”.

SEC. 7182. REPORT ON INVESTIGATIONS REGARDING PARITY IN MENTAL HEALTH AND SUBSTANCE USE DISORDER BENEFITS.

(a) IN GENERAL.—Section 13003 of the 21st Century Cures Act (Public Law 114-255) is amended—

(1) in subsection (a)—

(A) by striking “with findings of any serious violation regarding” and inserting “concerning”; and

(B) by inserting “and the Committee on Education and the Workforce” after “Energy and Commerce”; and

(2) in subsection (b)(1)—

(A) by inserting “complaints received and number of” before “closed”; and

(B) by inserting before the period “, and, for each such investigation closed, which agency conducted the investigation, whether the health plan that is the subject of the investigation is fully insured or not fully insured and a summary of any coordination between the applicable State regulators and the Department of Labor, the Department of Health and Human Services, or the Department of the Treasury, and references to any guidance provided by the agencies addressing the category of violation committed”.

(b) APPLICABILITY.—The amendments made by subsection (a) shall apply with respect to the second annual report required under such section 13003 and each such annual report thereafter.

SEC. 7183. CAREER ACT.

(a) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the “Secretary”), in consultation with the Secretary of Labor, shall continue or establish a program to support individuals in substance use disorder treatment and recovery to live independently and participate in the workforce.

(b) GRANTS AUTHORIZED.—In carrying out the activities under this section, the Secretary shall, on a competitive basis, award grants for a period of not more than 5 years to entities to enable such entities to carry out evidence-based programs to help individuals in substance use disorder treatment and recovery to live independently and participate in the workforce. Such entities shall coordinate, as applicable, with Indian tribes or tribal organizations (as applicable), State boards and local boards (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102), lead State agencies with responsibility for a workforce investment activity (as defined in such section 3), and State agencies responsible for carrying out substance use disorder prevention and treatment programs.

(c) PRIORITY.—

(1) IN GENERAL.—In awarding grants under this section, the Secretary shall give priority based on the State in which the entity is located. Priority shall be given among States according to a formula based on the rates described in paragraph (2) and weighted as described in paragraph (3).

(2) RATES.—The rates described in this paragraph are the following:

(A) The amount by which the rate of drug overdose deaths in the State, adjusted for age, is above the national overdose mortality rate, as determined by the Director of the Centers for Disease Control and Prevention.

(B) The amount by which the rate of unemployment for the State, based on data provided by the Bureau of Labor Statistics for the preceding 5 calendar years for which there is available data, is above the national average.

(C) The amount by which rate of labor force participation in the State, based on data provided by the Bureau of Labor Statistics for the preceding 5 calendar years for which there is available data, is below the national average.

(3) WEIGHTING.—The rates described in paragraph (2) shall be weighted as follows:

(A) The rate described in paragraph (2)(A) shall be weighted 70 percent.

(B) The rate described in paragraph (2)(B) shall be weighted 15 percent.

(C) The rate described in paragraph (2)(C) shall be weighted 15 percent.

(d) PREFERENCE.—In awarding grants under this section, the Secretary shall give preference to entities located in areas within States with the greatest need, with such need based on the highest mortality rate related to substance use disorder.

(e) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means an entity that offers treatment or recovery services for individuals with substance use disorders, and partners with one or more local or State stakeholders, which may include local employers, community organizations, the local workforce development board, local and State governments, and Indian Tribes or tribal organizations, to support recovery, independent living, and participation in the workforce.

(2) INDIAN TRIBES; TRIBAL ORGANIZATION.—The terms “Indian Tribe” and “tribal organization” have the meanings given the terms “Indian tribe” and “tribal organization” in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(3) STATE.—The term “State” includes only the several States and the District of Columbia.

(f) APPLICATIONS.—An eligible entity shall submit an application at such time and in such manner as the Secretary may require. In submitting an application, the entity shall demonstrate the ability to partner with local stakeholders, which may include local employers, community stakeholders, the local workforce development board, local and State governments, and Indian Tribes or tribal organizations, as applicable, to—

(1) identify gaps in the workforce due to the prevalence of substance use disorders;

(2) in coordination with statewide employment and training activities, including coordination and alignment of activities carried out by entities provided grant funds under section 8041, help individuals in recovery from a substance use disorder transition into the workforce, including by providing career services, training services as described in paragraph (2) of section 134(c) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)), and related services described in section 134(a)(3) of such Act (29 U.S.C. 3174(a)); and

(3) assist employers with informing their employees of the resources, such as resources related to substance use disorders that are available to their employees.

(g) USE OF FUNDS.—An entity receiving a grant under this section shall use the funds to conduct one or more of the following activities:

(1) Hire case managers, care coordinators, providers of peer recovery support services, as described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)), or other professionals, as appropriate, to provide services that support treatment, recovery, and rehabilitation, and prevent relapse, recidivism, and overdose, including by encouraging—

(A) the development and strengthening of daily living skills; and

(B) the use of counseling, care coordination, and other services, as appropriate, to support recovery from substance use disorders.

(2) Implement or utilize innovative technologies, which may include the use of telemedicine.

(3) In coordination with the lead State agency with responsibility for a workforce investment activity or local board described in subsection (b), provide—

(A) short-term prevocational training services; and

(B) training services that are directly linked to the employment opportunities in the local area or the planning region.

(h) SUPPORT FOR STATE STRATEGY.—An eligible entity shall include in its application under subsection (f) information describing how the services and activities proposed in such application are aligned with the State, outlying area, or Tribal strategy, as applicable, for addressing issues described in such application and how such entity will coordinate with existing systems to deliver services as described in such application.

(i) DATA REPORTING AND PROGRAM OVERSIGHT.—Each eligible entity awarded a grant under this section shall submit to the Secretary a report at such time and in such manner as the Secretary may require. Such report shall include a description of—

(1) the programs and activities funded by the grant;

(2) outcomes of the population of individuals with a substance use disorder the grantee served through activities described in subsection (g); and

(3) any other information that the Secretary may require for the purpose of ensuring that the grantee is complying with all of the requirements of the grant.

(j) REPORTS TO CONGRESS.—

(1) PRELIMINARY REPORT.—Not later than 2 years after the end of the first year of the grant period under this section, the Secretary shall submit to Congress a preliminary report that analyzes reports submitted under subsection (i).

(2) FINAL REPORT.—Not later than 2 years after submitting the preliminary report required under paragraph (1), the Secretary shall submit to Congress a final report that includes—

(A) a description of how the grant funding was used, including the number of individuals who received services under subsection (g)(3) and an evaluation of the effectiveness of the activities conducted by the grantee with respect to outcomes of the population of individuals with substance use disorder who receive services from the grantee; and

(B) recommendations related to best practices for health care professionals to support individuals in substance use disorder treatment or recovery to live independently and participate in the workforce.

(k) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated

\$5,000,000 for each of fiscal years 2019 through 2023 for purposes of carrying out this section.

TITLE VIII—MISCELLANEOUS

Subtitle A—Synthetics Trafficking and Overdose Prevention

SEC. 8001. SHORT TITLE.

This subtitle may be cited as the “Synthetics Trafficking and Overdose Prevention Act of 2018” or “STOP Act of 2018”.

SEC. 8002. CUSTOMS FEES.

(a) IN GENERAL.—Section 13031(b)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(b)(9)) is amended by adding at the end the following:

“(D)(i) With respect to the processing of items that are sent to the United States through the international postal network by ‘Inbound Express Mail service’ or ‘Inbound EMS’ (as that service is described in the mail classification schedule referred to in section 3631 of title 39, United States Code), the following payments are required:

“(I) \$1 per Inbound EMS item.

“(II) If an Inbound EMS item is formally entered, the fee provided for under subsection (a)(9), if applicable.

“(ii) Notwithstanding section 451 of the Tariff Act of 1930 (19 U.S.C. 1451), the payments required by clause (i), as allocated pursuant to clause (iii)(I), shall be the only payments required for reimbursement of U.S. Customs and Border Protection for customs services provided in connection with the processing of an Inbound EMS item.

“(iii)(I) The payments required by clause (i)(I) shall be allocated as follows:

“(aa) 50 percent of the amount of the payments shall be paid on a quarterly basis by the United States Postal Service to the Commissioner of U.S. Customs and Border Protection in accordance with regulations prescribed by the Secretary of the Treasury to reimburse U.S. Customs and Border Protection for customs services provided in connection with the processing of Inbound EMS items.

“(bb) 50 percent of the amount of the payments shall be retained by the Postal Service to reimburse the Postal Service for services provided in connection with the customs processing of Inbound EMS items.

“(II) Payments received by U.S. Customs and Border Protection under subclause (I)(aa) shall, in accordance with section 524 of the Tariff Act of 1930 (19 U.S.C. 1524), be deposited in the Customs User Fee Account and used to directly reimburse each appropriation for the amount paid out of that appropriation for the costs incurred in providing services to international mail facilities. Amounts deposited in accordance with the preceding sentence shall be available until expended for the provision of such services.

“(III) Payments retained by the Postal Service under subclause (I)(bb) shall be used to directly reimburse the Postal Service for the costs incurred in providing services in connection with the customs processing of Inbound EMS items.

“(iv) Beginning in fiscal year 2021, the Secretary, in consultation with the Postmaster General, may adjust, not more frequently than once each fiscal year, the amount described in clause (i)(I) to an amount commensurate with the costs of services provided in connection with the customs processing of Inbound EMS items, consistent with the obligations of the United States under international agreements.”.

(b) CONFORMING AMENDMENTS.—Section 13031(a) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(a)) is amended—

(1) in paragraph (6), by inserting “(other than an item subject to a fee under subsection (b)(9)(D))” after “customs officer”;

(2) in paragraph (10)—

(A) in subparagraph (C), in the matter preceding clause (i), by inserting “(other than Inbound EMS items described in subsection (b)(9)(D))” after “release”; and

(B) in the flush at the end, by inserting “or of Inbound EMS items described in subsection (b)(9)(D).” after “(C).”

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on January 1, 2020.

SEC. 8003. MANDATORY ADVANCE ELECTRONIC INFORMATION FOR POSTAL SHIPMENTS.

(a) MANDATORY ADVANCE ELECTRONIC INFORMATION.—

(1) IN GENERAL.—Section 343(a)(3)(K) of the Trade Act of 2002 (Public Law 107-210; 19 U.S.C. 2071 note) is amended to read as follows:

“(K)(i) The Secretary shall prescribe regulations requiring the United States Postal Service to transmit the information described in paragraphs (1) and (2) to the Commissioner of U.S. Customs and Border Protection for international mail shipments by the Postal Service (including shipments to the Postal Service from foreign postal operators that are transported by private carrier) consistent with the requirements of this subparagraph.

“(ii) In prescribing regulations under clause (i), the Secretary shall impose requirements for the transmission to the Commissioner of information described in paragraphs (1) and (2) for mail shipments described in clause (i) that are comparable to the requirements for the transmission of such information imposed on similar non-mail shipments of cargo, taking into account the parameters set forth in subparagraphs (A) through (J).

“(iii) The regulations prescribed under clause (i) shall require the transmission of the information described in paragraphs (1) and (2) with respect to a shipment as soon as practicable in relation to the transportation of the shipment, consistent with subparagraph (H).

“(iv) Regulations prescribed under clause (i) shall allow for the requirements for the transmission to the Commissioner of information described in paragraphs (1) and (2) for mail shipments described in clause (i) to be implemented in phases, as appropriate, by—

“(I) setting incremental targets for increasing the percentage of such shipments for which information is required to be transmitted to the Commissioner; and

“(II) taking into consideration—

“(aa) the risk posed by such shipments;

“(bb) the volume of mail shipped to the United States by or through a particular country; and

“(cc) the capacities of foreign postal operators to provide that information to the Postal Service.

“(v)(I) Notwithstanding clause (iv), the Postal Service shall, not later than December 31, 2018, arrange for the transmission to the Commissioner of the information described in paragraphs (1) and (2) for not less than 70 percent of the aggregate number of mail shipments, including 100 percent of mail shipments from the People’s Republic of China, described in clause (i).

“(II) If the requirements of subclause (I) are not met, the Comptroller General of the United States shall submit to the appropriate congressional committees, not later than June 30, 2019, a report—

“(aa) assessing the reasons for the failure to meet those requirements; and

“(bb) identifying recommendations to improve the collection by the Postal Service of the information described in paragraphs (1) and (2).

“(vi)(I) Notwithstanding clause (iv), the Postal Service shall, not later than Decem-

ber 31, 2020, arrange for the transmission to the Commissioner of the information described in paragraphs (1) and (2) for 100 percent of the aggregate number of mail shipments described in clause (i).

“(II) The Commissioner, in consultation with the Postmaster General, may determine to exclude a country from the requirement described in subclause (I) to transmit information for mail shipments described in clause (i) from the country if the Commissioner determines that the country—

“(aa) does not have the capacity to collect and transmit such information;

“(bb) represents a low risk for mail shipments that violate relevant United States laws and regulations; and

“(cc) accounts for low volumes of mail shipments that can be effectively screened for compliance with relevant United States laws and regulations through an alternate means.

“(III) The Commissioner shall, at a minimum on an annual basis, re-evaluate any determination made under subclause (II) to exclude a country from the requirement described in subclause (I). If, at any time, the Commissioner determines that a country no longer meets the requirements under subclause (II), the Commissioner may not further exclude the country from the requirement described in subclause (I).

“(IV) The Commissioner shall, on an annual basis, submit to the appropriate congressional committees—

“(aa) a list of countries with respect to which the Commissioner has made a determination under subclause (II) to exclude the countries from the requirement described in subclause (I); and

“(bb) information used to support such determination with respect to such countries.

“(vii)(I) The Postmaster General shall, in consultation with the Commissioner, refuse any shipments received after December 31, 2020, for which the information described in paragraphs (1) and (2) is not transmitted as required under this subparagraph, except as provided in subclause (II).

“(II) If remedial action is warranted in lieu of refusal of shipments pursuant to subclause (I), the Postmaster General and the Commissioner shall take remedial action with respect to the shipments, including destruction, seizure, controlled delivery or other law enforcement initiatives, or correction of the failure to provide the information described in paragraphs (1) and (2) with respect to the shipments.

“(viii) Nothing in this subparagraph shall be construed to limit the authority of the Secretary to obtain information relating to international mail shipments from private carriers or other appropriate parties.

“(ix) In this subparagraph, the term ‘appropriate congressional committees’ means—

“(I) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(II) the Committee on Ways and Means, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives.”.

(2) JOINT STRATEGIC PLAN ON MANDATORY ADVANCE INFORMATION.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Homeland Security and the Postmaster General shall develop and submit to the appropriate congressional committees a joint strategic plan detailing specific performance measures for achieving—

(A) the transmission of information as required by section 343(a)(3)(K) of the Trade Act of 2002, as amended by paragraph (1); and

(B) the presentation by the Postal Service to U.S. Customs and Border Protection of all

mail targeted by U.S. Customs and Border Protection for inspection.

(b) **CAPACITY BUILDING.**—

(1) **IN GENERAL.**—Section 343(a) of the Trade Act of 2002 (Public Law 107-210; 19 U.S.C. 2071 note) is amended by adding at the end the following:

“(5) **CAPACITY BUILDING.**—

“(A) **IN GENERAL.**—The Secretary, with the concurrence of the Secretary of State, and in coordination with the Postmaster General and the heads of other Federal agencies, as appropriate, may provide technical assistance, equipment, technology, and training to enhance the capacity of foreign postal operators—

“(i) to gather and provide the information required by paragraph (3)(K); and

“(ii) to otherwise gather and provide postal shipment information related to—

“(I) terrorism;

“(II) items the importation or introduction of which into the United States is prohibited or restricted, including controlled substances; and

“(III) such other concerns as the Secretary determines appropriate.

“(B) **PROVISION OF EQUIPMENT AND TECHNOLOGY.**—With respect to the provision of equipment and technology under subparagraph (A), the Secretary may lease, loan, provide, or otherwise assist in the deployment of such equipment and technology under such terms and conditions as the Secretary may prescribe, including nonreimbursable loans or the transfer of ownership of equipment and technology.”.

(2) **JOINT STRATEGIC PLAN ON CAPACITY BUILDING.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Homeland Security and the Postmaster General shall, in consultation with the Secretary of State, jointly develop and submit to the appropriate congressional committees a joint strategic plan—

(A) detailing the extent to which U.S. Customs and Border Protection and the United States Postal Service are engaged in capacity building efforts under section 343(a)(5) of the Trade Act of 2002, as added by paragraph (1);

(B) describing plans for future capacity building efforts; and

(C) assessing how capacity building has increased the ability of U.S. Customs and Border Protection and the Postal Service to advance the goals of this subtitle and the amendments made by this subtitle.

(c) **REPORT AND CONSULTATIONS BY SECRETARY OF HOMELAND SECURITY AND POSTMASTER GENERAL.**—

(1) **REPORT.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter until 3 years after the Postmaster General has met the requirement under clause (vi) of subparagraph (K) of section 343(a)(3) of the Trade Act of 2002, as amended by subsection (a)(1), the Secretary of Homeland Security and the Postmaster General shall, in consultation with the Secretary of State, jointly submit to the appropriate congressional committees a report on compliance with that subparagraph that includes the following:

(A) An assessment of the status of the regulations required to be promulgated under that subparagraph.

(B) An update regarding new and existing agreements reached with foreign postal operators for the transmission of the information required by that subparagraph.

(C) A summary of deliberations between the United States Postal Service and foreign postal operators with respect to issues relating to the transmission of that information.

(D) A summary of the progress made in achieving the transmission of that information for the percentage of shipments required by that subparagraph.

(E) An assessment of the quality of that information being received by foreign postal operators, as determined by the Secretary of Homeland Security, and actions taken to improve the quality of that information.

(F) A summary of policies established by the Universal Postal Union that may affect the ability of the Postmaster General to obtain the transmission of that information.

(G) A summary of the use of technology to detect illicit synthetic opioids and other illegal substances in international mail parcels and planned acquisitions and advancements in such technology.

(H) Such other information as the Secretary of Homeland Security and the Postmaster General consider appropriate with respect to obtaining the transmission of information required by that subparagraph.

(2) **CONSULTATIONS.**—Not later than 180 days after the date of the enactment of this Act, and every 180 days thereafter until the Postmaster General has met the requirement under clause (vi) of section 343(a)(3)(K) of the Trade Act of 2002, as amended by subsection (a)(1), to arrange for the transmission of information with respect to 100 percent of the aggregate number of mail shipments described in clause (i) of that section, the Secretary of Homeland Security and the Postmaster General shall provide briefings to the appropriate congressional committees on the progress made in achieving the transmission of that information for that percentage of shipments.

(d) **GOVERNMENT ACCOUNTABILITY OFFICE REPORT.**—Not later than June 30, 2019, the Comptroller General of the United States shall submit to the appropriate congressional committees a report—

(1) assessing the progress of the United States Postal Service in achieving the transmission of the information required by subparagraph (K) of section 343(a)(3) of the Trade Act of 2002, as amended by subsection (a)(1), for the percentage of shipments required by that subparagraph;

(2) assessing the quality of the information received from foreign postal operators for targeting purposes;

(3) assessing the specific percentage of targeted mail presented by the Postal Service to U.S. Customs and Border Protection for inspection;

(4) describing the costs of collecting the information required by such subparagraph (K) from foreign postal operators and the costs of implementing the use of that information;

(5) assessing the benefits of receiving that information with respect to international mail shipments;

(6) assessing the feasibility of assessing a customs fee under section 13031(b)(9) of the Consolidated Omnibus Budget Reconciliation Act of 1985, as amended by section 8002, on international mail shipments other than Inbound Express Mail service in a manner consistent with the obligations of the United States under international agreements; and

(7) identifying recommendations, including recommendations for legislation, to improve the compliance of the Postal Service with such subparagraph (K), including an assessment of whether the detection of illicit synthetic opioids in the international mail would be improved by—

(A) requiring the Postal Service to serve as the consignee for international mail shipments containing goods; or

(B) designating a customs broker to act as an importer of record for international mail shipments containing goods.

(e) **TECHNICAL CORRECTION.**—Section 343 of the Trade Act of 2002 (Public Law 107-210; 19 U.S.C. 2071 note) is amended in the section heading by striking “ADVANCED” and inserting “ADVANCE”.

(f) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term

“appropriate congressional committees” means—

(1) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Ways and Means, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives.

SEC. 8004. INTERNATIONAL POSTAL AGREEMENTS.

(a) **EXISTING AGREEMENTS.**—

(1) **IN GENERAL.**—In the event that any provision of this subtitle, or any amendment made by this subtitle, is determined to be in violation of obligations of the United States under any postal treaty, convention, or other international agreement related to international postal services, or any amendment to such an agreement, the Secretary of State should negotiate to amend the relevant provisions of the agreement so that the United States is no longer in violation of the agreement.

(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to permit delay in the implementation of this subtitle or any amendment made by this subtitle.

(b) **FUTURE AGREEMENTS.**—

(1) **CONSULTATIONS.**—Before entering into, on or after the date of the enactment of this Act, any postal treaty, convention, or other international agreement related to international postal services, or any amendment to such an agreement, that is related to the ability of the United States to secure the provision of advance electronic information by foreign postal operators, the Secretary of State should consult with the appropriate congressional committees (as defined in section 8003(f)).

(2) **EXPEDITED NEGOTIATION OF NEW AGREEMENT.**—To the extent that any new postal treaty, convention, or other international agreement related to international postal services would improve the ability of the United States to secure the provision of advance electronic information by foreign postal operators as required by regulations prescribed under section 343(a)(3)(K) of the Trade Act of 2002, as amended by section 8003(a)(1), the Secretary of State should expeditiously conclude such an agreement.

SEC. 8005. COST RECOUPMENT.

(a) **IN GENERAL.**—The United States Postal Service shall, to the extent practicable and otherwise recoverable by law, ensure that all costs associated with complying with this subtitle and amendments made by this subtitle are charged directly to foreign shippers or foreign postal operators.

(b) **COSTS NOT CONSIDERED REVENUE.**—The recovery of costs under subsection (a) shall not be deemed revenue for purposes of subchapter I and II of chapter 36 of title 39, United States Code, or regulations prescribed under that chapter.

SEC. 8006. DEVELOPMENT OF TECHNOLOGY TO DETECT ILLICIT NARCOTICS.

(a) **IN GENERAL.**—The Postmaster General and the Commissioner of U.S. Customs and Border Protection, in coordination with the heads of other agencies as appropriate, shall collaborate to identify and develop technology for the detection of illicit fentanyl, other synthetic opioids, and other narcotics and psychoactive substances entering the United States by mail.

(b) **OUTREACH TO PRIVATE SECTOR.**—The Postmaster General and the Commissioner shall conduct outreach to private sector entities to gather information regarding the current state of technology to identify areas for innovation relating to the detection of illicit fentanyl, other synthetic opioids, and other narcotics and psychoactive substances entering the United States.

SEC. 8007. CIVIL PENALTIES FOR POSTAL SHIPMENTS.

Section 436 of the Tariff Act of 1930 (19 U.S.C. 1436) is amended by adding at the end the following new subsection:

“(e) CIVIL PENALTIES FOR POSTAL SHIPMENTS.—

“(1) CIVIL PENALTY.—A civil penalty shall be imposed against the United States Postal Service if the Postal Service accepts a shipment in violation of section 343(a)(3)(K)(vii)(I) of the Trade Act of 2002.

“(2) MODIFICATION OF CIVIL PENALTY.—

“(A) IN GENERAL.—U.S. Customs and Border Protection shall reduce or dismiss a civil penalty imposed pursuant to paragraph (1) if U.S. Customs and Border Protection determines that the United States Postal Service—

“(i) has a low error rate in compliance with section 343(a)(3)(K) of the Trade Act of 2002;

“(ii) is cooperating with U.S. Customs and Border Protection with respect to the violation of section 343(a)(3)(K)(vii)(I) of the Trade Act of 2002; or

“(iii) has taken remedial action to prevent future violations of section 343(a)(3)(K)(vii)(I) of the Trade Act of 2002.

“(B) WRITTEN NOTIFICATION.—U.S. Customs and Border Protection shall issue a written notification to the Postal Service with respect to each exercise of the authority of subparagraph (A) to reduce or dismiss a civil penalty imposed pursuant to paragraph (1).

“(3) ONGOING LACK OF COMPLIANCE.—If U.S. Customs and Border Protection determines that the United States Postal Service—

“(A) has repeatedly committed violations of section 343(a)(3)(K)(vii)(I) of the Trade Act of 2002,

“(B) has failed to cooperate with U.S. Customs and Border Protection with respect to violations of section 343(a)(3)(K)(vii)(I) of the Trade Act of 2002, and

“(C) has an increasing error rate in compliance with section 343(a)(3)(K) of the Trade Act of 2002,

civil penalties may be imposed against the United States Postal Service until corrective action, satisfactory to U.S. Customs and Border Protection, is taken.”.

SEC. 8008. REPORT ON VIOLATIONS OF ARRIVAL, REPORTING, ENTRY, AND CLEARANCE REQUIREMENTS AND FALSITY OR LACK OF MANIFEST.

(a) IN GENERAL.—The Commissioner of U.S. Customs and Border Protection shall submit to the appropriate congressional committees an annual report that contains the information described in subsection (b) with respect to each violation of section 436 of the Tariff Act of 1930 (19 U.S.C. 1436), as amended by section 8007, and section 584 of such Act (19 U.S.C. 1584) that occurred during the previous year.

(b) INFORMATION DESCRIBED.—The information described in this subsection is the following:

- (1) The name and address of the violator.
- (2) The specific violation that was committed.
- (3) The location or port of entry through which the items were transported.
- (4) An inventory of the items seized, including a description of the items and the quantity seized.
- (5) The location from which the items originated.
- (6) The entity responsible for the apprehension or seizure, organized by location or port of entry.
- (7) The amount of penalties assessed by U.S. Customs and Border Protection, organized by name of the violator and location or port of entry.
- (8) The amount of penalties that U.S. Customs and Border Protection could have lev-

ied, organized by name of the violator and location or port of entry.

(9) The rationale for negotiating lower penalties, organized by name of the violator and location or port of entry.

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

(1) the Committee on Finance and the Committee on Homeland Security and Governmental Affairs of the Senate; and

(2) the Committee on Ways and Means, the Committee on Oversight and Government Reform, and the Committee on Homeland Security of the House of Representatives.

SEC. 8009. EFFECTIVE DATE; REGULATIONS.

(a) EFFECTIVE DATE.—This subtitle and the amendments made by this subtitle (other than the amendments made by section 8002) shall take effect on the date of the enactment of this Act.

(b) REGULATIONS.—Not later than 1 year after the date of the enactment of this Act, such regulations as are necessary to carry out this subtitle and the amendments made by this subtitle shall be prescribed.

Subtitle B—Opioid Addiction Recovery Fraud Prevention**SEC. 8021. SHORT TITLE.**

This subtitle may be cited as the “Opioid Addiction Recovery Fraud Prevention Act of 2018”.

SEC. 8022. DEFINITIONS.

For purposes of this subtitle only, and not be construed or applied as to challenge or affect the characterization, definition, or treatment under any other statute, regulation, or rule:

(1) SUBSTANCE USE DISORDER TREATMENT PRODUCT.—The term “substance use disorder treatment product” means a product for use or marketed for use in the treatment, cure, or prevention of a substance use disorder, including an opioid use disorder.

(2) SUBSTANCE USE DISORDER TREATMENT SERVICE.—The term “substance use disorder treatment service” means a service that purports to provide referrals to treatment, treatment, or recovery housing for people diagnosed with, having, or purporting to have a substance use disorder, including an opioid use disorder.

SEC. 8023. UNFAIR OR DECEPTIVE ACTS OR PRACTICES WITH RESPECT TO SUBSTANCE USE DISORDER TREATMENT SERVICE AND PRODUCTS.

(a) UNLAWFUL ACTIVITY.—It is unlawful to engage in an unfair or deceptive act or practice with respect to any substance use disorder treatment service or substance use disorder treatment product.

(b) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of subsection (a) shall be treated as a violation of a rule under section 18 of the Federal Trade Commission Act (15 U.S.C. 57a) regarding unfair or deceptive acts or practices.

(2) POWERS OF THE FEDERAL TRADE COMMISSION.—

(A) IN GENERAL.—The Federal Trade Commission shall enforce this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this section.

(B) PRIVILEGES AND IMMUNITIES.—Any person who violates subsection (a) shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated and made part of this section.

(c) AUTHORITY PRESERVED.—Nothing in this subtitle shall be construed to limit the authority of the Federal Trade Commission or the Food and Drug Administration under any other provision of law.

Subtitle C—Addressing Economic and Workforce Impacts of the Opioid Crisis**SEC. 8041. ADDRESSING ECONOMIC AND WORKFORCE IMPACTS OF THE OPIOID CRISIS.**

(a) DEFINITIONS.—Except as otherwise expressly provided, in this section:

(1) WIOA DEFINITIONS.—The terms “core program”, “individual with a barrier to employment”, “local area”, “local board”, “one-stop operator”, “outlying area”, “State”, “State board”, and “supportive services” have the meanings given the terms in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

(2) EDUCATION PROVIDER.—The term “education provider” means—

(A) an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or

(B) a postsecondary vocational institution, as defined in section 102(c) of such Act (20 U.S.C. 1002(c)).

(3) ELIGIBLE ENTITY.—The term “eligible entity” means—

(A) a State workforce agency;

(B) an outlying area; or

(C) a Tribal entity.

(4) PARTICIPATING PARTNERSHIP.—The term “participating partnership” means a partnership—

(A) evidenced by a written contract or agreement; and

(B) including, as members of the partnership, a local board receiving a subgrant under subsection (d) and 1 or more of the following:

(i) The eligible entity.

(ii) A treatment provider.

(iii) An employer or industry organization.

(iv) An education provider.

(v) A legal service or law enforcement organization.

(vi) A faith-based or community-based organization.

(vii) Other State or local agencies, including counties or local governments.

(viii) Other organizations, as determined to be necessary by the local board.

(ix) Indian Tribes or tribal organizations.

(5) PROGRAM PARTICIPANT.—The term “program participant” means an individual who—

(A) is a member of a population of workers described in subsection (e)(2) that is served by a participating partnership through the pilot program under this section; and

(B) enrolls with the applicable participating partnership to receive any of the services described in subsection (e)(3).

(6) PROVIDER OF PEER RECOVERY SUPPORT SERVICES.—The term “provider of peer recovery support services” means a provider that delivers peer recovery support services through an organization described in section 547(a) of the Public Health Service Act (42 U.S.C. 290ee-2(a)).

(7) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(8) STATE WORKFORCE AGENCY.—The term “State workforce agency” means the lead State agency with responsibility for the administration of a program under chapter 2 or 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3161 et seq., 3171 et seq.).

(9) SUBSTANCE USE DISORDER.—The term “substance use disorder” has the meaning given such term by the Assistant Secretary for Mental Health and Substance Use.

(10) TREATMENT PROVIDER.—The term “treatment provider”—

(A) means a health care provider that—

(i) offers services for treating substance use disorders and is licensed in accordance with applicable State law to provide such services; and

(ii) accepts health insurance for such services, including coverage under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.); and

(B) may include—

(i) a nonprofit provider of peer recovery support services;

(ii) a community health care provider;

(iii) a Federally qualified health center (as defined in section 1861(aa) of the Social Security Act (42 U.S.C. 1395x));

(iv) an Indian health program (as defined in section 3 of the Indian Health Care Improvement Act (25 U.S.C. 1603)), including an Indian health program that serves an urban center (as defined in such section); and

(v) a Native Hawaiian health center (as defined in section 12 of the Native Hawaiian Health Care Improvement Act (42 U.S.C. 11711)).

(11) **TRIBAL ENTITY.**—The term “Tribal entity” includes any Indian Tribe, tribal organization, Indian-controlled organization serving Indians, Native Hawaiian organization, or Alaska Native entity, as such terms are defined or used in section 166 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3221).

(b) **PILOT PROGRAM AND GRANTS AUTHORIZED.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Secretary of Health and Human Services, shall carry out a pilot program to address economic and workforce impacts associated with a high rate of a substance use disorder. In carrying out the pilot program, the Secretary shall make grants, on a competitive basis, to eligible entities to enable such entities to make subgrants to local boards to address the economic and workforce impacts associated with a high rate of a substance use disorder.

(2) **GRANT AMOUNTS.**—The Secretary shall make each such grant in an amount that is not less than \$500,000, and not more than \$5,000,000, for a fiscal year.

(c) **GRANT APPLICATIONS.**—

(1) **IN GENERAL.**—An eligible entity applying for a grant under this section shall submit an application to the Secretary at such time and in such form and manner as the Secretary may reasonably require, including the information described in this subsection.

(2) **SIGNIFICANT IMPACT ON COMMUNITY BY OPIOID AND SUBSTANCE USE DISORDER-RELATED PROBLEMS.**—

(A) **DEMONSTRATION.**—An eligible entity shall include in the application—

(i) information that demonstrates significant impact on the community by problems related to opioid abuse or another substance use disorder, by—

(I) identifying the counties, communities, regions, or local areas that have been significantly impacted and will be served through the grant (each referred to in this section as a “service area”); and

(II) demonstrating for each such service area, an increase equal to or greater than the national increase in such problems, between—

(aa) 1999; and

(bb) 2016 or the latest year for which data are available; and

(ii) a description of how the eligible entity will prioritize support for significantly impacted service areas described in clause (i)(I).

(B) **INFORMATION.**—To meet the requirements described in subparagraph (A)(i)(II), the eligible entity may use information including data on—

(i) the incidence or prevalence of opioid abuse and other substance use disorders;

(ii) the age-adjusted rate of drug overdose deaths, as determined by the Director of the Centers for Disease Control and Prevention;

(iii) the rate of non-fatal hospitalizations related to opioid abuse or other substance use disorders;

(iv) the number of arrests or convictions, or a relevant law enforcement statistic, that reasonably shows an increase in opioid abuse or another substance use disorder; or

(v) in the case of an eligible entity described in subsection (a)(3)(C), other alternative relevant data as determined appropriate by the Secretary.

(C) **SUPPORT FOR STATE STRATEGY.**—The eligible entity may include in the application information describing how the proposed services and activities are aligned with the State, outlying area, or Tribal strategy, as applicable, for addressing problems described in subparagraph (A) in specific service areas or across the State, outlying area, or Tribal land.

(3) **ECONOMIC AND EMPLOYMENT CONDITIONS DEMONSTRATE ADDITIONAL FEDERAL SUPPORT NEEDED.**—

(A) **DEMONSTRATION.**—An eligible entity shall include in the application information that demonstrates that a high rate of a substance use disorder has caused, or is coincident to—

(i) an economic or employment downturn in the service area; or

(ii) persistent economically depressed conditions in such service area.

(B) **INFORMATION.**—To meet the requirements of subparagraph (A), an eligible entity may use information including—

(i) documentation of any layoff, announced future layoff, legacy industry decline, decrease in an employment or labor market participation rate, or economic impact, whether or not the result described in this clause is overtly related to a high rate of a substance use disorder;

(ii) documentation showing decreased economic activity related to, caused by, or contributing to a high rate of a substance use disorder, including a description of how the service area has been impacted, or will be impacted, by such a decrease;

(iii) information on economic indicators, labor market analyses, information from public announcements, and demographic and industry data;

(iv) information on rapid response activities (as defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102)) that have been or will be conducted, including demographic data gathered by employer or worker surveys or through other methods;

(v) data or documentation, beyond anecdotal evidence, showing that employers face challenges filling job vacancies due to a lack of skilled workers able to pass a drug test; or

(vi) any additional relevant data or information on the economy, workforce, or another aspect of the service area to support the application.

(d) **SUBGRANT AUTHORIZATION AND APPLICATION PROCESS.**—

(1) **SUBGRANTS AUTHORIZED.**—

(A) **IN GENERAL.**—An eligible entity receiving a grant under subsection (b)—

(i) may use not more than 5 percent of the grant funds for the administrative costs of carrying out the grant;

(ii) in the case of an eligible entity described in subparagraph (A) or (B) of subsection (a)(3), shall use the remaining grant funds to make subgrants to local entities in the service area to carry out the services and activities described in subsection (e); and

(iii) in the case of an eligible entity described in subsection (a)(3)(C), shall use the remaining grant funds to carry out the services and activities described in subsection (e).

(B) **EQUITABLE DISTRIBUTION.**—In making subgrants under this subsection, an eligible entity shall ensure, to the extent practicable, the equitable distribution of subgrants, based on—

(i) geography (such as urban and rural distribution); and

(ii) significantly impacted service areas as described in subsection (c)(2).

(C) **TIMING OF SUBGRANT FUNDS DISTRIBUTION.**—An eligible entity making subgrants under this subsection shall disburse subgrant funds to a local board receiving a subgrant from the eligible entity by the later of—

(i) the date that is 90 days after the date on which the Secretary makes the funds available to the eligible entity; or

(ii) the date that is 15 days after the date that the eligible entity makes the subgrant under subparagraph (A)(ii).

(2) **SUBGRANT APPLICATION.**—

(A) **IN GENERAL.**—A local board desiring to receive a subgrant under this subsection from an eligible entity shall submit an application at such time and in such manner as the eligible entity may reasonably require, including the information described in this paragraph.

(B) **CONTENTS.**—Each application described in subparagraph (A) shall include—

(i) an analysis of the estimated performance of the local board in carrying out the proposed services and activities under the subgrant—

(I) based on—

(aa) primary indicators of performance described in section 116(c)(1)(A)(i) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(c)(1)(A)(i)), to assess estimated effectiveness of the proposed services and activities, including the estimated number of individuals with a substance use disorder who may be served by the proposed services and activities;

(bb) the record of the local board in serving individuals with a barrier to employment; and

(cc) the ability of the local board to establish a participating partnership; and

(II) which may include or utilize—

(aa) data from the National Center for Health Statistics of the Centers for Disease Control and Prevention;

(bb) data from the Center for Behavioral Health Statistics and Quality of the Substance Abuse and Mental Health Services Administration;

(cc) State vital statistics;

(dd) municipal police department records;

(ee) reports from local coroners; or

(ff) other relevant data; and

(ii) in the case of a local board proposing to serve a population described in subsection (e)(2)(B), a demonstration of the workforce shortage in the professional area to be addressed under the subgrant (which may include substance use disorder treatment and related services, non-addictive pain therapy and pain management services, mental health care treatment services, emergency response services, or mental health care), which shall include information that can demonstrate such a shortage, such as—

(I) the distance between—

(aa) communities affected by opioid abuse or another substance use disorder; and

(bb) facilities or professionals offering services in the professional area; or

(II) the maximum capacity of facilities or professionals to serve individuals in an affected community, or increases in arrests related to opioid or another substance use disorder, overdose deaths, or nonfatal overdose emergencies in the community.

(e) **SUBGRANT SERVICES AND ACTIVITIES.**—

(1) **IN GENERAL.**—Each local board that receives a subgrant under subsection (d) shall carry out the services and activities de-

scribed in this subsection through a participating partnership.

(2) **SELECTION OF POPULATION TO BE SERVED.**—A participating partnership shall elect to provide services and activities under the subgrant to one or both of the following populations of workers:

(A) Workers, including dislocated workers, individuals with barriers to employment, new entrants in the workforce, or incumbent workers (employed or underemployed), each of whom—

(i) is directly or indirectly affected by a high rate of a substance use disorder; and

(ii) voluntarily confirms that the worker, or a friend or family member of the worker, has a history of opioid abuse or another substance use disorder.

(B) Workers, including dislocated workers, individuals with barriers to employment, new entrants in the workforce, or incumbent workers (employed or underemployed), who—

(i) seek to transition to professions that support individuals with a substance use disorder or at risk for developing such disorder, such as professions that provide—

(I) substance use disorder treatment and related services;

(II) services offered through providers of peer recovery support services;

(III) non-addictive pain therapy and pain management services;

(IV) emergency response services; or

(V) mental health care; and

(ii) need new or upgraded skills to better serve such a population of struggling or at-risk individuals.

(3) **SERVICES AND ACTIVITIES.**—Each participating partnership shall use funds available through a subgrant under this subsection to carry out 1 or more of the following:

(A) **ENGAGING EMPLOYERS.**—Engaging with employers to—

(i) learn about the skill and hiring requirements of employers;

(ii) learn about the support needed by employers to hire and retain program participants, and other individuals with a substance use disorder, and the support needed by such employers to obtain their commitment to testing creative solutions to employing program participants and such individuals;

(iii) connect employers and workers to on-the-job or customized training programs before or after layoff to help facilitate reemployment;

(iv) connect employers with an education provider to develop classroom instruction to complement on-the-job learning for program participants and such individuals;

(v) help employers develop the curriculum design of a work-based learning program for program participants and such individuals;

(vi) help employers employ program participants or such individuals engaging in a work-based learning program for a transitional period before hiring such a program participant or individual for full-time employment of not less than 30 hours a week; or

(vii) connect employers to program participants receiving concurrent outpatient treatment and job training services.

(B) **SCREENING SERVICES.**—Providing screening services, which may include—

(i) using an evidence-based screening method to screen each individual seeking participation in the pilot program to determine whether the individual has a substance use disorder;

(ii) conducting an assessment of each such individual to determine the services needed for such individual to obtain or retain employment, including an assessment of strengths and general work readiness; or

(iii) accepting walk-ins or referrals from employers, labor organizations, or other en-

tities recommending individuals to participate in such program.

(C) **INDIVIDUAL TREATMENT AND EMPLOYMENT PLAN.**—Developing an individual treatment and employment plan for each program participant—

(i) in coordination, as appropriate, with other programs serving the participant such as the core programs within the workforce development system under the Workforce Innovation and Opportunity Act (29 U.S.C. 3101 et seq.); and

(ii) which shall include providing a case manager to work with each participant to develop the plan, which may include—

(I) identifying employment and career goals;

(II) exploring career pathways that lead to in-demand industries and sectors, as determined by the State board and the head of the State workforce agency or, as applicable, the Tribal entity;

(III) setting appropriate achievement objectives to attain the employment and career goals identified under subclause (I); or

(IV) developing the appropriate combination of services to enable the participant to achieve the employment and career goals identified under subclause (I).

(D) **OUTPATIENT TREATMENT AND RECOVERY CARE.**—In the case of a participating partnership serving program participants described in paragraph (2)(A) with a substance use disorder, providing individualized and group outpatient treatment and recovery services for such program participants that are offered during the day and evening, and on weekends. Such treatment and recovery services—

(i) shall be based on a model that utilizes combined behavioral interventions and other evidence-based or evidence-informed interventions; and

(ii) may include additional services such as—

(I) health, mental health, addiction, or other forms of outpatient treatment that may impact a substance use disorder and co-occurring conditions;

(II) drug testing for a current substance use disorder prior to enrollment in career or training services or prior to employment;

(III) linkages to community services, including services offered by partner organizations designed to support program participants; or

(IV) referrals to health care, including referrals to substance use disorder treatment and mental health services.

(E) **SUPPORTIVE SERVICES.**—Providing supportive services, which shall include services such as—

(i) coordinated wraparound services to provide maximum support for program participants to assist the program participants in maintaining employment and recovery for not less than 12 months, as appropriate;

(ii) assistance in establishing eligibility for assistance under Federal, State, Tribal, and local programs providing health services, mental health services, vocational services, housing services, transportation services, social services, or services through early childhood education programs (as defined in section 103 of the Higher Education Act of 1965 (20 U.S.C. 1003));

(iii) services offered through providers of peer recovery support services;

(iv) networking and mentorship opportunities; or

(v) any supportive services determined necessary by the local board.

(F) **CAREER AND JOB TRAINING SERVICES.**—Offering career services and training services, and related services, concurrently or sequentially with the services provided under subparagraphs (B) through (E). Such services shall include the following:

(i) Services provided to program participants who are in a pre-employment stage of the program, which may include—

(I) initial education and skills assessments;

(II) traditional classroom training funded through individual training accounts under chapter 3 of subtitle B of title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3171 et seq.);

(III) services to promote employability skills such as punctuality, personal maintenance skills, and professional conduct;

(IV) in-depth interviewing and evaluation to identify employment barriers and to develop individual employment plans;

(V) career planning that includes—

(aa) career pathways leading to in-demand, high-wage jobs; and

(bb) job coaching, job matching, and job placement services;

(VI) provision of payments and fees for employment and training-related applications, tests, and certifications; or

(VII) any other appropriate career service or training service described in section 134(c) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3174(c)).

(ii) Services provided to program participants during their first 6 months of employment to ensure job retention, which may include—

(I) case management and support services, including a continuation of the services described in clause (i);

(II) a continuation of skills training, and career and technical education, described in clause (i) that is conducted in collaboration with the employers of such participants;

(III) mentorship services and job retention support for such participants; or

(IV) targeted training for managers and workers working with such participants (such as mentors), and human resource representatives in the business in which such participants are employed.

(iii) Services to assist program participants in maintaining employment for not less than 12 months, as appropriate.

(G) **PROVEN AND PROMISING PRACTICES.**—Leading efforts in the service area to identify and promote proven and promising strategies and initiatives for meeting the needs of employers and program participants.

(4) **LIMITATIONS.**—A participating partnership may not use—

(A) more than 10 percent of the funds received under a subgrant under subsection (d) for the administrative costs of the partnership;

(B) more than 10 percent of the funds received under such subgrant for the provision of treatment and recovery services, as described in paragraph (3)(D); and

(C) more than 10 percent of the funds received under such subgrant for the provision of supportive services described in paragraph (3)(E) to program participants.

(f) **PERFORMANCE ACCOUNTABILITY.**—

(1) **REPORTS.**—The Secretary shall establish quarterly reporting requirements for recipients of grants and subgrants under this section that, to the extent practicable, are based on the performance accountability system under section 116 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141) and, in the case of a grant awarded to an eligible entity described in subsection (a)(3)(C), section 166(h) of such Act (29 U.S.C. 3221(h)), including the indicators described in subsection (c)(1)(A)(i) of such section 116 and the requirements for local area performance reports under subsection (d) of such section 116.

(2) **EVALUATIONS.**—

(A) **AUTHORITY TO ENTER INTO AGREEMENTS.**—The Secretary shall ensure that an independent evaluation is conducted on the

pilot program carried out under this section to determine the impact of the program on employment of individuals with substance use disorders. The Secretary shall enter into an agreement with eligible entities receiving grants under this section to pay for all or part of such evaluation.

(B) **METHODOLOGIES TO BE USED.**—The independent evaluation required under this paragraph shall use experimental designs using random assignment or, when random assignment is not feasible, other reliable, evidence-based research methodologies that allow for the strongest possible causal inferences.

(g) **FUNDING.**—

(1) **COVERED FISCAL YEAR.**—In this subsection, the term “covered fiscal year” means any of fiscal years 2019 through 2023.

(2) **USING FUNDING FOR NATIONAL DISLOCATED WORKER GRANTS.**—Subject to paragraph (4) and notwithstanding section 132(a)(2)(A) and subtitle D of the Workforce Innovation and Opportunity Act (29 U.S.C. 3172(a)(2)(A), 3221 et seq.), the Secretary may use, to carry out the pilot program under this section for a covered fiscal year—

(A) funds made available to carry out section 170 of such Act (29 U.S.C. 3225) for that fiscal year;

(B) funds made available to carry out section 170 of such Act that remain available for that fiscal year; and

(C) funds that remain available under section 172(f) of such Act (29 U.S.C. 3227(f)).

(3) **AVAILABILITY OF FUNDS.**—Funds appropriated under section 136(c) of such Act (29 U.S.C. 3181(c)) and made available to carry out section 170 of such Act for a fiscal year shall remain available for use under paragraph (2) for a subsequent fiscal year until expended.

(4) **LIMITATION.**—The Secretary may not use more than \$100,000,000 of the funds described in paragraph (2) for any covered fiscal year under this section.

Subtitle D—Peer Support Counseling Program for Women Veterans

SEC. 8051. PEER SUPPORT COUNSELING PROGRAM FOR WOMEN VETERANS.

(a) **IN GENERAL.**—Section 1720F(j) of title 38, United States Code, is amended by adding at the end the following new paragraph:

“(4)(A) As part of the counseling program under this subsection, the Secretary shall emphasize appointing peer support counselors for women veterans. To the degree practicable, the Secretary shall seek to recruit women peer support counselors with expertise in—

“(i) female gender-specific issues and services;

“(ii) the provision of information about services and benefits provided under laws administered by the Secretary; or

“(iii) employment mentoring.

“(B) To the degree practicable, the Secretary shall emphasize facilitating peer support counseling for women veterans who are eligible for counseling and services under section 1720D of this title, have post-traumatic stress disorder or suffer from another mental health condition, are homeless or at risk of becoming homeless, or are otherwise at increased risk of suicide, as determined by the Secretary.

“(C) The Secretary shall conduct outreach to inform women veterans about the program and the assistance available under this paragraph.

“(D) In carrying out this paragraph, the Secretary shall coordinate with such community organizations, State and local governments, institutions of higher education, chambers of commerce, local business organizations, organizations that provide legal assistance, and other organizations as the Secretary considers appropriate.

“(E) In carrying out this paragraph, the Secretary shall provide adequate training for

peer support counselors, including training carried out under the national program of training required by section 304(c) of the Caregivers and Veterans Omnibus Health Services Act of 2010 (38 U.S.C. 1712A note).”.

(b) **FUNDING.**—The Secretary of Veterans Affairs shall carry out paragraph (4) of section 1720F(j) of title 38, United States Code, as added by subsection (a), using funds otherwise made available to the Secretary. No additional funds are authorized to be appropriated by reason of such paragraph.

(c) **REPORT TO CONGRESS.**—Not later than 2 years after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the peer support counseling program under section 1720F(j) of title 38, United States Code, as amended by this section. Such report shall include—

(1) the number of peer support counselors in the program;

(2) an assessment of the effectiveness of the program; and

(3) a description of the oversight of the program.

Subtitle E—Treating Barriers to Prosperity

SEC. 8061. SHORT TITLE.

This subtitle may be cited as the “Treating Barriers to Prosperity Act of 2018”.

SEC. 8062. DRUG ABUSE MITIGATION INITIATIVE.

(a) **IN GENERAL.**—Chapter 145 of title 40, United States Code, is amended by inserting after section 14509 the following:

“§ 14510. Drug abuse mitigation initiative

“(a) **IN GENERAL.**—The Appalachian Regional Commission may provide technical assistance to, make grants to, enter into contracts with, or otherwise provide amounts to individuals or entities in the Appalachian region for projects and activities to address drug abuse, including opioid abuse, in the region, including projects and activities—

“(1) to facilitate the sharing of best practices among States, counties, and other experts in the region with respect to reducing such abuse;

“(2) to initiate or expand programs designed to eliminate or reduce the harm to the workforce and economic growth of the region that results from such abuse;

“(3) to attract and retain relevant health care services, businesses, and workers; and

“(4) to develop relevant infrastructure, including broadband infrastructure that supports the use of telemedicine.

“(b) **LIMITATION ON AVAILABLE AMOUNTS.**—Of the cost of any activity eligible for a grant under this section—

“(1) not more than 50 percent may be provided from amounts appropriated to carry out this section; and

“(2) notwithstanding paragraph (1)—

“(A) in the case of a project to be carried out in a county for which a distressed county designation is in effect under section 14526, not more than 80 percent may be provided from amounts appropriated to carry out this section; and

“(B) in the case of a project to be carried out in a county for which an at-risk designation is in effect under section 14526, not more than 70 percent may be provided from amounts appropriated to carry out this section.

“(c) **SOURCES OF ASSISTANCE.**—Subject to subsection (b), a grant provided under this section may be provided from amounts made available to carry out this section in combination with amounts made available—

“(1) under any other Federal program (subject to the availability of subsequent appropriations); or

“(2) from any other source.

“(d) **FEDERAL SHARE.**—Notwithstanding any provision of law limiting the Federal

share under any other Federal program, amounts made available to carry out this section may be used to increase that Federal share, as the Appalachian Regional Commission determines to be appropriate.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 145 of title 40, United States Code, is amended by inserting after the item relating to section 14509 the following:

“14510. Drug abuse mitigation initiative.”.

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

SEC. 8071. PILOT PROGRAM TO HELP INDIVIDUALS IN RECOVERY FROM A SUBSTANCE USE DISORDER BECOME STABLY HOUSED.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated under this section such sums as may be necessary for each of fiscal years 2019 through 2023 for assistance to States to provide individuals in recovery from a substance use disorder stable, temporary housing for a period of not more than 2 years or until the individual secures permanent housing, whichever is earlier.

(b) **ALLOCATION OF APPROPRIATED AMOUNTS.**—

(1) **IN GENERAL.**—The amounts appropriated or otherwise made available to States under this section shall be allocated based on a funding formula established by the Secretary of Housing and Urban Development (referred to in this section as the “Secretary”) not later than 60 days after the date of enactment of this Act.

(2) **CRITERIA.**—

(A) **IN GENERAL.**—The funding formula required under paragraph (1) shall ensure that any amounts appropriated or otherwise made available under this section are allocated to States with an age-adjusted rate of drug overdose deaths that is above the national overdose mortality rate, according to the Centers for Disease Control and Prevention.

(B) **PRIORITY.**—

(i) **IN GENERAL.**—Among such States, priority shall be given to States with the greatest need, as such need is determined by the Secretary based on the following factors, and weighting such factors as described in clause (ii):

(I) The highest average rates of unemployment based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017.

(II) The lowest average labor force participation rates based on data provided by the Bureau of Labor Statistics for calendar years 2013 through 2017.

(III) The highest age-adjusted rates of drug overdose deaths based on data from the Centers for Disease Control and Prevention.

(ii) **WEIGHTING.**—The factors described in clause (i) shall be weighted as follows:

(I) The rate described in clause (i)(I) shall be weighted at 15 percent.

(II) The rate described in clause (i)(II) shall be weighted at 15 percent.

(III) The rate described in clause (i)(III) shall be weighted at 70 percent.

(3) **DISTRIBUTION.**—Amounts appropriated or otherwise made available under this section shall be distributed according to the funding formula established by the Secretary under paragraph (1) not later than 30 days after the establishment of such formula.

(c) **USE OF FUNDS.**—

(1) **IN GENERAL.**—Any State that receives amounts pursuant to this section shall expend at least 30 percent of such funds within one year of the date funds become available to the grantee for obligation.

(2) **PRIORITY.**—Any State that receives amounts pursuant to this section shall distribute such amounts giving priority to entities with the greatest need and ability to deliver effective assistance in a timely manner.

(3) **ADMINISTRATIVE COSTS.**—Any State that receives amounts pursuant to this section may use up to 5 percent of any grant for administrative costs.

(d) **RULES OF CONSTRUCTION.**—

(1) **IN GENERAL.**—Except as otherwise provided by this section, amounts appropriated, or amounts otherwise made available to States under this section shall be treated as though such funds were community development block grant funds under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.).

(2) **NO MATCH.**—No matching funds shall be required in order for a State to receive any amounts under this section.

(e) **AUTHORITY TO WAIVE OR SPECIFY ALTERNATIVE REQUIREMENTS.**—

(1) **IN GENERAL.**—In administering any amounts appropriated or otherwise made available under this section, the Secretary may waive or specify alternative requirements to any provision under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) except for requirements related to fair housing, non-discrimination, labor standards, the environment, and requirements that activities benefit persons of low- and moderate-income, upon a finding that such a waiver is necessary to expedite or facilitate the use of such funds.

(2) **NOTICE OF INTENT.**—The Secretary shall provide written notice of its intent to exercise the authority to specify alternative requirements under paragraph (1) to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives not later than 15 business days before such exercise of authority occurs.

(3) **NOTICE TO THE PUBLIC.**—The Secretary shall provide written notice of its intent to exercise the authority to specify alternative requirements under paragraph (1) to the public via notice, on the internet website of the Department of Housing and Urban Development, and by other appropriate means, not later than 15 business days before such exercise of authority occurs.

(f) **TECHNICAL ASSISTANCE.**—For the 2-year period following the date of enactment of this Act, the Secretary may use not more than 2 percent of the funds made available under this section for technical assistance to grantees.

(g) **STATE.**—For purposes of this section the term “State” includes any State as defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302) and the District of Columbia.

Subtitle G—Human Services

SEC. 8081. SUPPORTING FAMILY-FOCUSED RESIDENTIAL TREATMENT.

(a) **DEFINITIONS.**—In this section:

(1) **FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAM.**—The term “family-focused residential treatment program” means a trauma-informed residential program primarily for substance use disorder treatment for pregnant and postpartum women and parents and guardians that allows children to reside with such women or their parents or guardians during treatment to the extent appropriate and applicable.

(2) **MEDICAID PROGRAM.**—The term “Medicaid program” means the program established under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.).

(3) **SECRETARY.**—The term “Secretary” means the Secretary of Health and Human Services.

(4) **TITLE IV-E PROGRAM.**—The term “title IV-E program” means the program for foster care, prevention, and permanency established under part E of title IV of the Social Security Act (42 U.S.C. 670 et seq.).

(b) **GUIDANCE ON FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAMS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with divisions of the Department of Health and Human Services administering substance use disorder or child welfare programs, shall develop and issue guidance to States identifying opportunities to support family-focused residential treatment programs for the provision of substance use disorder treatment. Before issuing such guidance, the Secretary shall solicit input from representatives of States, health care providers with expertise in addiction medicine, obstetrics and gynecology, neonatology, child trauma, and child development, health plans, recipients of family-focused treatment services, and other relevant stakeholders.

(2) **ADDITIONAL REQUIREMENTS.**—The guidance required under paragraph (1) shall include descriptions of the following:

(A) Existing opportunities and flexibilities under the Medicaid program, including under waivers authorized under section 1115 or 1915 of the Social Security Act (42 U.S.C. 1315, 1396n), for States to receive Federal Medicaid funding for the provision of substance use disorder treatment for pregnant and postpartum women and parents and guardians and, to the extent applicable, their children, in family-focused residential treatment programs.

(B) How States can employ and coordinate funding provided under the Medicaid program, the title IV-E program, and other programs administered by the Secretary to support the provision of treatment and services provided by a family-focused residential treatment facility such as substance use disorder treatment and services, including medication-assisted treatment, family, group, and individual counseling, case management, parenting education and skills development, the provision, assessment, or coordination of care and services for children, including necessary assessments and appropriate interventions, non-emergency transportation for necessary care provided at or away from a program site, transitional services and supports for families leaving treatment, and other services.

(C) How States can employ and coordinate funding provided under the Medicaid program and the title IV-E program (including as amended by the Family First Prevention Services Act enacted under title VII of division E of Public Law 115-123, and particularly with respect to the authority under subsections (a)(2)(C) and (j) of section 472 and section 474(a)(1) of the Social Security Act (42 U.S.C. 672, 674(a)(1)) (as amended by section 50712 of Public Law 115-123) to provide foster care maintenance payments for a child placed with a parent who is receiving treatment in a licensed residential family-based treatment facility for a substance use disorder) to support placing children with their parents in family-focused residential treatment programs.

SEC. 8082. IMPROVING RECOVERY AND REUNIFYING FAMILIES.

(a) **FAMILY RECOVERY AND REUNIFICATION PROGRAM REPLICATION PROJECT.**—Section 435 of the Social Security Act (42 U.S.C. 629e) is amended by adding at the end the following:

“(e) **FAMILY RECOVERY AND REUNIFICATION PROGRAM REPLICATION PROJECT.**—

“(1) **PURPOSE.**—The purpose of this subsection is to provide resources to the Secretary to support the conduct and evaluation of a family recovery and reunification program replication project (referred to in this subsection as the ‘project’) and to determine the extent to which such programs may be appropriate for use at different intervention points (such as when a child is at risk of entering foster care or when a child is living with a guardian while a parent is in treat-

ment). The family recovery and reunification program conducted under the project shall use a recovery coach model that is designed to help reunify families and protect children by working with parents or guardians with a substance use disorder who have temporarily lost custody of their children.

“(2) **PROGRAM COMPONENTS.**—The family recovery and reunification program conducted under the project shall adhere closely to the elements and protocol determined to be most effective in other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children and, consistent with such elements and protocol, shall provide such items and services as—

“(A) assessments to evaluate the needs of the parent or guardian;

“(B) assistance in receiving the appropriate benefits to aid the parent or guardian in recovery;

“(C) services to assist the parent or guardian in prioritizing issues identified in assessments, establishing goals for resolving such issues that are consistent with the goals of the treatment provider, child welfare agency, courts, and other agencies involved with the parent or guardian or their children, and making a coordinated plan for achieving such goals;

“(D) home visiting services coordinated with the child welfare agency and treatment provider involved with the parent or guardian or their children;

“(E) case management services to remove barriers for the parent or guardian to participate and continue in treatment, as well as to re-engage a parent or guardian who is not participating or progressing in treatment;

“(F) access to services needed to monitor the parent’s or guardian’s compliance with program requirements;

“(G) frequent reporting between the treatment provider, child welfare agency, courts, and other agencies involved with the parent or guardian or their children to ensure appropriate information on the parent’s or guardian’s status is available to inform decision-making; and

“(H) assessments and recommendations provided by a recovery coach to the child welfare caseworker responsible for documenting the parent’s or guardian’s progress in treatment and recovery as well as the status of other areas identified in the treatment plan for the parent or guardian, including a recommendation regarding the expected safety of the child if the child is returned to the custody of the parent or guardian that can be used by the caseworker and a court to make permanency decisions regarding the child.

“(3) **RESPONSIBILITIES OF THE SECRETARY.**—

“(A) **IN GENERAL.**—The Secretary shall, through a grant or contract with 1 or more entities, conduct and evaluate the family recovery and reunification program under the project.

“(B) **REQUIREMENTS.**—In identifying 1 or more entities to conduct the evaluation of the family recovery and reunification program, the Secretary shall—

“(i) determine that the area or areas in which the program will be conducted have sufficient substance use disorder treatment providers and other resources (other than those provided with funds made available to carry out the project) to successfully conduct the program;

“(ii) determine that the area or areas in which the program will be conducted have enough potential program participants, and will serve a sufficient number of parents or guardians and their children, so as to allow for the formation of a control group, evaluation results to be adequately powered, and preliminary results of the evaluation to be

available within 4 years of the program's implementation;

"(iii) provide the entity or entities with technical assistance for the program design, including by working with 1 or more entities that are or have been involved in recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children so as to make sure the program conducted under the project adheres closely to the elements and protocol determined to be most effective in such other recovery coaching programs;

"(iv) assist the entity or entities in securing adequate coaching, treatment, child welfare, court, and other resources needed to successfully conduct the family recovery and reunification program under the project; and

"(v) ensure the entity or entities will be able to monitor the impacts of the program in the area or areas in which it is conducted for at least 5 years after parents or guardians and their children are randomly assigned to participate in the program or to be part of the program's control group.

"(4) EVALUATION REQUIREMENTS.—

"(A) IN GENERAL.—The Secretary, in consultation with the entity or entities conducting the family recovery and reunification program under the project, shall conduct an evaluation to determine whether the program has been implemented effectively and resulted in improvements for children and families. The evaluation shall have 3 components: a pilot phase, an impact study, and an implementation study.

"(B) PILOT PHASE.—The pilot phase component of the evaluation shall consist of the Secretary providing technical assistance to the entity or entities conducting the family recovery and reunification program under the project to ensure—

"(i) the program's implementation adheres closely to the elements and protocol determined to be most effective in other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children; and

"(ii) random assignment of parents or guardians and their children to be participants in the program or to be part of the program's control group is being carried out.

"(C) IMPACT STUDY.—The impact study component of the evaluation shall determine the impacts of the family recovery and reunification program conducted under the project on the parents and guardians and their children participating in the program. The impact study component shall—

"(i) be conducted using an experimental design that uses a random assignment research methodology;

"(ii) consistent with previous studies of other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children, measure outcomes for parents and guardians and their children over multiple time periods, including for a period of 5 years; and

"(iii) include measurements of family stability and parent, guardian, and child safety for program participants and the program control group that are consistent with measurements of such factors for participants and control groups from previous studies of other recovery coaching programs so as to allow results of the impact study to be compared with the results of such prior studies, including with respect to comparisons between program participants and the program control group regarding—

"(I) safe family reunification;

"(II) time to reunification;

"(III) permanency (such as through measures of reunification, adoption, or placement with guardians);

"(IV) safety (such as through measures of subsequent maltreatment);

"(V) parental or guardian treatment persistence and engagement;

"(VI) parental or guardian substance use;

"(VII) juvenile delinquency;

"(VIII) cost; and

"(IX) other measurements agreed upon by the Secretary and the entity or entities operating the family recovery and reunification program under the project.

"(D) IMPLEMENTATION STUDY.—The implementation study component of the evaluation shall be conducted concurrently with the conduct of the impact study component and shall include, in addition to such other information as the Secretary may determine, descriptions and analyses of—

"(i) the adherence of the family recovery and reunification program conducted under the project to other recovery coaching programs that have been rigorously evaluated and shown to increase family reunification and protect children; and

"(ii) the difference in services received or proposed to be received by the program participants and the program control group.

"(E) REPORT.—The Secretary shall publish on an internet website maintained by the Secretary the following information:

"(i) A report on the pilot phase component of the evaluation.

"(ii) A report on the impact study component of the evaluation.

"(iii) A report on the implementation study component of the evaluation.

"(iv) A report that includes—

"(I) analyses of the extent to which the program has resulted in increased reunifications, increased permanency, case closures, net savings to the State or States involved (taking into account both costs borne by States and the Federal government), or other outcomes, or if the program did not produce such outcomes, an analysis of why the replication of the program did not yield such results;

"(II) if, based on such analyses, the Secretary determines the program should be replicated, a replication plan; and

"(III) such recommendations for legislation and administrative action as the Secretary determines appropriate.

"(5) APPROPRIATION.—In addition to any amounts otherwise made available to carry out this subpart, out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated \$15,000,000 for fiscal year 2019 to carry out the project, which shall remain available through fiscal year 2026."

(b) CLARIFICATION OF PAYER OF LAST RESORT APPLICATION TO CHILD WELFARE PREVENTION AND FAMILY SERVICES.—Section 471(e)(10) of the Social Security Act (42 U.S.C. 671(e)(10)), as added by section 50711(a)(2) of division E of Public Law 115-123, is amended—

(1) in subparagraph (A), by inserting ", nor shall the provision of such services or programs be construed to permit the State to reduce medical or other assistance available to a recipient of such services or programs" after "under this Act"; and

(2) by adding at the end the following:

"(C) PAYER OF LAST RESORT.—In carrying out its responsibilities to ensure access to services or programs under this subsection, the State agency shall not be considered to be a legally liable third party for purposes of satisfying a financial commitment for the cost of providing such services or programs with respect to any individual for whom such cost would have been paid for from another public or private source but for the enactment of this subsection (except that whenever considered necessary to prevent a delay in the receipt of appropriate early intervention services by a child or family in a timely fashion, funds provided under section 474(a)(6) may be used to pay the provider of

services or programs pending reimbursement from the public or private source that has ultimate responsibility for the payment)."

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect as if included in section 50711 of division E of Public Law 115-123.

SEC. 8083. BUILDING CAPACITY FOR FAMILY-FOCUSED RESIDENTIAL TREATMENT.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term "eligible entity" means a State, county, local, or tribal health or child welfare agency, a private nonprofit organization, a research organization, a treatment service provider, an institution of higher education (as defined under section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), or another entity specified by the Secretary.

(2) FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAM.—The term "family-focused residential treatment program" means a trauma-informed residential program primarily for substance use disorder treatment for pregnant and postpartum women and parents and guardians that allows children to reside with such women or their parents or guardians during treatment to the extent appropriate and applicable.

(3) SECRETARY.—The term "Secretary" means the Secretary of Health and Human Services.

(b) SUPPORT FOR THE DEVELOPMENT OF EVIDENCE-BASED FAMILY-FOCUSED RESIDENTIAL TREATMENT PROGRAMS.—

(1) AUTHORITY TO AWARD GRANTS.—The Secretary shall award grants to eligible entities for purposes of developing, enhancing, or evaluating family-focused residential treatment programs to increase the availability of such programs that meet the requirements for promising, supported, or well-supported practices specified in section 471(e)(4)(C) of the Social Security Act (42 U.S.C. 671(e)(4)(C)) (as added by the Family First Prevention Services Act enacted under title VII of division E of Public Law 115-123).

(2) EVALUATION REQUIREMENT.—The Secretary shall require any evaluation of a family-focused residential treatment program by an eligible entity that uses funds awarded under this section for all or part of the costs of the evaluation be designed to assist in the determination of whether the program may qualify as a promising, supported, or well-supported practice in accordance with the requirements of such section 471(e)(4)(C).

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section, \$20,000,000 for fiscal year 2019, which shall remain available through fiscal year 2023.

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

SEC. 8091. SHORT TITLE.

This subtitle may be cited as the "Reauthorizing and Extending Grants for Recovery from Opioid Use Programs Act of 2018" or the "REGROUP Act of 2018".

SEC. 8092. REAUTHORIZATION OF THE COMPREHENSIVE OPIOID ABUSE GRANT PROGRAM.

Section 1001(a)(27) of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261(a)(27)) is amended by striking "through 2021" and inserting "and 2018, and \$330,000,000 for each of fiscal years 2019 through 2023".

Subtitle I—Fighting Opioid Abuse in Transportation

SEC. 8101. SHORT TITLE.

This subtitle may be cited as the "Fighting Opioid Abuse in Transportation Act".

SEC. 8102. ALCOHOL AND CONTROLLED SUBSTANCE TESTING OF MECHANICAL EMPLOYEES.

(a) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, the

Secretary of Transportation shall publish a rule in the Federal Register revising the regulations promulgated under section 20140 of title 49, United States Code, to cover all employees of railroad carriers who perform mechanical activities.

(b) **DEFINITION OF MECHANICAL ACTIVITIES.**—For the purposes of the rule under subsection (a), the Secretary shall define the term “mechanical activities” by regulation.

SEC. 8103. DEPARTMENT OF TRANSPORTATION PUBLIC DRUG AND ALCOHOL TESTING DATABASE.

(a) **IN GENERAL.**—Subject to subsection (c), the Secretary of Transportation shall—

(1) not later than March 31, 2019, establish and make publicly available on its website a database of the drug and alcohol testing data reported by employers for each mode of transportation; and

(2) update the database annually.

(b) **CONTENTS.**—The database under subsection (a) shall include, for each mode of transportation—

(1) the total number of drug and alcohol tests by type of substance tested;

(2) the drug and alcohol test results by type of substance tested;

(3) the reason for the drug or alcohol test, such as pre-employment, random, post-accident, reasonable suspicion or cause, return-to-duty, or follow-up, by type of substance tested; and

(4) the number of individuals who refused testing.

(c) **COMMERCIALLY SENSITIVE DATA.**—The Department of Transportation shall not release any commercially sensitive data or personally identifiable data furnished by an employer under this section unless the data is aggregated or otherwise in a form that does not identify the employer providing the data.

(d) **SAVINGS CLAUSE.**—Nothing in this section may be construed as limiting or otherwise affecting the requirements of the Secretary of Transportation to adhere to requirements applicable to confidential business information and sensitive security information, consistent with applicable law.

SEC. 8104. GAO REPORT ON DEPARTMENT OF TRANSPORTATION'S COLLECTION AND USE OF DRUG AND ALCOHOL TESTING DATA.

(a) **IN GENERAL.**—Not later than 2 years after the date the Department of Transportation public drug and alcohol testing database is established under section 8103, the Comptroller General of the United States shall—

(1) review the Department of Transportation Drug and Alcohol Testing Management Information System; and

(2) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the review, including recommendations under subsection (c).

(b) **CONTENTS.**—The report under subsection (a) shall include—

(1) a description of the process the Department of Transportation uses to collect and record drug and alcohol testing data submitted by employers for each mode of transportation;

(2) an assessment of whether and, if so, how the Department of Transportation uses the data described in paragraph (1) in carrying out its responsibilities; and

(3) an assessment of the Department of Transportation public drug and alcohol testing database under section 8103.

(c) **RECOMMENDATIONS.**—The report under subsection (a) may include recommendations regarding—

(1) how the Department of Transportation can best use the data described in subsection (b)(1);

(2) any improvements that could be made to the process described in subsection (b)(1);

(3) whether and, if so, how the Department of Transportation public drug and alcohol testing database under section 8103 could be made more effective; and

(4) such other recommendations as the Comptroller General considers appropriate.

SEC. 8105. TRANSPORTATION WORKPLACE DRUG AND ALCOHOL TESTING PROGRAM; ADDITION OF FENTANYL AND OTHER SUBSTANCES.

(a) **MANDATORY GUIDELINES FOR FEDERAL WORKPLACE DRUG TESTING PROGRAMS.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Secretary of Health and Human Services shall—

(A) determine whether a revision of the Mandatory Guidelines for Federal Workplace Drug Testing Programs to expand the opiate category on the list of authorized substance testing to include fentanyl is justified, based on the reliability and cost-effectiveness of available testing; and

(B) consider whether to include with the determination under subparagraph (A) a separate determination on whether a revision of the Mandatory Guidelines for Federal Workplace Drug Testing Programs to expand the list of substances authorized for testing to include any other drugs or other substances listed in schedule I and II of section 202 of the Controlled Substances Act (21 U.S.C. 812) is justified based on the criteria described in subparagraph (A).

(2) **REVISION OF GUIDELINES.**—If an expansion of the substance list is determined to be justified under paragraph (1), the Secretary of Health and Human Services shall—

(A) notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of the determination; and

(B) publish in the Federal Register, not later than 18 months after the date of the determination under that paragraph, a final notice of the revision of the Mandatory Guidelines for Federal Workplace Drug Testing Programs to expand the list of substances authorized to be tested to include the substance or substances determined to be justified for inclusion.

(3) **REPORT.**—If an expansion of the substance list is determined not to be justified under paragraph (1), the Secretary of Health and Human Services shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report explaining, in detail, the reasons the expansion of the list of authorized substances is not justified.

(b) **DEPARTMENT OF TRANSPORTATION DRUG-TESTING PANEL.**—If an expansion is determined to be justified under subsection (a)(1), the Secretary of Transportation shall publish in the Federal Register, not later than 18 months after the date the final notice is published under subsection (a)(2), a final rule revising part 40 of title 49, Code of Federal Regulations, to include such substances in the Department of Transportation's drug-testing panel, consistent with the Mandatory Guidelines for Federal Workplace Drug Testing Programs as revised by the Secretary of Health and Human Services under subsection (a).

(c) **SAVINGS PROVISION.**—Nothing in this section may be construed as—

(1) delaying the publication of the notices described in sections 8106 and 8107 of this Act until the Secretary of Health and Human Services makes a determination or publishes a notice under this section; or

(2) limiting or otherwise affecting any authority of the Secretary of Health and

Human Services or the Secretary of Transportation to expand the list of authorized substance testing to include an additional substance.

SEC. 8106. STATUS REPORTS ON HAIR TESTING GUIDELINES.

(a) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, and annually thereafter until the date that the Secretary of Health and Human Services publishes in the Federal Register a final notice of scientific and technical guidelines for hair testing in accordance with section 5402(b) of the Fixing America's Surface Transportation Act (Public Law 114-94; 129 Stat. 1312), the Secretary of Health and Human Services shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on—

(1) the status of the hair testing guidelines;

(2) an explanation for why the hair testing guidelines have not been issued; and

(3) an estimated date of completion of the hair testing guidelines.

(b) **REQUIREMENT.**—To the extent practicable and consistent with the objective of the hair testing described in subsection (a) to detect illegal or unauthorized use of substances by the individual being tested, the final notice of scientific and technical guidelines under that subsection, as determined by the Secretary of Health and Human Services, shall eliminate the risk of positive test results, of the individual being tested, caused solely by the drug use of others and not caused by the drug use of the individual being tested.

SEC. 8107. MANDATORY GUIDELINES FOR FEDERAL WORKPLACE DRUG TESTING PROGRAMS USING ORAL FLUID.

(a) **DEADLINE.**—Not later than December 31, 2018, the Secretary of Health and Human Services shall publish in the Federal Register a final notice of the Mandatory Guidelines for Federal Workplace Drug Testing Programs using Oral Fluid, based on the notice of proposed mandatory guidelines published in the Federal Register on May 15, 2015 (94 FR 28054).

(b) **REQUIREMENT.**—To the extent practicable and consistent with the objective of the testing described in subsection (a) to detect illegal or unauthorized use of substances by the individual being tested, the final notice of scientific and technical guidelines under that subsection, as determined by the Secretary of Health and Human Services, shall eliminate the risk of positive test results, of the individual being tested, caused solely by the drug use of others and not caused by the drug use of the individual being tested.

(c) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed as requiring the Secretary of Health and Human Services to reissue a notice of proposed mandatory guidelines to carry out subsection (a).

SEC. 8108. ELECTRONIC RECORDKEEPING.

(a) **DEADLINE.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall—

(1) ensure that each certified laboratory that requests approval for the use of completely paperless electronic Federal Drug Testing Custody and Control Forms from the National Laboratory Certification Program's Electronic Custody and Control Form systems receives approval for those completely paperless electronic forms instead of forms that include any combination of electronic traditional handwritten signatures executed on paper forms; and

(2) establish a deadline for a certified laboratory to request approval under paragraph (1).

(b) **SAVINGS CLAUSE.**—Nothing in this section may be construed as limiting or other-

wise affecting any authority of the Secretary of Health and Human Services to grant approval to a certified laboratory for use of completely paperless electronic Federal Drug Testing Custody and Control Forms, including to grant approval outside of the process under subsection (a).

(c) **ELECTRONIC SIGNATURES.**—Not later than 18 months after the date of the deadline under subsection (a)(2), the Secretary of Transportation shall issue a final rule revising part 40 of title 49, Code of Federal Regulations, to authorize, to the extent practicable, the use of electronic signatures or digital signatures executed to electronic forms instead of traditional handwritten signatures executed on paper forms.

SEC. 8109. STATUS REPORTS ON COMMERCIAL DRIVER'S LICENSE DRUG AND ALCOHOL CLEARINGHOUSE.

(a) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, and annually thereafter until the compliance date, the Administrator of the Federal Motor Carrier Safety Administration shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a status report on implementation of the final rule for the Commercial Driver's License Drug and Alcohol Clearinghouse (81 FR 87686), including—

(1) an updated schedule, including benchmarks, for implementing the final rule as soon as practicable, but not later than the compliance date; and

(2) a description of each action the Federal Motor Carrier Safety Administration is taking to implement the final rule before the compliance date.

(b) **DEFINITION OF COMPLIANCE DATE.**—In this section, the term “compliance date” means the earlier of—

(1) January 6, 2020; or

(2) the date that the national clearinghouse required under section 31306a of title 49, United States Code, is operational.

Subtitle J—Eliminating Kickbacks in Recovery

SEC. 8121. SHORT TITLE.

This subtitle may be cited as the “Eliminating Kickbacks in Recovery Act of 2018”.

SEC. 8122. CRIMINAL PENALTIES.

(a) **IN GENERAL.**—Chapter 11 of title 18, United States Code, is amended by inserting after section 219 the following:

“§ 220. Illegal remunerations for referrals to recovery homes, clinical treatment facilities, and laboratories

“(a) **OFFENSE.**—Except as provided in subsection (b), whoever, with respect to services covered by a health care benefit program, in or affecting interstate or foreign commerce, knowingly and willfully—

“(1) solicits or receives any remuneration (including any kickback, bribe, or rebate) directly or indirectly, overtly or covertly, in cash or in kind, in return for referring a patient or patronage to a recovery home, clinical treatment facility, or laboratory; or

“(2) pays or offers any remuneration (including any kickback, bribe, or rebate) directly or indirectly, overtly or covertly, in cash or in kind—

“(A) to induce a referral of an individual to a recovery home, clinical treatment facility, or laboratory; or

“(B) in exchange for an individual using the services of that recovery home, clinical treatment facility, or laboratory, shall be fined not more than \$200,000, imprisoned not more than 10 years, or both, for each occurrence.

“(b) **APPLICABILITY.**—Subsection (a) shall not apply to—

“(1) a discount or other reduction in price obtained by a provider of services or other

entity under a health care benefit program if the reduction in price is properly disclosed and appropriately reflected in the costs claimed or charges made by the provider or entity;

“(2) a payment made by an employer to an employee or independent contractor (who has a bona fide employment or contractual relationship with such employer) for employment, if the employee's payment is not determined by or does not vary by—

“(A) the number of individuals referred to a particular recovery home, clinical treatment facility, or laboratory;

“(B) the number of tests or procedures performed; or

“(C) the amount billed to or received from, in part or in whole, the health care benefit program from the individuals referred to a particular recovery home, clinical treatment facility, or laboratory;

“(3) a discount in the price of an applicable drug of a manufacturer that is furnished to an applicable beneficiary under the Medicare coverage gap discount program under section 1860D-14A(g) of the Social Security Act (42 U.S.C. 1395w-114a(g));

“(4) a payment made by a principal to an agent as compensation for the services of the agent under a personal services and management contract that meets the requirements of section 1001.952(d) of title 42, Code of Federal Regulations, as in effect on the date of enactment of this section;

“(5) a waiver or discount (as defined in section 1001.952(h)(5) of title 42, Code of Federal Regulations, or any successor regulation) of any coinsurance or copayment by a health care benefit program if—

“(A) the waiver or discount is not routinely provided; and

“(B) the waiver or discount is provided in good faith;

“(6) a remuneration described in section 1128B(b)(3)(I) of the Social Security Act (42 U.S.C. 1320a-7b(b)(3)(I));

“(7) a remuneration made pursuant to an alternative payment model (as defined in section 1833(z)(3)(C) of the Social Security Act) or pursuant to a payment arrangement used by a State, health insurance issuer, or group health plan if the Secretary of Health and Human Services has determined that such arrangement is necessary for care coordination or value-based care; or

“(8) any other payment, remuneration, discount, or reduction as determined by the Attorney General, in consultation with the Secretary of Health and Human Services, by regulation.

“(c) **REGULATIONS.**—The Attorney General, in consultation with the Secretary of Health and Human Services, may promulgate regulations to clarify the exceptions described in subsection (b).

“(d) **PREEMPTION.**—

“(1) **FEDERAL LAW.**—This section shall not apply to conduct that is prohibited under section 1128B of the Social Security Act (42 U.S.C. 1320a-7b).

“(2) **STATE LAW.**—Nothing in this section shall be construed to occupy the field in which any provisions of this section operate to the exclusion of State laws on the same subject matter.

“(e) **DEFINITIONS.**—In this section—

“(1) the terms ‘applicable beneficiary’ and ‘applicable drug’ have the meanings given those terms in section 1860D-14A(g) of the Social Security Act (42 U.S.C. 1395w-114a(g));

“(2) the term ‘clinical treatment facility’ means a medical setting, other than a hospital, that provides detoxification, risk reduction, outpatient treatment and care, residential treatment, or rehabilitation for substance use, pursuant to licensure or certification under State law;

“(3) the term ‘health care benefit program’ has the meaning given the term in section 24(b);

“(4) the term ‘laboratory’ has the meaning given the term in section 353 of the Public Health Service Act (42 U.S.C. 263a); and

“(5) the term ‘recovery home’ means a shared living environment that is, or purports to be, free from alcohol and illicit drug use and centered on peer support and connection to services that promote sustained recovery from substance use disorders.”.

(b) **CLERICAL AMENDMENT.**—The table of sections for chapter 11 of title 18, United States Code, is amended by inserting after the item related to section 219 the following:

“220. Illegal remunerations for referrals to recovery homes, clinical treatment facilities, and laboratories.”.

Subtitle K—Substance Abuse Prevention

SEC. 8201. SHORT TITLE.

This subtitle may be cited as the “Substance Abuse Prevention Act of 2018”.

SEC. 8202. REAUTHORIZATION OF THE OFFICE OF NATIONAL DRUG CONTROL POLICY.

(a) **OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 1998.**—

(1) **IN GENERAL.**—The Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.), as in effect on September 29, 2003, and as amended by the laws described in paragraph (2), is revived and restored.

(2) **LAWS DESCRIBED.**—The laws described in this paragraph are:

(A) The Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469; 120 Stat. 3502).

(B) The Presidential Appointment Efficiency and Streamlining Act of 2011 (Public Law 112-166; 126 Stat. 1283).

(b) **REAUTHORIZATION.**—

(1) **IN GENERAL.**—Section 714 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1711) is amended by striking “such sums as may be necessary for each of fiscal years 2006 through 2010” and inserting “\$18,400,000 for each of fiscal years 2018 through 2023”.

(2) **REPEAL OF TERMINATION.**—The Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.) is amended by striking section 715 (21 U.S.C. 1712).

SEC. 8203. REAUTHORIZATION OF THE DRUG-FREE COMMUNITIES PROGRAM.

(a) **REVIVAL OF NATIONAL NARCOTICS LEADERSHIP ACT OF 1988.**—

(1) **IN GENERAL.**—Chapter 2 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.), except for subchapter II (21 U.S.C. 1541 et seq.), as in effect on September 29, 1997, and as amended by the laws described in paragraph (2), is revived and restored.

(2) **LAWS DESCRIBED.**—The laws described in this paragraph are:

(A) Public Law 107-82 (115 Stat. 814).

(B) The Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469; 120 Stat. 3502), as amended by paragraph (4).

(3) **AMENDMENT TO TERMINATION PROVISION.**—Section 1009 of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1056) is amended by inserting “and sections 1021 through 1035” after “section 1007”.

(4) **TECHNICAL CORRECTION.**—

(A) **IN GENERAL.**—Title VIII of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469; 120 Stat. 3535) is amended by striking “Drug-Free Communities Act of 1997” each place it appears and inserting “National Narcotics Leadership Act of 1988”.

(B) **EFFECTIVE DATE.**—The amendments made by subparagraph (A) shall take effect

as though enacted as part of the Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469; 120 Stat. 3502).

(b) AMENDMENT TO NATIONAL NARCOTICS LEADERSHIP ACT OF 1988.—Chapter 2 of subtitle A of title I of the National Narcotics Leadership Act of 1988 (21 U.S.C. 1521 et seq.) is amended—

(1) in section 1022 (21 U.S.C. 1522), by striking “substance abuse” each place it appears and inserting “substance use and misuse”;

(2) in section 1023 (21 U.S.C. 1523), by striking paragraph (9) and inserting the following:

“(9) SUBSTANCE USE AND MISUSE.—The term ‘substance use and misuse’ means—

“(A) the illegal use or misuse of drugs, including substances for which a listing is effect under any of schedules I through V under section 202 of the Controlled Substances Act (21 U.S.C. 812);

“(B) the misuse of inhalants or over-the-counter drugs; or

“(C) the use of alcohol, tobacco, or other related product as such use is prohibited by State or local law.”;

(3) in section 1024 (21 U.S.C. 1524), by striking subsections (a) and (b) and inserting the following:

“(a) IN GENERAL.—There is authorized to be appropriated to the Office of National Drug Control Policy to carry out this chapter \$99,000,000 for each of fiscal years 2018 through 2023.

“(b) ADMINISTRATIVE COSTS.—Not more than 8 percent of the funds appropriated to carry out this chapter may be used by the Office of National Drug Control Policy to pay administrative costs associated with the responsibilities of the Office under this chapter.”;

(4) in subchapter I (21 U.S.C. 1531 et seq.)—

(A) by striking “substance abuse” each place it appears and inserting “substance use and misuse”; and

(B) in section 1032(b)(1)(A) (21 U.S.C. 1532(b)(1)(A)), by striking clause (iii) and inserting the following:

“(iii) RENEWAL GRANTS.—Subject to clause (iv), the Administrator may award a renewal grant to a grant recipient under this subparagraph for each fiscal year of the 4-fiscal-year period following the first fiscal year for which the initial additional grant is awarded in an amount not to exceed the following:

“(I) For the first and second fiscal years of the 4-fiscal-year period, the amount of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year is not less than 125 percent of the amount awarded.

“(II) For the third and fourth fiscal years of the 4-fiscal-year period, the amount of the non-Federal funds, including in-kind contributions, raised by the coalition for the applicable fiscal year is not less than 150 percent of the amount awarded.”; and

(5) by striking subchapter II (21 U.S.C. 1541 et seq.).

SEC. 8204. REAUTHORIZATION OF THE NATIONAL COMMUNITY ANTI-DRUG COALITION INSTITUTE.

Section 4 of Public Law 107-82 (21 U.S.C. 1521 note) is amended to read as follows:

“SEC. 4. AUTHORIZATION FOR NATIONAL COMMUNITY ANTIDRUG COALITION INSTITUTE.

“(a) IN GENERAL.—The Director shall, using amounts authorized to be appropriated by subsection (d), make a competitive grant to provide for the continuation of the National Community Anti-drug Coalition Institute.

“(b) ELIGIBLE ORGANIZATIONS.—An organization eligible for the grant under subsection (a) is any national nonprofit organization that represents, provides technical assistance and training to, and has special expertise and broad, national-level experience in

community antidrug coalitions under this subchapter.

“(c) USE OF GRANT AMOUNT.—The organization that receives the grant under subsection (a) shall continue a National Community Anti-Drug Coalition Institute to—

“(1) provide education, training, and technical assistance for coalition leaders and community teams, with emphasis on the development of coalitions serving economically disadvantaged areas;

“(2) develop and disseminate evaluation tools, mechanisms, and measures to better assess and document coalition performance measures and outcomes; and

“(3) bridge the gap between research and practice by translating knowledge from research into practical information.

“(d) AUTHORIZATION OF APPROPRIATIONS.—The Director shall, using amounts authorized to be appropriated by section 1032 of the National Narcotics Leadership Act of 1988 (15 U.S.C. 1532), make a grant of \$2 million under subsection (a), for each of the fiscal years 2018 through 2023.”.

SEC. 8205. REAUTHORIZATION OF THE HIGH-INTENSITY DRUG TRAFFICKING AREA PROGRAM.

Section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706) is amended—

(1) in subsection (f), by striking “no Federal” and all that follows through “programs,” and inserting the following: “not more than a total of 5 percent of Federal funds appropriated for the Program are expended for substance use disorder treatment programs and drug prevention programs.”;

(2) in subsection (p)—

(A) in paragraph (4), by striking “and” at the end;

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

(C) by adding at the end the following:

“(6) \$280,000,000 for each of fiscal years 2018 through 2023.”; and

(3) in subsection (q)—

(A) by striking paragraph (2) and inserting the following:

“(2) REQUIRED USES.—The funds used under paragraph (1) shall be used to ensure the safety of neighborhoods and the protection of communities, including the prevention of the intimidation of witnesses of illegal drug distribution and related activities and the establishment of, or support for, programs that provide protection or assistance to witnesses in court proceedings.”; and

(B) by adding at the end the following:

“(3) BEST PRACTICE MODELS.—The Director shall work with HIDTAs to develop and maintain best practice models to assist State, local, and Tribal governments in addressing witness safety, relocation, financial and housing assistance, or any other services related to witness protection or assistance in cases of illegal drug distribution and related activities. The Director shall ensure dissemination of the best practice models to each HIDTA.”.

SEC. 8206. REAUTHORIZATION OF DRUG COURT PROGRAM.

Section 1001(a)(25)(A) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261(a)(25)(A)) is amended by striking “Except as provided” and all that follows and inserting the following: “Except as provided in subparagraph (C), there is authorized to be appropriated to carry out part EE \$75,000,000 for each of fiscal years 2018 through 2023.”.

SEC. 8207. DRUG COURT TRAINING AND TECHNICAL ASSISTANCE.

Section 705 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1704) is amended by adding at the end the following:

“(e) DRUG COURT TRAINING AND TECHNICAL ASSISTANCE PROGRAM.—

“(1) GRANTS AUTHORIZED.—The Director may make a grant to a nonprofit organization for the purpose of providing training and technical assistance to drug courts.

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$2,000,000 for each of fiscal years 2018 through 2023.”.

SEC. 8208. DRUG OVERDOSE RESPONSE STRATEGY.

Section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706) is amended by adding at the end the following:

“(r) DRUG OVERDOSE RESPONSE STRATEGY IMPLEMENTATION.—The Director may use funds appropriated to carry out this section to implement a drug overdose response strategy in high intensity drug trafficking areas on a nationwide basis by—

“(1) coordinating multi-disciplinary efforts to prevent, reduce, and respond to drug overdoses, including the uniform reporting of fatal and non-fatal overdoses to public health and safety officials;

“(2) increasing data sharing among public safety and public health officials concerning drug-related abuse trends, including new psychoactive substances, and related crime; and

“(3) enabling collaborative deployment of prevention, intervention, and enforcement resources to address substance use addiction and narcotics trafficking.”.

SEC. 8209. PROTECTING LAW ENFORCEMENT OFFICERS FROM ACCIDENTAL EXPOSURE.

Section 707 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1706), as amended by section 8208, is amended by adding at the end the following:

“(s) SUPPLEMENTAL GRANTS.—The Director is authorized to use not more than \$10,000,000 of the amounts otherwise appropriated to carry out this section to provide supplemental competitive grants to high intensity drug trafficking areas that have experienced high seizures of fentanyl and new psychoactive substances for the purposes of—

“(1) purchasing portable equipment to test for fentanyl and other substances;

“(2) training law enforcement officers and other first responders on best practices for handling fentanyl and other substances; and

“(3) purchasing protective equipment, including overdose reversal drugs.”.

SEC. 8210. COPS ANTI-METH PROGRAM.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381) is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following:

“(k) COPS ANTI-METH PROGRAM.—The Attorney General shall use amounts otherwise appropriated to carry out this section for a fiscal year (beginning with fiscal year 2019) to make competitive grants, in amounts of not less than \$1,000,000 for such fiscal year, to State law enforcement agencies with high seizures of precursor chemicals, finished methamphetamine, laboratories, and laboratory dump seizures for the purpose of locating or investigating illicit activities, such as precursor diversion, laboratories, or methamphetamine traffickers.”.

SEC. 8211. COPS ANTI-HEROIN TASK FORCE PROGRAM.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10381) is amended—

(1) by redesignating subsection (l), as so redesignated by section 8210, as subsection (m); and

(2) by inserting after subsection (k), as added by section 8210, the following:

“(1) COPS ANTI-HEROIN TASK FORCE PROGRAM.—The Attorney General shall use amounts otherwise appropriated to carry out this section, or other amounts as appropriated, for a fiscal year (beginning with fiscal year 2019) to make competitive grants to State law enforcement agencies in States with high per capita rates of primary treatment admissions, for the purpose of locating or investigating illicit activities, through Statewide collaboration, relating to the distribution of heroin, fentanyl, or carfentanil or relating to the unlawful distribution of prescription opioids.”

SEC. 8212. COMPREHENSIVE ADDICTION AND RECOVERY ACT EDUCATION AND AWARENESS.

Title VII of the Comprehensive Addiction and Recovery Act of 2016 (Public Law 114-198; 130 Stat. 735) is amended by adding at the end the following:

“SEC. 709. SERVICES FOR FAMILIES AND PATIENTS IN CRISIS.

“(a) IN GENERAL.—The Secretary of Health and Human Services may make grants to entities that focus on addiction and substance use disorders and specialize in family and patient services, advocacy for patients and families, and educational information.

“(b) ALLOWABLE USES.—A grant awarded under this section may be used for nonprofit national, State, or local organizations that engage in the following activities:

“(1) Expansion of resource center services with professional, clinical staff that provide, for families and individuals impacted by a substance use disorder, support, access to treatment resources, brief assessments, medication and overdose prevention education, compassionate listening services, recovery support or peer specialists, bereavement and grief support, and case management.

“(2) Continued development of health information technology systems that leverage new and upcoming technology and techniques for prevention, intervention, and filling resource gaps in communities that are underserved.

“(3) Enhancement and operation of treatment and recovery resources, easy-to-read scientific and evidence-based education on addiction and substance use disorders, and other informational tools for families and individuals impacted by a substance use disorder and community stakeholders, such as law enforcement agencies.

“(4) Provision of training and technical assistance to State and local governments, law enforcement agencies, health care systems, research institutions, and other stakeholders.

“(5) Expanding upon and implementing educational information using evidence-based information on substance use disorders.

“(6) Expansion of training of community stakeholders, law enforcement officers, and families across a broad-range of addiction, health, and related topics on substance use disorders, local issues and community-specific issues related to the drug epidemic.

“(7) Program evaluation.”

SEC. 8213. REIMBURSEMENT OF SUBSTANCE USE DISORDER TREATMENT PROFESSIONALS.

Not later than January 1, 2020, the Comptroller General of the United States shall submit to Congress a report examining how substance use disorder services are reimbursed.

SEC. 8214. SOBRIETY TREATMENT AND RECOVERY TEAMS (START).

Title V of the Public Health Service Act (42 U.S.C. 290dd et seq.) is amended by adding at the end the following:

“SEC. 550. SOBRIETY TREATMENT AND RECOVERY TEAMS.

“(a) IN GENERAL.—The Secretary may make grants to States, units of local govern-

ment, or tribal governments to establish or expand Sobriety Treatment And Recovery Team (referred to in this section as ‘START’) or other similar programs to determine the effectiveness of pairing social workers or mentors with families that are struggling with a substance use disorder and child abuse or neglect in order to help provide peer support, intensive treatment, and child welfare services to such families.

“(b) ALLOWABLE USES.—A grant awarded under this section may be used for one or more of the following activities:

“(1) Training eligible staff, including social workers, social services coordinators, child welfare specialists, substance use disorder treatment professionals, and mentors.

“(2) Expanding access to substance use disorder treatment services and drug testing.

“(3) Enhancing data sharing with law enforcement agencies, child welfare agencies, substance use disorder treatment providers, judges, and court personnel.

“(4) Program evaluation and technical assistance.

“(c) PROGRAM REQUIREMENTS.—A State, unit of local government, or tribal government receiving a grant under this section shall—

“(1) serve only families for which—

“(A) there is an open record with the child welfare agency; and

“(B) substance use disorder was a reason for the record or finding described in paragraph (1); and

“(2) coordinate any grants awarded under this section with any grant awarded under section 437(f) of the Social Security Act focused on improving outcomes for children affected by substance abuse.

“(d) TECHNICAL ASSISTANCE.—The Secretary may reserve not more than 5 percent of funds provided under this section to provide technical assistance on the establishment or expansion of programs funded under this section from the National Center on Substance Abuse and Child Welfare.”

SEC. 8215. PROVIDER EDUCATION.

Not later than 60 days after the date of enactment of this Act, the Attorney General, in consultation with the Secretary of Health and Human Services, shall complete the plan related to medical registration coordination required by Senate Report 114-239, which accompanied the Veterans Care Financial Protection Act of 2017 (Public Law 115-131; 132 Stat. 334).

SEC. 8216. DEFINITIONS.

Section 702 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701) is amended—

(1) by striking paragraphs (5), (12), and (13);

(2) by redesignating paragraph (11) as paragraph (17);

(3) by redesignating paragraphs (9) and (10) as paragraphs (14) and (15), respectively;

(4) by redesignating paragraphs (6), (7), and (8) as paragraphs (10), (11), and (12), respectively;

(5) by redesignating paragraphs (1), (2), (3), and (4) as paragraphs (3), (4), (5), and (6), respectively;

(6) by inserting before paragraph (3), as so redesignated, the following:

“(1) AGENCY.—The term ‘agency’ has the meaning given the term ‘executive agency’ in section 102 of title 31, United States Code.

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—

“(A) IN GENERAL.—The term ‘appropriate congressional committees’ means—

“(i) the Committee on the Judiciary, the Committee on Appropriations, and the Committee on Health, Education, Labor, and Pensions of the Senate; and

“(ii) the Committee on Oversight and Government Reform, the Committee on the Judiciary, the Committee on Energy and Com-

merce, and the Committee on Appropriations of the House of Representatives.

“(B) SUBMISSION TO CONGRESS.—Any submission to Congress shall mean submission to the appropriate congressional committees.”

(7) by amending paragraph (3), as so redesignated, to read as follows:

“(3) DEMAND REDUCTION.—The term ‘demand reduction’ means any activity conducted by a National Drug Control Program Agency, other than an enforcement activity, that is intended to reduce or prevent the use of drugs or support, expand, or provide treatment and recovery efforts, including—

“(A) education about the dangers of illicit drug use;

“(B) services, programs, or strategies to prevent substance use disorder, including evidence-based education campaigns, community-based prevention programs, collection and disposal of unused prescription drugs, and services to at-risk populations to prevent or delay initial use of an illicit drug;

“(C) substance use disorder treatment;

“(D) support for long-term recovery from substance use disorders;

“(E) drug-free workplace programs;

“(F) drug testing, including the testing of employees;

“(G) interventions for illicit drug use and dependence;

“(H) expanding availability of access to health care services for the treatment of substance use disorders;

“(I) international drug control coordination and cooperation with respect to activities described in this paragraph;

“(J) pre- and post-arrest criminal justice interventions such as diversion programs, drug courts, and the provision of evidence-based treatment to individuals with substance use disorders who are arrested or under some form of criminal justice supervision, including medication assisted treatment;

“(K) other coordinated and joint initiatives among Federal, State, local, and Tribal agencies to promote comprehensive drug control strategies designed to reduce the demand for, and the availability of, illegal drugs;

“(L) international illicit drug use education, prevention, treatment, recovery, research, rehabilitation activities, and interventions for illicit drug use and dependence; and

“(M) research related to illicit drug use and any of the activities described in this paragraph.”

(8) by inserting after paragraph (6), as so redesignated, the following:

“(7) EMERGING DRUG THREAT.—The term ‘emerging drug threat’ means the occurrence of a new and growing trend in the use of an illicit drug or class of drugs, including rapid expansion in the supply of or demand for such drug.

“(8) ILLICIT DRUG USE; ILLICIT DRUGS; ILLEGAL DRUGS.—The terms ‘illicit drug use’, ‘illicit drugs’, and ‘illegal drugs’ include the illegal or illicit use of prescription drugs.

“(9) LAW ENFORCEMENT.—The term ‘law enforcement’ or ‘drug law enforcement’ means all efforts by a Federal, State, local, or Tribal government agency to enforce the drug laws of the United States or any State, including investigation, arrest, prosecution, and incarceration or other punishments or penalties.”

(9) by amending paragraph (11), as so redesignated, to read as follows:

“(11) NATIONAL DRUG CONTROL PROGRAM AGENCY.—The term ‘National Drug Control Program Agency’ means any agency (or bureau, office, independent agency, board, division, commission, subdivision, unit, or other component thereof) that is responsible for implementing any aspect of the National

Drug Control Strategy, including any agency that receives Federal funds to implement any aspect of the National Drug Control Strategy, but does not include any agency that receives funds for drug control activity solely under the National Intelligence Program or the Joint Military Intelligence Program.”;

(10) in paragraph (12), as so redesignated—
 (A) by inserting “or ‘Strategy’” before “means”; and

(B) by inserting “, including any report, plan, or strategy required to be incorporated into or issued concurrently with such strategy” before the period at the end;

(11) by inserting after paragraph (12), as so redesignated, the following:

“(13) NONPROFIT ORGANIZATION.—The term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code.”;

(12) in paragraph (14), as so redesignated, by striking “Unless the context clearly indicates otherwise, the” and inserting “The”;

(13) by inserting after paragraph (15), as so redesignated, the following:

“(16) SUBSTANCE USE DISORDER TREATMENT.—The term ‘substance use disorder treatment’ means an evidence-based, professionally directed, deliberate, and planned regimen including evaluation, observation, medical monitoring, and rehabilitative services and interventions such as pharmacotherapy, behavioral therapy, and individual and group counseling, on an inpatient or outpatient basis, to help patients with substance use disorder reach recovery.”; and

(14) in paragraph (17), as so redesignated—
 (A) by redesignating subparagraphs (B), (C), (D), and (E), as subparagraphs (C), (D), (E), and (F), respectively;

(B) by inserting after subparagraph (A) the following:

“(B) domestic law enforcement.”;

(C) in subparagraph (E), as so redesignated, by striking “and” at the end;

(D) in subparagraph (F), as so redesignated, by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following:

“(G) activities to prevent the diversion of drugs for their illicit use; and

“(H) research related to any of the activities described in this paragraph.”.

SEC. 8217. AMENDMENTS TO ADMINISTRATION OF THE OFFICE.

(a) RESPONSIBILITIES OF OFFICE.—Section 703(a) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1702(a)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) lead the national drug control effort, including coordinating with the National Drug Control Program Agencies.”;

(2) in paragraph (2), by inserting before the semicolon the following: “, including the National Drug Control Strategy”;

(3) in paragraph (3), by striking “and” at the end; and

(4) by striking paragraph (4) and all that follows through “the National Academy of Sciences.” and inserting the following:

“(4) evaluate the effectiveness of national drug control policy efforts, including the National Drug Control Program Agencies’ program, by developing and applying specific goals and performance measurements and monitoring the agencies’ program-level spending;

“(5) identify and respond to emerging drug threats related to illicit drug use;

“(6) administer the Drug-Free Communities Program, the High-Intensity Drug Trafficking Areas Program, and other grant

programs directly authorized to be administered by the Office in furtherance of the National Drug Control Strategy; and

“(7) facilitate broad-scale information sharing and data standardization among Federal, State, and local entities to support the national drug control efforts.”.

(b) ETHICS GUIDELINES.—Section 703(d) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1702(d)) is amended by adding at the end the following:

“(4) ETHICS GUIDELINES.—The Director shall establish written guidelines setting forth the criteria to be used in determining whether a gift or donation should be declined under this subsection because the acceptance of the gift or donation would—

“(A) reflect unfavorably upon the ability of the Director or the Office, or any employee of the Office, to carry out responsibilities or official duties under this chapter in a fair and objective manner; or

“(B) compromise the integrity or the appearance of integrity of programs or services provided under this chapter or of any official involved in those programs or services.

“(5) REGISTRY OF GIFTS.—The Director shall maintain a list of—

“(A) the source and amount of each gift or donation accepted by the Office; and

“(B) the source and amount of each gift or donation accepted by a contractor to be used in its performance of a contract for the Office.

“(6) REPORT TO CONGRESS.—The Director shall include in the annual assessment under section 706(g) a copy of the registry maintained under paragraph (5).”.

(c) APPOINTMENT OF DIRECTOR AND DEPUTY DIRECTOR.—Section 704(a) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703(a)) is amended—

(1) in paragraph (1), by striking subparagraphs (A), (B), and (C), and inserting the following:

“(A) DIRECTOR.—

“(i) IN GENERAL.—There shall be at the head of the Office a Director who shall hold the same rank and status as the head of an executive department listed in section 101 of title 5, United States Code.

“(ii) APPOINTMENT.—The Director shall be appointed by the President, by and with the advice and consent of the Senate, and shall serve at the pleasure of the President.

“(B) DEPUTY DIRECTOR.—There shall be a Deputy Director who shall report directly to the Director, and who shall be appointed by the President, and shall serve at the pleasure of the President.

“(C) COORDINATORS.—The following coordinators shall be appointed by the Director:

“(i) Performance Budget Coordinator, as described in section 704(c)(4).

“(ii) Interdiction Coordinator, as described in section 711.

“(iii) Emerging and Continuing Threats Coordinator, as described in section 709.

“(iv) State, Local, and Tribal Affairs Coordinator, to carry out the activities described in section 704(j).

“(v) Demand Reduction Coordinator, as described in subparagraph (D).

“(D) DEMAND REDUCTION COORDINATOR.—The Director shall designate or appoint a United States Demand Reduction Coordinator to be responsible for the activities described in section 702(3). The Director shall determine whether the coordinator position is a noncareer appointee in the Senior Executive Service or a career appointee in a position at level 15 of the General Schedule (or equivalent).”;

(2) in paragraph (5), by striking “such official” and inserting “such officer or employee”; and

(3) by adding at the end the following:

“(6) PROHIBITION ON THE USE OF FUNDS FOR BALLOT INITIATIVES.—No funds authorized under this title may be obligated for the purpose of expressly advocating the passage or defeat of a State or local ballot initiative.”.

(d) CONSULTATION.—Section 704(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703(b)) is amended—

(1) in paragraph (19), by striking “; and” and inserting a semicolon;

(2) in paragraph (20), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(21) in order to formulate the national drug control policies, goals, objectives, and priorities—

“(A) shall consult with and assist—

“(i) State and local governments;

“(ii) National Drug Control Program Agencies;

“(iii) each committee, working group, council, or other entity established under this chapter, as appropriate;

“(iv) the public;

“(v) appropriate congressional committees; and

“(vi) any other person in the discretion of the Director; and

“(B) may—

“(i) establish advisory councils;

“(ii) acquire data from agencies; and

“(iii) request data from any other entity.”.

(e) NATIONAL DRUG CONTROL PROGRAM BUDGET.—Section 704(c) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703(c)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking “paragraph (1)(C);” and inserting the following: “paragraph (1)(C) and include—

“(i) the funding level for each National Drug Control Program agency; and

“(ii) alternative funding structures that could improve progress on achieving the goals of the National Drug Control Strategy; and”;

(B) in subparagraph (B), strike “the President; and” and inserting “the President and Congress.”; and

(C) by striking subparagraph (C);

(2) in paragraph (3)(E), by striking clause (ii) and inserting the following:

“(ii) CERTIFICATION.—The Director shall—

“(I) review each budget submission submitted under subparagraph (A);

“(II) based on the review under clause (i), make a determination as to whether the budget submission of a National Drug Control Program agency includes the funding levels and initiatives described in subparagraph (B); and

“(III) submit to the appropriate congressional committees—

“(aa) a written statement that either—

“(AA) certifies that the budget submission includes sufficient funding; or

“(BB) decertifies the budget submission as not including sufficient funding;

“(bb) a copy of the description made under subparagraph (B); and

“(cc) the budget recommendations made under subsection (b)(8).”;

(3) by adding at the end the following:

“(5) PERFORMANCE-BUDGET COORDINATOR.—

“(A) DESIGNATION.—The Director shall designate or appoint a United States Performance-Budget Coordinator to—

“(i) ensure the Director has sufficient information necessary to analyze the performance of each National Drug Control Program Agency, the impact Federal funding has had on the goals in the Strategy, and the likely contributions to the goals of the Strategy based on funding levels of each National Drug Control Program Agency, to make an independent assessment of the budget request of each agency under this subsection;

“(ii) advise the Director on agency budgets, performance measures and targets, and additional data and research needed to make informed policy decisions under this section and section 706; and

“(iii) other duties as may be determined by the Director with respect to measuring or assessing performance or agency budgets.

“(B) DETERMINATION OF POSITION.—The Director shall determine whether the coordinator position is a noncareer appointee in the Senior Executive Service or a career appointee in a position at level 15 of the General Schedule (or equivalent).

“(6) BUDGET ESTIMATE OR REQUEST SUBMISSION TO CONGRESS.—Whenever the Director submits any budget estimate or request to the President or the Office of Management and Budget, the Director shall concurrently transmit to the appropriate congressional committees a detailed statement of the budgetary needs of the Office to execute its mission based on the good-faith assessment of the Director.”.

(F) POWERS AND RESPONSIBILITIES OF THE DIRECTOR.—Section 704 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703) is amended—

(1) in subsection (d)(8)—

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

(B) in subparagraph (E)—

(i) in clause (i)—

(I) by striking “Congress, including to the Committees on Appropriations of the Senate and the House of Representatives, the authorizing committees for the Office,” and inserting “the appropriate congressional committees”; and

(II) by striking “or agencies”;

(ii) in clause (ii)—

(I) by striking “Congress” and inserting “the appropriate congressional committees”; and

(II) by adding “and” at the end; and

(iii) by adding at the end the following:

“(iii) funds may only be used for—

“(I) expansion of demand reduction activities;

“(II) interdiction of illicit drugs on the high seas, in United States territorial waters, and at United States ports of entry by officers and employees of National Drug Control Program Agencies and domestic and foreign law enforcement officers;

“(III) accurate assessment and monitoring of international drug production and interdiction programs and policies;

“(IV) activities to facilitate and enhance the sharing of domestic and foreign intelligence information among National Drug Control Program Agencies related to the production and trafficking of drugs in the United States and foreign countries; and

“(V) research related to any of these activities.”.

(2) in subsection (e)(2)(A), by striking “Notwithstanding any other provision of law” and inserting “Subject to the availability of appropriations”; and

(3) by adding at the end the following:

“(i) MODEL ACTS PROGRAM.—

“(1) IN GENERAL.—The Director shall provide for or shall enter into an agreement with a nonprofit organization to—

“(A) advise States on establishing laws and policies to address illicit drug use issues; and

“(B) revise such model State drug laws and draft supplementary model State laws to take into consideration changes in illicit drug use issues in the State involved.

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$1,250,000 for each of fiscal years 2018 through 2023.

“(j) STATE, LOCAL, AND TRIBAL AFFAIRS COORDINATOR.—The Director shall designate or appoint a United States State, Local, and Tribal Affairs Coordinator to perform the du-

ties of the Office outlined in this section and 706 and such other duties as may be determined by the Director with respect to coordination of drug control efforts between agencies and State, local, and Tribal governments. The Director shall determine whether the coordinator position is a noncareer appointee in the Senior Executive Service or a career appointee in a position at level 15 of the General Schedule (or equivalent).

“(k) HARM REDUCTION PROGRAMS.—When developing the national drug control policy, any policy of the Director, including policies relating to syringe exchange programs for intravenous drug users, shall be based on the best available medical and scientific evidence regarding the effectiveness of such policy in promoting individual health and preventing the spread of infectious disease and the impact of such policy on drug addiction and use. In making any policy relating to harm reduction programs, the Director shall consult with the National Institutes of Health and the National Academy of Sciences.”.

(g) ACCOUNTING OF FUNDS EXPENDED.—Section 705 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1704(d)), as amended by section 8207 is further amended—

(1) by amending subsection (d) to read as follows:

“(d) ACCOUNTING OF FUNDS EXPENDED.—

“(1) IN GENERAL.—Not later than February 1 of each year, in accordance with guidance issued by the Director, the head of each National Drug Control Program Agency shall submit to the Director a detailed accounting of all funds expended by the agency for National Drug Control Program activities during the previous fiscal year and shall ensure such detailed accounting is authenticated for the previous fiscal year by the Inspector General for such agency prior to the submission to the Director as frequently as determined by the Inspector General but not less frequently than every 3 years.

“(2) SUBMISSION TO CONGRESS.—The Director shall submit to Congress not later than April 1 of each year the information submitted to the Director under paragraph (1).”; and

(2) by adding at the end the following:

“(f) TRACKING SYSTEM FOR FEDERALLY FUNDED GRANT PROGRAMS.—

“(1) ESTABLISHMENT.—The Director, or the head of an agency designated by the Director, in coordination with the Secretary of Health and Human Services, shall track federally-funded grant programs to—

“(A) ensure the public has electronic access to information identifying:

“(i) all drug control grants and pertinent identifying information for each grant;

“(ii) any available performance metrics, evaluations, or other information indicating the effectiveness of such programs;

“(B) facilitate efforts to identify duplication, overlap, or gaps in funding to provide increased accountability of Federally-funded grants for substance use disorder treatment, prevention, and enforcement; and

“(C) identify barriers in the grant application process impediments that applicants currently have in the grant application process with applicable agencies.

“(2) NATIONAL DRUG CONTROL AGENCIES.—The head of each National Drug Control Program Agency shall provide to the Director a complete list of all drug control program grant programs and any other relevant information for inclusion in the system developed under paragraph (1) and annually update such list.

“(3) UPDATING EXISTING SYSTEMS.—The Director may meet the requirements of this subsection by utilizing, updating, or improving existing Federal information systems to

ensure they meet the requirements of this subsection.

“(4) REPORT.—Not later than 3 years after the date of enactment of this subsection, the Comptroller General of the United States shall submit to Congress a report examining implementation of this subsection.”.

(h) TECHNICAL AND CONFORMING AMENDMENT.—Section 1105 of the Office of National Drug Control Policy Reauthorization Act of 2006 (21 U.S.C. 1701 note) is repealed.

SEC. 8218. EMERGING THREATS COMMITTEE, PLAN, AND MEDIA CAMPAIGN.

(a) IN GENERAL.—Section 709 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1708) is amended to read as follows:

“SEC. 709. EMERGING THREATS COMMITTEE, PLAN, AND MEDIA CAMPAIGN.

“(a) EMERGING THREATS COORDINATOR.—The Director shall designate or appoint a United States Emerging and Continuing Threats Coordinator to perform the duties of that position described in this section and such other duties as may be determined by the Director. The Director shall determine whether the coordinator position is a non-career appointee in the Senior Executive Service or a career appointee in a position at level 15 of the General Schedule (or equivalent).

“(b) EMERGING THREATS COMMITTEE.—

“(1) IN GENERAL.—The Emerging Threats Committee shall—

“(A) monitor evolving and emerging drug threats in the United States;

“(B) identify and discuss evolving and emerging drug trends in the United States using the criteria required to be established under paragraph (6);

“(C) assist in the formulation of and oversee implementation of any plan described in subsection (d);

“(D) provide such other advice to the Coordinator and Director concerning strategy and policies for emerging drug threats and trends as the Committee determines to be appropriate; and

“(E) disseminate and facilitate the sharing with Federal, State, local, and Tribal officials and other entities as determined by the Director of pertinent information and data relating to—

“(i) recent trends in drug supply and demand;

“(ii) fatal and nonfatal overdoses;

“(iii) demand for and availability of evidence-based substance use disorder treatment, including the extent of the unmet treatment need, and treatment admission trends;

“(iv) recent trends in drug interdiction, supply, and demand from State, local, and Tribal law enforcement agencies; and

“(v) other subject matter as determined necessary by the Director.

“(2) CHAIRPERSON.—The Director shall designate one of the members of the Emerging Threats Committee to serve as Chairperson.

“(3) MEMBERS.—The Director shall appoint other members of the Committee, which shall include—

“(A) representatives from National Drug Control Program Agencies or other agencies;

“(B) representatives from State, local, and Tribal governments; and

“(C) representatives from other entities as designated by the Director.

“(4) MEETINGS.—The members of the Emerging Threats Committee shall meet, in person and not through any delegate or representative, not less frequently than once per calendar year, before June 1. At the call of the Director or the Chairperson, the Emerging Threats Committee may hold additional meetings as the members may choose.

“(5) CONTRACT, AGREEMENT, AND OTHER AUTHORITY.—The Director may award con-

tracts, enter into interagency agreements, manage individual projects, and conduct other activities in support of the identification of emerging drug threats and in support of the development, implementation, and assessment of any Emerging Threat Response Plan.

“(6) CRITERIA TO IDENTIFY EMERGING DRUG THREATS.—Not later than 180 days after the date on which the Committee first meets, the Committee shall develop and recommend to the Director criteria to be used to identify an emerging drug threat or the termination of an emerging drug threat designation based on information gathered by the Committee, statistical data, and other evidence.

“(c) DESIGNATION.—

“(1) IN GENERAL.—The Director, in consultation with the Coordinator, the Committee, and the head of each National Drug Control Program Agency, may designate an emerging drug threat in the United States.

“(2) STANDARDS FOR DESIGNATION.—The Director, in consultation with the Coordinator, shall promulgate and make publicly available standards by which a designation under paragraph (1) and the termination of such designation may be made. In developing such standards, the Director shall consider the recommendations of the committee and other criteria the Director considers to be appropriate.

“(3) PUBLIC STATEMENT REQUIRED.—The Director shall publish a public written statement on the portal of the Office explaining the designation of an emerging drug threat or the termination of such designation and shall notify the appropriate congressional committees of the availability of such statement when a designation or termination of such designation has been made.

“(d) PLAN.—

“(1) PUBLIC AVAILABILITY OF PLAN.—Not later than 90 days after making a designation under subsection (c), the Director shall publish and make publicly available an Emerging Threat Response Plan and notify the President and the appropriate congressional committees of such plan's availability.

“(2) TIMING.—Concurrently with the annual submissions under section 706(g), the Director shall update the plan and report on implementation of the plan, until the Director issues the public statement required under subsection (c)(3) to terminate the emerging drug threat designation.

“(3) CONTENTS OF AN EMERGING THREAT RESPONSE PLAN.—The Director shall include in the plan required under this subsection—

“(A) a comprehensive strategic assessment of the emerging drug threat, including the current availability of, demand for, and effectiveness of evidence-based prevention, treatment, and enforcement programs and efforts to respond to the emerging drug threat;

“(B) comprehensive, research-based, short- and long-term, quantifiable goals for addressing the emerging drug threat, including for reducing the supply of the drug designated as the emerging drug threat and for expanding the availability and effectiveness of evidence-based substance use disorder treatment and prevention programs to reduce the demand for the emerging drug threat;

“(C) performance measures pertaining to the plan's goals, including quantifiable and measurable objectives and specific targets;

“(D) the level of funding needed to implement the plan, including whether funding is available to be reprogrammed or transferred to support implementation of the plan or whether additional appropriations are necessary to implement the plan;

“(E) an implementation strategy for the media campaign under subsection (f), including goals as described under subparagraph

(B) of this paragraph and performance measures, objectives, and targets, as described under subparagraph (C) of this paragraph; and

“(F) any other information necessary to inform the public of the status, progress, or response of an emerging drug threat.

“(4) IMPLEMENTATION.—

“(A) IN GENERAL.—Not later than 120 days after the date on which a designation is made under subsection (c), the Director, in consultation with the President, the appropriate congressional committees, and the head of each National Drug Control Program Agency, shall issue guidance on implementation of the plan described in this subsection to the National Drug Control Program Agencies and any other relevant agency determined to be necessary by the Director.

“(B) COORDINATOR'S RESPONSIBILITIES.—The Coordinator shall—

“(i) direct the implementation of the plan among the agencies identified in the plan, State, local, and Tribal governments, and other relevant entities;

“(ii) facilitate information-sharing between agencies identified in the plan, State, local, and Tribal governments, and other relevant entities; and

“(iii) monitor implementation of the plan by coordinating the development and implementation of collection and reporting systems to support performance measurement and adherence to the plan by agencies identified in plan, where appropriate.

“(C) REPORTING.—Not later than 180 days after the date on which a designation is made under subsection (c) and in accordance with subparagraph (A), the head of each agency identified in the plan shall submit to the Coordinator a report on implementation of the plan.

“(e) EVALUATION OF MEDIA CAMPAIGN.—Upon designation of an emerging drug threat, the Director shall evaluate whether a media campaign would be appropriate to address that threat.

“(f) NATIONAL ANTI-DRUG MEDIA CAMPAIGN.—

“(1) IN GENERAL.—The Director shall, to the extent feasible and appropriate, conduct a national anti-drug media campaign (referred to in this subtitle as the ‘national media campaign’) in accordance with this subsection for the purposes of—

“(A) preventing substance abuse among people in the United States;

“(B) educating the public about the dangers and negative consequences of substance use and abuse, including patient and family education about the characteristics and hazards of substance abuse and methods to safeguard against substance use, to include the safe disposal of prescription medications;

“(C) supporting evidence-based prevention programs targeting the attitudes, perception, and beliefs of persons concerning substance use and intentions to initiate or continue such use;

“(D) encouraging individuals affected by substance use disorders to seek treatment and providing such individuals with information on—

“(i) how to recognize addiction issues;

“(ii) what forms of evidence-based treatment options are available; and

“(iii) how to access such treatment;

“(E) combating the stigma of addiction and substance use disorders, including the stigma of treating such disorders with medication-assisted treatment therapies; and

“(F) informing the public about the dangers of any drug identified by the Director as an emerging drug threat as appropriate.

“(2) USE OF FUNDS.—

“(A) IN GENERAL.—Amounts made available to carry out this subsection for the national media campaign may only be used for the following:

“(i) The purchase of media time and space, including the strategic planning for, tracking, and accounting of, such purchases.

“(ii) Creative and talent costs, consistent with subparagraph (B)(i).

“(iii) Advertising production costs, which may include television, radio, internet, social media, and other commercial marketing venues.

“(iv) Testing and evaluation of advertising.

“(v) Evaluation of the effectiveness of the national media campaign.

“(vi) Costs of contracts to carry out activities authorized by this subsection.

“(vii) Partnerships with professional and civic groups, community-based organizations, including faith-based organizations, and government organizations related to the national media campaign.

“(viii) Entertainment industry outreach, interactive outreach, media projects and activities, public information, news media outreach, and corporate sponsorship and participation.

“(ix) Operational and management expenses.

“(B) SPECIFIC REQUIREMENTS.—

“(i) CREATIVE SERVICES.—In using amounts for creative and talent costs under subparagraph (A)(ii), the Director shall use creative services donated at no cost to the Government wherever feasible and may only procure creative services for advertising—

“(I) responding to high-priority or emergent campaign needs that cannot timely be obtained at no cost; or

“(II) intended to reach a minority, ethnic, or other special audience that cannot reasonably be obtained at no cost.

“(ii) TESTING AND EVALUATION OF ADVERTISING.—In using amounts for testing and evaluation of advertising under subparagraph (A)(iv), the Director shall test all advertisements prior to use in the national media campaign to ensure that the advertisements are effective with the target audience and meet industry-accepted standards. The Director may waive this requirement for advertisements using no more than 10 percent of the purchase of advertising time purchased under this subsection in a fiscal year and no more than 10 percent of the advertising space purchased under this subsection in a fiscal year, if the advertisements respond to emergent and time-sensitive campaign needs or the advertisements will not be widely utilized in the national media campaign.

“(iii) CONSULTATION.—For the planning of the campaign under paragraph (1), the Director may consult with—

“(I) the head of any appropriate National Drug Control Program Agency;

“(II) experts on the designated drug;

“(III) State, local, and Tribal government officials and relevant agencies;

“(IV) communications professionals;

“(V) the public; and

“(VI) appropriate congressional committees.

“(iv) EVALUATION OF EFFECTIVENESS OF NATIONAL MEDIA CAMPAIGN.—In using amounts for the evaluation of the effectiveness of the national media campaign under subparagraph (A)(v), the Director shall—

“(I) designate an independent entity to evaluate by April 20 of each year the effectiveness of the national media campaign based on data from—

“(aa) the Monitoring the Future Study published by the Department of Health and Human Services;

“(bb) the National Survey on Drug Use and Health; and

“(cc) other relevant studies or publications, as determined by the Director, including tracking and evaluation data collected according to marketing and advertising industry standards; and

“(II) ensure that the effectiveness of the national media campaign is evaluated in a manner that enables consideration of whether the national media campaign has contributed to changes in attitude or behaviors among the target audience with respect to substance use and such other measures of evaluation as the Director determines are appropriate.

“(3) ADVERTISING.—In carrying out this subsection, the Director shall ensure that sufficient funds are allocated to meet the stated goals of the national media campaign.

“(4) RESPONSIBILITIES AND FUNCTIONS UNDER THE PROGRAM.—

“(A) IN GENERAL.—The Director shall determine the overall purposes and strategy of the national media campaign.

“(B) DIRECTOR.—

“(i) IN GENERAL.—The Director shall approve—

“(I) the strategy of the national media campaign;

“(II) all advertising and promotional material used in the national media campaign; and

“(III) the plan for the purchase of advertising time and space for the national media campaign.

“(ii) IMPLEMENTATION.—The Director shall be responsible for implementing a focused national media campaign to meet the purposes set forth in paragraph (1) and shall ensure—

“(I) information disseminated through the campaign is accurate and scientifically valid; and

“(II) the campaign is designed using strategies demonstrated to be the most effective at achieving the goals and requirements of paragraph (1), which may include—

“(aa) a media campaign, as described in paragraph (2);

“(bb) local, regional, or population specific messaging;

“(cc) the development of websites to publicize and disseminate information;

“(dd) conducting outreach and providing educational resources for parents;

“(ee) collaborating with law enforcement agencies; and

“(ff) providing support for school-based public health education classes to improve teen knowledge about the effects of substance use.

“(5) PROHIBITIONS.—None of the amounts made available under paragraph (2) may be obligated or expended for any of the following:

“(A) To supplant current anti-drug community-based coalitions.

“(B) To supplant pro bono public service time donated by national and local broadcasting networks for other public service campaigns.

“(C) For partisan political purposes, or to express advocacy in support of or to defeat any clearly identified candidate, clearly identified ballot initiative, or clearly identified legislative or regulatory proposal.

“(D) To fund advertising that features any elected officials, persons seeking elected office, cabinet level officials, or other Federal officials employed pursuant to section 213 of Schedule C of title 5, Code of Federal Regulations.

“(E) To fund advertising that does not contain a primary message intended to reduce or prevent substance use.

“(F) To fund advertising containing a primary message intended to promote support for the national media campaign or private sector contributions to the national media campaign.

“(6) MATCHING REQUIREMENT.—

“(A) IN GENERAL.—Amounts made available under paragraph (2) for media time and space shall be matched by an equal amount of non-Federal funds for the national media

campaign, or be matched with in-kind contributions of the same value.

“(B) NO-COST MATCH ADVERTISING DIRECT RELATIONSHIP REQUIREMENT.—The Director shall ensure that not less than 85 percent of no-cost match advertising directly relates to substance abuse prevention consistent with the specific purposes of the national media campaign.

“(C) NO-COST MATCH ADVERTISING NOT DIRECTLY RELATED.—The Director shall ensure that no-cost match advertising that does not directly relate to substance abuse prevention consistent with the purposes of the national media campaign includes a clear anti-drug message. Such message is not required to be the primary message of the match advertising.

“(7) FINANCIAL AND PERFORMANCE ACCOUNTABILITY.—The Director shall cause to be performed—

“(A) audits and reviews of costs of the national media campaign pursuant to section 4706 of title 41, United States Code; and

“(B) an audit to determine whether the costs of the national media campaign are allowable under chapter 43 of title 41, United States Code.

“(8) REPORT TO CONGRESS.—The Director shall submit on an annual basis a report to Congress that describes—

“(A) the strategy of the national media campaign and whether specific objectives of the national media campaign were accomplished;

“(B) steps taken to ensure that the national media campaign operates in an effective and efficient manner consistent with the overall strategy and focus of the national media campaign;

“(C) plans to purchase advertising time and space;

“(D) policies and practices implemented to ensure that Federal funds are used responsibly to purchase advertising time and space and eliminate the potential for waste, fraud, and abuse;

“(E) all contracts entered into with a corporation, partnership, or individual working on behalf of the national media campaign;

“(F) the results of any financial audit of the national media campaign;

“(G) a description of any evidence used to develop the national media campaign;

“(H) specific policies and steps implemented to ensure compliance with this section;

“(I) a detailed accounting of the amount of funds obligated during the previous fiscal year for carrying out the national media campaign, including each recipient of funds, the purpose of each expenditure, the amount of each expenditure, any available outcome information, and any other information necessary to provide a complete accounting of the funds expended; and

“(J) a review and evaluation of the effectiveness of the national media campaign strategy for the past year.

“(9) REQUIRED NOTICE FOR COMMUNICATION FROM THE OFFICE.—Any communication, including an advertisement, paid for or otherwise disseminated by the Office directly or through a contract awarded by the Office shall include a prominent notice informing the audience that the communication was paid for by the Office.

“(g) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Office to carry out this section, \$25,000,000 for each of fiscal years 2018 through 2023.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Subsection (a) of section 203 of the Office of National Drug Control Policy Reauthorization Act of 2006 (21 U.S.C. 1708a) is repealed.

SEC. 8219. DRUG INTERDICTION.

(a) REPEAL.—This first section 711 of the Office of National Drug Control Policy Reau-

thorization Act of 1998 (21 U.S.C. 1710) is repealed.

(b) AMENDMENTS.—Section 711 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1710), as added by Public Law 109-469 (120 Stat. 3507), is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “The United” and inserting “The Director shall designate or appoint an appointee in the Senior Executive Service or an appointee in a position at level 15 of the General Schedule (or equivalent) as the United”; and

(ii) by striking “shall” and inserting “to”;

(B) in paragraph (2)(B)—

(i) by striking “March 1” and inserting “September 1”; and

(ii) by striking “paragraph (3)” and inserting “paragraph (4)”;

(C) in paragraph (3)—

(i) by striking “also, at his discretion,”; and

(ii) by striking “the Office of Supply Reduction for that purpose” and inserting “assist in carrying out such responsibilities”; and

(D) in paragraph (4)—

(i) in subparagraph (B), by striking “The United” and inserting “Before submission of the National Drug Control Strategy or annual assessment required under section 706, as applicable, the United”;

(ii) by striking subparagraphs (C) and (E);

(iii) by redesignating subparagraph (D) as subparagraph (C);

(iv) in subparagraph (C), as so redesignated—

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

(aa) by striking “March 1” and inserting “September 1”;

(bb) by inserting “the Director, acting through” before “the United States”;

(cc) by inserting a comma after “Coordinator”;

(dd) by striking “a report on behalf of the Director”; and

(ee) by striking “, which shall include” and inserting “a report that”;

(II) by redesignating clauses (i), (ii), and

(iii) as subclauses (I), (II), and (III), and adjusting the margins accordingly;

(III) by inserting before subclause (I), as so redesignated, the following:

“(i) includes—”;

(IV) in clause (i), as so redesignated—

(aa) in subclause (I), as so redesignated, by inserting “, including information about how each National Drug Control Program agency conducting drug interdiction activities is engaging with relevant international partners” after “Plan”;

(bb) in subclause (II), as so redesignated, by striking “, as well as” and inserting “and”;

(cc) in subclause III, as so redesignated—

(AA) by striking “, as well as” and inserting “and”; and

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

(V) by adding at the end the following:

“(ii) may include recommendations for changes to existing agency authorities or laws governing interagency relationships.”; and

(v) by adding at the end the following:

“(D) CLASSIFIED ANNEX.—Each report required to be submitted under subparagraph (C) shall be in unclassified form, but may include a classified annex.”;

(2) in subsection (b)—

(A) in paragraph (1)(B), by inserting “and how to strengthen international partnerships to better achieve the goals of that plan” after “that plan”;

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “CHAIRMAN” and inserting “CHAIRPERSON”; and

(ii) by striking “chairman” and inserting “Chairperson”;

(C) in paragraph (3)—

(i) by striking “prior to March 1” and inserting “before June 1”;

(ii) by striking “either” each place it appears;

(iii) by striking “current chairman” and inserting “Chairperson”; and

(iv) by striking “they” and inserting “the members”; and

(D) in paragraph (4)—

(i) by striking “chairman” each place it appears and inserting “Chairperson”;

(ii) in the first sentence, by striking “a report”;

(iii) by inserting “a report” after “committees”; and

(iv) by striking the second sentence and inserting the following: “The report required under this paragraph shall be in unclassified form, but may include a classified annex.”; and

(3) by adding at the end the following:

“(c) INTERNATIONAL COORDINATION.—The Director may facilitate international drug control coordination efforts.”.

SEC. 8220. GAO AUDIT.

Not later than 4 years after the date of enactment of this Act, and every 4 years thereafter, the Comptroller General of the United States shall—

(1) conduct an audit relating to the programs and operations of—

(A) the Office; and

(B) certain programs within the Office, including—

(i) the High Intensity Drug Trafficking Areas Program;

(ii) the Drug-Free Communities Program; and

(iii) the campaign under section 709(f) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1708(f)); and

(2) submit to the Director and the appropriate congressional committees a report containing an evaluation of and recommendations on the—

(A) policies and activities of the programs and operations subject to the audit;

(B) economy, efficiency, and effectiveness in the administration of the reviewed programs and operations; and

(C) policy or management changes needed to prevent and detect fraud and abuse in such programs and operations.

SEC. 8221. NATIONAL DRUG CONTROL STRATEGY.

(a) IN GENERAL.—Section 706 of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1705) is amended to read as follows:

“SEC. 706. NATIONAL DRUG CONTROL STRATEGY.

“(a) IN GENERAL.—

“(1) STATEMENT OF DRUG POLICY PRIORITIES.—The Director shall release a statement of drug control policy priorities in the calendar year of a Presidential inauguration following the inauguration, but not later than April 1.

“(2) NATIONAL DRUG CONTROL STRATEGY SUBMITTED BY THE PRESIDENT.—Not later than the first Monday in February following the year in which the term of the President commences, and every 2 years thereafter, the President shall submit to Congress a National Drug Control Strategy.

“(b) DEVELOPMENT OF THE NATIONAL DRUG CONTROL STRATEGY.—

“(1) PROMULGATION.—The Director shall promulgate the National Drug Control Strategy, which shall set forth a comprehensive plan to reduce illicit drug use and the consequences of such illicit drug use in the United States by limiting the availability of

and reducing the demand for illegal drugs and promoting prevention, early intervention, treatment, and recovery support for individuals with substance use disorders.

“(2) STATE AND LOCAL COMMITMENT.—The Director shall seek the support and commitment of State, local, and Tribal officials in the formulation and implementation of the National Drug Control Strategy.

“(3) STRATEGY BASED ON EVIDENCE.—The Director shall ensure the National Drug Control Strategy is based on the best available evidence regarding the policies that are most effective in reducing the demand for and supply of illegal drugs.

“(4) PROCESS FOR DEVELOPMENT AND SUBMISSION OF NATIONAL DRUG CONTROL STRATEGY.—In developing and effectively implementing the National Drug Control Strategy, the Director—

“(A) shall consult with—

“(i) the heads of the National Drug Control Program Agencies;

“(ii) each Coordinator listed in section 704;

“(iii) the Interdiction Committee and the Emerging Threats Committee;

“(iv) the appropriate congressional committees and any other committee of jurisdiction;

“(v) State, local, and Tribal officials;

“(vi) private citizens and organizations, including community and faith-based organizations, with experience and expertise in demand reduction;

“(vii) private citizens and organizations with experience and expertise in supply reduction; and

“(viii) appropriate representatives of foreign governments; and

“(B) in satisfying the requirements of subparagraph (A), shall ensure, to the maximum extent possible, that State, local, and Tribal officials and relevant private organizations commit to support and take steps to achieve the goals and objectives of the National Drug Control Strategy.

“(c) CONTENTS OF THE NATIONAL DRUG CONTROL STRATEGY.—

“(1) IN GENERAL.—The National Drug Control Strategy submitted under subsection (a)(2) shall include the following:

“(A) A mission statement detailing the major functions of the National Drug Control Program.

“(B) Comprehensive, research-based, long-range, quantifiable goals for reducing illicit drug use, and the consequences of illicit drug use in the United States.

“(C) Annual quantifiable and measurable objectives and specific targets to accomplish long-term quantifiable goals that the Director determines may be achieved during each year beginning on the date on which the National Drug Control Strategy is submitted.

“(D) A 5-year projection for the National Drug Control Program and budget priorities.

“(E) A review of international, State, local, and private sector drug control activities to ensure that the United States pursues coordinated and effective drug control at all levels of government.

“(F) A description of how each goal established under subparagraph (B) will be achieved, including for each goal—

“(i) a list of each relevant National Drug Control Program Agency and each such agency’s related programs, activities, and available assets and the role of each such program, activity, and asset in achieving such goal;

“(ii) a list of relevant stakeholders and each such stakeholder’s role in achieving such goal;

“(iii) an estimate of Federal funding and other resources needed to achieve such goal;

“(iv) a list of each existing or new coordinating mechanism needed to achieve such goal; and

“(v) a description of the Office’s role in facilitating the achievement of such goal.

“(G) For each year covered by the Strategy, a performance evaluation plan for each goal established under subparagraph (B) for each National Drug Control Program Agency, including—

“(i) specific performance measures for each National Drug Control Program Agency;

“(ii) annual and, to the extent practicable, quarterly objectives and targets for each performance measure; and

“(iii) an estimate of Federal funding and other resources needed to achieve each performance objective and target.

“(H) A list identifying existing data sources or a description of data collection needed to evaluate performance, including a description of how the Director will obtain such data.

“(I) A list of any anticipated challenges to achieving the National Drug Control Strategy goals and planned actions to address such challenges.

“(J) A description of how each goal established under subparagraph (B) was determined, including—

“(i) a description of each required consultation and a description of how such consultation was incorporated; and

“(ii) data, research, or other information used to inform the determination to establish the goal.

“(K) A description of the current prevalence of illicit drug use in the United States, including both the availability of illicit drugs and the prevalence of substance use disorders.

“(L) Such other statistical data and information as the Director considers appropriate to demonstrate and assess trends relating to illicit drug use, the effects and consequences of illicit drug use (including the effects on children), supply reduction, demand reduction, drug-related law enforcement, and the implementation of the National Drug Control Strategy.

“(M) A systematic plan for increasing data collection to enable real time surveillance of drug control threats, developing analysis and monitoring capabilities, and identifying and addressing policy questions related to the National Drug Control Strategy and Program, which shall include—

“(i) a list of policy-relevant questions for which the Director and each National Drug Control Program Agency intends to develop evidence to support the National Drug Control Program and Strategy;

“(ii) a list of data the Director and each National Drug Control Program Agency intends to collect, use, or acquire to facilitate the use of evidence in drug control policymaking and monitoring;

“(iii) a list of methods and analytical approaches that may be used to develop evidence to support the National Drug Control Program and Strategy and related policy;

“(iv) a list of any challenges to developing evidence to support policymaking, including any barriers to accessing, collecting, or using relevant data;

“(v) a description of the steps the Director and the head of each National Drug Control Program Agency will take to effectuate the plan; and

“(vi) any other relevant information as determined by the Director.

“(N) A plan to expand treatment of substance use disorders, which shall—

“(i) identify unmet needs for treatment for substance use disorders and a strategy for closing the gap between available and needed treatment;

“(ii) describe the specific roles and responsibilities of the relevant National Drug Control Programs for implementing the plan;

“(iii) identify the specific resources required to enable the relevant National Drug

Control Agencies to implement that strategy; and

“(iv) identify the resources, including private sources, required to eliminate the unmet need for evidence-based substance use disorder treatment.

“(2) CONSULTATION.—In developing the plan required under paragraph (1), the Director shall consult with the following:

“(A) The public.

“(B) Any evaluation or analysis units and personnel of the Office.

“(C) Office officials responsible for implementing privacy policy.

“(D) Office officials responsible for data governance.

“(E) The appropriate congressional committees.

“(F) Any other individual or entity as determined by the Director.

“(3) ADDITIONAL STRATEGIES.—

“(A) IN GENERAL.—The Director shall include in the National Drug Control Strategy the additional strategies described under this paragraph and shall comply with the following:

“(i) Provide a copy of the additional strategies to the appropriate congressional committees and to the Committee on Armed Services and the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs and the Committee on Armed Services of the Senate.

“(ii) Issue the additional strategies in consultation with the head of each relevant National Drug Control Program Agency, any relevant official of a State, local, or Tribal government, and the government of other relevant countries.

“(iii) Not change any existing agency authority or construe any strategy described under this paragraph to amend or modify any law governing interagency relationship but may include recommendations about changes to such authority or law.

“(iv) Present separately from the rest of any strategy described under this paragraph any information classified under criteria established by an Executive order, or whose public disclosure, as determined by the Director or the head of any relevant National Drug Control Program Agency, would be detrimental to the law enforcement or national security activities of any Federal, State, local, or Tribal agency.

“(B) REQUIREMENT FOR SOUTHWEST BORDER COUNTERNARCOTICS STRATEGY.—

“(i) PURPOSES.—The Southwest Border Counternarcotics Strategy shall—

“(I) set forth the Government’s strategy for preventing the illegal trafficking of drugs across the international border between the United States and Mexico, including through ports of entry and between ports of entry on that border;

“(II) state the specific roles and responsibilities of the relevant National Drug Control Program Agencies for implementing that strategy; and

“(III) identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement that strategy.

“(ii) SPECIFIC CONTENT RELATED TO DRUG TUNNELS BETWEEN THE UNITED STATES AND MEXICO.—The Southwest Border Counternarcotics Strategy shall include—

“(I) a strategy to end the construction and use of tunnels and subterranean passages that cross the international border between the United States and Mexico for the purpose of illegal trafficking of drugs across such border; and

“(II) recommendations for criminal penalties for persons who construct or use such a tunnel or subterranean passage for such a purpose.

“(C) REQUIREMENT FOR NORTHERN BORDER COUNTERNARCOTICS STRATEGY.—

“(i) PURPOSES.—The Northern Border Counternarcotics Strategy shall—

“(I) set forth the strategy of the Federal Government for preventing the illegal trafficking of drugs across the international border between the United States and Canada, including through ports of entry and between ports of entry on the border;

“(II) state the specific roles and responsibilities of each relevant National Drug Control Program Agency for implementing the strategy;

“(III) identify the specific resources required to enable the relevant National Drug Control Program Agencies to implement the strategy;

“(IV) be designed to promote, and not hinder, legitimate trade and travel; and

“(V) reflect the unique nature of small communities along the international border between the United States and Canada, ongoing cooperation and coordination with Canadian law, enforcement authorities, and variations in the volumes of vehicles and pedestrians crossing through ports of entry along the international border between the United States and Canada.

“(ii) SPECIFIC CONTENT RELATED TO CROSS-BORDER INDIAN RESERVATIONS.—The Northern Border Counternarcotics Strategy shall include—

“(I) a strategy to end the illegal trafficking of drugs to or through Indian reservations on or near the international border between the United States and Canada; and

“(II) recommendations for additional assistance, if any, needed by Tribal law enforcement agencies relating to the strategy, including an evaluation of Federal technical and financial assistance, infrastructure capacity building, and interoperability deficiencies.

“(4) CLASSIFIED INFORMATION.—Any contents of the National Drug Control Strategy that involve information properly classified under criteria established by an Executive order shall be presented to Congress separately from the rest of the National Drug Control Strategy.

“(5) SELECTION OF DATA AND INFORMATION.—In selecting data and information for inclusion in the Strategy, the Director shall ensure—

“(A) the inclusion of data and information that will permit analysis of current trends against previously compiled data and information where the Director believes such analysis enhances long-term assessment of the National Drug Control Strategy; and

“(B) the inclusion of data and information to permit a standardized and uniform assessment of the effectiveness of drug treatment programs in the United States.

“(d) SUBMISSION OF REVISED STRATEGY.—The President may submit to Congress a revised National Drug Control Strategy that meets the requirements of this section—

“(1) at any time, upon a determination of the President, in consultation with the Director, that the National Drug Control Strategy in effect is not sufficiently effective; or

“(2) if a new President or Director takes office.

“(e) FAILURE OF DIRECTOR TO SUBMIT NATIONAL DRUG CONTROL STRATEGY.—If the Director does not submit a National Drug Control Strategy to Congress in accordance with subsection (a)(2), not later than five days after the first Monday in February following the year in which the term of the President commences, the Director shall send a notification to the appropriate congressional committees—

“(1) explaining why the Strategy was not submitted; and

“(2) specifying the date by which the Strategy will be submitted.

“(f) DRUG CONTROL DATA DASHBOARD.—

“(1) IN GENERAL.—The Director shall collect and disseminate, as appropriate, such information as the Director determines is appropriate, but not less than the information described in this subsection. The data shall be publicly available in a machine-readable format on the online portal of the Office, and to the extent practicable on the Drug Control Data Dashboard.

“(2) ESTABLISHMENT.—The Director shall publish to the online portal of the office in a machine-readable, sortable, and searchable format, or to the extent practicable, establish and maintain a data dashboard on the online portal of the Office to be known as the ‘Drug Control Data Dashboard’. To the extent practicable, when establishing the Drug Control Dashboard, the Director shall ensure the user interface of the dashboard is constructed with modern design standards. To the extent practicable, the data made available on the dashboard shall be publicly available in a machine-readable format and searchable by year, agency, drug, and location.

“(3) DATA.—The data included in the Drug Control Data Dashboard shall be updated quarterly to the extent practicable, but not less frequently than annually and shall include, at a minimum, the following:

“(A) For each substance identified by the Director as having a significant impact on the prevalence of illicit drug use—

“(i) data sufficient to show the quantities of such substance available in the United States, including—

“(I) the total amount seized and disrupted in the calendar year and each of the previous 3 calendar years, including to the extent practicable the amount seized by State, local, and Tribal governments;

“(II) the known and estimated flows into the United States from all sources in the calendar year and each of the previous 3 calendar years;

“(III) the total amount of known flows that could not be interdicted or disrupted in the calendar year and each of the previous 3 calendar years;

“(IV) the known and estimated levels of domestic production in the calendar year and each of the previous three calendar years, including the levels of domestic production if the drug is a prescription drug, as determined under the Federal Food, Drug, and Cosmetic Act, for which a listing is in effect under section 202 of the Controlled Substances Act (21 U.S.C. 812);

“(V) the average street price for the calendar year and the highest known street price during the preceding 10-year period; and

“(VI) to the extent practicable, related prosecutions by State, local, and Tribal governments;

“(ii) data sufficient to show the frequency of use of such substance, including—

“(I) use of such substance in the workplace and productivity lost by such use;

“(II) use of such substance by arrestees, probationers, and parolees;

“(III) crime and criminal activity related to such substance;

“(IV) to the extent practicable, related prosecutions by State, local, and Tribal governments;

“(B) For the calendar year and each of the previous three years data sufficient to show, disaggregated by State and, to the extent feasible, by region within a State, county, or city, the following:

“(i) The number of fatal and non-fatal overdoses caused by each drug identified under subparagraph (A)(i).

“(ii) The prevalence of substance use disorders.

“(iii) The number of individuals who have received substance use disorder treatment, including medication assisted treatment, for a substance use disorder, including treatment provided through publicly-financed health care programs.

“(iv) The extent of the unmet need for substance use disorder treatment, including the unmet need for medication-assisted treatment.

“(C) Data sufficient to show the extent of prescription drug diversion, trafficking, and misuse in the calendar year and each of the previous 3 calendar years.

“(D) Any quantifiable measures the Director determines to be appropriate to detail progress toward the achievement of the goals of the National Drug Control Strategy.

“(g) DEVELOPMENT OF AN ANNUAL NATIONAL DRUG CONTROL ASSESSMENT.—

“(1) TIMING.—Not later than the first Monday in February of each year, the Director shall submit to the President, Congress, and the appropriate congressional committees, a report assessing the progress of each National Drug Control Program Agency toward achieving each goal, objective, and target contained in the National Drug Control Strategy applicable to the prior fiscal year.

“(2) PROCESS FOR DEVELOPMENT OF THE ANNUAL ASSESSMENT.—Not later than November 1 of each year, the head of each National Drug Control Program Agency shall submit, in accordance with guidance issued by the Director, to the Director an evaluation of progress by the agency with respect to the National Drug Control Strategy goals using the performance measures for the agency developed under this title, including progress with respect to—

“(A) success in achieving the goals of the National Drug Control Strategy;

“(B) success in reducing domestic and foreign sources of illegal drugs;

“(C) success in expanding access to and increasing the effectiveness of substance use disorder treatment;

“(D) success in protecting the borders of the United States (and in particular the Southwestern border of the United States) from penetration by illegal narcotics;

“(E) success in reducing crime associated with drug use in the United States;

“(F) success in reducing the negative health and social consequences of drug use in the United States;

“(G) implementation of evidence-based substance use disorder treatment and prevention programs in the United States and improvements in the adequacy and effectiveness of such programs; and

“(H) success in increasing the prevention of illicit drug use.

“(3) CONTENTS OF THE ANNUAL ASSESSMENT.—The Director shall include in the annual assessment required under paragraph (1)—

“(A) a summary of each evaluation received by the Director under paragraph (2);

“(B) a summary of the progress of each National Drug Control Program Agency toward the National Drug Control Strategy goals of the agency using the performance measures for the agency developed under this chapter;

“(C) an assessment of the effectiveness of each National Drug Control Program Agency and program in achieving the National Drug Control Strategy for the previous year, including a specific evaluation of whether the applicable goals, measures, objectives, and targets for the previous year were met; and

“(D) the assessments required under this subsection shall be based on the Performance Measurement System.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 704(b) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1703(b)) is amended—

(A) by striking paragraphs (13) and (17); and

(B) in paragraph (14)(A), by striking “paragraph (13)” and inserting “section 706(g)(2)”.

(2) The Office of National Drug Control Policy Reauthorization Act of 2006 (Public Law 109-469; 120 Stat. 3502) is amended by striking sections 1110 and 1110A.

SEC. 8222. TECHNICAL AND CONFORMING AMENDMENTS TO THE OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION ACT OF 1998.

The Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1701 et seq.) is amended—

(1) by striking section 703(b) (21 U.S.C. 1702(b));

(2) in section 704 (21 U.S.C. 1703)—

(A) in subsection (c)—

(i) in paragraph (3)(C)—

(I) in the matter before clause (i), by inserting “requests a level of funding that will not enable achievement of the goals of the National Drug Control Strategy, including” after “request that”;

(II) in clause (iii)—

(aa) by striking “drug treatment” and inserting “substance use disorder prevention and treatment”; and

(bb) by striking the semicolon at the end and inserting “; and”;

(III) by striking clauses (iv), (vi), and (vii);

(IV) by redesignating clause (v) as clause (iv); and

(V) in clause (iv), as so redesignated, by striking the semicolon and inserting a period;

(ii) in paragraph (4)(A), by striking “\$1,000,000” and inserting “\$5,000,000 or 10 percent of a specific program or account”; and

(B) in subsection (f)—

(i) by striking the first paragraph (5); and

(ii) by striking the second paragraph (4); and

(3) by striking section 708 (21 U.S.C. 1707).

Subtitle L—Budgetary Effects

SEC. 8231. BUDGETARY EFFECT.

(a) IN GENERAL.—The budgetary effects of this Act shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) SENATE PAYGO SCORECARDS.—The budgetary effects of this Act shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

The SPEAKER pro tempore, Mr. WEBER of Texas, recognized Mr. WALDEN and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,
Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. Jody B. HICE of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WALDEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. Jody B. HICE of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶136.7 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has passed, with an

amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4254. An Act to amend the National Science Foundation Authorization Act of 2002 to strengthen the aerospace workforce pipeline by the promotion of Robert Noyce Teacher Scholarship Program and National Aeronautics and Space Administration internship and fellowship opportunities to women, and for other purposes.

The message also announced that the Senate has passed bills of the following titles, in which the concurrence of the House is requested:

S. 1768. An Act to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes.

S. 3170. An Act to amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and for other purposes.

S. 3354. An Act to amend the Missing Children's Assistance Act, and for other purposes.

¶136.8 H.R. 6760—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. Jody B. HICE of Georgia, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to recommit with instructions on the bill (H.R. 6760) to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the { Yeas 184
negative Nays 226

¶136.9

[Roll No. 413]

YEAS—184

Adams	Cummings	Johnson, E. B.
Aguilar	Davis (CA)	Kaptur
Barragán	Davis, Danny	Keating
Bass	DeFazio	Kelly (IL)
Beatty	DeGette	Kennedy
Bera	Delaney	Khanna
Beyer	DeLauro	Kihuen
Bishop (GA)	DelBene	Kildee
Blumenauer	Demings	Kilmer
Blunt Rochester	DeSaulnier	Kind
Bonamici	Deutch	Krishnamoorthi
Boyle, Brendan	Dingell	Kuster (NH)
F.	Doggett	Lamb
Brady (PA)	Doyle, Michael	Langevin
Brown (MD)	F.	Larsen (WA)
Brownley (CA)	Engel	Larson (CT)
Bustos	Espallat	Lawrence
Butterfield	Esty (CT)	Lawson (FL)
Capuano	Evans	Lee
Carbajal	Foster	Levin
Cárdenas	Frankel (FL)	Lewis (GA)
Carson (IN)	Fudge	Lieu, Ted
Cartwright	Gállego	Lipinski
Castor (FL)	Garamendi	Loeback
Castro (TX)	Gomez	Lofgren
Chu, Judy	Gonzalez (TX)	Lowenthal
Ciçilline	Gottheimer	Lowe
Clark (MA)	Green, Al	Luján, Ben Ray
Clarke (NY)	Green, Gene	Lynch
Clay	Grijalva	Maloney,
Cleaver	Hanabusa	Carolyn B.
Clyburn	Hastings	Maloney, Sean
Cohen	Heck	Matsui
Connolly	Higgins (NY)	McCollum
Cooper	Himes	McEachin
Correa	Hoyer	McGovern
Costa	Huffman	McNerney
Courtney	Jackson Lee	Meeks
Crist	Jayapal	Meng
Crowley	Jeffries	Moore
Cuellar	Johnson (GA)	Murphy (FL)

Nadler
Napolitano
Neal
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond

Rosen
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Seventh (AL)
Shea-Porter
Sherman
Sinema
Sires
Smith (WA)
Soto
Speier

Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NAYS—226

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Bartlett
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs

Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harris
Hartzer
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moelenaar
Mooney (WV)
Mullin
Newhouse
Noem
Norman

Nunes
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Zeldin

NOT VOTING—18

Blackburn
Ellison
Eshoo
Gabbard
Gutiérrez
Harper
Hill

Hunter
Jones
Labrador
Lujan Grisham,
M.
Moulton
Nolan

Olson
Rokita
Rush
Walz
Williams

So the motion to recommit with instructions was not agreed to.

The question being put,
Will the House pass said bill?

The SPEAKER pro tempore, Mr. Jody B. HICE of Georgia, announced that, pursuant to House Resolution 1084, the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 220
affirmative } Nays 191

¶136.10

[Roll No. 414]

YEAS—220

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Bartlett
Barr
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Gaetz
Gallagher
Garrett
Gianforte
Gibbs

Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harris
Hartzer
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moelenaar
Mooney (WV)
Mullin

Newhouse
Noem
Norman
Nunes
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Wilson (SC)
Wittman

Womack
Woodall

Yoder
Yoho

Young (AK)
Young (IA)

NAYS—191

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Donovan
Doyle, Michael F.
Engel
Españat
Esty (CT)
Evans
Faso
Foster
Frankel (FL)
Frelinghuysen

Fudge
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (NY)
Krishnamoorthi
Kuster (NH)
Lance
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowe
Lujan, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Murphy (FL)
Nadler
Napolitano

Neal
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rohrabacher
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sires
Smith (NJ)
Smith (WA)
Soto
Speier
Stefanik
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Zeldin

NOT VOTING—18

Barton
Blackburn
Ellison
Eshoo
Gabbard
Gutiérrez
Harper

Hunter
Jones
Labrador
Lujan Grisham,
M.
Moulton
Nolan

Olson
Rokita
Rush
Walz
Williams

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶136.11 H. RES. 1099—UNFINISHED
BUSINESS

The SPEAKER pro tempore, Mr. Jody B. HICE of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 1099) providing for the concurrence by the House in the

Senate amendment to H.R. 6, with an amendment.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 393
affirmative } Nays 8

¶136.12 [Roll No. 415]

YEAS—393

Abraham	Conaway	Green, Gene
Adams	Connolly	Griffith
Aderholt	Cook	Grijalva
Aguilar	Cooper	Grothman
Allen	Correa	Guthrie
Amodei	Costa	Hanabusa
Arrington	Costello (PA)	Handel
Babin	Courtney	Harris
Bacon	Cramer	Hartzler
Balderson	Crawford	Hastings
Banks (IN)	Crist	Heck
Barletta	Crowley	Hensarling
Barr	Cuellar	Herrera Beutler
Barragán	Culberson	Hice, Jody B.
Bass	Cummings	Higgins (LA)
Beatty	Curbelo (FL)	Higgins (NY)
Bera	Curtis	Hill
Bergman	Davidson	Himes
Beyer	Davis (CA)	Holding
Bilirakis	Davis, Danny	Hollingsworth
Bishop (GA)	Davis, Rodney	Hoyer
Bishop (MI)	DeFazio	Hudson
Bishop (UT)	DeGette	Huffman
Black	Delaney	Huizenga
Blum	DeLauro	Hultgren
Blumenauer	DelBene	Hurd
Blunt Rochester	Denham	Issa
Bonamici	DeSaulnier	Jackson Lee
Bost	DesJarlais	Jayapal
Boyle, Brendan	Deutch	Jeffries
F.	Diaz-Balart	Jenkins (KS)
Brady (PA)	Dingell	Jenkins (WV)
Brady (TX)	Dongett	Johnson (GA)
Brat	Donovan	Johnson (LA)
Brooks (AL)	Doyle, Michael	Johnson (OH)
Brooks (IN)	F.	Johnson, E. B.
Brown (MD)	Duffy	Johnson, Sam
Brownley (CA)	Duncan (SC)	Jordan
Buchanan	Duncan (TN)	Joyce (OH)
Buck	Dunn	Kaptur
Bucshon	Emmer	Katko
Budd	Engel	Keating
Burgess	Españillat	Kelly (IL)
Bustos	Estes (KS)	Kelly (MS)
Butterfield	Esty (CT)	Kelly (PA)
Byrne	Evans	Kennedy
Calvert	Faso	Khanna
Capuano	Ferguson	Kihuen
Carbajal	Fitzpatrick	Kildee
Cárdenas	Fleischmann	Kilmer
Carson (IN)	Flores	Kind
Carter (GA)	Fortenberry	King (IA)
Carter (TX)	Foster	King (NY)
Cartwright	Fox	Kinzinger
Castor (FL)	Frankel (FL)	Knight
Chabot	Frelinghuysen	Krishnamoorthi
Chu, Judy	Fudge	Kuster (NH)
Cicilline	Gallagher	Kustoff (TN)
Clark (MA)	Gallego	LaHood
Clarke (NY)	Garamendi	LaMalfa
Clay	Gianforte	Lamb
Cleaver	Gibbs	Lamborn
Cloud	Gonzalez (TX)	Lance
Coffman	Goodlatte	Langevin
Cohen	Gottheimer	Larsen (WA)
Cole	Gowdy	Larson (CT)
Collins (GA)	Graves (GA)	Latta
Collins (NY)	Graves (LA)	Lawrence
Comer	Graves (MO)	Lawson (FL)
Comstock	Green, Al	Lee

Lesko	Paulsen
Levin	Payne
Lewis (GA)	Pearce
Lewis (MN)	Perlmutter
Lieu, Ted	Perry
Lipinski	Peters
LoBiondo	Peterson
Loeb	Pingree
Loeb	Pittenger
Lofgren	Pocan
Long	Poe (TX)
Loudermilk	Poliquin
Love	Polis
Lowenthal	Posey
Lowe	Price (NC)
Lucas	Quigley
Luetkemeyer	Raskin
Luján, Ben Ray	Ratcliffe
Lynch	Reed
MacArthur	Reichert
Maloney,	Renacci
Carolyn B.	Rice (NY)
Maloney, Sean	Rice (SC)
Marchant	Richmond
Marino	Roby
Marshall	Roe (TN)
Mast	Rogers (AL)
Matsui	Rogers (KY)
McCarthy	Rohrabacher
McCaul	Rooney, Francis
McCollum	Rooney, Thomas
McEachin	J.
McGovern	Ros-Lehtinen
McHenry	Rosen
McKinley	Roskam
McMorris	Ross
Rodgers	Rothfus
McNerney	Rouzer
McSally	Roybal-Allard
Meadows	Royce (CA)
Meeks	Ruiz
Meng	Ruppersberger
Messer	Russell
Mitchell	Rutherford
Moolenaar	Ryan (OH)
Mooney (WV)	Sánchez
Moore	Sarbanes
Mullin	Scalise
Murphy (FL)	Schakowsky
Nadler	Schiff
Napolitano	Schneider
Neal	Schrader
Newhouse	Schweikert
Noem	Scott (VA)
Norcross	Scott (VA)
Norman	Scott, Austin
Nunes	Scott, David
O'Halleran	Sensenbrenner
O'Rourke	Serrano
Palazzo	Sessions
Pallone	Sewell (AL)
Palmer	Shea-Porter
Panetta	Sherman
Pascarella	Shimkus

NAYS—8

Amash	Garrett	McClintock
Biggs	Gosar	Sanford
Gaetz	Massie	
Barton	Gomez	Nolan
Blackburn	Granger	Olson
Blackburn	Gutiérrez	Pelosi
Castro (TX)	Harper	Rokita
Cheney	Hunter	Rush
Clyburn	Jones	Walz
Demings	Labrador	Williams
Ellison	Lujan Grisham,	Wilson (FL)
Eshoo	M.	
Gabbard	Moulton	
Gohmert		

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶136.13 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mr. HULTGREN, laid before the House a communication, which was read as follows:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, September 27, 2018.

Hon. PAUL RYAN,
Speaker of the House, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: On September 27, 2018, pursuant to section 3307 of title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider 19 resolutions included in the General Services Administration's Capital Investment and Leasing Programs.

The Committee continues to work to reduce the cost of federal property and leases. The 19 resolutions considered include 11 alteration prospectuses, five lease prospectuses, and two construction prospectuses and represent \$700 million in savings from avoided lease costs and space reductions.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on September 27, 2018.

Sincerely,

BILL SHUSTER,
Chairman.

Enclosures.

COMMITTEE RESOLUTION

ALTERATION—CONSOLIDATION ACTIVITIES PROGRAM, VARIOUS BUILDINGS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for the reconfiguration and renovation of space within government-owned and leased buildings during Fiscal Year 2019 to improve space utilization, optimize inventory, and decrease reliance on leased space at a total cost of \$70,000,000, a prospectus for which is attached to and included in this resolution.

Provided, that an Expenditure Plan be submitted to the Committee prior to the expenditure of any funds.

Provided, that consolidation projects result in reduced annual rent paid by the tenant agency.

Provided, that no consolidation project exceeds \$20,000,000 in costs.

Provided further, that preference is given to consolidation projects that achieve an office utilization rate of 130 usable square feet or less per person.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

GSA

PBS

**PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PCA-0001-MU19

FY 2019 Project Summary

The General Services Administration (GSA) proposes the reconfiguration and renovation of space within Government-owned and leased buildings during fiscal year (FY) 2019 to support GSA's ongoing consolidation efforts to improve space utilization, optimize inventory, decrease reliance on leased space, and reduce the Government's environmental footprint.

Since inception of the Consolidation Activities Program in FY 2014, GSA has received \$263 million in support of the program. Through FY 2017, the Consolidation Activities Program has funded 78 projects. When complete, the 78 projects will result in more than a 1.67 million usable square foot (USF) reduction, reduce agency rental payments to GSA by \$66 million annually, and generate \$132 million in annual Government lease cost avoidance.

FY 2019 Committee Approval and Appropriation Requested\$70,000,000

Program Summary

As part of its ongoing effort to improve space utilization, optimize inventory, decrease reliance on leased space, and reduce the Government's environmental footprint, GSA is identifying consolidation opportunities within its inventory of real property assets. These opportunities are presented through surveys and studies, partnering with customer agencies, and through agency initiatives. Projects will vary in size by location and agency mission and operations; however, no single project will exceed \$20 million in GSA costs. Funds will support consolidation of customer agencies and will not be available for GSA internal consolidations. Preference will be given to projects that result in an office utilization rate of 130 USF per person or less and a total project payback period of 10 years or less.

Typical projects include the following:

- Reconfiguration and alteration of existing Federal space to accommodate incoming agency relocation/consolidation. (Note: may include reconfigurations of existing occupied Federal tenant space); and
- Incidental alterations and system upgrades, such as fire sprinklers or heating, ventilation, and air conditioning, needed as part of relocation and consolidation.

Projects will be evaluated using the following criteria:

- Preference will be given to projects that are identified as a reduction opportunity by both GSA and the subject agency, and that meet the other criteria.
- Proposed consolidation projects will result in a reduction in annual rent paid by the impacted customer agency.

GSA

PBS

**PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PCA-0001-MU19

- Preference is given to consolidations within or into owned buildings over consolidations within or into leased space.
- Consolidation of expiring leases into owned buildings will be given preference over those business cases for lease cancellations that include a cancellation cost.
- Co-location with other agencies with shared resources and special space will be given preference.
- Links to other consolidation projects will be given preference.

Justification

GSA continually analyzes opportunities to improve space utilization and realize long-term cost savings for the Government. Funding for space consolidations is essential so that GSA can execute those opportunities.

Projects funded under this authorization will enable agencies to consolidate within Government-controlled leased space or relocate from either Government-controlled leased or federally owned space to federally owned space that more efficiently meets mission needs. These consolidations will result in improved space utilization, cost savings for the American taxpayers, and a reduced environmental impact.

GSA

PBS

PROSPECTUS - ALTERATION
CONSOLIDATION ACTIVITIES PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PCA-0001-MU19

Certification of Need

Current administration and congressional initiatives call for improved space utilization, lower costs for the Government, and a reduced environmental footprint. GSA has determined that the proposed consolidation program is the most practical solution to meeting those goals.

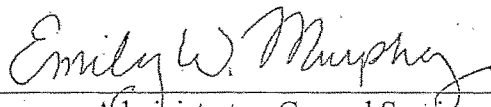
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—FIRE PROTECTION AND LIFE
SAFETY PROGRAM, VARIOUS BUILDINGS

*Resolved by the Committee on Transportation
and Infrastructure of the U.S. House of Rep-*

resentatives, that pursuant to 40 U.S.C. 3307,
appropriations are authorized for repairs and
alterations to upgrade, replace, and improve
fire protection systems and life safety fea-
tures in government-owned buildings during

Fiscal Year 2019 at a total cost of \$30,000,000,
a prospectus for which is attached to and in-
cluded in this resolution.

GSA

PBS

**PROSPECTUS - ALTERATION
FIRE PROTECTION AND LIFE SAFETY PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PFP-0001-MU19

FY 2019 Project Summary

This prospectus proposes alterations to upgrade, replace, and improve fire protection systems and life safety features in Government-owned buildings during fiscal year (FY) 2019.

Since FY 2010, the General Services Administration (GSA) has received \$94,000,000 in support of this program. These funds supported 87 projects in over 72 Government-owned buildings.

FY 2019 Committee Approval and Appropriation Requested.....\$30,000,000

Program Summary

As part of its fire protection and life safety efforts, GSA currently is identifying projects in Federal buildings throughout the country through surveys and studies. These projects will vary in size, location, and delivery method. The approval and appropriation requested in this prospectus is for a diverse set of retrofit projects with engineering solutions to reduce fire and life safety hazards. Typical projects include:

- Replacing antiquated fire alarm and detection systems that are in need of repair or for which parts are no longer available.
- Installing emergency voice communication systems to facilitate occupant notification and evacuation in Federal buildings during an emergency.
- Installing or expanding, as necessary, fire sprinkler systems to provide a reasonable degree of protection for life and property from fire in Federal buildings.
- Constructing additional exit stairs or enclosing existing exit stairs to facilitate the safe and timely evacuation of building occupants in the event of an emergency.

Justification

GSA periodically assesses all facilities using technical professionals to identify hazards and initiate correction or risk-reduction protection strategies so that its buildings do not present an unreasonable risk to GSA personnel, occupant agencies, or the general public. Completion of these proposed projects will improve the overall level of safety from fire and similar risks in federally owned buildings in GSA's portfolio nationwide.

GSA

PBS

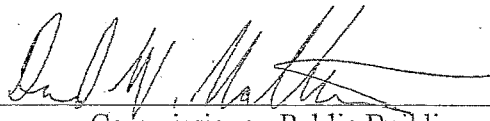
**PROSPECTUS - ALTERATION
FIRE PROTECTION AND LIFE SAFETY PROGRAM
VARIOUS BUILDINGS**

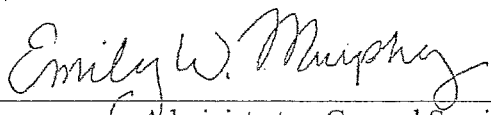
Prospectus Number: PFP-0001-MU19

Certification of Need

Over the years, a number of fire protection and life safety issues have been identified that need to be addressed to reduce fire risk. The proposed program is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: 
Commissioner, Public Buildings Service

Approved: 
Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—JUDICIARY CAPITAL SECURITY
PROGRAM, VARIOUS BUILDINGS

*Resolved by the Committee on Transportation
and Infrastructure of the U.S. House of Rep-*

resentatives, that pursuant to 40 U.S.C. 3307,
appropriations are authorized for alterations
to improve physical security in government-
owned buildings occupied by the Judiciary
and U.S. Marshals Service during Fiscal

Year 2019 in lieu of future construction of
new facilities at a total cost of \$11,500,000, a
prospectus for which is attached to and in-
cluded in this resolution.

GSA

PBS

**PROSPECTUS - ALTERATION
JUDICIARY CAPITAL SECURITY PROGRAM
VARIOUS BUILDINGS**

Prospectus Number: PJCS-0001-MU19

FY 2019 Project Summary

This prospectus proposes alterations to improve physical security in Government-owned buildings occupied by the Judiciary and the Department of Justice–U.S. Marshals Service (USMS) during fiscal year (FY) 2019.

Since FY 2012, GSA has received \$106,700,000 in support of this program. These funds supported 11 projects.

FY 2019 Committee Approval and Appropriation Requested..... \$11,500,000

Program Summary

The Judiciary Capital Security Program is dedicated to improving physical security in buildings occupied by the Judiciary and USMS. In most cases, these projects are in lieu of constructing new facilities, thereby providing cost savings and expedited delivery. These projects will vary in size, location, and delivery method and are designed to improve the separation of circulation for the public, judges, and prisoners. Funding provided for the security improvement projects will address elements such as adding doors, reconfiguring or adding corridors, reconfiguring or adding elevators and sallyports, and constructing physical or visual barriers.

Justification

This program provides a vehicle for addressing security deficiencies in a timely and less costly manner when constructing a new courthouse is unlikely in the foreseeable future. The projects in this program are based on studies undertaken by the Judiciary. This prospectus requests separate funding to address security conditions at existing Federal courthouses. The Judiciary's asset management planning process helps in the compilation of a preliminary assessment of potential projects that involve courthouses with poor security ratings nationwide.

GSA

PBS

PROSPECTUS - ALTERATION
JUDICIARY CAPITAL SECURITY PROGRAM
VARIOUS BUILDINGS

Prospectus Number: PJCS-0001-MU19

Certification of Need

Over the years, a number of security issues have been identified that need to be addressed to reduce risk to physical security. The proposed program is the best solution to meet a validated Government need.

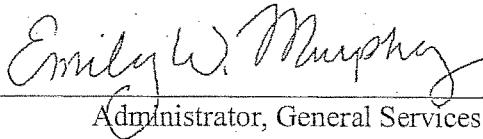
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION
ALTERATION—DENVER FEDERAL CENTER
BUILDING 48, LAKEWOOD, CO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for repairs and alterations for the full modernization of and to convert Building 48 from a vacant warehouse building into a fully occupied office building, including upgrading building systems and the fire suppression system, repairing structural and architectural deficiencies,

installing an elevator, abating hazardous materials, and improving landscaping and underground utilities at the Denver Federal Center located at West 6th Avenue and Kipling Street in Lakewood, Colorado at a design cost of \$3,821,000, an estimated construction cost of \$40,516,000 and a management and inspection cost of \$2,698,000 for a total estimated project cost of \$47,035,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other

agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

PBS

**PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 48
LAKEWOOD, CO**

Prospectus Number: PCO-0522-LA19
Congressional District: 7

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for a full modernization of Building 48 at the Denver Federal Center (DFC), located at West 6th Avenue and Kipling Street in Lakewood, CO. The project will convert Building 48 from a vacant warehouse building into a fully occupied Class A office building. The proposed project will upgrade building systems and the fire suppression system, repair structural and architectural deficiencies, install an elevator, abate hazardous materials, and improve landscaping and underground utilities. This project will provide an efficient office layout that both reduces agency utilization rates and allows for the backfill of approximately 149,000 rentable square feet (RSF) of vacant federally owned space. The renovated space will be occupied by the Department of the Interior (DOI) – Interior Business Center (IBC), which is currently housed in leased space. Relocation of IBC to Building 48 provides an annual lease cost avoidance of approximately \$4,600,000 and an annual agency rent savings of approximately \$1,200,000.

FY 2019 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection)\$47,035,000

Major Work Items

Electrical, heating, ventilation and air conditioning (HVAC), plumbing, and fire protection systems replacement; roof replacement; exterior closure repairs and replacement; interior construction; paving and landscaping; interior finishes; structural upgrades; demolition; utilities relocation; and elevator installation

Estimated Project Budget

Design	\$ 3,821,000
Estimated Construction Cost (ECC)	40,516,000
Management & Inspection (M&I)	<u>2,698,000</u>
Estimated Total Project Cost (ETPC)*	\$47,035,000

*Tenant agency may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2019	FY 2022

GSA

PBS

**PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 48
LAKEWOOD, CO**

Prospectus Number: PCO-0522-LA19
Congressional District: 7

Building

Building 48 is part of the DFC's main campus and contains 154,422 gross square feet. The first section of the building was originally constructed in 1941 as part of the Denver Ordinance Plant, with additions made in the 1950s, 1960s, and in 1971. The building is predominantly warehouse space that was formerly occupied by the National Archives and Records Administration (NARA), which moved to a new location in 2013.

Tenant Agencies

Department of the Interior – Interior Business Center

Proposed Project

The project proposes a full modernization of Building 48 to renovate approximately 149,000 RSF of space, including the addition of a main entrance with an atrium to provide for daylighting. A below-grade courtyard will provide access and natural light for the basement-level office space with new windows and landscaping. This project will allow for a higher density open office environment and the relocation of the IBC from leased space.

Exterior walls will be insulated, repaired, and re-caulked, and the masonry will be repointed. All exterior windows will be replaced with efficient insulated glazing. Additional windows will be added to increase natural light. The entire roof and roof drain system will be replaced with skylights and solar tubes to provide top lighting, thereby increasing daylight penetration into the building's interior spaces. The project also will replace exterior stairs, railings, ramps, and sidewalks. A parking lot to accommodate approximately 500 parking spaces will be constructed. Site utilities will be replaced and relocated.

The basement will be built out and used for office space. To accommodate the use of the basement, a passenger elevator will be installed. Walls that do not provide structural support will be removed to create an open office area. Some loading docks will be removed, and the remaining docks will have new levelers, seal enclosures on doors, and electric vehicle charging stations installed. There also will be structural repairs and upgrades to provide sufficient support to the existing structure and additions.

The plumbing systems for hot water, chilled water, and sanitary sewer piping will be replaced, along with two domestic hot water heaters and gas piping. The project also includes an energy-efficient cooling and heating system with appropriate air distribution and building automation system, new electrical system, emergency power, a lighting

GSA

PBS

**PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 48
LAKEWOOD, CO**

Prospectus Number: PCO-0522-LA19
Congressional District: 7

system, a telecom room and equipment, security access control equipment, and a lightning protection system. Fire protection upgrades, including fire sprinklers and new fire alarm, will be installed. Architectural Barriers Act Accessibility Standards requirements will be addressed by automatic entrances, audible and visual notification systems, egress doors, larger stairwells, and accessible restrooms and parking spaces. The project also will abate hazardous materials encountered during construction.

Major Work Items

Electrical Replacement	\$7,979,000
HVAC Replacement	8,486,000
Interior Finishes	5,453,000
Plumbing Replacement	4,171,000
Interior Construction	2,378,000
Paving and Landscaping	2,975,000
Exterior Closures Repairs and Replacement	2,305,000
Structural Upgrades	1,453,000
Fire Protection Replacement	607,000
Demolition	3,962,000
Roof Replacement	455,000
Utilities Relocation	292,000
Total ECC	\$40,516,000

Justification

Building 48 was occupied by NARA for approximately 50 years and has been vacant for approximately 3 years. The building is predominantly warehouse space and is essentially a building shell that requires a complete modernization to facilitate the backfill.

Completion of this project reduces vacant space by approximately 149,000 RSF and eliminates approximately \$5 million in future annual lease payments to the private sector. IBC is currently housed in three leased locations and experiencing growth. GSA has been working closely with IBC since 2009 to create a solution that will allow it to consolidate its leases, provide more efficient work space, and upgrade its space to meet the modern day demands of running its business.

This project will provide IBC with a higher quality, more efficient work environment, progressive alternative workplace arrangements with shared resources, open office space, flexible conference rooms, and collaboration areas, in addition to telework and office

GSA

PBS

**PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 48
LAKEWOOD, CO**

Prospectus Number: PCO-0522-LA19
Congressional District: 7

sharing. IBC will be closer to the other DOI bureaus and offices at the DFC, thereby providing easier access to its services.

The proposed full modernization of Building 48 will transform a deteriorating core asset at the heart of one of the country's largest Federal Government campuses into a high-performing LEED Gold facility capable of housing Class A office space for at least the next 30 years.

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years):

None

Alternatives Considered (30-year, present value cost analysis)

Alteration:	\$76,036,000
Lease	\$179,994,000
New Construction:	\$109,031,000

The 30-year, present value cost of alteration is \$103,958,000 less than the cost of leasing, with an equivalent annual cost advantage of \$3,465,000.

Recommendation

ALTERATION

GSA

PBS

PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 48
LAKEWOOD, CO

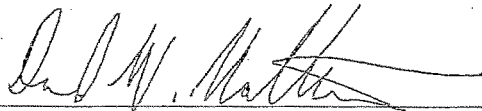
Prospectus Number: PCO-0522-LA19
Congressional District: 7

Certification of Need

The proposed project is the best solution to meet a validated Government need.

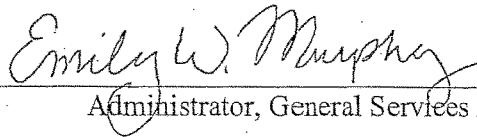
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION
ALTERATION—DENVER FEDERAL CENTER
BUILDING 53, LAKEWOOD, CO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for the partial modernization of Building 53, including upgrading building systems and backfilling vacant space at the Denver Federal Center located at West 6th

Avenue and Kipling Street in Lakewood, Colorado at a design cost of \$3,464,000, an estimated construction cost of \$38,306,000 and a management and inspection cost of \$2,757,000 for a total estimated project cost of \$44,527,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

PBS

**PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 53
LAKEWOOD, CO**

Prospectus Number: PCO-0530-LA19
Congressional District: 7

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for a partial modernization and backfill of Building 53 at the Denver Federal Center (DFC) located at West 6th Avenue and Kipling Street in Lakewood, CO. The proposed project will upgrade building systems and backfill vacant space. This project will provide a more efficient layout that both reduces agency utilization rates and allows for the recapture of and backfill of approximately 164,000 rentable square feet of vacant federally owned space. The vacant space will be occupied by the Department of the Interior (DOI) – Business Integration Office (BIO), DOI – Fish & Wildlife Service (FWS), and DOI – Office of Chief Information Officer (OCIO). Relocation of FWS and OCIO to Building 53 provides an annual lease cost avoidance of approximately \$3,000,000 and an annual agency rent savings of approximately \$600,000.

FY 2019 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection)\$44,527,000

Major Work Items

Electrical, heating, ventilation and air conditioning (HVAC), roof, fire protection, and plumbing systems replacements; exterior closure repairs; interior finishes; paving, landscaping and site utilities; structural upgrades; and elevator repair and installation

Estimated Project Budget

Design	\$ 3,464,000
Estimated Construction Cost (ECC)	38,306,000
Management & Inspection (M&I)	2,757,000
Estimated Total Project Cost (ETPC)*	\$44,527,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2019	FY 2022

GSA

PBS

**PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 53
LAKEWOOD, CO**

Prospectus Number: PCO-0530-LA19
Congressional District: 7

Building

Building 53 is part of the DFC's main campus and contains 387,826 gross square feet. The building was originally constructed in 1941 as part of the Denver Ordinance Plant. The building is a two-story brick structure with predominantly office space and some lab and warehouse space.

Tenant Agencies

Department of Agriculture – Forest Service, Natural Resources Conservation Service; Department of Health and Human Services – Office of the Secretary, Centers for Disease Control and Prevention; Department of Labor – Office of Inspector General, Employee Standards Administration, Office of Workers Compensation Program; Department of the Interior – Geological Survey, Bureau of Land Management, National Park Service, Bureau of Reclamation, Office of the Secretary, Office of Natural Resources and Revenue, BIO, FWS, OCIO; Department of Transportation – Pipeline and Hazardous Materials Safety Administration; Department of Veterans Affairs – Office of Information and Technology, Veteran Benefits Administration; Department of Homeland Security – Federal Protective Service; Environmental Protection Agency; Department of Defense – Defense Civilian Personnel Advisory Service; Small Business Administration; GSA – Public Buildings Service Field Office, Retail Service.

Proposed Project

This project will allow for a higher density open office environment and the relocation of FWS and OCIO from leased space. BIO also will be relocating from other Government-owned space at the DFC.

In addition to vacant space recapture, the following work will take place in the vacant space to be backfilled, as well as the common spaces: replace electrical power devices, cables, and telephone and data systems; replace light fixtures, lighting controls and related cable; upgrade the cooling and heating system equipment, controls and air distribution; and fire protection upgrades, including fire sprinklers and alarms. The plumbing systems for hot water and chilled water and plumbing fixtures will be replaced.

The project includes paving and landscaping for a parking lot to accommodate approximately 65 vehicles and relocation of utilities to provide lighting for the parking lot.

The foundation and floor slab will be repaired throughout the building, as required. The project includes replacement of the sanitary sewer system for the entire building, the roof,

GSA

PBS

**PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 53
LAKEWOOD, CO**

Prospectus Number: PCO-0530-LA19
Congressional District: 7

and the exterior windows, which replacement will include efficient insulated glazing. Exterior walls will be insulated and repaired, the masonry will be re-caulked and repointed, and some exterior doors will be replaced. All restrooms will be upgraded with new finishes. The existing elevators will be upgraded and one new elevator will be installed at the main entrance.

Major Work Items

Electrical Replacement	\$10,385,000
Interior Finishes	7,655,000
HVAC Replacement	3,266,000
Exterior Closures Repairs and Replacement	5,312,000
Roof Replacement	5,043,000
Fire Protection Replacement	2,272,000
Plumbing Replacement	1,605,000
Paving, Landscaping and Site Utilities	1,268,000
Structural Upgrades	945,000
Elevator Repair and Installation	<u>555,000</u>
Total ECC	\$38,306,000

Justification

The building has not undergone significant reinvestment since originally constructed in 1941. Many of its systems no longer meet the current code requirements or have exceeded their useful life, and replacement parts are expensive and difficult to find. DOI is the largest tenant on the DFC and is actively working with GSA to reduce its footprint and eliminate multiple private sector leases. This project will provide a high-quality, more efficient work environment, the ability to embrace new technologies, and better space layout. This allows increased collaboration and coordination among DOI's bureaus to better fulfill their missions and goals. These moves are part of the GSA and DOI long-term strategic plan for the DFC and will transform a deteriorating core asset into a high-performing facility that will continue operating for at least another 30 years.

The lighting, electrical system, and various components of the HVAC system are beyond their useful lives and need to be brought up to current design standards. Currently, there is no emergency generator to support the building. The windows are outdated and do not meet required thermal and infiltration performance levels. The roof is in poor condition and beyond its useful life, and the building envelope needs to be sealed to prevent water infiltration into customer space and avoid further work outages. The fire protection system is outdated and will be upgraded in renovated space and common areas. The

GSA

PBS

**PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 53
LAKEWOOD, CO**

Prospectus Number: PCO-0530-LA19
Congressional District: 7

sewer piping is at the end of its useful life and needs to be replaced. New domestic water supply and fixtures will be required for newly renovated areas, as well as common areas. An additional parking area is needed to accommodate the increased number of tenants. The floor is uneven in some areas and the floor slab is cracking and heaving. The existing elevators are in need of upgrades, in addition to a new passenger elevator to better distribute upper level access across the building.

Undertaking the necessary infrastructure improvements will reduce greenhouse gas emissions, improve energy efficiency, reduce maintenance costs, help facilitate long-term tenancy, and meet customer agency needs.

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years):

None

Alternatives Considered (30-year, present value cost analysis)

Alteration	\$ 65,113,000
Lease	\$308,688,000
New Construction	\$199,403,000

The 30-year, present value cost of alteration is \$243,575,000 less than the cost of leasing, with an equivalent annual cost advantage of \$8,119,000.

Recommendation

ALTERATION

GSA

PBS

PROSPECTUS – ALTERATION
DENVER FEDERAL CENTER BUILDING 53
LAKEWOOD, CO

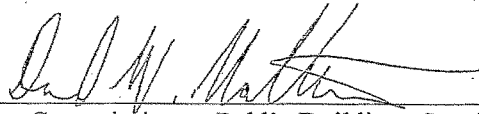
Prospectus Number: PCO-0530-LA19
Congressional District: 7

Certification of Need

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—LYNDON BAINES JOHNSON
FEDERAL BUILDING, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for realigning and reconfiguring approximately 286,000 usable square feet of Department of Education-occupied space and upgrading or replacing multiple building sys-

tems at the Lyndon Baines Johnson Federal Building located at 400 Maryland Avenue, SW in Washington, D.C. at an additional design cost of \$1,266,000, an estimated construction cost of \$30,431,000, a management and inspection cost of \$825,000 for a total additional project cost of \$32,522,000 and a total estimated project cost of \$36,722,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other

agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

PBS

**PROSPECTUS – ALTERATION
LYNDON BAINES JOHNSON FEDERAL BUILDING
WASHINGTON, DC**

Prospectus Number: PDC-0010-WA19

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for the Lyndon Baines Johnson (LBJ) Federal Building located at 400 Maryland Avenue, SW, Washington, DC. The proposed project will realign and reconfigure approximately 286,000 usable square feet (USF) of Department of Education (Education)-occupied space and upgrade or replace multiple building systems. The proposed renovation will support GSA and Education's ongoing efforts to improve Education's utilization of space and generate an annual lease cost avoidance of approximately \$6,500,000 and an annual agency rent savings of approximately \$3,000,000.

FY 2019 Committee Approval and Appropriation Requested

(Additional Design, Construction, Management & Inspection).....\$32,522,000

Major Work Items

Electrical, heating, ventilation and air conditioning (HVAC), fire and life safety, and plumbing systems upgrades/replacements; demolition; interior construction

Project Budget

Design (FY 2018)	\$ 4,200,000
Design	1,266,000
Estimated Construction Cost (ECC)	30,431,000
Management and Inspection (M&I)	825,000
Estimated Total Project Cost (ETPC)*	\$36,722,000

*The tenant agency may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule

	Start	End
Design	FY 2018	FY 2019
Construction	FY 2019	FY 2023

Building

Constructed in 1959, the LBJ Federal Building consists of 640,332 gross square feet and 386,635 USF. The building has seven floors occupied above grade, plus a mechanical penthouse, and two levels below grade, including the basement parking area. The property is across the street from the Smithsonian's Air and Space Museum, as well as the National Museum of the American Indian. A planned memorial to President Dwight D.

GSA

PBS

**PROSPECTUS – ALTERATION
LYNDON BAINES JOHNSON FEDERAL BUILDING
WASHINGTON, DC**

Prospectus Number: PDC-0010-WA19

Eisenhower is expected to be constructed in the next few years on the north side of the LBJ Federal Building.

Tenant Agencies

Department of Education

Proposed Project

The project proposes to renovate and reconfigure floors 3, 4, 6, and 7 of the existing building, resulting in an open office environment with sufficient work and meeting space to meet Education's programmatic requirements in a much more efficient manner while consolidating personnel from leased space.

The majority of the building system capacities will meet the forecast demand after consolidation, but a few system upgrades are needed. These upgrades include the HVAC controls, new power distribution circuits and breaker ties, open mobile workspace construction, and a new generator.

The proposed project also includes life safety items, such as new fire alarm annunciators and replacement of equipment in fire control rooms, and items to improve energy efficiency. Additionally, the switchgear replacement project will replace the medium and low voltage switchgear and network transformers and protectors, and upgrade the monitoring devices within the switchgears to be compatible with GSA requirements for the advanced metering systems.

Major Work Items

Electrical Upgrades	\$ 21,603,000
Interior Alterations	6,892,000
Life Safety Upgrades	974,000
Plumbing Upgrades	<u>962,000</u>
TOTAL ECC	\$30,431,000

Justification

The proposed project will increase the utilization of the LBJ Federal Building, thereby allowing Education to use the space more efficiently and cost effectively and reduce its reliance on privately owned leased space. This reduction will further reduce the Government's real estate footprint and save the taxpayer's money.

GSA

PBS

**PROSPECTUS – ALTERATION
LYNDON BAINES JOHNSON FEDERAL BUILDING
WASHINGTON, DC**

Prospectus Number: PDC-0010-WA19

The existing medium- and low-voltage switchgear is obsolete and lacks the safety features and equipment required. Upgrading the current equipment will achieve at least another 20 years of reliable service.

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years):

None

Alternatives Considered (30-year, present value cost analysis)

Alteration:	\$314,697,947
Lease	\$580,101,162
New Construction:	\$325,073,546

The 30-year, present value cost of alteration is \$265,403,215 less than the cost of leasing, with an equivalent annual cost advantage of \$13,192,970.

Recommendation

ALTERATION

GSA

PBS

PROSPECTUS – ALTERATION
LYNDON BAINES JOHNSON FEDERAL BUILDING
WASHINGTON, DC

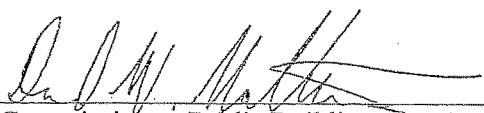
Prospectus Number: PDC-0010-WA19

Certification of Need

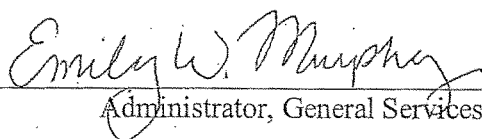
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended:


Commissioner, Public Buildings Service

Approved:


Administrator, General Services Administration

AMENDED COMMITTEE RESOLUTION

ALTERATION—MINTON-CAPEHART FEDERAL
BUILDING, INDIANAPOLIS, IN

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for structural and related system upgrades of the parking garage at the Minton-Capehart Federal Building located at 575 North Pennsylvania Street in Indianap-

olis, Indiana of a reduction in design cost of \$195,000, an additional estimated construction cost of \$3,358,000 and a reduction in management and inspection cost of \$6,000 for a total additional cost of \$3,157,000 and total estimated project cost of \$13,941,000, a prospectus for which is attached to and included in this resolution. This resolution amends the authorization of the Committee on May 25, 2016 of Prospectus No. PIN-0133-1N17.

Provided, that the General Services Administration shall not delegate to any other

agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

PBS

**AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN**

Prospectus Number: PIN-0133-IN19
Congressional District: 7

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to undertake structural and related system upgrades of the parking garage at the Minton-Capehart Federal Building located at 575 North Pennsylvania Street in Indianapolis, IN. The proposed project will address safety and operability issues of the rapidly deteriorating garage.

This prospectus amends Prospectus No. PIN-0133-IN17. GSA is requesting approval of an additional \$3,157,000 to account for cost escalations and refined project scope and budget.

FY 2019 Committee Approval Requested

(Construction) \$3,157,000¹

FY 2019 Committee Appropriation Requested

(Design, Construction, Management & Inspection) \$13,941,000

Major Work Items

Superstructure repairs and demolition; electrical and fire protection replacement/upgrades

Project Budget

Design	\$904,000
Estimated Construction Cost (ECC).....	12,165,000
Management and Inspection (M&I)	872,000
Estimated Total Project Cost (ETPC)*	\$13,941,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

¹ The amount approved for Design and Management and Inspection in Prospectus No. PIN-0133-IN17 by the House and Senate Committees includes \$201,000 (\$195,000 Design and \$6,000 Management and Inspection) more than the current estimate. The approval requested in this FY 2019 amended prospectus reflects the balance needed for the project, assuming reallocation of the previously approved \$195,000 from Design and \$6,000 from Management and Inspection to Construction.

GSA

PBS

**AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN**

Prospectus Number: PIN-0133-IN19
Congressional District: 7

Schedule

<u>Schedule</u>	Start	End
Design and Construction	FY 2019	FY 2022

Building

The Minton-Capehart Federal Building, built in 1974, is six stories above grade and includes a mezzanine and basement. The attached parking garage, which is original to the building, is two stories, with the first story partially below grade and partially exposed to the elements. The garage provides 464 parking spaces, which accommodates Government-owned, including law enforcement, vehicles, and 75 vehicles associated with the nearby Birch Bayh Federal Building and U.S. Courthouse tenants. The upper deck serves as a partial cover for the lower deck. The garage is elevated and entirely open to the atmosphere and elements. The garage's upper deck is joined to the Federal Building's first floor entry and plaza. The lower level has a dock area that is also attached to the Federal Building.

Tenant Agencies

Department of Housing and Urban Development, Department of Justice, Department of the Treasury, Department of Veterans Affairs, Department of Homeland Security, GSA, Department of Transportation, National Labor Relations Board, Social Security Administration, Department of Labor (parking only), and Judiciary (parking only)

Proposed Project

The proposed project scope includes concrete repairs and upgrades to lateral load resistance, which will extend the life of the parking structure for several decades. The upper level slab will be replaced, and a new membrane for vehicle bearing surfaces will be installed over the top of the new slab. Existing beams will be repaired or replaced at locations where concrete has spalled. New concrete shear walls will be constructed. The project also includes improvements to the supporting columns, shear walls, and exterior stairwells, as well as improvements to the lighting and fire protection and installation of bollards at the garage entrance and exits.

Major Work Items

Superstructure Repairs and Demolition	\$10,875,000
Electrical Replacement/Upgrades	771,000
Fire Protection Replacement/Upgrades	519,000
Total ECC	\$12,165,000

GSA

PBS

**AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN**

Prospectus Number: PIN-0133-IN19
Congressional District: 7

Justification

The garage is over 40 years old and is in urgent need of a major renovation. The garage is suffering from multiple concrete-related failures including: delamination on the floor slabs and beams, and slab reinforcement with extensive section loss; concrete spalling and delamination at some column facades; water leakage on the underside of the supported level; and deteriorated expansion joints. The current electrical infrastructure will be upgraded/replaced to meet current codes. The installation of bollards on both the entrance and exit ramps of the garage will enhance security.

Interim short-term repairs have been undertaken with minor repair and alteration program funds over the past decade in an attempt to address immediate safety measures. The corrosion, spalling, and delamination of the structure are threatening tenant and property safety. Sections of the garage have been closed due to the risk. Currently, two parking spaces in the lower level are closed due to falling concrete. Ten additional parking spaces in the lower level are closed due to water leaks from the upper deck that have damaged several vehicles. Until a major repair is completed, tenant safety will continue to be threatened, closures of sections of the garage will need to be continued and expanded, and degradation of the garage deck will continue.

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA

PBS

**AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN**

Prospectus Number: PIN-0133-IN19
Congressional District: 7

Prior Appropriations

None

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
House T&I	5/25/2016	\$10,784,000	Design = \$1,099,000 ECC = \$8,807,000 M&I = \$878,000
Senate EPW	5/18/2016	\$10,784,000	Design = \$1,099,000 ECC = \$8,807,000 M&I = \$878,000

Prior Prospectus-Level Projects in Building (past 10 years)

Prospectus	Description	FY	Amount
P.L. 111-5 (ARRA)	Modernization	2009	\$48,086,000

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation, and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSAPBS

AMENDED PROSPECTUS – ALTERATION
MINTON-CAPEHART FEDERAL BUILDING
INDIANAPOLIS, IN

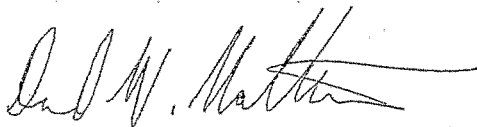
Prospectus Number: PIN-0133-IN19
Congressional District: 7

Certification of Need

The proposed project is the best solution to meet a validated Government need.

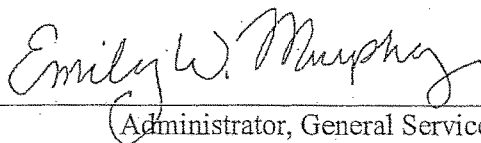
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION

ALTERATION—POTTER STEWART U.S.
COURTHOUSE, CINCINNATI, OH

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for a consolidation project that will relocate the U.S. Bankruptcy Court from leased space to owned space at the Pot-

ter Stewart U.S. Courthouse located in Cincinnati, Ohio at a design cost of \$3,086,000, an estimated construction cost of \$27,229,000, a management and inspection cost of \$2,570,000 for a total estimated project cost of \$32,885,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

PBS

**PROSPECTUS – ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH**

Prospectus Number: POH-0028-CN19
Congressional District: 1

FY 2019 Project Summary

The General Services Administration (GSA) proposes a consolidation project that will relocate the U.S. Bankruptcy Court (USBC) from over 38,000 usable square feet (USF) of leased space to approximately 21,000 USF in the Potter Stewart U.S. Courthouse (Potter Stewart Courthouse). The project will meet the long-term housing needs of USBC, decrease the Federal Government's reliance on leased space, reduce federally owned vacant space, and improve space utilization in the Potter Stewart Courthouse. Approximately \$1.6 million in annual lease costs will be avoided, with savings of approximately \$160,000 in annual agency rent payments.

FY 2019 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection)\$32,885,000

Major Work Items

Interior construction; demolition and hazardous materials abatement; heating, ventilation, and air conditioning (HVAC); electrical, plumbing and life safety upgrades

Project Budget

Design	\$3,086,000
Estimated Construction Cost (ECC)	27,229,000
Management & Inspection (M&I)	2,570,000
Estimated Total Project Cost (ETPC)*	\$32,885,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2019	FY 2024

Building

The Potter Stewart Courthouse, built in 1938, is a nine-story structure designed in the Art Modern style. The primary elevations are clad in limestone atop a granite base. The courthouse is approximately 529,000 gross square feet, with 11 outside parking spaces. It is located within Cincinnati's Central Business District and is listed in the National Register of Historic Places. It serves as the main office for the Sixth Circuit Court Executive. A service and pedestrian tunnel connects the building to the John Weld Peck Federal Building.

GSA

PBS

**PROSPECTUS – ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH**

Prospectus Number: POH-0028-CN19
Congressional District: 1

Tenant Agencies

Judiciary, Department of Justice, GSA

Proposed Project

The proposed project involves alterations to consolidate USBC's space into the Potter Stewart Courthouse from leased space. The construction will create two USBC courtrooms and chambers, clerk space, and shared support spaces. HVAC, electrical, plumbing, and life safety system upgrades required to house USBC in the courthouse also will be completed. To provide contiguous space for USBC, some of the existing customer agency space may be relocated within the courthouse.

Major Work Items

Interior Construction	\$21,411,000
Demolition /Hazardous Materials Abatement	1,825,000
HVAC Upgrades	2,630,000
Electrical Upgrades	1,128,000
Plumbing Upgrades	133,000
Life Safety Upgrades	<u>102,000</u>
Total ECC	\$27,229,000

Justification

The Potter Stewart Courthouse has approximately 30,000 USF of vacant space. USBC, which currently is in 38,000 USF of leased space, will backfill approximately 21,000 USF in the building once the project is completed. The majority of the remaining vacant space will be in the basement and sub-basement of the building. Bringing USBC into the Potter Stewart Courthouse will co-locate all of the judiciary's space in Cincinnati into one location and will avoid approximately \$1.6 million in annual lease costs.

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

GSA

PBS

**PROSPECTUS – ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH**

Prospectus Number: POH-0028-CN19
Congressional District: 1

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

Alteration	\$40,715,000
Lease	\$66,844,000
New Construction	\$45,072,000

The 30-year, present value cost of alteration is \$26,129,000 less than the cost of leasing, with an equivalent annual cost advantage of \$1,299,000.

Recommendation

ALTERATION

GSA

PBS

PROSPECTUS – ALTERATION
POTTER STEWART U.S. COURTHOUSE
CINCINNATI, OH

Prospectus Number: POH-0028-CN19
Congressional District: 1

Certification of Need

The proposed project is the best solution to meet a validated Government need.

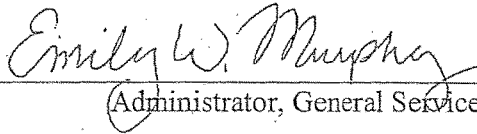
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

February 2018

Housing Plan
Potter Stewart U.S. Courthouse

POH-0028-CN19
Cincinnati, OH

	CURRENT			PROPOSED		
	Personnel		Usable Square Feet (USF) ¹	Personnel		Usable Square Feet (USF) ¹
	Office	Total	Office	Storage	Special	Total
Leased Location						
221 E. 4th St.						
Judiciary-U.S. Bankruptcy Court	25	25	38,305			
Subtotal	25	25	38,305			
Federally-owned Locations						
Potter Stewart U.S. Courthouse						
DOJ - U.S. Marshals Service	32	32	11,877	4,306		16,183
DOJ - Office of U.S. Attorneys	-	-	1,697	403		2,100
DHS - Federal Protective Service	-	-	-	225		225
GSA	8	8	4,917	88		5,005
Judiciary-U.S. District Court	53	53	23,843	2,346		26,189
Judiciary-U.S. Court of Appeals	144	144	38,785	2,992		41,777
Judiciary - Circuit Executive	21	21	10,361	5,591		15,952
Judiciary-Probation	22	22	10,705	1,303		12,008
Judiciary- Pretrial Services	4	4	1,693	-		1,693
U.S. Tax Court	-	-	42	-		42
Judiciary-U.S. Bankruptcy Court	-	-	-	-		-
Joint Use	-	-	2,928	316		3,244
Vacant	-	-	19,637	7,379		27,016
Subtotal	284	284	126,485	24,949		151,434
Total	309	309	164,790	24,949		189,739
Office Utilization Rate²						
Building Office Tenants (excluding Judiciary, Congress, and agencies with less than 10 employees)	Current	Proposed				
	290	290				
All Building Office Tenants (including Judiciary, Congress, and agencies with less than 10 employees)	Current	Proposed				
	347	292				
Total Building USF Rate³						
Building Tenants (excluding Judiciary, Congress, and agencies with less than 10 employees)	Current	Proposed				
	628	628				
Building Tenants (including Judiciary, Congress, and agencies with less than 10 employees)	Current	Proposed				
	983	918				

Special Space	USF
ADP	1,750
Conference/ Training	12,604
Courrooms/ Judiciary	27,791
Food Service	3,969
Fitness Center	2,754
Judge's Chambers	58,328
Judicial Hearing Room	2,713
Private Toilet	8,070
Structurally Changed	2,341
Tenant Floor Cnt	16,668
Total	136,986

Current Office UR excludes: 2,613 usf of office support space
Proposed Office UR excludes: 2,613 usf of office support space

Current Office UR excludes: 27,827 usf of office support space
Proposed Office UR excludes: 25,052 usf of office support space

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

² Office Utilization Rate = total office space available for office personnel. UR calculation excludes office support space USF.

³ Total Building USF Rate = total building USF (office, storage, special) available for all building occupants (office, and non-office personnel).

AMENDED COMMITTEE RESOLUTION

ALTERATION—CARL B. STOKES U.S.
COURTHOUSE, CLEVELAND, OH

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to complete, repair, and expand the plaza system at the Carl B. Stokes U.S. Courthouse located at the intersection of Superior Avenue and Huron Road in Cleveland,

Ohio of an additional design cost of \$342,000, an additional estimated construction cost of \$3,788,000 and an additional management and inspection cost of \$310,000 for a total additional cost of \$4,400,000 and total estimated project cost of \$19,964,000, a prospectus for which is attached to and included in this resolution. This resolution amends the authorization of the Committee on May 25, 2016 of Prospectus No. POH-0301-CL17.

Provided, that the General Services Administration shall not delegate to any other

agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

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**AMENDED PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH**

Prospectus Number: POH-0301-CL19
Congressional District: 11

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to complete, repair, and expand the plaza system at the Carl B. Stokes U.S. Courthouse (Stokes Courthouse) located at 801 W. Superior Avenue in Cleveland, OH. The completion of the proposed repairs will correct the ongoing deterioration of the plaza system, eliminate water infiltration into the building, and allow for the completion of the plaza toward Superior Avenue, which has remained unfinished since construction of the courthouse in 2002.

This prospectus amends Prospectus No. POH-0301-CL17. GSA is requesting approval of an additional \$4,440,000 to account for cost escalations and refined project scope.

FY 2019 Committee Approval Requested

(Design, Construction, and Management & Inspection).....\$4,440,000

FY 2019 Appropriation Requested

(Design, Construction, and Management & Inspection).....\$19,964,000

Major Work Items

Sitework

Project Budget

Design	\$1,855,000
Estimated Construction Cost (ECC)	16,515,000
Management and Inspection (M&I)	1,594,000
Estimated Total Project Cost (ETPC)	\$19,964,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2019	FY 2023

Building

The Stokes Courthouse is a 766,000 gross square foot building with 21 stories above grade and 3 below grade. Construction of the building was completed in 2002, and its

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**AMENDED PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH**

Prospectus Number: POH-0301-CL19
Congressional District: 11

primary function is to serve as a Federal courthouse. The Stokes Courthouse is located at the intersection of Superior Avenue and Huron Road. The existing plaza spans the front of the property along Huron Road and was originally designed to extend to the corner of Superior Avenue. The building acts as an anchor to the downtown area of Cleveland and is prominent in the city's skyline.

Tenant Agencies

Judiciary, Department of Justice, Senate, GSA

Proposed Project

The project proposes to repair the plaza at the Stokes Courthouse to eliminate water leaks and infiltration into the lower levels of the building. The scope includes refinishing and reinforcing the structural steel that supports the plaza, along with repairs to fireproofing and upgrading the surface parking lot.

The project also proposes to extend the currently incomplete plaza toward Superior Avenue as was envisioned in the original design. Due to a funding shortage when the building was originally constructed, a portion of the plaza was left unfinished.

Major Work Items

Sitework	\$16,515,000
Total ECC	\$16,515,000

Justification

The structural steel that supports the plaza is exposed to the elements and has been since the original construction. The steel has considerable rust damage, and the structural beams that support the plaza and connect into the parking garage are heavily corroded. Part of the unfinished plaza includes the base of the structural steel columns that are at grade with the Cleveland Regional Transit Authority train tracks and support beams that run above and across the train tracks. If the steel continues to be left unattended, it will become difficult to repair and will result in structural issues. The corroded steel is also very unsightly and detracts from the appearance of the courthouse.

The plaza has experienced excessive water infiltration in many areas that will worsen until repairs are completed. The leaks have been causing damage to the structure, interior finishes, and the fireproofing in the lower levels of the building.

GSA

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**AMENDED PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH**

Prospectus Number: POH-0301-CL19
Congressional District: 11

The plaza surrounding the Stokes Courthouse remains incomplete from the time of the original construction in 2002. The sidewalk on the northwest side of the site is built on a portion of the city-owned and controlled Huron Road. This sidewalk is the only way to access the building from the southeast intersection of Huron Road and Superior Avenue. Once the plaza is completed, the sidewalk will be returned to the city, and this will restore a lane of traffic on Huron Road. Completion of the plaza will protect the structural steel from future damage, improve pedestrian access to the building, incorporate the building into the surrounding urban environment, and significantly improve the appearance of the Stokes Courthouse. The building's location within the city acts as a prominent gateway for those entering into the city from the west. Unfortunately, this impression is lost when visitors reach the intersection of Huron Road and Superior Avenue, where the steel installed for the completion of the plaza is rusting and the appearance of the facility at street level is that of a public building that is difficult to approach.

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
House T&I	5/25/2016	\$15,524,000	Design = \$1,513,000 ECC = \$12,727,000 M&I = \$1,284,000
Senate EPW	5/18/2016	\$15,524,000	Design = \$1,513,000 ECC = \$12,727,000 M&I = \$1,284,000

Prior Prospectus-Level Projects in Building (past 10 years)

None

GSA

PBS

AMENDED PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH

Prospectus Number: POH-0301-CL19
Congressional District: 11

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This project is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSA

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AMENDED PROSPECTUS – ALTERATION
CARL B. STOKES U.S. COURTHOUSE
CLEVELAND, OH

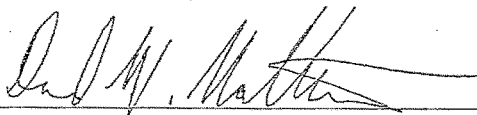
Prospectus Number: POH-0301-CL19
Congressional District: 11

Certification of Need

The proposed project is the best solution to meet a validated Government need.

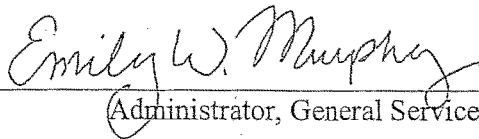
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION
ALTERATION—U.S. CUSTOM HOUSE,
PHILADELPHIA, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for repairs and alterations for repairing and replacing domestic and storm water systems and upgrading and replacing the heating, ventilation, and air conditioning system at the U.S. Custom

House located at 200 Chestnut Street in Philadelphia, Pennsylvania at a design cost of \$7,440,000, an estimated construction cost of \$78,025,000, a management and inspection cost of \$10,005,000 for a total estimated project cost of \$95,470,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

PBS

**PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA**

Prospectus Number: PPA-0144-PH19
Congressional District: 1

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project for the U.S. Custom House (Custom House) located at 200 Chestnut Street in Philadelphia, PA. The proposed project will repair/replace the building's domestic and storm water systems and upgrade/replace the heating, ventilation, and air conditioning (HVAC) system to a more efficient, modern design.

FY 2019 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection)\$95,470,000

Major Work Items

HVAC upgrades/replacement; interior construction; demolition/abatement; plumbing repair/replacement; electrical, fire and life safety system upgrades; and roof upgrades

Project Budget

Design	\$ 7,440,000
Estimated Construction Cost (ECC).....	78,025,000
Management & Inspection (M&I)	10,005,000
Estimated Total Project Cost (ETPC)	\$95,470,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2019	FY 2025

Building

The Custom House is a 19-story, approximately 565,000 gross square foot building located on the eastern side of the Philadelphia central business district. The building was originally constructed in 1934 and is primarily utilized as office space. The Custom House is listed in the National Register of Historic Places and is distinguished by an ornate, three-story rotunda situated in the main lobby.

GSA

PBS

**PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA**

Prospectus Number: PPA-0144-PH19
Congressional District: 1

Tenant Agencies

Department of Homeland Security, Department of Justice, Department of Health and Human Services, Department of the Interior, Department of State, Department of Agriculture, U.S. Tax Court, U.S. Senate, GSA

Proposed Project

The building is suffering from recurrent flooding caused by the aged domestic water piping system and significant temperature and indoor air quality issues caused by the insufficient and outdated HVAC system. Electrical system components will be replaced to support the HVAC systems. Mitigation of hazardous materials and associated sprinkler modifications will be accomplished in disturbed areas as part of the project.

To repair the building's domestic water system, the piping will need to be exposed, abated of asbestos, inspected, and repaired. Concurrently, the building's induction unit system will be removed, abated of asbestos, and upgraded to a four-pipe fan coil system. Due to the invasive nature of this work and the presence of hazardous materials, the majority of building tenants will be moved into internal swing space.

The less invasive aspects of the project include repairing the storm water system, replacing the building automation system, replacing the air handling units, partial conversion to variable air volume serving interior zones, replacing the heating and chilled water systems, and replacing the boilers.

As noted above, this renovation is in an occupied building so the proposed project includes allowances for internal swing space. The project minimizes tenant impact by using internal swing space and hazardous materials enclosures, as well as by completing the scope items together.

GSA

PBS

**PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA**

Prospectus Number: PPA-0144-PH19
Congressional District: 1

Major Work Items

HVAC Upgrades/Replacement	\$45,363,000
Interior Construction	16,491,000
Demolition/Abatement	9,360,000
Plumbing Repair/Replacement	3,624,000
Electrical Upgrades	2,225,000
Fire and Life Safety Upgrades	852,000
Roof Upgrades	<u>110,000</u>
Total ECC	\$78,025,000

Justification

The project will address the failing domestic water piping system that has flooded the building three times in the past 4 years, creating millions of dollars in damage to the building and personal property. The damage has displaced tenants for months at a time and interfered with their ability to carry out their missions. The threat of another major flood is imminent, and there is a serious risk that additional flooding could potentially damage the historic rotunda, which would be enormously costly to repair. If left unaddressed, the building could potentially become uninhabitable and would need to be considered for disposal.

Due to the major disruption caused by the repair of the plumbing system, GSA determined that this project will provide the opportunity to upgrade the deficient HVAC systems. The HVAC systems in the building are approximately 20 years past their useful lives and are vulnerable to a large-scale failure in both the air handling units and the branch piping leading to the perimeter induction units. There have been longstanding temperature and indoor air quality issues caused by a system that was not designed for office space. In addition to affecting occupant comfort, poor dehumidification has caused the paint, plaster, and wall materials to peel at numerous locations in the building, including in the historic rotunda and in areas with lead-based paint. The two pipe induction system is highly inefficient, forcing entire building switchover between heating and cooling to address unseasonal temperatures (e.g., cooling in the winter and heating in the summer). Simultaneously completing these projects will save the Government approximately \$13 million in duplicative costs, while minimizing disruption to building tenants.

GSA

PBS

**PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA**

Prospectus Number: PPA-0144-PH19
Congressional District: 1

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Prior Prospectus-Level Projects in Building (past 10 years)

Prospectus	Description	FY	Amount
PL 111-5 (ARRA)	Window Replacement, Green Roof Installation, Exterior Masonry Repairs	FY 09	\$30,490,000

Alternatives Considered (30-year, present value cost analysis)

There are no feasible alternatives to this project. This is a limited scope renovation and the cost of the proposed project is far less than the cost of leasing or constructing a new building.

Recommendation

ALTERATION

GSA

PBS

PROSPECTUS – ALTERATION
U.S. CUSTOM HOUSE
PHILADELPHIA, PA

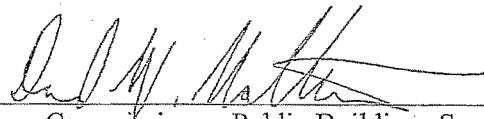
Prospectus Number: PPA-0144-PH19
Congressional District: 1

Certification of Need

The proposed project is the best solution to meet a validated Government need.

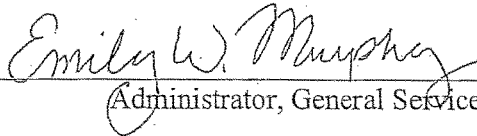
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

AMENDED COMMITTEE RESOLUTION

ALTERATION—AUSTIN FINANCE CENTER, AUSTIN,
TX

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations for modernization, including replacing building systems, at the Austin Finance Center located at 1619 Woodward Street in Austin, Texas of a reduction in de-

sign cost of \$465,000, an additional estimated construction cost of \$7,131,000 and a reduction in management and inspection cost of \$725,000 for a total additional cost of \$5,941,000 and total estimated project cost of \$28,722,000, a prospectus for which is attached to and included in this resolution. This resolution amends the authorization of the Committee on May 25, 2016 of Prospectus No. PTX-1618-AU17.

Provided, that the General Services Administration shall not delegate to any other

agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

PBS

**AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX**

Prospectus Number: PTX-1618-AU19
Congressional District: 25

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to modernize the existing Austin Finance Center (AFC), located at 1619 Woodward Street in Austin, Texas. The project will replace building systems and improve energy efficiency.

This prospectus amends Prospectus No. PTX-1618-AU17. GSA is requesting approval of an additional \$5,941,000 to account for cost escalation due to time and market conditions, and a tenant improvement component.

FY 2019 Committee Approval Requested

(Construction) \$5,941,000¹

FY 2019 Appropriation Requested

(Design, Construction, and Management & Inspection).....\$28,722,000

Major Work Items

Interior construction; exterior construction; electrical, heating, ventilation and air conditioning (HVAC), mechanical, life safety/emergency, and plumbing replacement; and sitework

Project Budget

Design	\$ 2,070,000
Estimated Construction Cost (ECC).....	24,994,000
Management & Inspection (M&I)	1,658,000
Estimated Total Project Cost (ETPC)*	\$28,722,000

*Tenant agencies may fund an additional amount for tenant improvements above the standard normally provided by GSA.

¹ The House and Senate committees approved Design, M&I and Construction of \$22,781,000 in Prospectus No. PTX-1618-AU17. The approval requested in this FY 2019 amended prospectus reflects the balance needed for the project, assuming reallocation of the previously approved \$1,190,000 from Design and M&I to Construction.

GSA

PBS

**AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX**

Prospectus Number: PTX-1618-AU19
Congressional District: 25

<u>Schedule</u>	<u>Start</u>	<u>End</u>
Design and Construction	FY 2019	FY 2022

Building

AFC was constructed in 1969 as an office building and was purchased by the United States in 1985. It is located on a 40-acre Federal campus in southeast Austin, along with the federally owned Department of the Treasury – Internal Revenue Service (IRS) Service Center, the Department of Veterans Affairs Automation Center and a leased IRS office/warehouse. It consists of a single, freestanding, one-story building of approximately 85,000 gross square feet. The building is home to the Department of the Treasury – Bureau of the Fiscal Service.

Tenant Agencies

Treasury Department – Bureau of the Fiscal Service

Proposed Project

The project includes HVAC replacement, separation of storm and sanitary lines, domestic water line replacement, main electrical switchboard replacement, window replacement, and power distribution system replacement.

Major Work Items

Interior Construction	\$ 7,511,000
Exterior Construction	5,132,000
Electrical Replacement	5,211,000
HVAC/Mechanical Replacement	4,906,000
Plumbing Replacement	872,000
Life Safety/Emergency System Replacement	842,000
Sitework	<u>520,000</u>
Total ECC	\$24,994,000

Justification

Historically, the building has been used by Treasury as one of four regional check printing and distribution facilities for Federal obligations to vendors and the general public. Treasury's transition to electronic transfer of funds resulted in the removal of all check printing and distribution functions, and has significantly altered the type and amount of space the agency requires.

GSA

PBS

**AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX**

Prospectus Number: PTX-1618-AU19
Congressional District: 25

The 48-year-old building has undergone various renovation projects over the years, but never a complete modernization, including upgrades. The space, converted from light industrial to office use, does not include the appropriate lighting, HVAC, ceilings, or finishes for office space. Window replacement will provide energy efficiency and costs savings. The building systems are outdated and have reached the end of their useful lives. The old main switchboard needs replacement to comply with the National Electric Code. The control system and related electronic components need frequent repairs, and parts are no longer available. The original power distribution system is inadequate for the electrical loads that are now required. The HVAC equipment has reached or surpassed its life expectancy. The storm water and sanitary lines do not meet current code and need to be separated. Runoff from heavy rains often floods the loading dock's storm drain, causing flooding in the building when floor drains back up. All the domestic water lines are old and corroded and need to be replaced.

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
Senate EPW	5/18/16	\$22,781,000	Design = \$2,535,000; ECC=\$17,863,000; M&I=\$2,383,000
House T&I	5/25/16	\$22,781,000	Design = \$2,535,000; ECC=\$17,863,000; M&I=\$2,383,000
Approvals to Date		\$22,781,000	

Prior Prospectus-Level Projects in Building (past 10 years):

None

GSA

PBS

AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX

Prospectus Number: PTX-1618-AU19
Congressional District: 25

Alternatives Considered (30-year, present value cost analysis)

Alteration:	\$43,770,000
Lease	\$98,737,000
New Construction:	\$46,636,000

The 30-year, present value cost of alteration is \$54,967,000 less than the cost of leasing, with an equivalent annual cost advantage of \$2,732,000.

Recommendation

ALTERATION

GSA

PBS

AMENDED PROSPECTUS – ALTERATION
AUSTIN FINANCE CENTER
AUSTIN, TX

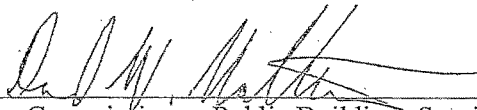
Prospectus Number: PTX-1618-AU19
Congressional District: 25

Certification of Need

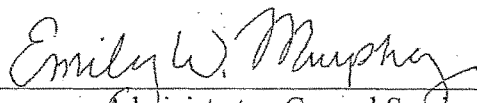
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended:


Commissioner, Public Buildings Service

Approved:


Administrator, General Services Administration

AMENDED COMMITTEE RESOLUTION

CONSTRUCTION—U.S. LAND PORT OF ENTRY,
CALEXICO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, additional appropriations are authorized for Phase II of a two-phase project to reconfigure and expand the existing land port of

entry in Calexico, California at an additional design cost of \$970,000, an additional estimated construction cost of \$14,847,000 and a reduction of management and inspection cost of \$1,625,000 for a total additional cost of \$14,192,000, a prospectus for which is attached to and included in this resolution. This resolution amends the authorization of the Committee on July 16, 2014 of Prospectus No. PCA-BSC-CA15.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

PBS

**AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA**

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

FY 2019 Project Summary

The General Services Administration (GSA) requests additional approval and funding for construction of Phase II of a two-phase project to reconfigure and expand the existing land port of entry (LPOE) in downtown Calexico, CA. The project includes new pedestrian processing and privately owned vehicle (POV) inspection facilities, a new head house to provide supervision and services to the non-commercial vehicle inspection area, new administration offices, and a parking structure. The expanded facilities will occupy both the existing inspection compound and the site of the former commercial inspection facility, decommissioned in 1996 when commercial traffic was redirected to the newly completed LPOE six miles east of downtown Calexico.

This prospectus amends Prospectus No. PCA-BSC-CA15. GSA is requesting approval of an additional \$27,687,000 to account for cost escalations and design refresh.

FY 2019 Committee Approval Requested

(Additional Design and Construction) \$14,192,000¹

FY 2019 Appropriation Requested

(Additional Design, Construction, Management & Inspection) \$275,900,000²

Overview of Project

The existing LPOE is a pedestrian and vehicle inspection facility constructed in 1974. It comprises a main building and a decommissioned commercial inspection building. The project includes the creation of new pedestrian and POV inspection facilities, and expansion of the port onto the site of the former commercial inspection facility. The commercial inspection operation was moved to Calexico East in 1996. POV inspection facilities will include expanded northbound inspection lanes, new southbound inspection lanes, and a parking structure. There will be new administration space, a new head house

¹ The amount approved for Management & Inspection in Prospectus No. PCA-BSC-CA11 by the House and Senate committees includes \$1,625,000 more than the current estimate. The approval requested in this FY 2019 amended prospectus reflects the balance needed for the project, assuming reallocation of the previously approved \$1,625,000 from Management & Inspection to Construction.

² GSA works closely with Department of Homeland Security program offices responsible for developing and implementing security technology at LPOEs. This prospectus contains funding for infrastructure requirements known at the time of prospectus development. Additional funding by a reimbursable work authorization may be required to provide for as yet unidentified security technology elements to be implemented at this port.

GSA

PBS

**AMENDED PROSPECTUS - CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA**

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

and design guide-mandated secondary inspection stations serving both northbound and southbound traffic. The project will be constructed in two phases.

The first phase included a head house, 10 of the project's northbound POV inspection lanes, all southbound POV inspection lanes with temporary asphalt paving, and a bridge across the New River for southbound POV traffic.

The second phase will include the balance of the project, including the remaining northbound POV lanes, southbound POV inspection islands, booths, canopies and concrete paving, an administration building, an employee parking structure, a pedestrian processing building with expanded northbound pedestrian inspection stations, and a photovoltaic generation facility.

Site Information

Government-Owned 13.5 acres
Acquired as part of Phase I 4.3 acres

Building Area

Building (including canopies and indoor parking)³ 333,719 GSF
Building (excluding canopies and indoor parking) 162,015 GSF
Outside parking spaces 79
Structured parking spaces 264

³ Gross square feet (GSF) in this Amended Prospectus was developed from the final construction drawings. It reflects a 2.63 percent increase in total GSF from that listed in Prospectus No. PCA-BSC-CA15 (where the square footage was developed from the concept drawings). The parking structure is not included in GSF.

GSA

PBS

**AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA**

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

Project Budget**Site Acquisition**

Site Acquisition (FY 2007).....	\$2,000,000
Additional Site Acquisition (FY 2010).....	<u>3,000,000</u>
Total Site Acquisition	\$5,000,000

Design

Design (FY 2007)	\$12,350,000
Additional Design (FY 2010)	6,437,000
Additional Design	<u>970,000</u>
Total Design.....	\$19,757,000

Estimated Construction Cost (ECC)

Phase I (2015)	\$90,838,000
Phase II	<u>255,660,000</u>
Total ECC⁴	\$346,498,000
Site Development Costs.....	\$146,550,000
Building Costs (includes inspection canopies) (\$599/GSF).....	\$199,948,000

Management & Inspection (M&I)

Phase I (2015)	\$7,224,000
Phase II	<u>\$19,270,000</u>
Total M&I.....	\$26,494,000

Estimated Total Project Cost (ETPC)*\$397,749,000

* Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Location

The site is located at 200 East 1st Street, Calexico, CA.

⁴ ECC is broken into two parts – Site Development Costs and Building Costs.

GSA

PBS

**AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA**

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

<u>Schedule</u>	<u>Start</u>	<u>End</u>
Design	FY 2007	FY 2013
Design Refresh	FY 2019	FY 2020
Construction		
Phase I	FY 2015	FY 2018
Phase II	FY 2019	FY 2023

Tenant Agencies

Department of Homeland Security – Customs and Border Protection, and Immigration and Customs Enforcement; GSA

Justification

On an average day, 12,000 POVs and approximately 11,000 pedestrians enter the U.S. through this LPOE. The existing facilities are undersized relative to existing traffic loads and obsolete in terms of inspection officer safety and border security. The space required to accommodate modern inspection technologies is not available in the existing facility. When completed, the project will provide the port operation with adequate operational space, reduced traffic congestion, and a safe environment for port employees and visitors.

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA

PBS

**AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA**

Prospectus Number: PCA-BSC-CA19
Congressional District: 51

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Purpose
110-5	2007	\$14,350,000	Site acquisition & design
111-117	2010	\$9,437,000	Additional site acquisition & design
113-235	2015	\$98,062,000	Phase I Construction
Appropriations to Date		\$121,849,000	

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
House T&I	4/5/2006	\$14,350,000	Design = \$12,350,000; Site acquisition = \$2,000,000
Senate EPW	5/23/2006	\$14,350,000	Site Acquisition & Design
House T&I	11/5/2009	\$9,437,000	Additional design = \$6,437,000; additional site acquisition = \$3,000,000
Senate EPW	2/4/2010	\$9,437,000	Additional site acquisition & design
House T&I	12/2/2010	\$274,463,000	Construction = \$246,344,000; M&I = \$28,119,000
Senate EPW	11/30/2010	\$274,463,000	Construction = \$246,344,000; M&I = \$28,119,000
House T&I	07/16/2014	\$85,307,000	Additional Construction of \$85,307,000
Senate EPW	04/28/2015	\$85,307,000	Additional Construction of \$85,307,000
Approvals to Date		\$383,557,000	

Alternatives Considered

GSA has jurisdiction, custody, and control over and maintains the existing facilities at this LPOE. No alternative other than Federal construction was considered.

Recommendation

CONSTRUCTION

GSA

PBS

AMENDED PROSPECTUS – CONSTRUCTION
U.S. LAND PORT OF ENTRY
CALEXICO, CA

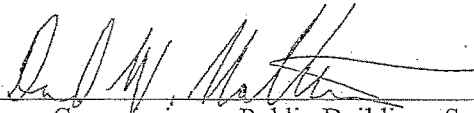
Prospectus Number: PCA-BSC-CA19
Congressional District: 51

Certification of Need

The proposed project is the best solution to meet a validated Government need.

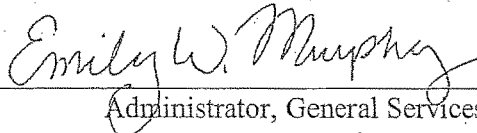
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION

CONSTRUCTION—FOOD AND DRUG
ADMINISTRATION LABORATORY, LAKEWOOD, CO

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for construction of a new laboratory facility of 68,000 gross square feet to provide a long-term housing solution for the Department of Health and Human Services—Food and Drug

Administration at the Denver Federal Center at West 6th Avenue and Kipling Street in Lakewood, Colorado at a design cost of \$3,570,000, an estimated construction cost of \$23,335,000, a management and inspection cost of \$2,414,000 for a total estimated project cost of \$29,319,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

PBS

**PROSPECTUS - CONSTRUCTION
FOOD AND DRUG ADMINISTRATION LABORATORY
LAKEWOOD, CO**

Prospectus Number: PCO-LAB-LA19
Congressional District: 07

FY 2019 Project Summary

The General Services Administration (GSA) requests approval for construction of a new laboratory facility of approximately 68,000 gross square feet (GSF) to provide a long-term housing solution for the Department of Health and Human Services – Food and Drug Administration (FDA) at the Denver Federal Center (DFC), at West 6th Avenue and Kipling Street in Lakewood, CO. This project will allow FDA to occupy a laboratory building that meets modern standards for functional laboratory space that will accommodate a floor plan with the most optimal layout in support of its mission on a secure campus.

FY 2019 Committee Approval and Appropriation Requested

(Design, Construction, Management & Inspection)\$29,319,000

Overview of Project

GSA proposes the design and construction of a new Federal laboratory building on a 4-acre Government-owned site, just south of existing Building 20 at the DFC. This project will provide FDA a state-of-the-art laboratory facility with ancillary office space to support laboratory functions. The facility will be built to meet biosafety level 2 specifications. Laboratory layout will be modular and designed to create higher efficiency of workflow while maintaining agency chain-of-custody regulations. The office space will primarily consist of open workstations and a collaborative environment.

Site Area

Government-Owned 4 acres

Project Budget

Design	\$ 3,570,000
Estimated Construction Cost (ECC)	23,335,000
Management & Inspection (M&I)	2,414,000
Estimated Total Project Cost (ETPC)*	\$29,319,000

*Tenant agency may fund an additional amount for alterations above the standard normally provided by GSA.

GSA

PBS

**PROSPECTUS - CONSTRUCTION
FOOD AND DRUG ADMINISTRATION LABORATORY
LAKEWOOD, CO**

Prospectus Number: PCO-LAB-LA19
Congressional District: 07

<u>Schedule</u>	<u>Start</u>	<u>End</u>
Design and Construction	FY 2019	FY 2023

Tenant Agencies

Department of Health and Human Services – Food and Drug Administration

Justification

FDA is currently housed in laboratory and laboratory support space at the DFC in Building 20, a converted ammunitions plant building that also houses multiple Federal operations and offices. Building 20 is well past its useful life and experiencing major building system deficiencies. Due to current conditions, failing building systems are projected to cause a shutdown of its current space within 1 to 5 years.

The building uses excessive amounts of energy and struggles to maintain proper humidity and pressurization levels due to inadequacies in the heating, ventilation, and air conditioning system and building enclosure, which are critical components to prevent contamination within laboratories.

FDA processes evidence in court cases that must be tested and stored appropriately; some samples must be stored for up to 8 years. These samples are irreplaceable and failing infrastructure could place them at risk for contamination and spoilage. Costly laboratory equipment is at risk of being damaged due to severe roof leaks.

The current space is compartmentalized with hard wall offices and no capability of changing space to accommodate workflow or to facilitate collaboration. FDA has storage spaces and conference rooms that were built to accommodate program areas that no longer exist, and later built laboratory space around those areas. As its space has changed and evolved, the result is pockets of unused space sprinkled throughout the area. This situation has resulted in inefficient use of space that does not meet regulatory requirements to isolate laboratory space from office work areas.

This location is the regional regulatory arm of FDA and a critical part of its mission. Various departments include laboratories that analyze food, drugs, and cosmetics; a compliance department; investigators; and an administration team. For sections of the country west of the Mississippi River and east of Nevada, this facility is responsible for managing foodborne illness outbreaks. FDA uses this facility to analyze food samples to determine the source of the illness so the food can be immediately recalled to prevent further illness or death. This laboratory analyzes foods crossing State boundaries, as well as foods that are flown in from other countries to ensure it is safe for consumption.

GSA

PBS

**PROSPECTUS - CONSTRUCTION
FOOD AND DRUG ADMINISTRATION LABORATORY
LAKEWOOD, CO**

Prospectus Number: PCO-LAB-LA19
Congressional District: 07

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

None

Prior Committee Approvals

None

Alternatives Considered (30-year, present value cost analysis)

New Construction	\$39,221,000
Lease	\$49,540,000

The 30-year, present value cost of new construction is \$10,319,000 less than the cost of lease, an equivalent annual cost advantage of \$344,000.

Recommendation

CONSTRUCTION

GSA

PBS

PROSPECTUS - CONSTRUCTION
FOOD AND DRUG ADMINISTRATION LABORATORY
LAKEWOOD, CO

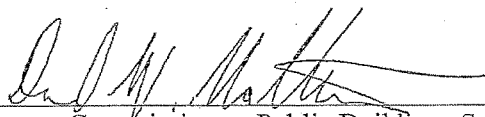
Prospectus Number: PCO-LAB-LA19
Congressional District: 07

Certification of Need

The proposed project is the best solution to meet a validated Government need.

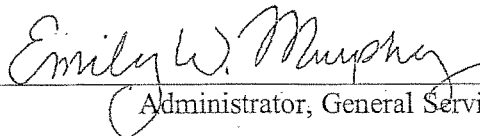
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION

BUILDING ACQUISITION—DEPARTMENT OF
TRANSPORTATION HEADQUARTERS, 1200 NEW
JERSEY AVENUE, SOUTHEAST, WASHINGTON,
DC

*Resolved by the Committee on Transportation
and Infrastructure of the U.S. House of Rep-
resentatives, that pursuant to 40 U.S.C. 3307,*

appropriations are authorized for the acqui-
sition, through a purchase option under an
existing lease, of the building located at 1200
New Jersey Avenue SE in Washington, D.C.
composed of 1,900,000 gross square feet and
indoor parking spaces currently occupied by
the Department of Transportation at a build-
ing and site acquisition cost of \$760,000,000,

closing costs of \$7,900,000 and total estimated
project cost of \$767,900,000, a prospectus for
which is attached to and included in this res-
olution.

Provided, that the General Services Admin-
istration shall not delegate to any other
agency the authority granted by this resolu-
tion.

GSA

PBS

**PROSPECTUS – BUILDING ACQUISITION
DEPARTMENT OF TRANSPORTATION HEADQUARTERS
1200 NEW JERSEY AVENUE, SOUTHEAST
WASHINGTON, DC**

Prospectus Number: PDC-0689-WA19

Description

The General Services Administration (GSA) proposes to acquire, through a purchase option under an existing space lease, the building located at 1200 New Jersey Avenue SE, Washington, DC. The 1,900,000 gross square foot facility, currently leased by GSA, provides 1,350,000 rentable square feet (RSF) of space and 936 indoor parking spaces, and is occupied entirely by the Department of Transportation (DOT) and serves as its headquarters (HQ). The proposed purchase will reduce the Government's rental payment to the private sector by approximately \$49,400,000 annually.

FY 2019 Committee Approval and Appropriation Requested

(Building Acquisition)\$767,900,000

Situated on 10 acres of land to the southwest of the U.S. Capitol building, along the south side of M Street SE, between New Jersey Avenue SE on the west and 4th Street SE on the east, the building has served as the DOT HQ since its construction in 2006. The building houses approximately 5,000 employees. The office space is contained in two towers, referred to as the West Building and the East Building, each containing nine stories above grade and two stories below grade.

The site was originally part of the 18th century Navy Yard. Part of the Navy Yard was exscessed in the mid-20th century to GSA and became known as the Southeast Federal Center. GSA sold the parcel that is the subject of this prospectus to the developer specifically for the construction of the DOT HQ.

Project Budget

Building and Site Acquisition.....	\$760,000,000
Closing Costs.....	\$7,900,000
Estimated Total Project Cost (ETPC).....	\$767,900,000¹

Schedule

Date

Notice of Intent to Consider Purchase	10/2018
Building Acquisition Notice of Intent to Exercise Purchase Option	10/2019
Purchase Option Expiration	10/2021

¹ The actual purchase price and closing costs will be determined by negotiation in accordance with the terms of the existing purchase option under the lease.

GSA

PBS

**PROSPECTUS – BUILDING ACQUISITION
DEPARTMENT OF TRANSPORTATION HEADQUARTERS
1200 NEW JERSEY AVENUE, SOUTHEAST
WASHINGTON, DC**

Prospectus Number: PDC-0689-WA19

Overview of Project

GSA leased the building on behalf of DOT following completion of construction in 2006. The current lease agreement expires on October 19, 2021. GSA has an option to negotiate the purchase of the building and site at the end of the current lease term, provided 24 months' prior notice is given to lessor. A Notification of Intent to consider exercising the purchase option is required 36 months prior to the lease expiration. The estimated purchase price is based on a current fair market value appraisal of the property, escalated to the purchase date, multiplied by 95%.

Tenant Agencies

DOT

Justification

DOT is a cabinet-level agency with a long-term requirement for a HQ facility. Exercising the purchase option will provide for a permanent, owned housing solution for DOT's mission execution, lowering the cost to the taxpayer. Upon purchase, GSA will work with DOT to improve the utilization of the space.

Alternatives Considered (30-year, present value cost analysis)

Purchase.....	\$1,220,413,705
Lease.....	\$1,629,450,889
New Construction.....	\$1,444,009,181

The 30-year, present value cost of purchasing is \$409,037,184 less than the cost of leasing, with an equivalent annual cost advantage of \$20,332,893.

Recommendation

ACQUISITION

GSA

PBS

PROSPECTUS – BUILDING ACQUISITION
DEPARTMENT OF TRANSPORTATION HEADQUARTERS
1200 NEW JERSEY AVENUE, SOUTHEAST
WASHINGTON, DC

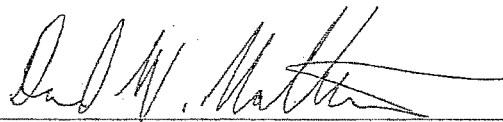
Prospectus Number: PDC-0689-WA19

Certification of Need

The proposed project is the best solution to meet a validated Government need.

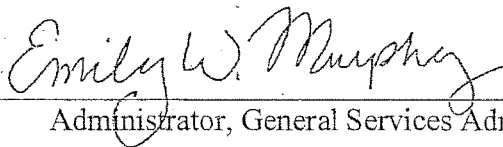
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION
LEASE—SECURITIES AND EXCHANGE
COMMISSION, NEW YORK, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a lease of up to 207,000 rentable square feet of space for the Securities and Exchange Commission currently located at 200 Vesey Street in New York, New York at a proposed total annual cost of \$14,332,680 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 230 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, in-

cluded in the prospectus that would result in an overall utilization rate of 230 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any

individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.

GSA

PBS

**PROSPECTUS – LEASE
SECURITIES AND EXCHANGE COMMISSION
NEW YORK, NY**

Prospectus Number: PNY-05-NY19
Congressional District: 7,10

Executive Summary

The General Services Administration (GSA) proposes a lease of approximately 207,000 rentable square feet (RSF) for the Securities and Exchange Commission (SEC), currently located at 200 Vesey Street in New York, NY. SEC has occupied space in the building since April 1, 2006, under a lease that expires on March 31, 2021.

The proposed lease will enable SEC to provide continued housing as well as more streamlined and efficient operations. It will improve space utilization, as the office and overall space utilization rates will be improved from 189 to 139 usable square feet (USF) and 316 to 230 USF per person, respectively.

Description

Occupant:	Securities and Exchange Commission
Current Rentable Square Feet (RSF)	270,431 (Current RSF/USF = 1.32)
Estimated/Proposed Maximum RSF ¹ :	207,000 (Proposed RSF/USF = 1.35)
Expansion/Reduction RSF:	63,431 RSF (Reduction)
Current USF/Person:	316
Estimated/Proposed USF/Person:	230
Expiration Dates of Current Lease(s):	03/31/2021
Proposed Maximum Leasing Authority:	20 years
Delineated Area:	North: Chambers Street; East: East River; South: Battery Park; West: Hudson River
Number of Official Parking Spaces:	0
Scoring:	Operating
Current Total Annual Cost:	\$15,344,613 (lease effective 4/1/2006)
Estimated Rental Rate ² :	\$69.24/RSF
Estimated Total Annual Cost ³ :	\$14,332,680

¹ The RSF/USF at the current location is approximately 1.32; however, to maximize competition a RSF/USF ratio of 1.35 is used for the estimated proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2021 and may be escalated by 2 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that the lease award is made in the best interest of the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
SECURITIES AND EXCHANGE COMMISSION
NEW YORK, NY**

Prospectus Number: PNY-05-NY19
Congressional District: 7,10

Acquisition Strategy

In order to maximize the flexibility and competition in acquiring space for SEC, GSA may issue a single, multiple-award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Background

The lease at 200 Vesey Street in New York, NY, comprises the New York Regional Office headquarters for SEC with jurisdiction in New York and New Jersey. The mission of SEC is to protect investors; maintain fair, orderly and efficient markets; and facilitate capital formation. SEC entered into the current lease using independent leasing authority granted by Congress. GSA proposes to use its leasing authority to secure new office space in New York City following the expiration of the current lease.

Justification

The New York Regional Office is unique to the SEC organization because it encompasses divisions typically represented in regional offices, as well as HQ-based divisions with staff who are assigned to the New York Regional Office. The current lease at 200 Vesey Street expires March 31, 2021. SEC requires continued housing to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

PROSPECTUS – LEASE
SECURITIES AND EXCHANGE COMMISSION
NEW YORK, NY

Prospectus Number: PNY-05-NY19
Congressional District: 7,10

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

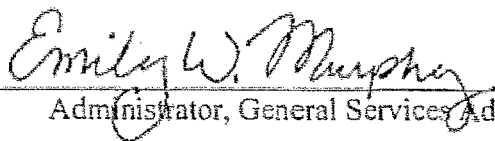
Submitted at Washington, DC, on September 10, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

Leased Locations	CURRENT				ESTIMATED/PROPOSED			
	Personnel		Usable Square Feet (USF) ¹		Personnel		Usable Square Feet (USF) ¹	
200 Vesey Street, NY, NY	Office	Total	Office	Storage	Office	Total	Storage	Special ⁶
Estimated/Proposed	650	650	157,734	2,082	-	-	-	-
Total	650	650	157,734	2,082	663	663	2,000	32,207

Office Utilization Rate (UR) ²		
Rate	Current	Proposed
	189	139

UR = average amount of office space per person

Current UR excludes 34,701 usf of office support space

Proposed UR excludes 26,078 usf of office support space

Overall UR ³		
Rate	Current	Proposed
	316	230

R/U Factor ⁴			
	Total USF	RSF/USF	Max RSF
Current	205,495	1.32	270,431
Estimated/Proposed	152,744	1.35	207,000

Special Space		USF
Conference/Training		1,680
Testimony Suite		6,720
Hearing Room		1,960
ADP		1,400
VTC Center		9,065
Closed Commission Room		840
Multi Purpose Room/AV Control		3,402
High Density Filing Room		2,100
Quantitative Analysis Unit		2,800
Wellness Room		280
Copy Room		1,680
Bloomberg Room		280
Total		32,207

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.² Calculation excludes Judiciary, Congress and agencies with less than 10 people³ USF/Person = housing plan total USF divided by total personnel.⁴ R/U Factor (R/U) = Max RSF divided by total USF⁵ Storage excludes warehouse, which is part of Special Space.⁶ Special spaces listed are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RLP) is issued to meet specific agency requirements.

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF HEALTH AND HUMAN SERVICES, FOOD AND DRUG ADMINISTRATION, JAMAICA, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 224,000 rentable square feet of space, including 100 official parking spaces, for the Department of Health and Human Services—Food and Drug Administration currently located at 158-15 Liberty Avenue in Jamaica, New York at a proposed total annual cost of \$6,944,000 for a lease term of up to 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an office utilization rate of 109 square feet or less per person, except that, if the Administrator determines that the office utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any

of the requirements, or portions thereof, included in the prospectus that would result in an office utilization rate of 109 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES –
FOOD AND DRUG ADMINISTRATION
JAMAICA, NY**

Prospectus Number: PNY-02-QU19
Congressional District: 05

Executive Summary

The General Services Administration (GSA) proposes a lease for approximately 224,000 rentable square feet (RSF) for the Department of Health and Human Services–Food and Drug Administration (FDA). FDA is currently housed at 158-15 Liberty Avenue, Jamaica, NY, under a lease that expires on October 19, 2019.

The lease will provide continued housing for FDA and will maintain the office utilization rate at 109 usable square feet (USF) per person.

Description

Occupant:	Food and Drug Administration
Current Rentable Square Feet (RSF)	224,000 (Current RSF/USF = 1.28)
Estimated/Proposed Maximum RSF ¹ :	224,000 (Proposed RSF/USF = 1.28)
Expansion/Reduction RSF:	None
Current Office USF/Person:	109
Estimated/Proposed Office USF/Person:	109
Expiration Dates of Current Lease(s):	10/19/2019
Proposed Maximum Leasing Authority:	10 years
Delineated Area:	North: Merrick Blvd. West: Archer Ave. East: Liberty Ave. South: Sutphin Blvd.
Number of Official Parking Spaces:	100
Scoring:	Operating
Current Total Annual Cost:	\$10,417,071.84 (lease effective 10/20/1999)
Estimated Rental Rate ² :	\$31.00 / RSF
Estimated Total Annual Cost ³ :	\$6,944,000

¹ A RSF/USF ratio of 1.28 is used for the estimated/proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2020 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including standard operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES –
FOOD AND DRUG ADMINISTRATION
JAMAICA, NY**

Prospectus Number: PNY-02-QU19
Congressional District: 05

Background

FDA's Northeast Region (NER) is responsible for carrying out the programs of FDA's Office of Regulatory Affairs (ORA) within a geographical area that includes seven states: Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. Principal components of NER include the Regional Office, the New York District Office, and the Northeast Regional Laboratory (NERL). These are all currently located at 158-15 Liberty Avenue, Jamaica, NY (the Jamaica Complex). NER has regulatory responsibility over more than 18,000 private firms within its inspectional jurisdiction, with the largest number of firms being in the food and medical-device areas. NER's regulatory efforts promote and protect the health of the public by ensuring the safety, efficacy, and security of medical devices, as well as the safety of radiation-emitting products. FDA is also responsible for enforcing legislation such as the Federal Food, Drug and Cosmetic Act and the Food Safety Modernization Act.

FDA must have laboratory facilities that are fully functioning to protect the public and ensure effective global and domestic commerce. ORA operates high-throughput field laboratories, located strategically across the United States, to support FDA's mission to protect the public health and to create new knowledge in the field of regulatory science.

GSA will consider whether FDA's continued housing needs can be satisfied in the existing location based on an analysis of other potential locations within the delineated area. If other potential locations are identified, GSA will conduct a cost-benefit analysis to determine whether the Government can expect to recover the relocation and duplication costs of real and personal property needed for FDA to accomplish its mission.

Justification

Remaining at the Jamaica Complex will ensure that FDA makes the best use of its investment in the existing flexible, modern space and reliable building systems. The current location supports evolving regulatory science within a secure, safe, and healthy work environment for FDA employees. Extending the service life of the Jamaica Complex, and of the Bio Safety Level 3 (BSL-3) laboratory in particular, by renewing the existing lease will improve the economic performance of the significant investment of taxpayer dollars required to establish and maintain the facility.

NERL is one of FDA's largest field laboratories. This key laboratory responds to outbreaks involving food and microbiological pathogens. The laboratory's areas of expertise and specialization include:

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES –
FOOD AND DRUG ADMINISTRATION
JAMAICA, NY**

Prospectus Number: PNY-02-QU19
Congressional District: 05

analysis for microbial pathogens, pesticides, food additives, mycotoxins, colors, insanitation, decomposition, cosmetics, heavy metals in foods, and quality and purity in pharmaceuticals.

Specialized laboratory capabilities include:

- Mass Spectrometry Center;
- Microbiological Bio-Clean Room (State-of-the-Art Class 100);
- Marine Toxins Laboratory;
- Counterterrorism Toxic Chemical and Poison Analysis; and
- BSL-3 Laboratory (operated and maintained in accordance with 42 CFR 73.7).

Currently, the BSL-3 laboratory is undergoing a recertification to remain compliant with regulatory laws. The biosafety level designation establishes the biocontainment precautions required to isolate dangerous biological agents in the enclosed laboratory facility. BSL-3 facilities provide the appropriate containment environment for working with biological select agents and toxins that have the potential to pose a severe or potentially lethal disease after inhalation.

The current lease at 158-15 Liberty Avenue, Jamaica, NY, expires on October 19, 2019. FDA requires continued housing to carry out its mission.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSAPBS

PROSPECTUS – LEASE
DEPARTMENT OF HEALTH AND HUMAN SERVICES –
FOOD AND DRUG ADMINISTRATION
JAMAICA, NY

Prospectus Number: PNY-02-QU19
Congressional District: 05

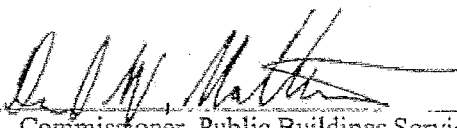
Certification of Need

The proposed project is the best solution to meet a validated Government need.

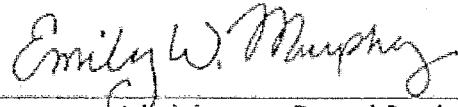
September 10, 2018

Submitted at Washington, DC, on _____

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

May 2018

**Housing Plan
Food and Drug Administration**

**PNY-02-QUI9
Jamaica-Queens, NY**

Leased Locations	CURRENT ¹						ESTIMATED/PROPOSED					
	Personnel		Usable Square Feet (USF) ²				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage ⁵	Special ⁶	Total
158-15 Liberty Avenue	285	285	39,724	2,738	132,538	175,000	-	-	-	-	-	-
Estimated/Proposed Lease	-	-	-	-	-	-	285	285	39,724	2,738	132,538	175,000
total	285	285	39,724	2,738	132,538	175,000	285	285	39,724	2,738	132,538	175,000

Office Utilization Rate (UR) ²		
Rate		
Current	109	Proposed
		109

UR = average amount of office space per person

Current UR excludes 8,739 usf of office support space

Proposed UR excludes 8,739 usf of office support space

Overall UR ³			
R/U Factor ⁴			
Total USF			
Current	175,000	RSF/USF	Max RSF
Estimated/Proposed	175,000	1.28	224,000
		1.28	224,000

Special Space ⁶	
Laboratory and Clinic	USF
Food Service Area	125,364
Automated Data Processing	1,534
Conference and Training	944
Total	4,696
	132,538

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.² Calculation excludes Judiciary, Congress and agencies with less than 10 people³ USF/Person = housing plan total USF divided by total personnel.⁴ R/U Factor (R/U) = Max RSF divided by total USF⁵ Storage excludes warehouse, which is part of Special Space.⁶ Special spaces listed are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (R/LP) is issued to meet specific agency requirements.

COMMITTEE RESOLUTION

LEASE—DEPARTMENT OF LABOR, SEATTLE, WA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 84,937 rentable square feet of space, including 20 official parking spaces, for the Department of Labor currently located at 300 5th Avenue in Seattle, Washington at a proposed total annual cost of \$3,958,914 for a lease term of up to 3 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 250 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in

an overall utilization rate of 250 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if

it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF LABOR
SEATTLE, WA**

Prospectus Number: PWA-01-SE19
Congressional District: 7

Executive Summary

The General Services Administration (GSA) proposes a 3-year lease extension of approximately 84,937 rentable square feet (RSF) for the Department of Labor (DOL) currently located at 300 5th Avenue in Seattle, WA. The current lease expires October 31, 2020.

The proposed extension will enable DOL to provide continued housing for its personnel while a renovation project to allow for relocation and consolidation into federally owned space is completed.

Description

Occupant:	Department of Labor
Current Rentable Square Feet (RSF)	84,937 (Current RSF/USF = 1.14)
Estimated/Proposed Maximum RSF ¹ :	84,937 (Proposed RSF/USF = 1.14)
Expansion/Reduction RSF:	None
Current USF/Person:	250
Estimated/Proposed USF/Person:	250
Expiration Dates of Current Lease(s):	10/31/2020
Proposed Maximum Leasing Authority:	3 years
Delineated Area:	Seattle CBD
Number of Official Parking Spaces:	20
Scoring:	Operating Lease
Current Total Annual Cost:	\$ 3,242,895 (lease effective 11/01/2010)
Estimated Rental Rate ² :	\$46.61 / RSF
Estimated Total Annual Cost ³ :	\$3,958,914

Background

DOL promotes and develops the welfare of the wage earners, job seekers, and retirees of the United States; improves working conditions; advances opportunities for profitable employment; and assures work-related benefits and rights. The Seattle DOL Regional Office houses district and field offices for 11 agencies.

¹ Five other agencies are included in the existing lease at 300 5th Ave.; their space needs will be negotiated and procured separately.

² This estimate is for fiscal year 2021 and may be escalated by 1.8 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF LABOR
SEATTLE, WA**

Prospectus Number: PWA-01-SE19
Congressional District: 7

Justification

The current lease at 300 5th Avenue expires October 31, 2020. DOL is scheduled to consolidate this office and relocate to the Federal Office Building (FOB) at 909 First Avenue in Seattle, by October 1, 2021. DOL requires continued housing at its current location until the new space is readied for occupancy. DOL will backfill vacant space made available from a recent Department of the Interior–National Park Service (NPS) consolidation project in the FOB, and a Department of Housing and Urban Development (HUD) relocation and consolidation from the FOB to the Jackson Federal Building (JFB) at 915 Second Avenue in Seattle. The consolidation project will reduce DOL's all-in utilization rate from 250 to 166 per person with a reduction in usable square footage from 74,832 to 49,637.

The DOL move to the FOB is dependent on the completion of the NPS consolidation and HUD's relocation to the JFB. The 3-year term is requested to cover any potential delays in the coordination of these projects.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSAPBS

PROSPECTUS – LEASE
DEPARTMENT OF LABOR
SEATTLE, WA

Prospectus Number: PWA-01-SE19
Congressional District: 7

Certification of Need

The proposed project is the best solution to meet a validated Government need.

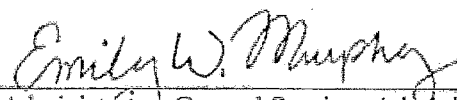
September 10, 2018

Submitted at Washington, DC, on _____

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

Leased Locations	CURRENT					ESTIMATED/PROPOSED					
	Personnel		Usable Square Feet (USF)			Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Office	Total	Office	Storage 5	Special 6	Total
300 5th Avenue	299	299	53,946	6,368	14,518	299	299	53,946	6,368	14,518	74,832
Total	299	299	53,946	6,368	14,518	299	299	53,946	6,368	14,518	74,832

Office Utilization Rate (UR) ²	
Rate	Proposed
	141
UR=average amount of office space per person	
Current UR excludes 11,868 usf of office support space	
Proposed UR excludes 11,868 usf of office support space	

Overall UR ³	
Rate	Proposed
	250

R/U Factor ⁴	Total USF	RSP/USF	Max RSP
Current	74,832	1.14	84,937
Estimated/Proposed	74,832	1.14	84,937

Special Space		USP
Data Center		387
OCIO Operation Center		1,170
Conference		7,914
Break Room		1,360
Mailroom		934
Library		831
Interview Room		1,922
Total		14,518

Special Space		USF
Data Center		387
OCIO Operation Center		1,170
Conference		7,914
Break Room		1,360
Mailroom		934
Library		831
Interview Room		1,922
Total		14,518

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.²Calculation excludes judiciary, Congress and agencies with less than 10 people³USF/Person = housing plan total USF divided by total personnel⁴R/U Factor = Max RSP divided by total USF⁵Storage excludes warehouse, which is part of Special Space⁶Special spaces listed are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RLP) is issued to meet specific agency requirements.

COMMITTEE RESOLUTION

LEASE—COURT SERVICES AND OFFENDED SUPERVISION AGENCY, PRETRIAL SERVICES AGENCY, AND PUBLIC DEFENDER SERVICE, WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a lease of up to 201,000 rentable square feet of space, including 35 official parking spaces, for the Court Services and Offender Supervision Agency for the District of Columbia, the Pretrial Services Agency for the District of Columbia, and the Public Defender Service for the District of Columbia currently located at 633 Indiana Avenue NW, 1025 F Street NW, and 601 Indiana Avenue NW in Washington, D.C. at a proposed total annual cost of \$10,050,000 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 204 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 204 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that pro-

vides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.

GSA

PBS

**PROSPECTUS – LEASE
COURT SERVICES AND OFFENDER SUPERVISION AGENCY,
PRETRIAL SERVICES AGENCY, AND PUBLIC DEFENDER SERVICE
WASHINGTON, DC**

Prospectus Number PDC-12-WA19

Executive Summary

The General Services Administration (GSA) proposes a replacement lease of approximately 201,000 rentable square feet (RSF) for the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA), the Pretrial Services Agency for the District of Columbia (PSA), and the Public Defender Service for the District of Columbia (PDS) in Washington, DC. CSOSA, PSA, and PDS are currently housed in three leased locations, which include three GSA leases (located at 633 Indiana Avenue NW since 1999, and 1025 F Street NW since 2010), and two leases executed by CSOSA and PSA under a delegation from GSA (located at 601 Indiana Avenue NW).

The new lease will provide continued housing for CSOSA, PSA, and PDS and will improve their office utilization rate from 115 usable square feet (USF) per person to 93 USF and their overall space utilization rate from 212 USF to 204 USF per person, respectively.

Description

Occupant:	CSOSA, PSA, and PDS
Current Rentable Square Feet (RSF)	209,012 (Current RSF/USF = 1.20)
Estimated Maximum RSF ¹ :	201,000 (Proposed RSF/USF = 1.20)
Reduction RSF:	8,012 RSF
Current USF/Person:	212
Estimated USF/Person:	204
Expiration Dates of Current Lease(s):	633 Indiana Ave. NW: 9/30/20 1025 F St. NW: 11/7/20 601 Indiana Ave. NW: 3/31/23 & 9/30/21
Proposed Maximum Leasing Authority:	20 years
Delineated Area:	Portions of Washington DC, CEA
Number of Official Parking Spaces:	35
Scoring:	Operating
Current Total Annual Cost:	\$10,002,095 (leases effective 2010)
Estimated Rental Rate ² :	\$50.00 / RSF

¹ The RSF/USF at the current location is approximately 1.18; however, to maximize competition a RSF/USF ratio of 1.20 is used for the estimated proposed maximum RSF as indicated in the housing plan.

² This estimate is for fiscal year 2019 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses, whether paid by the lessor or directly by the Government. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as the basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

GSA

PBS

**PROSPECTUS – LEASE
COURT SERVICES AND OFFENDER SUPERVISION AGENCY,
PRETRIAL SERVICES AGENCY, AND PUBLIC DEFENDER SERVICE
WASHINGTON, DC**

Prospectus Number PDC-12-WA19

Estimated Total Annual Cost ³ :	\$10,050,000

Acquisition Strategy

In order to maximize the flexibility and competition in acquiring space for CSOSA, PSA, and PDS, GSA may issue a single, multiple-award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus.

Background

The National Capital Revitalization and Self-Government Improvement Act first established CSOSA in 1997 to provide community supervision for adult offenders on probation, parole, and supervised release in the District of Columbia. CSOSA's mission is to enhance public safety, prevent crime, and reduce recidivism among those supervised and to support the fair administration of justice in close collaboration with the community.

PSA's mission is to promote pretrial justice and enhance community safety. It assists judicial officers in both the Superior Court of the District of Columbia and the United States District Court for the District of Columbia by conducting a risk assessment for every arrested person who will be presented in court and formulating release or detention recommendations. PDS' mission is to promote and provide quality court-appointed counsel in criminal and juvenile delinquency cases pending before the Superior Court of the District of Columbia.

Justification

Due to the nature of their functions, CSOSA, PSA, and PDS need to be housed within close proximity to the courts to address mission-based matters that may arise with the sentencing and/or supervision of their clients. CSOSA staff supervises approximately 14,000 offenders on any given day. The court often directs probationers to report promptly to CSOSA for a variety of reasons that may require immediate attention before judicial decisions can be made. For the defendants who are placed on conditional release pending trial, PSA provides supervision and treatment services that reasonably assure that they return to court and do not engage in criminal activity pending their trial and/or sentencing. PDS staff makes frequent trips to the DC Superior Court daily in support of

³ New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

**PROSPECTUS – LEASE
COURT SERVICES AND OFFENDER SUPERVISION AGENCY,
PRETRIAL SERVICES AGENCY, AND PUBLIC DEFENDER SERVICE
WASHINGTON, DC**

Prospectus Number PDC-12-WA19

PDS's work, and the court relies heavily on the immediate availability of PDS staff to attend to the many matters that may arise.

These agencies have housed their offices in close proximity to the courts since their creation. They anticipate continued housing needs beyond the proposed term of this lease (20 years).

CSOSA's goal is to reduce its real estate footprint through consolidation and vacating some of its existing locations. CSOSA will reduce its real estate footprint and operational costs through open space plans and office sharing, where feasible. While neither PDS nor PSA have published reduction goals, the proposed project reflects reductions from their current footprint.

Summary of Energy Compliance

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

PROSPECTUS – LEASE
COURT SERVICES AND OFFENDER SUPERVISION AGENCY,
PRETRIAL SERVICES AGENCY, AND PUBLIC DEFENDER SERVICE
WASHINGTON, DC

Prospectus Number PDC-12-WA19

Certification of Need

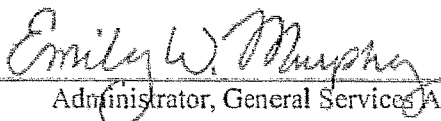
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on September 19, 2018

Recommended:


Commissioner, Public Buildings Service

Approved:


Administrator, General Services Administration

Housing Plan
Court Services and Offender Supervision Agency
Pretrial Services Agency, and Public Defender Service

PDC-12-WA19
Washington, DC

Leased Locations	CURRENT						ESTIMATED/PROPOSED							
	Personnel			Usable Square Feet (USF) ¹			Personnel			Usable Square Feet (USF)				
	Office	Total		Office	Storage	Special	Total	Office	Total		Office	Storage ⁵	Special ⁶	Total
633 Indiana Avenue	597	597	85,878	4,540		36,608	127,026	-	-	-	-	-	-	-
1025 F Street NW	33	33	5,221	313	4,145	9,679		-	-	-	-	-	-	-
601 Indiana Avenue - delegated lease	189	189	30,119	2,185	4,543	36,847		-	-	-	-	-	-	-
Estimated/Proposed Lease	-	-	-	-	-	-	-	819	819	97,454	10,941	58,654	167,049	167,049
Total	819	819	121,218	7,038	45,296	173,552		819	819	97,454	10,941	58,654	167,049	167,049

Office Utilization Rate (UR) ²		
Rate	Current	Proposed
	115	93

UR = average amount of office space per person
Current UR excludes 26,668 usf of office support space
Proposed UR excludes 21,440 usf of office support space

Overall UR ³		
Rate	Current	Proposed
	212	204

CAF ⁴			
	Total USF	RSF/USF	Max RSF
Current	173,552	1.20	209,012
Estimated/Proposed	167,049	1.20	201,000

Special Space ⁶		USF
Security		2,000
Conference		27,000
Copy File		10,318
Learning Lab		2,500
Pantry		6,018
Drug Collection		4,000
LAN		1,750
Collection Unit		168
Library/Secured Waiting		4,900
Total		58,654

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.² Calculation excludes Judiciary, Congress and agencies with less than 10 people³ USF/Person = housing plan total USF divided by total personnel.⁴ Common Area Factor (CAF) = Max RSF divided by total USF⁵ Storage excludes warehouse, which is part of Special⁶ Special spaces listed are examples of such spaces and may be subject to change at the time a Request for Lease Proposal (RLP) is issued to meet specific agency requirements.

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. 3307, appropriations are authorized for a lease of up to 92,210 rentable square feet of space for the Department of Homeland Security-Secret Service currently located in the Renaissance Plaza Building at 335 Adams Street in Brooklyn, New York at a proposed total annual cost of \$5,593,459 for a lease term of up to 5 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 269 square feet or less per person, except that, if the Administrator determines that the overall utilization rate cannot be achieved, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 269 square feet or higher per person.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any

individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease, to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.

GSA

PBS

**PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
SECRET SERVICE
BROOKLYN, NY**

Prospectus Number: PNY-04-BR18
Congressional District: 7

Executive Summary

The General Services Administration (GSA) proposes a lease extension of up to 5 years at the current location for approximately 92,210 rentable square feet (RSF) for the Department of Homeland Security (DHS)-Secret Service (USSS). USSS is currently located in the Renaissance Plaza Building at 335 Adams Street in Brooklyn, New York. This location houses the Regional Headquarters Office for USSS, and USSS has occupied space in the building since October 2001. The lease expires on October 30, 2018.

Description

Occupant:	Secret Service
Current Rentable Square Feet (RSF)	92,210 (Current RSF/USF = 1.37)
Estimated Maximum RSF:	92,210 (Proposed RSF/USF = 1.37)
Expansion/Reduction RSF:	None
Current Usable Square Feet (USF)/Person:	269
Estimated USF/Person:	269
Proposed Maximum Lease Term:	5 Years
Expiration Dates of Current Leases:	10/30/2018
Delineated Area:	Bounded by Tillary Street to the north, Ashland Place to the east, Schermerhorn Street to the south, and Adams Street/Boerun Place to the west
Number of Official Parking Spaces:	0
Scoring:	Operating lease
Current Total Annual Cost:	\$4,965,202 (Lease effective 10/05/2001; includes lease contract and electricity)
Estimated Rental Rate: ¹	\$60.66
Estimated Total Annual Cost: ²	\$5,593,459 (lease contract plus electricity)

¹ This estimate is for fiscal year 2019 and may be escalated by 1.9 percent annually to the effective date of the lease to account for inflation. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

² The proposed annual rental is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

PBS

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
SECRET SERVICE
BROOKLYN, NY

Prospectus Number: PNY-04-BR18
Congressional District: 7

Background

The current lease became effective on October 5, 2001—shortly after the September 11, 2001, attacks destroyed USSS' Regional Headquarters Office located at 7 World Trade Center—and expires on October 30, 2018. The lease was executed under an emergency blanket authorization. GSA pays approximately \$4,726,378 in annual lease contract rent.

Justification

USSS has housed its Regional Headquarters in Brooklyn since 2001. Extension of the current lease will enable USSS to provide continued housing for its personnel and meet its mission requirements. A 5-year lease extension will provide GSA and USSS the opportunity for a coordinated USSS relocation plan. GSA will attempt to negotiate a flexible lease term of 5 years with termination rights after the third year to mitigate vacancy risk in the event a new location for USSS is ready for occupancy in less than 5 years.

It is anticipated that USSS will consolidate the larger USSS footprint throughout the New York City area into a long-term solution.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

Interim Leasing

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the extension. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

PROSPECTUS – LEASE
DEPARTMENT OF HOMELAND SECURITY
SECRET SERVICE
BROOKLYN, NY

Prospectus Number: PNY-04-BR18
Congressional District: 7

Certification of Need

The proposed project is the best solution to meet a validated Government need.

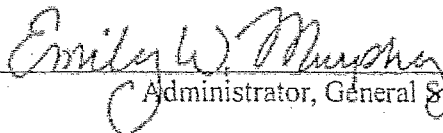
Submitted at Washington, DC, on August 2, 2018.

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

January 2017

Housing Plan
Department of Homeland Security United States Secret Service (DHS-USSS)

PNY-04-15K18
Brooklyn, NY

Leased Locations	CURRENT				ESTIMATED/PROPOSED			
	Personnel		Usable Square Feet (USF) ¹		Personnel		Usable Square Feet (USF)	
	Office	Total	Office	Total	Office	Total	Office	Total
335 Adams Street, Brooklyn, NY	250	250	47,611	17,620	250	250	47,611	17,620
Total	250	250	47,611	17,620	250	250	47,611	17,620

Office Utilization Rate (UR) ²		
Rate	Current	Proposed
	149	149

UR=average amount of office space per person
Current UR excludes 10,474 usf of office support space
Proposed UR excludes 10,474 usf of office support space

Overall UR ³		
Rate	Current	Proposed
	269	269

R/U Factor ⁴			
	Total USF	RSF/USF	Max RSF
Current	67,291	1.37	92,210
Estimated/Proposed	67,291	1.37	92,210

Special Space		USF
Interview Rooms		2,150
Conference/ Training Room		5,330
Ops Equipment Room		2,250
Communication Equipment Room		450
Equipment Storage		3,720
Fitness Room		2,250
Locker Room		1,470
Total		17,620

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

²Calculation excludes Judiciary, Congress, and agencies with fewer than 10 people.

³USF/Person = housing plan total USF divided by total personnel.

⁴R/U Factor = Max RSF divided by total USF

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

¶136.14 STOP TRADING ON
CONGRESSIONAL KNOWLEDGE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform, the Committee on Financial Services, the Committee on Agriculture, the Committee on House Administration, and the Committee on the Judiciary were discharged from further consideration of the bill (H.R. 6870) to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶136.15 DEPUTY SHERIFF ZACKARI
SPURLOCK PARRISH, III, POST OFFICE
BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5791) to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the "Deputy Sheriff Zackari Spurlock Parrish, III, Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶136.16 DEPUTY SHERIFF HEATH
MCDONALD GUMM POST OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5792) to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the "Deputy Sheriff Heath McDonald Gumm Post Office".

When said bill was considered and read twice,

Mr. COMER submitted the following amendment which was agreed to:

Strike out all after the enacting clause and insert the following:

SECTION 1. DETECTIVE HEATH MCDONALD GUMM POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, shall be known and designated as the "Detective Heath McDonald Gumm Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility re-

ferred to in subsection (a) shall be deemed to be a reference to the "Detective Heath McDonald Gumm Post Office".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the 'Detective Heath McDonald Gumm Post Office'."

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶136.17 MAJOR ANDREAS O'KEEFFE POST
OFFICE BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6780) to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the "Major Andreas O'Keeffe Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶136.18 NAPOLEON "NAP" FORD POST
OFFICE BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6591) to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the "Napoleon 'Nap' Ford Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶136.19 MISSING CHILDREN'S ASSISTANCE

On motion of Mr. GUTHRIE, by unanimous consent, the bill of the Senate (S. 3354) to amend the Missing Children's Assistance Act, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶136.20 FAMILY VIOLENCE PREVENTION
AND SERVICES

On motion of Mr. THOMPSON of Pennsylvania, by unanimous consent, the Committee on Education and the Workforce was discharged from further consideration of the bill (H.R. 6014) to reauthorize the Family Violence Prevention and Services Act.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶136.21 CONGRESSIONAL AWARD
REAUTHORIZATION

On motion of Mr. THOMPSON of Pennsylvania, by unanimous consent, the bill of the Senate (S. 3509) to reauthorize the Congressional Award Act; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶136.22 JUVENILE JUSTICE REFORM

On motion of Mr. LEWIS of Minnesota, by unanimous consent, the Committee on Education and the Workforce was discharged from further consideration of the bill (H.R. 6964) to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶136.23 GLOBAL FOOD SECURITY

On motion of Mr. ROYCE of California, by unanimous consent, the bill of the Senate (S. 2269) to reauthorize the Global Food Security Act of 2016 for 5 additional years; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶136.24 AMY, VICKY, AND ANDY CHILD
PORNOGRAPHY VICTIM ASSISTANCE

On motion of Mr. MARINO, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate

(S. 2152) to amend title 18, United States Code, to provide for assistance for victims of child pornography, and for other purposes.

When said bill was considered and read twice.

Mr. MARINO submitted the following amendment which was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The demand for child pornography harms children because it drives production, which involves severe child sexual abuse and exploitation.

(2) The harms caused by child pornography begin, but do not end, with child sex assault because child pornography is a permanent record of that abuse and trafficking in those images compounds the harm to the child.

(3) In *Paroline v. United States* (2014), the Supreme Court recognized that “every viewing of child pornography is a repetition of the victim’s abuse”.

(4) The American Professional Society on the Abuse of Children has stated that for victims of child pornography, “the sexual abuse of the child, the memorialization of that abuse which becomes child pornography, and its subsequent distribution and viewing become psychologically intertwined and each compound the harm suffered by the child-victim”.

(5) Victims suffer continuing and grievous harm as a result of knowing that a large, indeterminate number of individuals have viewed and will in the future view images of their childhood sexual abuse. Harms of this sort are a major reason that child pornography is outlawed.

(6) The unlawful collective conduct of every individual who reproduces, distributes, or possesses the images of a victim’s childhood sexual abuse plays a part in sustaining and aggravating the harms to that individual victim.

(7) It is the intent of Congress that victims of child pornography be compensated for the harms resulting from every perpetrator who contributes to their anguish. Such an aggregate causation standard reflects the nature of child pornography and the unique ways that it actually harms victims.

SEC. 3. DETERMINING RESTITUTION.

(a) DETERMINING RESTITUTION.—Section 2259(b) of title 18, United States Code, is amended—

(1) in paragraph (1)—

(A) by striking “The order” and inserting “Except as provided in paragraph (2), the order”; and

(B) by striking “as determined by the court pursuant to paragraph (2)” after “of the victim’s losses”;

(2) by striking paragraph (3);

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following:

“(2) RESTITUTION FOR TRAFFICKING IN CHILD PORNOGRAPHY.—If the defendant was convicted of trafficking in child pornography, the court shall order restitution under this section in an amount to be determined by the court as follows:

“(A) DETERMINING THE FULL AMOUNT OF A VICTIM’S LOSSES.—The court shall determine the full amount of the victim’s losses that were incurred or are reasonably projected to be incurred by the victim as a result of the trafficking in child pornography depicting the victim.

“(B) DETERMINING A RESTITUTION AMOUNT.—After completing the determination required under subparagraph (A), the court shall order restitution in an amount that reflects the defendant’s relative role in the causal process that underlies the victim’s losses, but which is no less than \$3,000.

“(C) TERMINATION OF PAYMENT.—A victim’s total aggregate recovery pursuant to this section shall not exceed the full amount of the victim’s demonstrated losses. After the victim has received restitution in the full amount of the victim’s losses as measured by the greatest amount of such losses found in any case involving that victim that has resulted in a final restitution order under this section, the liability of each defendant who is or has been ordered to pay restitution for such losses to that victim shall be terminated. The court may require the victim to provide information concerning the amount of restitution the victim has been paid in other cases for the same losses.”.

(b) ADDITIONAL DEFINITIONS.—Section 2259(c) of title 18, United States Code, is amended—

(1) in the heading, by striking “DEFINITION” and inserting “DEFINITIONS”;

(2) by striking “For purposes” and inserting the following:

“(4) VICTIM.—For purposes”;

(3) by striking “under this chapter, including, in the case” and inserting “under this chapter. In the case”;

(4) by inserting after “or any other person appointed as suitable by the court,” the following: “may assume the crime victim’s rights under this section.”; and

(5) by inserting before paragraph (4), as so designated, the following:

“(1) CHILD PORNOGRAPHY PRODUCTION.—For purposes of this section and section 2259A, the term ‘child pornography production’ means conduct proscribed by subsections (a) through (c) of section 2251, section 2251A, section 2252A(g) (in cases in which the series of felony violations involves at least 1 of the violations listed in this subsection), section 2260(a), or any offense under chapter 109A or chapter 117 that involved the production of child pornography (as such term is defined in section 2256).

“(2) FULL AMOUNT OF THE VICTIM’S LOSSES.—For purposes of this subsection, the term ‘full amount of the victim’s losses’ includes any costs incurred, or that are reasonably projected to be incurred in the future, by the victim, as a proximate result of the offenses involving the victim, and in the case of trafficking in child pornography offenses, as a proximate result of all trafficking in child pornography offenses involving the same victim, including—

“(A) medical services relating to physical, psychiatric, or psychological care;

“(B) physical and occupational therapy or rehabilitation;

“(C) necessary transportation, temporary housing, and child care expenses;

“(D) lost income;

“(E) reasonable attorneys’ fees, as well as other costs incurred; and

“(F) any other relevant losses incurred by the victim.

“(3) TRAFFICKING IN CHILD PORNOGRAPHY.—For purposes of this section and section 2259A, the term ‘trafficking in child pornography’ means conduct proscribed by section 2251(d), 2252, 2252A(a)(1) through (5), 2252A(g) (in cases in which the series of felony violations exclusively involves violations of section 2251(d), 2252, 2252A(a)(1) through (5), or 2260(b)), or 2260(b)).”.

(c) CLERICAL AMENDMENT.—Section 1593(b)(3) of title 18, United States Code, is amended by striking “section 2259(b)(3)” and inserting “section 2259(c)(2)”.

SEC. 4. DEFINED MONETARY ASSISTANCE.

Section 2259 of title 18, United States Code, is amended by adding at the end the following:

“(d) DEFINED MONETARY ASSISTANCE.—

“(1) DEFINED MONETARY ASSISTANCE MADE AVAILABLE AT VICTIM’S ELECTION.—

“(A) ELECTION TO RECEIVE DEFINED MONETARY ASSISTANCE.—Subject to paragraphs (2) and (3), when a defendant is convicted of trafficking in child pornography, any victim of that trafficking in child pornography may choose to receive defined monetary assistance from the Child Pornography Victims Reserve established under section 1402(d)(6) of the Victims of Crime Act of 1984 (34 U.S.C. 20101(d)).

“(B) FINDING.—To be eligible for defined monetary assistance under this subsection, a court shall determine whether the claimant is a victim of the defendant who was convicted of trafficking in child pornography.

“(C) ORDER.—If a court determines that a claimant is a victim of trafficking in child pornography under subparagraph (B) and the claimant chooses to receive defined monetary assistance, the court shall order payment in accordance with subparagraph (D) to the victim from the Child Pornography Victims Reserve established under section 1402(d)(6) of the Victims of Crime Act of 1984.

“(D) AMOUNT OF DEFINED MONETARY ASSISTANCE.—The amount of defined monetary assistance payable under this subparagraph shall be equal to—

“(i) for the first calendar year after the date of enactment of this subsection, \$35,000; and

“(ii) for each calendar year after the year described in clause (i), \$35,000 multiplied by the ratio (not less than one) of—

“(I) the Consumer Price Index for all Urban Consumers (CPI-U, as published by the Bureau of Labor Statistics of the Department of Labor) for the calendar year preceding such calendar year; to

“(II) the CPI-U for the calendar year 2 years before the calendar year described in clause (i).

“(2) LIMITATIONS ON DEFINED MONETARY ASSISTANCE.—

“(A) IN GENERAL.—A victim may only obtain defined monetary assistance under this subsection once.

“(B) EFFECT ON RECOVERY OF OTHER RESTITUTION.—A victim who obtains defined monetary assistance under this subsection shall not be barred or limited from receiving restitution against any defendant for any offenses not covered by this section.

“(C) DEDUCTION.—If a victim who received defined monetary assistance under this subsection subsequently seeks restitution under this section, the court shall deduct the amount the victim received in defined monetary assistance when determining the full amount of the victim’s losses.

“(3) LIMITATIONS ON ELIGIBILITY.—A victim who has collected payment of restitution pursuant to this section in an amount greater than the amount provided for under paragraph (1)(D) shall be ineligible to receive defined monetary assistance under this subsection.

“(4) ATTORNEY FEES.—

“(A) IN GENERAL.—An attorney representing a victim seeking defined monetary assistance under this subsection may not charge, receive, or collect, and the court may not approve, any payment of fees and costs that in the aggregate exceeds 15 percent of any payment made under this subsection.

“(B) PENALTY.—An attorney who violates subparagraph (A) shall be fined under this title, imprisoned not more than 1 year, or both.”.

SEC. 5. ASSESSMENTS IN CHILD PORNOGRAPHY CASES.

(a) **ASSESSMENTS IN CHILD PORNOGRAPHY CASES.**—Chapter 110 of title 18, United States Code, is amended by inserting after section 2259 the following:

“§ 2259A. Assessments in child pornography cases

“(a) **IN GENERAL.**—In addition to any other criminal penalty, restitution, or special assessment authorized by law, the court shall assess—

“(1) not more than \$17,000 on any person convicted of an offense under section 2252(a)(4) or 2252A(a)(5);

“(2) not more than \$35,000 on any person convicted of any other offense for trafficking in child pornography; and

“(3) not more than \$50,000 on any person convicted of a child pornography production offense.

“(b) **ANNUAL ADJUSTMENT.**—The dollar amounts in subsection (a) shall be adjusted annually in conformity with the Consumer Price Index.

“(c) **FACTORS CONSIDERED.**—In determining the amount of the assessment under subsection (a), the court shall consider the factors set forth in sections 3553(a) and 3572.

“(d) IMPOSITION AND IMPLEMENTATION.—

“(1) **IN GENERAL.**—The provisions of subchapter C of chapter 227 (other than section 3571) and subchapter B of chapter 229 (relating to fines) apply to assessments under this section, except that paragraph (2) applies in lieu of any contrary provisions of law relating to fines or disbursement of money received from a defendant.

“(2) **EFFECT ON OTHER PENALTIES.**—Imposition of an assessment under this section does not relieve a defendant of, or entitle a defendant to reduce the amount of any other penalty by the amount of the assessment. Any money received from a defendant shall be disbursed so that each of the following obligations is paid in full in the following sequence:

“(A) A special assessment under section 3013.

“(B) Restitution to victims of any child pornography production or trafficking offense that the defendant committed.

“(C) An assessment under this section.

“(D) Other orders under any other section of this title.

“(E) All other fines, penalties, costs, and other payments required under the sentence.”

(b) **CHILD PORNOGRAPHY VICTIMS RESERVE.**—Section 1402(d) of the Victims of Crime Act of 1984 (34 U.S.C. 20101(d)) is amended by adding at the end the following:

“(6)(A) The Director may set aside up to \$10,000,000 of the amounts remaining in the Fund in any fiscal year after distributing the amounts under paragraphs (2), (3), and (4), in a Child Pornography Victims Reserve, which may be used by the Attorney General for payments under section 2259(d) of title 18, United States Code.

“(B) Amounts in the reserve may be carried over from fiscal year to fiscal year, but the total amount of the reserve shall not exceed \$10,000,000. Notwithstanding subsection (c) and any limitation on Fund obligations in any future Act, unless the same should expressly refer to this section, any such amounts carried over shall not be subject to any limitation on obligations from amounts deposited to or available in the Fund.”

(c) **CHILD PORNOGRAPHY VICTIMS RESERVE.**—Chapter 110 of title 18, United States Code, is amended by inserting after section 2259A, as added by subsection (a), the following:

“§ 2259B. Child pornography victims reserve

“(a) **DEPOSITS INTO THE RESERVE.**—Notwithstanding any other provision of law,

there shall be deposited into the Child Pornography Victims Reserve established under section 1402(d)(6) of the Victims of Crime Act of 1984 (34 U.S.C. 20101(d)) all assessments collected under section 2259A and any gifts, bequests, or donations to the Child Pornography Victims Reserve from private entities or individuals.

“(b) **AVAILABILITY FOR DEFINED MONETARY ASSISTANCE.**—Amounts in the Child Pornography Victims Reserve shall be available for payment of defined monetary assistance pursuant to section 2259(d). If at any time the Child Pornography Victims Reserve has insufficient funds to make all of the payments ordered under section 2259(d), the Child Pornography Victims Reserve shall make such payments as it can satisfy in full from available funds. In determining the order in which such payments shall be made, the Child Pornography Victims Reserve shall make payments based on the date they were ordered, with the earliest-ordered payments made first.

“(c) **ADMINISTRATION.**—The Attorney General shall administer the Child Pornography Victims Reserve and shall issue guidelines and regulations to implement this section.

“(d) **SENSE OF CONGRESS.**—It is the sense of Congress that individuals who violate this chapter prior to the date of the enactment of the Amy, Vicky, and Andy Child Pornography Victim Assistance Act of 2018, but who are sentenced after such date, shall be subject to the statutory scheme that was in effect at the time the offenses were committed.”

(d) **CLERICAL AMENDMENT.**—The table of sections for chapter 110 of title 18, United States Code, is amended by inserting after the item relating to section 2259 the following:

“2259A. Assessments in child pornography cases

“2259B. Child pornography victims reserve”.

SEC. 6. CHILD PORNOGRAPHY VICTIM'S RIGHT TO EVIDENCE.

Section 3509(m) of title 18, United States Code, is amended by adding at the end the following:

“(3) In any criminal proceeding, a victim, as defined under section 2259(c)(4), shall have reasonable access to any property or material that constitutes child pornography, as defined under section 2256(8), depicting the victim, for inspection, viewing, and examination at a Government facility or court, by the victim, his or her attorney, and any individual the victim may seek to qualify to furnish expert testimony, but under no circumstances may such child pornography be copied, photographed, duplicated, or otherwise reproduced. Such property or material may be redacted to protect the privacy of third parties.”

SEC. 7. CLERICAL AMENDMENTS.

(a) **EXPANSION OF CIVIL REMEDIES FOR SATISFACTION OF AN UNPAID FINE.**—Section 3613(c) of title 18, United States Code, is amended by inserting “an assessment imposed pursuant to section 2259A of this title,” after “pursuant to the provisions of subchapter C of chapter 227 of this title.”

(b) **CLARIFICATION OF INTERSTATE OR FOREIGN COMMERCE PROVISION REGARDING CERTAIN ACTIVITIES PERTAINING TO CHILD PORNOGRAPHY.**—Section 2252A (a)(2) of title 18, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking “using any means or facility of interstate or foreign commerce” and inserting “has been”; and

(B) by inserting “using any means or facility of interstate or foreign commerce or” after “child pornography”; and

(2) in subparagraph (B)—

(A) by striking “using any means or facility of interstate or foreign commerce” and inserting “has been”; and

(B) by inserting “using any means or facility of interstate or foreign commerce or” after “child pornography”.

(c) **CLARIFICATION OF THE DEFINITION OF “SEXUALLY EXPLICIT CONDUCT”.**—Section 2256(2) of title 18, United States Code, is amended—

(1) in subparagraph (A)(v)—

(A) by inserting “anus,” before “genitals”; and

(B) by inserting a comma after “genitals”; and

(2) in subparagraph (B)(iii)—

(A) by inserting “anus,” before “genitals”; and

(B) by inserting a comma after “genitals”.

SEC. 8. REPORTS.

Not later than 2 years after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the progress of the Department of Justice in implementing the amendments made by sections 3 through 5, and shall include an assessment of the funding levels for the Child Pornography Victims Reserve.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

136.25 ABOLISH HUMAN TRAFFICKING

On motion of Mr. MARINO, by unanimous consent, the Committee on the Judiciary, the Committee on Foreign Affairs, the Committee on Energy and Commerce, and the Committee on Homeland Security were discharged from further consideration of the bill of the Senate (S. 1311) to provide assistance in abolishing human trafficking in the United States.

When said bill was considered and read twice.

Mr. MARINO submitted the following amendment which was agreed to:

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Abolish Human Trafficking Act of 2017”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Preserving Domestic Trafficking Victims’ Fund.

Sec. 3. Mandatory restitution for victims of commercial sexual exploitation.

Sec. 4. Victim-witness assistance in sexual exploitation cases.

Sec. 5. Victim protection training for the Department of Homeland Security.

Sec. 6. Direct services for child victims of human trafficking.

Sec. 7. Holistic training for Federal law enforcement officers and prosecutors.

Sec. 8. Best practices in delivering justice for victims of trafficking.

Sec. 9. Improving the national strategy to combat human trafficking.

Sec. 10. Specialized human trafficking training and technical assistance for service providers.

Sec. 11. Enhanced penalties for human trafficking, child exploitation, and repeat offenders.

- Sec. 12. Targeting organized human trafficking perpetrators.
- Sec. 13. Investigating complex human trafficking networks.
- Sec. 14. Combating sex tourism.
- Sec. 15. Human Trafficking Justice Coordinators.
- Sec. 16. Interagency Task Force to Monitor and Combat Human Trafficking.
- Sec. 17. Additional reporting on crime.
- Sec. 18. Strengthening the national human trafficking hotline.
- Sec. 19. Ending Government partnerships with the commercial sex industry.
- Sec. 20. Understanding the effects of severe forms of trafficking in persons.
- Sec. 21. Combating trafficking in persons.
- Sec. 22. Grant accountability.
- Sec. 23. HERO Act improvements.

SEC. 2. PRESERVING DOMESTIC TRAFFICKING VICTIMS' FUND.

(a) SENSE OF CONGRESS.—It is the sense of Congress that the Domestic Trafficking Victims' Fund established under section 3014 of title 18, United States Code—

(1) is intended to supplement, and not supplant, any other funding for domestic trafficking victims; and

(2) has achieved the objective described in paragraph (1) since the establishment of the Fund.

(b) ENSURING FULL FUNDING.—Section 3014 of title 18, United States Code, is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “September 30, 2019” and inserting “September 30, 2021”;

(2) in subsection (e)(1), in the matter preceding subparagraph (A), by striking “2019” and inserting “2023”;

(3) in subsection (f), by inserting “, including the mandatory imposition of civil remedies for satisfaction of an unpaid fine as authorized under section 3613, where appropriate” after “criminal cases”; and

(4) in subsection (h)(3), by inserting “and child victims of a severe form of trafficking (as defined in section 103 of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7102))” after “child pornography victims”.

SEC. 3. MANDATORY RESTITUTION FOR VICTIMS OF COMMERCIAL SEXUAL EXPLOITATION.

(a) AMENDMENT.—Chapter 117 of title 18, United States Code, is amended by adding at the end the following:

“§ 2429. Mandatory restitution

“(a) Notwithstanding section 3663 or 3663A, and in addition to any other civil or criminal penalty authorized by law, the court shall order restitution for any offense under this chapter.

“(b)(1) The order of restitution under this section shall direct the defendant to pay the victim (through the appropriate court mechanism) the full amount of the victim's losses, as determined by the court under paragraph (3), and shall additionally require the defendant to pay the greater of the gross income or value to the defendant of the victim's services, if the services constitute commercial sex acts as defined under section 1591.

“(2) An order of restitution under this section shall be issued and enforced in accordance with section 3664 in the same manner as an order under section 3663A.

“(3) As used in this subsection, the term ‘full amount of the victim's losses’ has the same meaning as provided in section 2259(b)(3).

“(c) The forfeiture of property under this section shall be governed by the provisions of section 413 (other than subsection (d) of such section) of the Controlled Substances Act (21 U.S.C. 853).

“(d) As used in this section, the term ‘victim’ means the individual harmed as a result

of a crime under this chapter, including, in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, the legal guardian of the victim or a representative of the victim's estate, or another family member, or any other person appointed as suitable by the court, but in no event shall the defendant be named such representative or guardian.”.

(b) TABLE OF SECTIONS.—The table of sections for chapter 117 of title 18, United States Code, is amended by inserting after the item relating to section 2428 the following:

“2429. Mandatory restitution.”.

SEC. 4. VICTIM-WITNESS ASSISTANCE IN SEXUAL EXPLOITATION CASES.

(a) AVAILABILITY OF DOJ APPROPRIATIONS.—Section 524(c)(1)(B) of title 28, United States Code, is amended by inserting “, chapter 110 of title 18” after “chapter 77 of title 18”.

(b) AMENDMENT TO TITLE 31.—Section 9705(a)(2)(B)(v) of title 31, United States Code, is amended by inserting “, chapter 109A of title 18 (relating to sexual abuse), chapter 110 of title 18 (relating to child sexual exploitation), or chapter 117 of title 18 (relating to transportation for illegal sexual activity and related crimes)” after “(relating to human trafficking)”.

SEC. 5. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

(a) IN GENERAL.—Title IX of the Justice for Victims of Trafficking Act of 2015 (6 U.S.C. 641 et seq.) is amended by adding at the end the following:

“SEC. 906. VICTIM PROTECTION TRAINING FOR THE DEPARTMENT OF HOMELAND SECURITY.

“(a) DIRECTIVE TO DHS LAW ENFORCEMENT OFFICIALS AND TASK FORCES.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue a directive to—

“(A) all Federal law enforcement officers and relevant personnel employed by the Department who may be involved in the investigation of human trafficking offenses; and

“(B) members of all task forces led by the Department that participate in the investigation of human trafficking offenses.

“(2) REQUIRED INSTRUCTIONS.—The directive required to be issued under paragraph (1) shall include instructions on—

“(A) the investigation of individuals who patronize or solicit human trafficking victims as being engaged in severe trafficking in persons and how such individuals should be investigated for their roles in severe trafficking in persons; and

“(B) how victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons and such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.

“(b) VICTIM SCREENING PROTOCOL.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this section, the Secretary shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department is involved.

“(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—

“(A) require the individual screening of all adults and children who are suspected of engaging in commercial sex acts, child labor that is a violation of law, or work in violation of labor standards to determine whether each individual screened is a victim of human trafficking;

“(B) require affirmative measures to avoid arresting, charging, or prosecuting human

trafficking victims for any offense that is the direct result of their victimization;

“(C) be developed in consultation with relevant interagency partners and nongovernmental organizations that specialize in the prevention of human trafficking or in the identification and support of victims of human trafficking and survivors of human trafficking; and

“(D) include—

“(i) procedures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and

“(ii) guidelines on assisting victims of human trafficking in identifying and receiving restorative services.

“(c) MANDATORY TRAINING.—The training described in sections 902 and 904 shall include training necessary to implement—

“(1) the directive required under subsection (a); and

“(2) the protocol required under subsection (b).”.

(b) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 1(b) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22; 129 Stat. 227) is amended by inserting after the item relating to section 905 the following:

“Sec. 906. Victim protection training for the Department of Homeland Security.”.

SEC. 6. DIRECT SERVICES FOR CHILD VICTIMS OF HUMAN TRAFFICKING.

Section 214(b) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20304(b)) is amended—

(1) in the heading by inserting “CHILD VICTIMS OF A SEVERE FORM OF TRAFFICKING IN PERSONS AND” before “VICTIMS OF CHILD PORNOGRAPHY”; and

(2) by inserting “victims of a severe form of trafficking (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)(9)(A)) who were under the age of 18 at the time of the offense and” before “victims of child pornography”.

SEC. 7. HOLISTIC TRAINING FOR FEDERAL LAW ENFORCEMENT OFFICERS AND PROSECUTORS.

All training required under the Combat Human Trafficking Act of 2015 (34 U.S.C. 20709) and section 105(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)) shall—

(1) emphasize that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense;

(2) develop specific curriculum for—

(A) under appropriate circumstances, arresting and prosecuting buyers of commercial sex, child labor that is a violation of law, or forced labor as a form of primary prevention; and

(B) investigating and prosecuting individuals who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking; and

(3) specify that any comprehensive approach to eliminating human trafficking shall include a demand reduction component.

SEC. 8. BEST PRACTICES IN DELIVERING JUSTICE FOR VICTIMS OF TRAFFICKING.

Not later than 180 days after the date of enactment of this Act, the Attorney General shall issue guidance to all offices and components of the Department of Justice—

(1) emphasizing that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor

(consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a severe form of trafficking in persons, as that term is defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9));

(2) recommending and implementing best practices for the collection of special assessments under section 3014 of title 18, United States Code, as added by section 101 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22; 129 Stat. 228), including a directive that civil liens are an authorized collection method and remedy under section 3613 of title 18, United States Code; and

(3) clarifying that commercial sexual exploitation is a form of gender-based violence.

SEC. 9. IMPROVING THE NATIONAL STRATEGY TO COMBAT HUMAN TRAFFICKING.

Section 606(b) of the Justice for Victims of Trafficking Act of 2015 (34 U.S.C. 20711(b)) is amended by adding at the end the following:

“(6) A national strategy to prevent human trafficking and reduce demand for human trafficking victims.”.

SEC. 10. SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS.

(a) IN GENERAL.—Section 111 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (34 U.S.C. 20708) is amended—

(1) in the heading, by striking “**LAW ENFORCEMENT TRAINING PROGRAMS**” and inserting “**SPECIALIZED HUMAN TRAFFICKING TRAINING AND TECHNICAL ASSISTANCE FOR SERVICE PROVIDERS**”;

(2) in subsection (a)(2), by striking “means a State or a local government.” and inserting the following: “means—

“(A) a State or unit of local government;

“(B) a federally recognized Indian tribal government, as determined by the Secretary of the Interior;

“(C) a victim service provider;

“(D) a nonprofit or for-profit organization (including a tribal nonprofit or for-profit organization);

“(E) a national organization; or

“(F) an institution of higher education (including tribal institutions of higher education).”;

(3) by striking subsection (b) and inserting the following:

“(b) **GRANTS AUTHORIZED.**—The Attorney General may award grants to eligible entities to—

“(1) provide training to identify and protect victims of trafficking;

“(2) improve the quality and quantity of services offered to trafficking survivors; and

“(3) improve victim service providers’ partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities.”; and

(4) in subsection (c)—

(A) in paragraph (2), by striking “or” at the end;

(B) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(C) by inserting after paragraph (3) the following:

“(4) provide technical assistance on the range of services available to victim service providers who serve trafficking victims;

“(5) develop and distribute materials, including materials identifying best practices in accordance with Federal law and policies, to support victim service providers working with human trafficking victims;

“(6) identify and disseminate other publicly available materials in accordance with Federal law to help build capacity of service providers;

“(7) provide training at relevant conferences, through webinars, or through other

mechanisms in accordance with Federal law; or

“(8) assist service providers in developing additional resources such as partnerships with Federal, State, tribal, and local law enforcement agencies and other relevant entities in order to access a range of available services in accordance with Federal law.”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of contents in section 2 of the Violence Against Women and Department of Justice Reauthorization Act of 2005 (Public Law 109-162; 119 Stat. 2960) is amended by striking the item relating to section 111 and inserting the following:

“Sec. 111. Grants for specialized human trafficking training and technical assistance for service providers.”.

SEC. 11. ENHANCED PENALTIES FOR HUMAN TRAFFICKING, CHILD EXPLOITATION, AND REPEAT OFFENDERS.

Part I of title 18, United States Code, is amended—

(1) in chapter 77—

(A) in section 1583(a), in the flush text following paragraph (3), by striking “not more than 20 years” and inserting “not more than 30 years”;

(B) in section 1587, by striking “four years” and inserting “10 years”; and

(C) in section 1591(d), by striking “20 years” and inserting “25 years”; and

(2) in section 2426—

(A) in subsection (a), by striking “twice” and inserting “3 times”; and

(B) in subsection (b)(1)(B) by striking “paragraph (1)” and inserting “subparagraph (A)”.

SEC. 12. TARGETING ORGANIZED HUMAN TRAFFICKING PERPETRATORS.

Section 521(c) of title 18, United States Code, is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) by redesignating paragraph (3) as paragraph (4);

(3) by inserting after paragraph (2) the following:

“(3) a Federal offense involving human trafficking, sexual abuse, sexual exploitation, or transportation for prostitution or any illegal sexual activity; and”; and

(4) in paragraph (4), as so redesignated, by striking “(1) or (2)” and inserting “(1), (2), or (3)”.

SEC. 13. INVESTIGATING COMPLEX HUMAN TRAFFICKING NETWORKS.

Section 2516 of title 18, United States Code, is amended—

(1) in subsection (1)(c)—

(A) by inserting “section 1582 (vessels for slave trade), section 1583 (entice into slavery),” after “section 1581 (peonage),”; and

(B) by inserting “section 1585 (seizure, detention, transportation or sale of slaves), section 1586 (service on vessels in slave trade), section 1587 (possession of slaves aboard vessel), section 1588 (transportation of slaves from United States),” after “section 1584 (involuntary servitude),”; and

(2) in subsection (2)—

(A) by striking “kidnapping human” and inserting “kidnapping, human”; and

(B) by striking “production,” and inserting “production, prostitution,”.

SEC. 14. COMBATING SEX TOURISM.

Section 2423 of title 18, United States Code, is amended—

(1) in subsection (b), by striking “for the purpose” and inserting “with a motivating purpose”; and

(2) in subsection (d), by striking “for the purpose of engaging” and inserting “with a motivating purpose of engaging”.

SEC. 15. HUMAN TRAFFICKING JUSTICE COORDINATORS.

Section 606 of the Justice for Victims of Trafficking Act of 2015 (34 U.S.C. 20711) is amended—

(1) in subsection (b)(1)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(2) by adding at the end the following:

“(c) **HUMAN TRAFFICKING JUSTICE COORDINATORS.**—The Attorney General shall designate in each Federal judicial district not less than 1 assistant United States attorney to serve as the Human Trafficking Coordinator for the district who, in addition to any other responsibilities, works with a human trafficking victim-witness specialist and shall be responsible for—

“(1) implementing the National Strategy with respect to all forms of human trafficking, including labor trafficking and sex trafficking;

“(2) prosecuting, or assisting in the prosecution of, human trafficking cases;

“(3) conducting public outreach and awareness activities relating to human trafficking;

“(4) ensuring the collection of data required to be collected under clause (viii) of section 105(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)), as added by section 17 of the Abolish Human Trafficking Act of 2017, is sought;

“(5) coordinating with other Federal agencies, State, tribal, and local law enforcement agencies, victim service providers, and other relevant non-governmental organizations to build partnerships on activities relating to human trafficking; and

“(6) ensuring the collection of restitution for victims is sought as required to be ordered under section 1593 of title 18, United States Code, and section 2429 of such title, as added by section 3 of the Abolish Human Trafficking Act of 2017.

(d) **DEPARTMENT OF JUSTICE COORDINATOR.**—Not later than 60 days after the date of enactment of the Abolish Human Trafficking Act of 2017, the Attorney General shall designate an official who shall coordinate human trafficking efforts within the Department of Justice who, in addition to any other responsibilities, shall be responsible for—

“(1) coordinating, promoting, and supporting the work of the Department of Justice relating to human trafficking, including investigation, prosecution, training, outreach, victim support, grant-making, and policy activities;

“(2) in consultation with survivors of human trafficking, or anti-human trafficking organizations, producing and disseminating, including making publicly available when appropriate, replication guides and training materials for law enforcement officers, prosecutors, judges, emergency responders, individuals working in victim services, adult and child protective services, social services, and public safety, medical personnel, mental health personnel, financial services personnel, and any other individuals whose work may bring them in contact with human trafficking regarding how to—

“(A) identify signs of human trafficking;

“(B) conduct investigations in human trafficking cases;

“(C) address evidentiary issues and other legal issues; and

“(D) appropriately assess, respond to, and interact with victims and witnesses in human trafficking cases, including in administrative, civil, and criminal judicial proceedings; and

“(3) carrying out such other duties as the Attorney General determines necessary in

connection with enhancing the understanding, prevention, and detection of, and response to, human trafficking.”.

SEC. 16. INTERAGENCY TASK FORCE TO MONITOR AND COMBAT HUMAN TRAFFICKING.

Section 105(d)(7)(Q) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)(Q)) is amended—

(1) in clause (vi), by striking “and” at the end; and

(2) by adding at the end the following:

“(viii) the number of convictions obtained under chapter 77 of title 18, United States Code, aggregated separately by the form of offense committed with respect to the victim, including recruiting, enticing, harboring, transporting, providing, obtaining, advertising, maintaining, patronizing, or soliciting a human trafficking victim; and”.

SEC. 17. ADDITIONAL REPORTING ON CRIME.

Section 237(b) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (28 U.S.C. 534 note) is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(4) incidents of assisting or promoting prostitution, child labor that is a violation of law, or forced labor of an individual under the age of 18 as described in paragraph (1); and

“(5) incidents of purchasing or soliciting commercial sex acts, child labor that is a violation of law, or forced labor with an individual under the age of 18 as described in paragraph (2).”.

SEC. 18. STRENGTHENING THE NATIONAL HUMAN TRAFFICKING HOTLINE.

(a) **REPORTING REQUIREMENT.**—Section 105(d)(3) of the Victims of Trafficking and Violence Protection Act of 2000 (22 U.S.C. 7103(d)(3)) is amended—

(1) by inserting “and providing an annual report on the case referrals received from the national human trafficking hotline by Federal departments and agencies” after “international trafficking”; and

(2) by inserting “and reporting requirements” after “Any data collection procedures”.

(b) **HOTLINE INFORMATION.**—Section 107(b)(1)(B)(ii) of such Act (22 U.S.C. 7105(b)(1)(B)(ii)) is amended by adding at the end the following: “The number of the national human trafficking hotline described in this clause shall be posted in a visible place in all Federal buildings.”.

SEC. 19. ENDING GOVERNMENT PARTNERSHIPS WITH THE COMMERCIAL SEX INDUSTRY.

No Federal funds or resources may be used for the operation of, participation in, or partnership with any program that involves the provision of funding or resources to an organization that—

(1) has the primary purpose of providing adult entertainment; and

(2) derives profits from the commercial sex trade.

SEC. 20. UNDERSTANDING THE EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.

(a) **IN GENERAL.**—Title VI of the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22; 129 Stat. 258) is amended by adding at the end the following:

“**SEC. 607. UNDERSTANDING THE PHYSICAL AND PSYCHOLOGICAL EFFECTS OF SEVERE FORMS OF TRAFFICKING IN PERSONS.**

“(a) **IN GENERAL.**—The National Institute of Justice and the Centers for Disease Control and Prevention shall jointly conduct a study on the short-term and long-term phys-

ical and psychological effects of serious harm (as that term is defined in section 1589(c)(2) and section 1591(e)(4) of title 18, United States Code, as amended by the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (Public Law 110-457; 122 Stat. 5044)) in order to determine the most effective types of services for individuals who are identified as victims of these crimes, including victims in cases that were not investigated or prosecuted by any law enforcement agency, and how new or current treatment and programming options should be tailored to address the unique needs and barriers associated with these victims.

“(b) **REPORT.**—Not later than 3 years after the date of enactment of the Abolish Human Trafficking Act of 2017, the National Institute of Justice and the Centers for Disease Control and Prevention shall make available to the public the results, including any associated recommendations, of the study conducted under subsection (a).”.

(b) **TABLE OF CONTENTS AMENDMENT.**—The table of contents in section 1(b) of the Justice for Victims of Trafficking Act of 2015 (Public Law 114-22; 129 Stat. 227) is amended by inserting after the item relating to section 606 the following:

“Sec. 607. Understanding the physical and psychological effects of severe forms of trafficking in persons.”.

SEC. 21. COMBATING TRAFFICKING IN PERSONS.

Section 113 of the Trafficking Victims Prevention Act of 2000 (22 U.S.C. 7110) is amended—

(1) in subsection (b)(2), by striking “2014 through 2017” and inserting “2018 through 2021”; and

(2) in subsection (i), by striking “2014 through 2017” and inserting “2018 through 2021”.

SEC. 22. GRANT ACCOUNTABILITY.

(a) **DEFINITIONS.**—In this section—

(1) the term “covered agency” means an agency authorized to award grants under this Act;

(2) the term “covered grant” means a grant authorized to be awarded under this Act; and

(3) the term “covered official” means the head of a covered agency.

(b) **ACCOUNTABILITY.**—All covered grants shall be subject to the following accountability provisions:

(1) **AUDIT REQUIREMENT.**—

(A) **DEFINITION.**—In this paragraph, the term “unresolved audit finding” means a finding in the final audit report of the Inspector General of a covered agency that the audited grantee has utilized funds under a covered grant for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months from the date when the final audit report is issued.

(B) **AUDITS.**—Beginning in the first fiscal year beginning after the date of enactment of this Act, and in each fiscal year thereafter, the Inspector General of a covered agency shall conduct audits of recipients of covered grants to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

(C) **MANDATORY EXCLUSION.**—A recipient of funds under a covered grant that is found to have an unresolved audit finding shall not be eligible to receive funds under a covered grant during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

(D) **PRIORITY.**—In awarding covered grants, a covered official shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years

before submitting an application for the covered grant.

(E) **REIMBURSEMENT.**—If an entity is awarded funds under a covered grant during the 2-fiscal-year period during which the entity is barred from receiving covered grants under subparagraph (C), a covered official shall—

(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

(ii) seek to recoup the costs of the repayment to the fund from the recipient of the covered grant that was erroneously awarded grant funds.

(2) **NONPROFIT ORGANIZATION REQUIREMENTS.**—

(A) **DEFINITION.**—For purposes of this paragraph and each covered grant program, the term “nonprofit organization” means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

(B) **PROHIBITION.**—A covered grant may not be awarded to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

(C) **DISCLOSURE.**—Each nonprofit organization that is awarded a covered grant and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the applicable covered official, in the application for the covered grant, the process for determining such compensation, including the independent persons involved in reviewing and approving such compensation, the comparability data used, and contemporaneous substantiation of the deliberation and decision. Upon request, a covered official shall make the information disclosed under this subparagraph available for public inspection.

(3) **CONFERENCE EXPENDITURES.**—

(A) **LIMITATION.**—No amounts made available to a covered agency to carry out a covered grant program may be used by a covered official, or by any individual or entity awarded discretionary funds through a cooperative agreement under a covered grant program, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available by the covered agency, unless the covered official provides prior written authorization that the funds may be expended to host the conference.

(B) **WRITTEN APPROVAL.**—Written approval under subparagraph (A) shall include a written estimate of all costs associated with the conference, including the cost of all food, beverages, audio-visual equipment, honoraria for speakers, and entertainment.

(C) **REPORT.**—

(i) **DEPARTMENT OF JUSTICE.**—The Deputy Attorney General shall submit an annual report to the appropriate committees of Congress on all conference expenditures approved under this paragraph.

(ii) **DEPARTMENT OF HEALTH AND HUMAN SERVICES.**—The Deputy Secretary of Health and Human Services shall submit to the appropriate committees of Congress an annual report on all conference expenditures approved under this paragraph.

(iii) **DEPARTMENT OF HOMELAND SECURITY.**—The Deputy Secretary of Homeland Security shall submit to the appropriate committees of Congress an annual report on all conference expenditures approved under this paragraph.

(4) **ANNUAL CERTIFICATION.**—Beginning in the first fiscal year beginning after the date of enactment of this Act, each covered official shall submit to the appropriate committees of Congress an annual certification—

(A) indicating whether—

(i) all audits issued by the Office of the Inspector General of the applicable covered agency under paragraph (1) have been completed and reviewed by the appropriate official;

(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

(iii) all reimbursements required under paragraph (1)(E) have been made; and

(B) that includes a list of any recipients of a covered grant excluded under paragraph (1) from the previous year.

(C) PREVENTING DUPLICATIVE GRANTS.—

(1) IN GENERAL.—Before a covered official awards a covered grant, the covered official shall compare potential awards under the covered grant program with other covered grants awarded to determine if duplicate grant awards are awarded for the same purpose.

(2) REPORT.—If a covered official awards duplicate covered grants to the same applicant for the same purpose the covered official shall submit to the appropriate committees of Congress a report that includes—

(A) a list of all duplicate covered grants awarded, including the total dollar amount of any duplicate covered grants awarded; and

(B) the reason the covered official awarded the duplicate covered grants.

SEC. 23. HERO ACT IMPROVEMENTS.

(a) IN GENERAL.—Section 890A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “Homeland Security Investigations,” after “Customs Enforcement,”; and

(B) by striking paragraph (2) and inserting the following:

“(2) PURPOSE.—The Center shall provide investigative assistance, training, and equipment to support domestic and international investigations of cyber-related crimes by the Department.”;

(2) in subsection (b)—

(A) in paragraph (2)(C), by inserting after “personnel” the following: “, which shall include participating in training for Homeland Security Investigations personnel conducted by Internet Crimes Against Children Task Forces”; and

(B) in paragraph (3)—

(i) in subparagraph (B)—

(I) in the matter preceding clause (i), by inserting “in child exploitation investigations” after “Enforcement”; and

(II) in clause (i), by inserting “child” before “victims”;

(ii) in subparagraph (C), by inserting “child exploitation” after “number of”; and

(iii) in subparagraph (D), by inserting “child exploitation” after “number of”; and

(3) in subsection (c)(2)—

(A) in subparagraph (A), in the matter preceding clause (i), by inserting “and administer the Digital Forensics and Document and Media Exploitation program” after “forensics”;

(B) in subparagraph (C), by inserting “and emerging technologies” after “forensics”; and

(C) in subparagraph (D), by striking “and the National Association to Protect Children” and inserting “, the National Association to Protect Children, and other governmental entities”.

(b) HERO CHILD-RESCUE CORPS.—Section 890A of the Homeland Security Act of 2002 (6 U.S.C. 473) is amended—

(1) by redesignating subsection (e) as subsection (g);

(2) by inserting after subsection (d) the following:

“(e) HERO CHILD-RESCUE CORPS.—

“(1) ESTABLISHMENT.—

“(A) IN GENERAL.—There is established within the Center a Human Exploitation

Rescue Operation Child-Rescue Corps Program (referred to in this section as the ‘HERO Child-Rescue Corps Program’), which shall be a Department-wide program, in collaboration with the Department of Defense and the National Association to Protect Children.

“(B) PRIVATE SECTOR COLLABORATION.—As part of the HERO Child-Rescue Corps Program, the National Association to Protect Children shall provide logistical support for program participants.

“(2) PURPOSE.—The purpose of the HERO Child-Rescue Corps Program shall be to recruit, train, equip, and employ members of the Armed Forces on active duty and wounded, ill, and injured veterans to combat and prevent child exploitation, including in investigative, intelligence, analyst, inspection, and forensic positions or any other positions determined appropriate by the employing agency.

“(3) FUNCTIONS.—The HERO Child-Rescue Program shall—

“(A) provide, recruit, train, and equip participants of the Program in the areas of digital forensics, investigation, analysis, intelligence, and victim identification, as determined by the Center and the needs of the Department; and

“(B) ensure that during the internship period, participants of the Program are assigned to investigate and analyze—

“(i) child exploitation;

“(ii) child pornography;

“(iii) unidentified child victims;

“(iv) human trafficking;

“(v) traveling child sex offenders; and

“(vi) forced child labor, including the sexual exploitation of minors.

“(f) PAID INTERNSHIP AND HIRING PROGRAM.—

“(1) IN GENERAL.—The Secretary shall establish a paid internship and hiring program for the purpose of placing participants of the HERO Child-Rescue Corps Program (in this subsection referred to as ‘participants’) into paid internship positions, for the subsequent appointment of the participants to permanent positions, as described in the guidelines promulgated under paragraph (3).

“(2) INTERNSHIP POSITIONS.—Under the paid internship and hiring program required to be established under paragraph (1), the Secretary shall assign or detail participants to positions within United States Immigration and Customs Enforcement or any other Federal agency in accordance with the guidelines promulgated under paragraph (3).

“(3) PLACEMENT.—

“(A) IN GENERAL.—The Secretary shall promulgate guidelines for assigning or detailing participants to positions within United States Immigration and Customs Enforcement and other Federal agencies, which shall include requirements for internship duties and agreements regarding the subsequent appointment of the participants to permanent positions.

“(B) PREFERENCE.—The Secretary shall give a preference to Homeland Security Investigations in assignments or details under the guidelines promulgated under subparagraph (A).

“(4) TERM OF INTERNSHIP.—An appointment to an internship position under this subsection shall be for a term not to exceed 12 months.

“(5) RATE AND TERM OF PAY.—After completion of initial group training and upon beginning work at an assigned office, a participant appointed to an internship position under this subsection who is not receiving monthly basic pay as a member of the Armed Forces on active duty shall receive compensation at a rate that is—

“(A) not less than the minimum rate of basic pay payable for a position at level GS-5 of the General Schedule; and

“(B) not more than the maximum rate of basic pay payable for a position at level GS-7 of the General Schedule.

“(6) ELIGIBILITY.—In establishing the paid internship and hiring program required under paragraph (1), the Secretary shall ensure that the eligibility requirements for participation in the internship program are the same as the eligibility requirements for participation in the HERO Child-Rescue Corps Program.

“(7) HERO CORPS HIRING.—The Secretary shall establish within Homeland Security Investigations positions, which shall be in addition to any positions in existence on the date of enactment of this subsection, for the hiring and permanent employment of graduates of the paid internship program required to be established under paragraph (1).”; and

(3) in subsection (g), as so redesignated—

(A) by striking “There are authorized” and inserting the following:

“(1) IN GENERAL.—There are authorized”; and

(B) by adding at the end the following:

“(2) ALLOCATION.—Of the amount made available pursuant to paragraph (1) in each of fiscal years 2019 through 2022, not more than \$10,000,000 shall be used to carry out subsection (e) and not less than \$2,000,000 shall be used to carry out subsection (f).”.

(C) TECHNICAL AND CONFORMING AMENDMENT.—Section 302 of the HERO Act of 2015 (Public Law 114-22; 129 Stat. 255) is amended—

(1) by striking subsection (c); and

(2) by redesignating subsection (d) as subsection (c).

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

136.26 TRAFFICKING VICTIMS PROTECTION

On motion of Mr. MARINO, by unanimous consent, the Committee on the Judiciary, the Committee on Education and the Workforce, and the Committee on Foreign Affairs were discharged from further consideration of the bill of the Senate (S. 1312) to prioritize the fight against human trafficking in the United States.

When said bill was considered and read twice.

Mr. MARINO submitted the following amendment which was agreed to:

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Trafficking Victims Protection Act of 2017”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings; sense of Congress.

TITLE I—FREDERICK DOUGLASS TRAFFICKING PREVENTION ACT OF 2017

Sec. 101. Training of school resource officers to recognize and respond to signs of human trafficking.

Sec. 102. Training for school personnel.

TITLE II—JUSTICE FOR TRAFFICKING VICTIMS

Sec. 201. Injunctive relief.

Sec. 202. Improving support for missing and exploited children.

Sec. 203. Forensic and investigative assistance.

TITLE III—SERVICES FOR TRAFFICKING SURVIVORS

Sec. 301. Extension of anti-trafficking grant programs.

Sec. 302. Implementing a victim-centered approach to human trafficking.

Sec. 303. Improving victim screening.

TITLE IV—IMPROVED DATA COLLECTION AND INTERAGENCY COORDINATION

Sec. 401. Promoting data collection on human trafficking.

Sec. 402. Crime reporting.

Sec. 403. Human trafficking assessment.

TITLE V—TRAINING AND TECHNICAL ASSISTANCE

Sec. 501. Encouraging a victim-centered approach to training of Federal law enforcement personnel.

Sec. 502. Victim screening training.

Sec. 503. Judicial training.

Sec. 504. Training of tribal law enforcement and prosecutorial personnel.

TITLE VI—ACCOUNTABILITY

Sec. 601. Grant accountability.

TITLE VII—PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING

Sec. 701. Short title.

Sec. 702. Definitions.

Sec. 703. Public-Private Partnership Advisory Council to End Human Trafficking.

Sec. 704. Reports.

Sec. 705. Sunset.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) The crime of human trafficking involves the exploitation of adults through force, fraud, or coercion, and children for such purposes as forced labor or commercial sex.

(2) Reliable data on the prevalence of human trafficking in the United States is not available, but cases have been reported in all 50 States, the territories of the United States, and the District of Columbia.

(3) Each year, thousands of individuals may be trafficked within the United States, according to recent estimates from victim advocates.

(4) More accurate and comprehensive data on the prevalence of human trafficking is needed to properly combat this form of modern slavery in the United States.

(5) Victims of human trafficking can include men, women, and children who are diverse with respect to race, ethnicity, and nationality, among other factors.

(6) Since the enactment of the Trafficking Victims Protection Act of 2000 (Public Law 106-386; 114 Stat. 1464), human traffickers have launched increasingly sophisticated schemes to increase the scope of their activities and the number of their victims.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports additional efforts to raise awareness of and oppose human trafficking.

TITLE I—FREDERICK DOUGLASS TRAFFICKING PREVENTION ACT OF 2017

SEC. 101. TRAINING OF SCHOOL RESOURCE OFFICERS TO RECOGNIZE AND RESPOND TO SIGNS OF HUMAN TRAFFICKING.

Section 1701(b)(12) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd(b)(12)) is amended by inserting “, including the training of school resource officers in the prevention of human trafficking offenses” before the semicolon at the end.

SEC. 102. TRAINING FOR SCHOOL PERSONNEL.

Section 41201(f) of the Violence Against Women Act of 1994 (42 U.S.C. 14043c(f)) is amended by striking “2014 through 2018” and inserting “2019 through 2022”.

TITLE II—JUSTICE FOR TRAFFICKING VICTIMS

SEC. 201. INJUNCTIVE RELIEF.

(a) IN GENERAL.—Chapter 77 of title 18, United States Code, is amended by inserting after section 1595 the following:

“§ 1595A. Civil injunctions

“(a) IN GENERAL.—Whenever it shall appear that any person is engaged or is about to engage in any act that constitutes or will constitute a violation of this chapter, chapter 110, or chapter 117, or a conspiracy under section 371 to commit a violation of this chapter, chapter 110, or chapter 117, the Attorney General may bring a civil action in a district court of the United States seeking an order to enjoin such act.

“(b) ACTION BY COURT.—The court shall proceed as soon as practicable to the hearing and determination of a civil action brought under subsection (a), and may, at any time before final determination, enter such a restraining order or prohibition, or take such other action, as is warranted to prevent a continuing and substantial injury to the United States or to any person or class of persons for whose protection the civil action is brought.

“(c) PROCEDURE.—

“(1) IN GENERAL.—A proceeding under this section shall be governed by the Federal Rules of Civil Procedure, except that, if an indictment has been returned against the respondent, discovery shall be governed by the Federal Rules of Criminal Procedure.

“(2) SEALED PROCEEDINGS.—If a civil action is brought under subsection (a) before an indictment is returned against the respondent or while an indictment against the respondent is under seal—

“(A) the court shall place the civil action under seal; and

“(B) when the indictment is unsealed, the court shall unseal the civil action unless good cause exists to keep the civil action under seal.

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed or applied so as to abridge the exercise of rights guaranteed under the First Amendment to the Constitution of the United States.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 77 of title 18, United States Code, is amended by inserting after the item relating to section 1595 the following:

“1595A. Civil injunctions.”.

SEC. 202. IMPROVING SUPPORT FOR MISSING AND EXPLOITED CHILDREN.

(a) FINDINGS.—Section 402 of the Missing Children’s Assistance Act (42 U.S.C. 5771) is amended—

(1) by amending paragraph (1) to read as follows:

“(1) each year tens of thousands of children run away, or are abducted or removed, from the control of a parent having legal custody without the consent of that parent, under circumstances which immediately place the child in grave danger;”;

(2) by striking paragraphs (4) and (5);

(3) in paragraph (6) by inserting “, including child sex trafficking and sextortion” after “exploitation”;

(4) in paragraph (8) by adding “and” at the end;

(5) by striking paragraph (9);

(6) by amending paragraph (10) to read as follows:

“(10) a key component of such programs is the National Center for Missing and Exploited Children that—

“(A) serves as a nonprofit, national resource center and clearinghouse to provide assistance to victims, families, child-serving professionals, and the general public;

“(B) works with the Department of Justice, the Federal Bureau of Investigation, the United States Marshals Service, the Department of the Treasury, the Department of State, U.S. Immigration and Customs Enforcement, the United States Secret Service, the United States Postal Inspection Service, other agencies, and nongovernmental organizations in the effort to find missing children and to prevent child victimization; and

“(C) coordinates with each of the missing children clearinghouses operated by the 50 States, the District of Columbia, Puerto Rico, and international organizations to transmit images and information regarding missing and exploited children to law enforcement agencies, nongovernmental organizations, and corporate partners across the United States and around the world instantly.”; and

(7) by redesignating paragraphs (6), (7), (8), and (10), as amended by this subsection, as paragraphs (4), (5), (6), and (7), respectively.

(b) DEFINITIONS.—Section 403 of the Missing Children’s Assistance Act (42 U.S.C. 5772) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) the term ‘missing child’ means any individual less than 18 years of age whose whereabouts are unknown to such individual’s parent;”;

(2) in paragraph (2) by striking “and” at the end;

(3) in paragraph (3) by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(4) the term ‘parent’ includes a legal guardian or other individual who may lawfully exercise parental rights with respect to the child.”.

(c) DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.—Section 404 of the Missing Children’s Assistance Act (34 U.S.C. 11293) is amended—

(1) in subsection (a)—

(A) in paragraph (3) by striking “telephone line” and inserting “hotline”; and

(B) in paragraph (6)(E)—

(i) by striking “telephone line” and inserting “hotline”; and

(ii) by striking “(b)(1)(A) and” and inserting “(b)(1)(A),”;

(iii) by inserting “, and the number and types of reports to the tipline established under subsection (b)(1)(K)(i)” before the semicolon at the end;

(2) in subsection (b)(1)—

(A) in subparagraph (A)—

(i) by striking “telephone line” each place it appears and inserting “hotline”; and

(ii) by striking “legal custodian” and inserting “parent”;

(B) in subparagraph (C)—

(i) in clause (i)—

(I) by striking “restaurant” and inserting “food”; and

(II) by striking “and” at the end;

(ii) in clause (ii) by adding “and” at the end; and

(iii) by adding at the end the following:

“(iii) innovative and model programs, services, and legislation that benefit missing and exploited children;”;

(C) by striking subparagraphs (E), (F), and (G);

(D) by amending subparagraph (H) to read as follows:

“(H) provide technical assistance and training to families, law enforcement agencies, State and local governments, elements of the criminal justice system, nongovernmental agencies, local educational agencies, and the general public—

“(i) in the prevention, investigation, prosecution, and treatment of cases involving missing and exploited children;

“(ii) to respond to foster children missing from the State child welfare system in coordination with child welfare agencies and courts handling juvenile justice and dependency matters; and

“(iii) in the identification, location, and recovery of victims of, and children at risk for, child sex trafficking;”;

(E) by amending subparagraphs (I), (J), and (K) to read as follows:

“(I) provide assistance to families, law enforcement agencies, State and local governments, nongovernmental agencies, child-serving professionals, and other individuals involved in the location and recovery of missing and abducted children nationally and, in cooperation with the Department of State, internationally;

“(J) provide support and technical assistance to child-serving professionals involved in helping to recover missing and exploited children by searching public records databases to help in the identification, location, and recovery of such children, and help in the location and identification of potential abductors and offenders;

“(K) provide forensic and direct on-site technical assistance and consultation to families, law enforcement agencies, child-serving professionals, and nongovernmental organizations in child abduction and exploitation cases, including facial reconstruction of skeletal remains and similar techniques to assist in the identification of unidentified deceased children;”;

(F) by striking subparagraphs (L) and (M);

(G) by amending subparagraph (N) to read as follows:

“(N) provide training, technical assistance, and information to nongovernmental organizations relating to non-compliant sex offenders and to law enforcement agencies in identifying and locating such individuals;”;

(H) by striking subparagraph (P);

(I) by amending subparagraph (Q) to read as follows:

“(Q) work with families, law enforcement agencies, electronic service providers, electronic payment service providers, technology companies, nongovernmental organizations, and others on methods to reduce the existence and distribution of online images and videos of sexually exploited children—

“(i) by operating a tipline to—

“(I) provide to individuals and electronic service providers an effective means of reporting Internet-related and other instances of child sexual exploitation in the areas of—

“(aa) possession, manufacture, and distribution of child pornography;

“(bb) online enticement of children for sexual acts;

“(cc) child sex trafficking;

“(dd) sex tourism involving children;

“(ee) extra familial child sexual molestation;

“(ff) unsolicited obscene material sent to a child;

“(gg) misleading domain names; and

“(hh) misleading words or digital images on the Internet; and

“(II) make reports received through the tipline available to the appropriate law enforcement agency for its review and potential investigation;

“(ii) by operating a child victim identification program to assist law enforcement agencies in identifying victims of child pornography and other sexual crimes to support the recovery of children from sexually exploitative situations; and

“(iii) by utilizing emerging technologies to provide additional outreach and educational materials to parents and families;”;

(J) by striking subparagraph (R);

(K) by amending subparagraphs (S) and (T) to read as follows:

“(S) develop and disseminate programs and information to families, child-serving professionals, law enforcement agencies, State and local governments, nongovernmental organizations, schools, local educational agencies, child-serving organizations, and the general public on—

“(i) the prevention of child abduction and sexual exploitation;

“(ii) Internet safety, including tips for social media and cyberbullying; and

“(iii) sexting and sextortion; and

“(T) provide technical assistance and training to local educational agencies, schools, State and local law enforcement agencies, individuals, and other nongovernmental organizations that assist with finding missing and abducted children in identifying and recovering such children;”;

(L) by redesignating subparagraphs (H), (I), (J), (K), (N), (O), (Q), (S), (T), (U), and (V), as amended by this subsection, as subparagraphs (E) through (O), respectively.

(d) GRANTS.—Section 405 of the Missing Children’s Assistance Act (34 U.S.C. 11294) is amended—

(1) in subsection (a)—

(A) in paragraph (7) by striking “(as defined in section 403(1)(A))”; and

(B) in paragraph (8)—

(i) by striking “legal custodians” and inserting “parents”; and

(ii) by striking “custodians” and inserting “parents”; and

(2) in subsection (b)(1)(A) by striking “legal custodians” and inserting “parents”.

(e) REPORTING.—The Missing Children’s Assistance Act (34 U.S.C. 11291 et seq.) is amended—

(1) by redesignating sections 407 and 408 as section 408 and 409, respectively; and

(2) by inserting after section 406 the following:

“SEC. 407. REPORTING.

“(a) REQUIRED REPORTING.—As a condition of receiving funds under section 404(b), the grant recipient shall, based solely on reports received by the grantee and not involving any data collection by the grantee other than those reports, annually provide to the Administrator and make available to the general public, as appropriate—

“(1) the number of children nationwide who are reported to the grantee as missing;

“(2) the number of children nationwide who are reported to the grantee as victims of non-family abductions;

“(3) the number of children nationwide who are reported to the grantee as victims of family abductions; and

“(4) the number of missing children recovered nationwide whose recovery was reported to the grantee.

“(b) INCIDENCE OF ATTEMPTED CHILD ABDUCTIONS.—As a condition of receiving funds under section 404(b), the grant recipient shall—

“(1) track the incidence of attempted child abductions in order to identify links and patterns;

“(2) provide such information to law enforcement agencies; and

“(3) make such information available to the general public, as appropriate.”.

SEC. 203. FORENSIC AND INVESTIGATIVE ASSISTANCE.

Section 3056(f) of title 18, United States Code, is amended—

(1) by inserting “in conjunction with an investigation” after “local law enforcement agency”; and

(2) by striking “in support of any investigation involving missing or exploited children”.

TITLE III—SERVICES FOR TRAFFICKING SURVIVORS

SEC. 301. EXTENSION OF ANTI-TRAFFICKING GRANT PROGRAMS.

(a) TRAFFICKING VICTIMS PROTECTION ACT OF 2000.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended—

(1) in section 112A(b)(4) (22 U.S.C. 7109a(b)(4)), by striking “2014 through 2017” and inserting “2018 through 2021”; and

(2) in section 113(d) (22 U.S.C. 7110(d))—

(A) in the paragraph (1), by striking “\$11,000,000 for each of fiscal years 2014 through 2017” and inserting “\$77,000,000 for each of fiscal years 2018 through 2021”; and

(B) in paragraph (3), by striking “2014 through 2017” and inserting “2018 through 2021”; and

(b) ANNUAL TRAFFICKING CONFERENCE.—Section 201(c)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(c)(2)) is amended by striking “2017” and inserting “2021”.

(c) GRANTS TO STATE AND LOCAL LAW ENFORCEMENT FOR ANTI-TRAFFICKING PROGRAMS.—Section 204(e) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(e)) is amended by striking “2017” and inserting “2021”.

(d) CHILD ADVOCATES FOR UNACCOMPANIED MINORS.—Section 235(c)(6)(F) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)(F)) is amended—

(1) in the matter preceding clause (i), by striking “Secretary and Human Services” and inserting “Secretary of Health and Human Services”; and

(2) in clause (ii), by striking “the fiscal years 2016 and 2017” and inserting “fiscal years 2018 through 2021”.

(e) REINSTATEMENT AND REAUTHORIZATION OF GRANTS TO COMBAT CHILD SEX TRAFFICKING.—

(1) REINSTATEMENT OF EXPIRED PROVISION.—

(A) IN GENERAL.—Section 202 of the Trafficking Victims Protection Reauthorization Act of 2005 (34 U.S.C. 20702) is amended to read as such section read on March 6, 2017.

(B) CONFORMING AMENDMENT.—Section 1241(b) of the Violence Against Women Reauthorization Act of 2013 (34 U.S.C. 20702 note) is repealed.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as though enacted on March 6, 2017.

(3) REAUTHORIZATION.—Section 202(i) of the Trafficking Victims Protection Reauthorization Act of 2005, as amended by paragraph (1), is amended by striking “2014 through 2017” and inserting “2018 through 2021”.

SEC. 302. IMPLEMENTING A VICTIM-CENTERED APPROACH TO HUMAN TRAFFICKING.

Section 107(b)(2) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)) is amended—

(1) in subparagraph (B)(ii), by striking the period at the end and inserting “; and”; and

(2) by adding at the end the following:

“(D) PRIORITY.—In selecting recipients of grants under this paragraph that are only available for law enforcement operations or task forces, the Attorney General may give priority to any applicant that files an attestation with the Attorney General stating that—

“(i) the grant funds awarded under this paragraph—

“(I) will be used to assist in the prevention of severe forms of trafficking in persons;

“(II) will be used to strengthen efforts to investigate and prosecute those who knowingly benefit financially from participation in a venture that has engaged in any act of human trafficking;

“(III) will be used to take affirmative measures to avoid arresting, charging, or

prosecuting victims of human trafficking for any offense that is the direct result of their victimization; and

“(IV) will not be used to require a victim of human trafficking to collaborate with law enforcement officers as a condition of access to any shelter or restorative services; and

“(i) the applicant will provide dedicated resources for anti-human trafficking law enforcement officers for a period that is longer than the duration of the grant received under this paragraph.”.

SEC. 303. IMPROVING VICTIM SCREENING.

(a) IN GENERAL.—The Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) is amended by inserting after section 107A (22 U.S.C. 7105a) the following:

“SEC. 107B. IMPROVING DOMESTIC VICTIM SCREENING PROCEDURES.

“(a) VICTIM SCREENING TOOLS.—Not later than October 1, 2018, the Attorney General shall compile and disseminate, to all grantees who are awarded grants to provide victims’ services under subsection (b) or (f) of section 107, information about reliable and effective tools for the identification of victims of human trafficking.

“(b) USE OF SCREENING PROCEDURES.—Beginning not later than October 1, 2018, the Attorney General, in consultation with the Secretary of Health and Human Services, shall identify recommended practices for the screening of human trafficking victims and shall encourage the use of such practices by grantees receiving a grant to provide victim services to youth under subsection (b) or (f) of section 107.”.

(b) CLERICAL AMENDMENT.—The table of contents for the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386) is amended by inserting after the item relating to section 107A the following:

“Sec. 107B. Improving domestic victim screening procedures.”.

(c) AMENDMENT TO TITLE 18.—Section 1593A of title 18, United States Code, is amended by striking “section 1581(a), 1592, or 1595(a)” and inserting “this chapter”.

TITLE IV—IMPROVED DATA COLLECTION AND INTERAGENCY COORDINATION

SEC. 401. PROMOTING DATA COLLECTION ON HUMAN TRAFFICKING.

(a) PREVALENCE OF HUMAN TRAFFICKING.—Not later than 1 year after the date of enactment of this Act, the Attorney General shall submit to Congress a report on the efforts of the National Institute of Justice to develop a methodology to assess the prevalence of human trafficking in the United States, including a timeline for completion of the methodology.

(b) INNOCENCE LOST NATIONAL INITIATIVE.—Not later than 180 days after the date of enactment of this Act, the Director of the Federal Bureau of Investigation shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Committee on Appropriations of the House of Representatives a report on the status of the Innocence Lost National Initiative, which shall include, for each of the last 5 fiscal years, information on—

(1) the number of human traffickers who were arrested, disaggregated by—

(A) the number of individuals arrested for patronizing or soliciting an adult;

(B) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining an adult;

(C) the number of individuals arrested for patronizing or soliciting a minor; and

(D) the number of individuals arrested for recruitment, harboring, maintaining, or obtaining a minor;

(2) the number of adults who were arrested on charges of prostitution;

(3) the number of minor victims who were identified;

(4) the number of minor victims who were arrested and formally petitioned by a juvenile court or criminally charged; and

(5) the placement of and social services provided to each such minor victim as part of each State operation.

(c) AVAILABILITY OF REPORTS.—The reports required under subsections (a) and (b) shall be posted on the website of the Department of Justice.

SEC. 402. CRIME REPORTING.

Section 7332(c) of the Uniform Federal Crime Reporting Act of 1988 (28 U.S.C. 534 note) is amended—

(1) in paragraph (3), by striking “in the form of annual Uniform Crime Reports for the United States” and inserting “not less frequently than annually”; and

(2) by adding at the end the following:

“(4) INTERAGENCY COORDINATION.—

“(A) IN GENERAL.—Not later than 90 days after the date of enactment of this paragraph, the Director of the Federal Bureau of Investigation shall coordinate with the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) for the purpose of ensuring successful implementation of paragraph (2).

“(B) FOR REPORT.—Not later than 6 months after the date of enactment of this paragraph, the head of each department or agency within the Federal Government that is subject to the mandatory reporting requirements under paragraph (2) shall provide the Director of the Federal Bureau of Investigation such information as the Director determines is necessary to complete the first report required under paragraph (5).

“(5) ANNUAL REPORT BY FEDERAL BUREAU OF INVESTIGATION.—Not later than 1 year after the date of enactment of this paragraph, and annually thereafter, the Director of the Federal Bureau of Investigation shall prepare and submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report detailing the efforts of the departments and agencies within the Federal Government to come into compliance with paragraph (2). The report shall contain a list of all departments and agencies within the Federal Government subject to paragraph (2) and whether each department or agency is in compliance with paragraph (2).”.

SEC. 403. HUMAN TRAFFICKING ASSESSMENT.

Not later than 1 year after the date of enactment of this Act, and annually thereafter, the Executive Associate Director of Homeland Security Investigations shall submit to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate, and the Committee on Homeland Security and the Committee on the Judiciary of the House of Representatives a report on human trafficking investigations undertaken by Homeland Security Investigations that includes—

(1) the number of confirmed human trafficking investigations by category, including labor trafficking, sex trafficking, and transnational and domestic human trafficking;

(2) the number of victims by category, including—

(A) whether the victim is a victim of sex trafficking or a victim of labor trafficking; and

(B) whether the victim is a minor or an adult; and

(3) an analysis of the data described in paragraphs (1) and (2) and other data available to Homeland Security Investigations that indicates any general human trafficking or investigatory trends.

TITLE V—TRAINING AND TECHNICAL ASSISTANCE

SEC. 501. ENCOURAGING A VICTIM-CENTERED APPROACH TO TRAINING OF FEDERAL LAW ENFORCEMENT PERSONNEL.

(a) TRAINING CURRICULUM IMPROVEMENTS.—The Attorney General, Secretary of Homeland Security, and Secretary of Labor shall periodically, but not less frequently than once every 2 years, implement improvements to the training programs on human trafficking for employees of the Department of Justice, Department of Homeland Security, and Department of Labor, respectively, after consultation with survivors of human trafficking, or trafficking victims service providers, and Federal law enforcement agencies responsible for the prevention, deterrence, and prosecution of offenses involving human trafficking (such as individuals serving as, or who have served as, investigators in a Federal agency and who have expertise in identifying human trafficking victims and investigating human trafficking cases).

(b) ADVANCED TRAINING CURRICULUM.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Attorney General and the Secretary of Homeland Security shall develop an advanced training curriculum, to supplement the basic curriculum for investigative personnel of the Department of Justice and the Department of Homeland Security, respectively, that—

(A) emphasizes a multidisciplinary, collaborative effort by law enforcement officers who provide a broad range of investigation and prosecution options in response to perpetrators, and victim service providers, who offer services and resources for victims;

(B) provides guidance about the recruitment techniques employed by human traffickers to clarify that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense; and

(C) explains that—

(i) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons and such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization; and

(ii) a comprehensive approach to eliminating human trafficking should include demand reduction as a component.

(2) USE OF CURRICULUM.—The Attorney General and the Secretary of Homeland Security shall provide training using the curriculum developed under paragraph (1) to—

(A) all law enforcement officers employed by the Department of Justice and the Department of Homeland Security, respectively, who may be involved in the investigation of human trafficking offenses; and

(B) members of task forces that participate in the investigation of human trafficking offenses.

(c) TRAINING COMPONENTS.—Section 107(c)(4)(B) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4)(B)) is amended—

(1) in clause (ii), by striking “and” at the end;

(2) in clause (iii), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(iv) a discussion clarifying that an individual who knowingly solicits or patronizes a commercial sex act from a person who was a minor (consistent with section 1591(c) of title 18, United States Code) or was subject

to force, fraud, or coercion is guilty of an offense under chapter 77 of title 18, United States Code, and is a party to a human trafficking offense.”.

SEC. 502. VICTIM SCREENING TRAINING.

Section 114 of the Justice for Victims of Trafficking Act of 2015 (34 U.S.C. 20709) is amended—

(1) in subsection (c)(1)(A)—

(A) in clause (i), by striking the “and” at the end;

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

(C) by adding at the end the following:

“(iii) individually screening all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether each individual screened is a victim of human trafficking; and

“(iv) how—

“(I) victims of sex or labor trafficking often engage in criminal acts as a direct result of severe trafficking in persons; and

“(II) such individuals are victims of a crime and affirmative measures should be taken to avoid arresting, charging, or prosecuting such individuals for any offense that is the direct result of their victimization.”; and

(2) by adding at the end the following:

“(f) DEPARTMENT OF JUSTICE VICTIM SCREENING PROTOCOL.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Attorney General shall issue a screening protocol for use during all anti-trafficking law enforcement operations in which the Department of Justice is involved.

“(2) REQUIREMENTS.—The protocol required to be issued under paragraph (1) shall—

“(A) require the individual screening of all adults and children who are suspected of engaging in commercial sex acts or who are subject to labor exploitation that may be in violation of child labor laws to determine whether each individual screened is a victim of human trafficking;

“(B) require affirmative measures to avoid arresting, charging, or prosecuting human trafficking victims for any offense that is the direct result of their victimization;

“(C) require all Federal law enforcement officers and relevant department personnel who participate in human trafficking investigations to receive training on enforcement of the protocol;

“(D) be developed in consultation with State and local law enforcement agencies, the Department of Health and Human Services, survivors of human trafficking, and nongovernmental organizations that specialize in the identification, prevention, and restoration of victims of human trafficking; and

“(E) include—

“(i) procedures and practices to ensure that the screening process minimizes trauma or revictimization of the person being screened; and

“(ii) guidelines on assisting victims of human trafficking in identifying and receiving victim services.”.

SEC. 503. JUDICIAL TRAINING.

Section 223(b)(2) of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20333(b)(2)) is amended—

(1) in subparagraph (B) by striking “and” at the end;

(2) in subparagraph (C) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(D) procedures for improving the judicial response to children who are vulnerable to human trafficking, to the extent an appropriate screening tool exists.”.

SEC. 504. TRAINING OF TRIBAL LAW ENFORCEMENT AND PROSECUTORIAL PERSONNEL.

The Attorney General, in consultation with the Director of the Office of Tribal Justice, shall carry out a program under which tribal law enforcement officials may receive technical assistance and training to pursue a victim-centered approach to investigating and prosecuting severe forms of trafficking in persons (as defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)).

TITLE VI—ACCOUNTABILITY

SEC. 601. GRANT ACCOUNTABILITY.

Section 1236 of the Violence Against Women Reauthorization Act of 2013 (22 U.S.C. 7113) is amended—

(1) in the matter preceding paragraph (1), by striking “All grants” and inserting the following:

“(a) IN GENERAL.—For fiscal year 2013, and each fiscal year thereafter, all grants”; and

(2) by adding at the end the following:

“(b) APPLICATION TO ADDITIONAL GRANTS.—For purposes of subsection (a), for fiscal year 2018, and each fiscal year thereafter, the term ‘grant awarded by the Attorney General under this title or an Act amended by this title’ includes a grant under any of the following:

“(1) Section 223 of the Victims of Child Abuse Act of 1990 (34 U.S.C. 20333).

“(2) The program under section 504 of the Trafficking Victims Protection Act of 2017.”.

TITLE VII—PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING

SEC. 701. SHORT TITLE.

This title may be cited as the “Public-Private Partnership Advisory Council to End Human Trafficking Act”.

SEC. 702. DEFINITIONS.

In this Act:

(1) COUNCIL.—The term “Council” means the Public-Private Partnership Advisory Council to End Human Trafficking.

(2) GROUP.—The term “Group” means the Senior Policy Operating Group established under section 105(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(g)).

(3) TASK FORCE.—The term “Task Force” means the President’s Interagency Task Force to Monitor and Combat Trafficking established under section 105(a) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(a)).

SEC. 703. PUBLIC-PRIVATE PARTNERSHIP ADVISORY COUNCIL TO END HUMAN TRAFFICKING.

(a) ESTABLISHMENT.—There is established the Public-Private Partnership Advisory Council to End Human Trafficking, which shall provide advice and recommendations to the Group and the Task Force.

(b) MEMBERSHIP.—

(1) COMPOSITION.—The Council shall be composed of not fewer than 8 and not more than 14 representatives of nongovernmental organizations, academia, and nonprofit groups who have significant knowledge and experience in human trafficking prevention and eradication, identification of human trafficking, and services for human trafficking victims.

(2) REPRESENTATION OF NONPROFIT AND NON-GOVERNMENTAL ORGANIZATIONS.—To the extent practicable, members of the Council shall be representatives of nonprofit groups, academia, and nongovernmental organizations who accurately reflect the diverse backgrounds related to work in the prevention, eradication, and identification of human trafficking and services for human trafficking victims in the United States and internationally.

(3) APPOINTMENT.—Not later than 180 days after the date of the enactment of this Act, the President shall appoint—

(A) 1 member of the Council, after consultation with the President Pro Tempore of the Senate;

(B) 1 member of the Council, after consultation with the Minority Leader of the Senate;

(C) 1 member of the Council, after consultation with the Speaker of the House of Representatives;

(D) 1 member of the Council, after consultation with the Minority Leader of the House of Representatives; and

(E) the remaining members of the Council.

(4) TERM; REAPPOINTMENT.—Each member of the Council—

(A) shall serve for a term of 2 years; and

(B) may be reappointed by the President to serve 1 additional 2-year term.

(5) EMPLOYEE STATUS.—Members of the Council—

(A) shall not be considered employees of the Federal Government for any purpose; and

(B) shall not receive compensation.

(c) FUNCTIONS.—The Council shall—

(1) be a nongovernmental advisory body to the Group;

(2) meet, at its own discretion or at the request of the Group, not less frequently than annually, to review Federal Government policy and programs intended to combat human trafficking, including programs relating to the provision of services for victims;

(3) serve as a point of contact, with the United States Advisory Council on Human Trafficking, for Federal agencies reaching out to human trafficking nonprofit groups and nongovernmental organizations for input on programming and policies relating to human trafficking in the United States;

(4) formulate assessments and recommendations to ensure that the policy and programming efforts of the Federal Government conform, to the extent practicable, to the best practices in the field of human trafficking prevention and rehabilitation and aftercare of human trafficking victims; and

(5) meet with the Group not less frequently than annually, and not later than 45 days before a meeting with the Task Force, to formally present the findings and recommendations of the Council.

(d) NONAPPLICABILITY OF FACA.—The Council shall not be subject to the requirements under the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 704. REPORTS.

Not later than 1 year after the date of the enactment of this Act and annually thereafter until the date described in section 705, the Council, in coordination with the United States Advisory Council on Human Trafficking, shall submit a report containing the findings derived from the reviews conducted pursuant to section 703(c)(2) to—

(1) the Committee on Appropriations of the Senate;

(2) the Committee on Foreign Relations of the Senate;

(3) the Committee on Homeland Security and Governmental Affairs of the Senate;

(4) the Committee on the Judiciary of the Senate;

(5) the Committee on Appropriations of the House of Representatives;

(6) the Committee on Foreign Affairs of the House of Representatives;

(7) the Committee on Homeland Security of the House of Representatives;

(8) the Committee on the Judiciary of the House of Representatives;

(9) the chair of the Task Force; and

(10) the members of the Group.

SEC. 705. SUNSET.

The Council shall terminate on September 30, 2020.

The bill, as amended, was ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

136.27 TIFFANY JOSLYN JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM

On motion of Mr. MARINO, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill (H.R. 68) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to reauthorize the Juvenile Accountability Block Grant program, and for other purposes.

When said bill was considered and read twice.

Mr. MARINO submitted the following amendment which was agreed to:

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Tiffany Joslyn Juvenile Accountability Block Grant Program Reauthorization Act of 2017”.

SEC. 2. REAUTHORIZATION OF JUVENILE ACCOUNTABILITY BLOCK GRANT PROGRAM.

Part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ee et seq.) is amended—

(1) in section 1801(b)—

(A) in paragraph (1), by striking “graduated sanctions” and inserting “graduated sanctions and incentives”;

(B) in paragraph (3), by striking “hiring juvenile court judges, probation officers, and court-appointed defenders and special advocates, and”;

(C) by striking paragraphs (4) and (7), and redesignating paragraphs (5) through (17) as paragraphs (4) through (15), respectively; and

(D) in paragraph (11), as so redesignated, by striking “research-based bullying, cyberbullying, and gang prevention programs” and inserting “interventions such as researched-based anti-bullying, anti-cyberbullying, and gang prevention programs, as well as mental health services and trauma-informed practices”;

(2) in section 1802—

(A) in subsection (d)(3), by inserting after “individualized sanctions” the following: “, incentives,”;

(B) in subsection (e)(1)(B), by striking “graduated sanctions” and inserting “graduated sanctions and incentives”; and

(C) in subsection (f)—

(i) in paragraph (2)—

(I) by inserting after “A sanction may include” the following: “a range of court-approved interventions, such as”; and

(II) by inserting after “a fine,” the following: “a restorative justice program.”; and

(ii) by inserting after paragraph (2) the following:

“(3) INCENTIVES.—The term ‘incentives’ means individualized, goal-oriented, and graduated responses to a juvenile offender’s compliance with court orders and case disposition terms designed to reinforce or modify the skills and behaviors of the juvenile offender. An incentive may include a certificate of achievement, a letter of recommendation, a family or program activity, a meeting or special outing with a community leader, a reduction in community service hours, a reduced curfew or home restric-

tion, a decrease in required court appearances, or a decrease in the term of court-ordered supervision.”;

(3) in section 1810(a), by striking “\$350,000,000 for each of fiscal years 2006 through 2009” and inserting “\$30,000,000 for fiscal year 2020”; and

(4) by adding at the end the following:

“SEC. 1811. GRANT ACCOUNTABILITY.

“(a) DEFINITION OF APPLICABLE COMMITTEES.—In this section, the term ‘applicable committees’ means—

“(1) the Committee on the Judiciary of the Senate; and

“(2) the Committee on the Judiciary of the House of Representatives.

“(b) ACCOUNTABILITY.—All grants awarded by the Attorney General under this part shall be subject to the following accountability provisions:

“(1) AUDIT REQUIREMENT.—

“(A) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General of the Department of Justice that the audited grantee has utilized grant funds for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved within 12 months after the date on which the final audit report is issued.

“(B) AUDIT.—Beginning in the first fiscal year beginning after the date of enactment of this section, and in each fiscal year thereafter, the Inspector General of the Department of Justice shall conduct audits of recipients of grants awarded by the Attorney General under this part to prevent waste, fraud, and abuse of funds by grantees. The Inspector General shall determine the appropriate number of grantees to be audited each year.

“(C) MANDATORY EXCLUSION.—A recipient of grant funds under this part that is found to have an unresolved audit finding shall not be eligible to receive grant funds under this part during the first 2 fiscal years beginning after the end of the 12-month period described in subparagraph (A).

“(D) PRIORITY.—In awarding grants under this part, the Attorney General shall give priority to eligible applicants that did not have an unresolved audit finding during the 3 fiscal years before submitting an application for a grant under this part.

“(E) REIMBURSEMENT.—If an entity is awarded grant funds under this part during the 2-fiscal-year period during which the entity is barred from receiving grants under subparagraph (C), the Attorney General shall—

“(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the General Fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the fund from the grant recipient that was erroneously awarded grant funds.

“(2) ANNUAL CERTIFICATION.—Beginning in the first fiscal year beginning after the date of enactment of this section, the Attorney General shall submit to the applicable committees an annual certification—

“(A) indicating whether—

“(i) all audits issued by the Inspector General of the Department of Justice under paragraph (1) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(ii) all mandatory exclusions required under paragraph (1)(C) have been issued; and

“(iii) all reimbursements required under paragraph (1)(E) have been made; and

“(B) that includes a list of any grant recipients excluded under paragraph (1) from the previous year.

“(C) PREVENTING DUPLICATIVE GRANTS.—

“(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant

under this part, the Attorney General shall compare potential grant awards with other grants awarded under this part by the Attorney General to determine if duplicate grant awards are awarded for the same purpose.

“(2) REPORT.—If the Attorney General awards duplicate grants under this part to the same applicant for the same purpose, the Attorney General shall submit to the applicable committees a report that includes—

“(A) a list of all duplicate grants awarded under this part, including the total dollar amount of any duplicate grants awarded; and

“(B) the reason the Attorney General awarded the duplicate grants.”.

SEC. 3. SENSE OF CONGRESS.

It is the sense of the Congress that the use of best practices is encouraged for all activities for which grants under part R of title I of the Omnibus Crime Control and Safe Streets Act of 1968 may be used.

SEC. 4. EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE.

Section 609Y(a) of the Justice Assistance Act of 1984 (34 U.S.C. 50112(a)) is amended by striking “September 30, 2021” and inserting “September 30, 2023”.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

136.28 UNITED STATES PAROLE COMMISSION

On motion of Mr. MARINO, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill (H.R. 6896) to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

136.29 ADJOURNMENT OVER

On motion of Mr. MARINO, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 12:30 p.m. on Tuesday, October 2, 2018.

136.30 LIBRARY OF CONGRESS TRUST FUND BOARD

The SPEAKER pro tempore, Mr. CURTIS, pursuant to section 1 of the Library of Congress Trust Fund Board Act (2 United States Code 154), and the order of the House of January 3, 2017, announced that the Speaker appointed the following individuals on the part of the House to the Library of Congress Trust Fund Board for a five-year term: Mr. Lawrence Peter Fisher, Chevy Chase, Maryland, and Mr. Gregory Paul Ryan, Hillsborough, California.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶136.31 BOARD OF TRUSTEES OF THE
HARRY S. TRUMAN SCHOLARSHIP
FOUNDATION

The SPEAKER pro tempore, Mr. CURTIS, pursuant to 20 United States Code 2004(b), and the order of the House of January 3, 2017, announced that the Speaker reappointed the following Member on the part of the House to the Board of Trustees of the Harry S. Truman Scholarship Foundation: Ms. GRANGER.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶136.32 RESIGNATION AS MEMBER OF
HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore, Mr. CURTIS, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, September 28, 2018.

Speaker PAUL RYAN,
House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN: After a great deal of thought and prayer, I have decided to accept West Virginia Governor Jim Justice's appointment to immediately take the oath of office to serve as a Justice on the West Virginia Supreme Court of Appeals. During this time of crisis, I hope to help restore the public's trust and confidence in our state's highest court.

In order to ensure justice is administered fairly and without bias or conflict, I must resign my seat in the "People's House" of the United States Congress so I may begin serving the citizens of West Virginia as a Justice on the "People's Court."

I wish to sincerely thank the people of West Virginia's 3rd Congressional District for the distinct honor and opportunity they provided me to serve and represent them these past four years.

My outstanding congressional staff, district field staff and constituents service representatives are available, ready and committed to continue assisting the citizens of southern West Virginia until a new Member of Congress is elected.

Please accept this letter as my resignation effective at midnight, September 30, 2018.

Sincerely,

EVAN H. JENKINS,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, September 28, 2018.

Governor JIM JUSTICE,
State of West Virginia,
Charleston, WV.

DEAR GOVERNOR JUSTICE: After a great deal of thought and prayer, I have decided to accept West Virginia Governor Jim Justice's appointment to immediately take the oath of office to serve as a Justice on the West Virginia Supreme Court of Appeals. During this time of crisis, I hope to help restore the public's trust and confidence in our state's highest court.

In order to ensure justice is administered fairly and without bias or conflict, I must resign my seat in the "People's House" of the United States Congress so I may begin serving the citizens of West Virginia as a Justice on the "People's Court."

I wish to sincerely thank the people of West Virginia's 3rd Congressional District for the distinct honor and opportunity they provided me to serve and represent them these past four years.

My outstanding congressional staff, district field staff and constituents service representatives are available, ready and com-

mitted to continue assisting the citizens of southern West Virginia until a new Member of Congress is elected.

Please accept this letter as my resignation effective at midnight, September 30, 2018.

Sincerely,

EVAN H. JENKINS,
Member of Congress.

¶136.33 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 1768. An Act to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes; to the Committee on Science, Space, and Technology; in addition, to the Committee on Natural Resources; and the Committee on Transportation and Infrastructure for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 3170. An Act to amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and for other purposes; to the Committee on the Judiciary.

¶136.34 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4854. An Act to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

¶136.35 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 791. An Act to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes.

S. 1668. An Act to rename a waterway in the State of New York as the "Joseph Sanford Jr. Channel".

S. 2554. An Act to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

S. 2559. An Act to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes.

S. 3479. An Act to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

¶136.36 BILL PRESENTED TO THE
PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 27, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 6157. An Act making consolidated appropriations for the Departments of Defense, Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes.

And then,

¶136.37 ADJOURNMENT

On motion of Ms. NORTON, pursuant to the previous order of the House, at 2

o'clock and 15 minutes p.m., the House adjourned until 12:30 p.m. on Tuesday, October 2, 2018.

¶136.38 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the following action was taken by the Speaker:

The Committee on Transportation and Infrastructure discharged from further consideration H.R. 5175 referred to the Committee of the Whole House on the state of the Union.

¶136.39 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LEWIS of Minnesota (for himself and Mr. SCOTT of Virginia):

H.R. 6964. A bill to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; to the Committee on Education and the Workforce; considered and passed.

By Mr. TIPTON:

H.R. 6965. A bill to direct the Secretary of the Interior to convey the Mancos Project features to the Mancos Water Conservancy District in the State of Colorado; to the Committee on Natural Resources.

By Mr. PALAZZO (for himself and Mr. PETERSON):

H.R. 6966. A bill to establish a regulatory system for marine aquaculture in the United States exclusive economic zone, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIPINSKI:

H.R. 6967. A bill to amend the Federal Water Pollution Control Act to prohibit sewage dumping into the Great Lakes, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BISHOP of Utah:

H.R. 6968. A bill to direct the Secretary of the Interior to convey certain Bureau of Land Management land in Daggett County, Utah, to the State of Utah for public purposes; to the Committee on Natural Resources.

By Mr. EMMER (for himself and Mrs. WALORSKI):

H.R. 6969. A bill to amend the Internal Revenue Code of 1986 to provide that floor plan financing includes the financing of certain trailers and campers; to the Committee on Ways and Means.

By Mr. FITZPATRICK (for himself and Mr. SUOZZI):

H.R. 6970. A bill to amend the Internal Revenue Code of 1986 to require public disclosure of individual tax returns of candidates for President and Vice President of the United States; to the Committee on Ways and Means.

By Mr. FITZPATRICK:

H.R. 6971. A bill to prohibit immediate family members of heads of certain agencies and departments from soliciting or otherwise raising funds from certain foreign entities; to the Committee on Oversight and Government Reform.

By Ms. MAXINE WATERS of California (for herself, Mrs. CAROLYN B. MALONEY of New York, Mr. CLAY, Mr. AL GREEN of Texas, Ms. MOORE, and Mr. CLEAVER):

H.R. 6972. A bill to require the Consumer Financial Protection Bureau to meet its

statutory purpose, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMMER:

H.R. 6973. A bill to provide temporary safe harbor for the tax treatment of hard forks of convertible virtual currency in the absence of administrative guidance; to the Committee on Ways and Means.

By Mr. EMMER:

H.R. 6974. A bill to provide a safe harbor from licensing and registration for certain non-controlling blockchain developers and providers of blockchain services; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MAST:

H.R. 6975. A bill to amend title 10, United States Code, to allow States and units of local government to purchase equipment suitable for school security activities through the Department of Defense; to the Committee on Armed Services.

By Mrs. WATSON COLEMAN:

H.R. 6976. A bill to amend the Internal Revenue Code of 1986 to deny the deduction for executive compensation unless the employer maintains profit-sharing distributions for employees; to the Committee on Ways and Means.

By Mr. NOLAN:

H.R. 6977. A bill to amend the Richard B. Russell National School Lunch Act to prohibit the stigmatization of children who are unable to pay for meals; to the Committee on Education and the Workforce.

By Mr. CHABOT (for himself and Mr. SCOTT of Virginia):

H.R. 6978. A bill to regulate certain State taxation of interstate commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. BISHOP of Utah (for himself, Mr. CURTIS, and Mr. STEWART):

H.R. 6979. A bill to approve the settlement of the water rights claims of the Navajo Nation in Utah, and for other purposes; to the Committee on Natural Resources.

By Mr. BLUM (for himself and Ms. JUDY CHU of California):

H.R. 6980. A bill to amend title XVIII of the Social Security Act to provide coverage for custom fabricated breast prostheses following a mastectomy; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUDD:

H.R. 6981. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income of certain amounts received as pensions by retired law enforcement officers who volunteer as school resource officers; to the Committee on Ways and Means.

By Mr. CHABOT (for himself, Mr. SHERMAN, Mr. FORTENBERRY, Mr. ENGEL, Mr. SMITH of New Jersey, Mr. GRIJALVA, and Ms. MCCOLLUM):

H.R. 6982. A bill to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CONAWAY (for himself, Mr. JONES, and Ms. STEFANK):

H.R. 6983. A bill to amend the Internal Revenue Code of 1986 to make public the names and addresses of foreign persons contributing

\$50,000 or more to certain tax-exempt organizations and to require disclosure of foreign campaign contributions; to the Committee on Ways and Means.

By Mr. CORREA:

H.R. 6984. A bill to add suicide prevention resources to school identification cards; to the Committee on Education and the Workforce.

By Mr. CURTIS:

H.R. 6985. A bill to establish an Inter-country Adoption Advisory Committee, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DUFFY:

H.R. 6986. A bill to amend titles XVIII and XIX of the Social Security Act with respect to nursing facility requirements, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO:

H.R. 6987. A bill to amend the Communications Act of 1934 to provide for certain requirements relating to charges for internet, television, and voice services, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GRIJALVA (for himself, Mr. HURD, Mr. MCKINLEY, and Mr. LANCE):

H.R. 6988. A bill to reauthorize the Museum and Library Services Act; to the Committee on Education and the Workforce.

By Mr. GROTHMAN:

H.R. 6989. A bill to restrict certain Federal assistance benefits to individuals verified to be citizens of the United States; to the Committee on Oversight and Government Reform.

By Mr. HIMES:

H.R. 6990. A bill to create portable retirement and investment accounts for all Americans, and for other purposes; to the Committee on Ways and Means.

By Mr. HUFFMAN (for himself, Mr. CONNOLLY, Ms. JACKSON LEE, Mr. CARBAJAL, and Mr. MCGOVERN):

H.R. 6991. A bill to provide for the upgrade of the vehicle fleet of the United States Postal Service, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KATKO (for himself, Mr. MOOLENAAR, and Mr. CUELLAR):

H.R. 6992. A bill to reauthorize the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 6993. A bill to amend title 38, United States Code, to furnish hospital care and medical services to veterans and dependents who were stationed at military installations at which the veterans and dependents were exposed to perfluorooctanoic acid or other per- and polyfluoroalkyl substances, to provide for a presumption of service connection for certain veterans who were stationed at military installations at which the veterans were exposed to such substances, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KILDEE (for himself and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 6994. A bill to amend title 38, United States Code, to furnish hospital care and medical services to veterans, members of the reserve components of the Armed Forces, and dependents who were stationed at Wurtsmith Air Force Base in Oscoda, Michigan, and were exposed to volatile organic compounds, to provide for a presumption of service connection for those veterans and members of the reserve components, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KILMER (for himself, Mr. THOMPSON of Pennsylvania, and Mr. KIND):

H.R. 6995. A bill to direct the Secretary of Education to establish a prize competition on programs to prepare high school students for careers in in-demand industry sectors or occupations; to the Committee on Education and the Workforce.

By Mr. LATTA (for himself, Mr. STIVERS, Mr. RYAN of Ohio, Mr. TIPTON, and Mr. RENACCI):

H.R. 6996. A bill to require the Secretary of Veterans Affairs to deliver notice of the denial of claims for benefits under the laws administered by the Secretary by certified mail, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MCCAUL:

H.R. 6997. A bill to amend the Homeland Security Act of 2002 to authorize provision to a foreign government of financial assistance for foreign country operations to address individuals who may pose a national security, border security, or terrorist threat to the United States before such a threat reaches the United States, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEADOWS (for himself, Mr. LAMBORN, Mr. SCHNEIDER, Mr. DONOVAN, Mr. FITZPATRICK, Mr. MOONEY of West Virginia, Mr. RATCLIFFE, Mr. WEBER of Texas, Mr. DESJARLAIS, Mr. GAETZ, and Mr. ZELDIN):

H.R. 6998. A bill to support security and law enforcement training and cooperation between the United States and Israel; to the Committee on Foreign Affairs.

By Mr. MEADOWS:

H.R. 6999. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income gain the sale of land and/or other qualified real property interests in sales for conservation purposes; to the Committee on Ways and Means.

By Mrs. NOEM:

H.R. 7000. A bill to amend the Internal Revenue Code of 1986 to provide for increased economic opportunities for Native American tribes, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. O'HALLERAN:

H.R. 7001. A bill to amend title XVIII of the Social Security Act to provide for a combined Medicare part B and D drug out-of-pocket costs limitation; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHWEIKERT:

H.R. 7002. A bill to amend the Electronic Signatures in Global and National Com-

merce Act to clarify the applicability of such Act to electronic records, electronic signatures, and smart contracts created, stored, or secured on or through a blockchain, to provide uniform national standards regarding the legal effect, validity, and enforceability of such records, signatures, and contracts, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SCHWEIKERT (for himself, Mr. WEBSTER of Florida, Mr. MESSER, and Mr. FORTENBERRY):

H.R. 7003. A bill to amend the Public Health Service Act to establish a health insurance Federal Invisible Risk Sharing Program; to the Committee on Energy and Commerce.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 7004. A bill to amend the Motor Carrier Safety Improvement Act of 1999 with respect to the definition of agricultural commodities, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. SHEA-PORTER (for herself, Mr. CARTWRIGHT, Mr. DEFazio, Mr. NOLAN, and Mr. THOMPSON of Mississippi):

H.R. 7005. A bill to authorize the Secretary of the Interior to identify and declare wildlife disease emergencies and to coordinate rapid response to these emergencies, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Agriculture, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN:

H.R. 7006. A bill to address the concept of "Too Big To Fail" with respect to certain financial entities; to the Committee on Financial Services.

By Mrs. TORRES:

H.R. 7007. A bill to require the Administrator of the Environmental Protection Agency to study State efforts to regulate certain uses of nitrous oxide, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. WAGNER (for herself and Ms. BASS):

H.R. 7008. A bill to amend the Trafficking Victims Protection Act of 2000 to modify the Trafficking in Persons report to include research on the relationship between human trafficking and skewed sex ratios in national or subnational populations in which there is evidence of sex-selective practices, including, but not limited to, infanticide, gender-biased neglect, or other forms of gender-based violence or discrimination; to the Committee on Foreign Affairs.

By Mr. WALDEN:

H. Res. 1099. A resolution providing for the concurrence by the House in the Senate amendment to H.R. 6, with an amendment; considered and agreed to.

By Ms. BONAMICI (for herself, Mr. GUTHRIE, Mr. KRISHNAMOORTHY, Mr. BARLETTA, Mr. THOMPSON of Pennsylvania, Mr. COURTNEY, Mr. VELA, Mr. FITZPATRICK, Mr. BROWN of Maryland, Ms. JACKSON LEE, Mr. LOWENTHAL, and Mr. MITCHELL):

H. Res. 1100. A resolution designating September 2018 as "National Workforce Development Month" and recognizing the necessity of investing in workforce development to support workers and to help employers succeed in a global economy; to the Committee on Education and the Workforce.

By Mr. WILSON of South Carolina (for himself, Mr. CONNOLLY, and Mr. CURBELO of Florida):

H. Res. 1101. A resolution affirming the historical relationship between the United States and the Kingdom of Morocco, con-

demning the recent provocative actions of the Polisario Front and its foreign supporters, and encouraging efforts by the United Nations to reach a peaceful resolution of the Western Sahara conflict; to the Committee on Foreign Affairs.

By Mr. EMMER (for himself, Mr. SOTO, Mr. SCHWEIKERT, Mr. POLIS, and Mr. MCHENRY):

H. Res. 1102. A resolution expressing support for digital currencies and blockchain technology; to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUFFY (for himself and Mr. AL GREEN of Texas):

H. Res. 1103. A resolution expressing support for designation of July as National Sarcoma Awareness Month; to the Committee on Oversight and Government Reform.

By Mr. AL GREEN of Texas (for himself, Mr. POE of Texas, Mrs. DINGELL, Mr. MEEKS, Ms. VELÁZQUEZ, Ms. NORTON, Mr. JOHNSON of Georgia, Ms. CLARKE of New York, Ms. JACKSON LEE, Ms. MOORE, Mr. BROWN of Maryland, Mr. ESPAILLAT, Ms. KUSTER of New Hampshire, Ms. TITUS, Mr. VELA, Mr. THOMPSON of Mississippi, Mrs. BEATTY, Mrs. LAWRENCE, Mrs. WATSON COLEMAN, Ms. LOFGREN, Ms. ADAMS, Ms. BASS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CLAY, Mr. CLEAVER, Mr. DANNY K. DAVIS of Illinois, Mrs. DEMINGS, Ms. FUDGE, Mr. EVANS, Mr. ELLISON, Mr. HASTINGS, Mr. JEFFRIES, Ms. KELLY of Illinois, Mr. LAWSON of Florida, Mr. LEWIS of Georgia, Mr. RICHMOND, Mr. RUSH, Ms. SEWELL of Alabama, Mr. VEASEY, Mrs. BUSTOS, Mr. MCNERNEY, Ms. CLARK of Massachusetts, Mr. GRIMALVA, Mr. PAYNE, Mr. CÁRDENAS, Mr. ENGEL, Ms. JAYAPAL, Mr. RASKIN, Ms. LEE, Ms. PLASKETT, and Mr. VARGAS):

H. Res. 1104. A resolution supporting the goals and ideals of October as "National Domestic Violence Awareness Month" and expressing the sense of the House of Representatives that Congress should continue to raise awareness of domestic violence and its devastating effects on individuals, families, and communities, and support programs designed to end domestic violence in the United States; to the Committee on Education and the Workforce.

By Mrs. LOVE (for herself, Mr. STEWART, Mr. CURTIS, and Mr. BISHOP of Utah):

H. Res. 1105. A resolution designating Salt Lake City, Utah, as the western center of the centennial commemoration of the 19th amendment to the Constitution, in coordination with Better Days 2020, and designating Cheyenne, Wyoming, Denver, Colorado, Helena, Montana, and Seneca Falls, New York, as sister cities in those celebrations; to the Committee on the Judiciary.

By Mr. PAYNE (for himself, Ms. CLARKE of New York, Mr. SOTO, Ms. JACKSON LEE, Mr. MCEACHIN, Mr. RASKIN, Mr. MEEKS, Mr. TAKANO, and Mr. THOMPSON of Mississippi):

H. Res. 1106. A resolution supporting the designation of October 6, 2018, as National Ostomy Awareness Day; to the Committee on Oversight and Government Reform.

By Mr. REICHERT (for himself and Mr. PASCRELL):

H. Res. 1107. A resolution supporting the designation of National Secure Your Load Day; to the Committee on Transportation and Infrastructure.

By Mr. SCHWEIKERT (for himself, Mr. POLIS, and Mr. EMMER):

H. Res. 1108. A resolution expressing the sense of the House of Representatives that blockchain has incredible potential that must be nurtured through support for research and development and a thoughtful and innovation-friendly regulatory approach; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SUOZZI:

H. Res. 1109. A resolution expressing support for the designation of the second Monday in October as "Columbus Day"; to the Committee on Oversight and Government Reform.

136.40 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 76: Mr. CLOUD.
H.R. 559: Mr. BUDD.
H.R. 592: Mr. HUFFMAN and Mr. GROTHMAN.
H.R. 671: Mr. COOPER.
H.R. 714: Mr. GROTHMAN.
H.R. 715: Mr. GROTHMAN.
H.R. 778: Mr. THOMPSON of Pennsylvania.
H.R. 930: Mr. SIMPSON.
H.R. 1017: Mr. TROTT, Ms. GRANGER, Mrs. DINGELL, Mrs. MURPHY of Florida, Ms. JUDY CHU of California, Mr. LATTA, Mr. GONZALEZ of Texas, Mr. CURBELO of Florida, Ms. GABBARD, and Mr. DUFFY.
H.R. 1111: Ms. FUDGE.
H.R. 1205: Mr. WALDEN.
H.R. 1291: Mr. SWALWELL of California.
H.R. 1300: Mr. COOPER, Mr. GARAMENDI, and Mr. CLEAVER.
H.R. 1318: Mr. GRIFFITH and Mr. KIHUEN.
H.R. 1437: Mr. LEWIS of Georgia.
H.R. 1447: Mr. MICHAEL F. DOYLE of Pennsylvania and Mr. RICHMOND.
H.R. 1456: Mr. TURNER and Ms. CLARKE of New York.
H.R. 1467: Mr. TAKANO.
H.R. 1515: Mr. CORREA.
H.R. 1552: Mr. CARTER of Georgia.
H.R. 1602: Mr. RASKIN and Mr. POCAN.
H.R. 1612: Mr. SMITH of Washington.
H.R. 1661: Mr. ROTHFUS and Mr. SMITH of New Jersey.
H.R. 1906: Mr. TAKANO.
H.R. 1957: Mr. CLAY, Ms. CASTOR of Florida, Mr. PAYNE, Mr. COURTNEY, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. LARSON of Connecticut, Mr. RICHMOND, and Mr. O'ROURKE.
H.R. 2015: Mr. MCGOVERN.
H.R. 2119: Mr. CLAY, Mr. RICHMOND, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. PAYNE, and Mr. LARSON of Connecticut.
H.R. 2212: Mr. GROTHMAN and Mr. LIPINSKI.
H.R. 2315: Mr. LARSEN of Washington.
H.R. 2355: Mr. FITZPATRICK.
H.R. 2358: Mr. SMITH of New Jersey, Mr. YOHO, Mr. UPTON, Mrs. COMSTOCK, Mr. POSEY, Mr. WALKER, Mrs. BLACK, Mr. PAULSEN, Mr. KELLY of Pennsylvania, Mr. DAVID SCOTT of Georgia, Mr. CUELLAR, Mr. MCNERNEY, Mr. CRIST, Mr. AMODEI, and Mr. SIMPSON.
H.R. 2431: Mr. NORMAN.
H.R. 2472: Ms. SPEIER.
H.R. 2476: Mr. NADLER.
H.R. 2498: Mr. RICHMOND.
H.R. 2640: Mr. VELA, Ms. TITUS, and Mr. CARTWRIGHT.
H.R. 2644: Mr. TED LIEU of California.
H.R. 2801: Mr. LOWENTHAL.
H.R. 2902: Mr. SABLON.
H.R. 2911: Ms. TITUS and Mr. DUFFY.
H.R. 2925: Mr. TED LIEU of California and Mr. KATKO.

H.R. 2926: Ms. PINGREE.
 H.R. 2957: Mr. RUSSELL.
 H.R. 2972: Mr. TED LIEU of California.
 H.R. 3325: Mr. SMITH of Texas, Mr. FLORES, Mrs. MCMORRIS RODGERS, and Mr. BARR.
 H.R. 3378: Mr. HUFFMAN.
 H.R. 3415: Mr. BISHOP of Michigan.
 H.R. 3909: Mr. KHANNA.
 H.R. 4022: Ms. ROSEN, Ms. BROWNLEY of California, Ms. ROYBAL-ALLARD, Mr. CARTWRIGHT, and Mr. BISHOP of Georgia.
 H.R. 4099: Mr. LOBIONDO.
 H.R. 4107: Mr. TAKANO, Mr. HIGGINS of New York, Mr. WELCH, and Mr. CUMMINGS.
 H.R. 4143: Mr. RUSSELL.
 H.R. 4206: Mr. PETERS.
 H.R. 4209: Ms. LEE.
 H.R. 4265: Mr. GOTTHEIMER.
 H.R. 4271: Mr. DESAULNIER.
 H.R. 4444: Mr. KATKO.
 H.R. 4622: Ms. NORTON.
 H.R. 4647: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. WITTMAN, Mr. COURTNEY, Mr. LIPINSKI, Ms. SPEIER, Mr. RUSH, and Mr. TURNER.
 H.R. 4732: Mr. BUCHANAN, Mr. KELLY of Pennsylvania, and Ms. BROWNLEY of California.
 H.R. 4953: Ms. KELLY of Illinois.
 H.R. 4957: Mr. TED LIEU of California.
 H.R. 5062: Mr. RASKIN.
 H.R. 5108: Mrs. DINGELL, Mr. EVANS, Mr. HASTINGS, Mr. HUFFMAN, Mr. LANGEVIN, Mr. SOTO, Mr. BLUMENAUER, Mr. LEWIS of Georgia, and Ms. MAXINE WATERS of California.
 H.R. 5129: Mr. WILSON of South Carolina.
 H.R. 5142: Mr. CLOUD.
 H.R. 5143: Mr. CLOUD.
 H.R. 5156: Mr. SARBANES.
 H.R. 5199: Mr. WEBER of Texas.
 H.R. 5306: Ms. PINGREE.
 H.R. 5409: Mr. YARMUTH.
 H.R. 5431: Mr. MCNERNEY.
 H.R. 5533: Ms. SPEIER, Mr. COSTA, Mr. LIPINSKI, and Mr. RICHMOND.
 H.R. 5541: Mr. POCAN, Ms. CLARK of Massachusetts, and Mr. HIMES.
 H.R. 5545: Ms. MATSUI and Ms. PINGREE.
 H.R. 5561: Mr. ARRINGTON, Mr. BABIN, Mr. AUSTIN SCOTT of Georgia, Mrs. COMSTOCK, Mr. VELA, Mr. LAMALFA, Ms. JACKSON LEE, Mr. GAETZ, Ms. DELBENE, Ms. BASS, Mr. CONNOLLY, Mr. VEASEY, Mr. BEYER, Mr. BRAT, Mr. QUIGLEY, Mr. BRADY of Texas, Mr. GOMMERT, and Mr. JOHNSON of Louisiana.
 H.R. 5780: Mr. BRAT.
 H.R. 5814: Ms. PINGREE.
 H.R. 5856: Mr. LAMALFA.
 H.R. 5879: Mr. VELA, Ms. BASS, Mr. COURTNEY, Ms. DELAURO, Mr. LANGEVIN, Ms. TSONGAS, Mr. KHANNA, Ms. ROSEN, Ms. WASSERMAN SCHULTZ, Mr. CRIST, Mr. BACON, Mr. CONAWAY, Mr. GRAVES of Louisiana, Mr. MEADOWS, Mrs. HARTZLER, Mr. AMODEI, Ms. STEFANIK, Mr. YOHIO, Mr. MCKINLEY, Mr. BROOKS of Alabama, Mr. SENSENBRENNER, Mr. SHERMAN, Mr. RICE of South Carolina, Ms. LEE, Mr. MCNERNEY, Mr. RUIZ, Mr. SERRANO, Ms. MAXINE WATERS of California, Ms. SHEA-PORTER, Mr. SMITH of Washington, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. LONG, Mrs. BUSTOS, Mr. CAPUANO, Ms. GRANGER, Mrs. WATSON COLEMAN, Ms. CHENEY, Mr. STIVERS, Mr. BANKS of Indiana, and Mrs. ROBY.
 H.R. 5911: Mr. AGUILAR, Ms. BARRAGÁN, Mr. BEYER, Mr. BLUMENAUER, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CAPUANO, Mr. CARBAJAL, Ms. CASTOR of Florida, Ms. CLARKE of New York, Ms. JUDY CHU of California, Mr. CONNOLLY, Mr. DEFazio, Ms. DEGETTE, Mrs. DEMINGS, Mr. DESAULNIER, Ms. ESHOO, Mr. FITZPATRICK, Mr. GOTTHEIMER, Mr. HIMES, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. KILDEE, Mr. KILMER, Ms. LEE, Mr. TED LIEU of California, Ms. LOFGREN, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MOULTON, Mr. NAD-

LER, Mrs. NAPOLITANO, Mr. NOLAN, Ms. NORTON, Mr. PANETTA, Mr. PERLMUTTER, Ms. PINGREE, Mr. POCAN, Mr. POLIS, Mr. QUIGLEY, Mr. RASKIN, Ms. BLUNT ROCHESTER, Ms. ROYBAL-ALLARD, Mr. SANFORD, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SERRANO, Ms. SHEA-PORTER, Mr. SMITH of Washington, Mr. SOTO, Mr. SUOZZI, Ms. SPEIER, Mr. THOMPSON of Mississippi, Ms. TSONGAS, Ms. VELÁZQUEZ, Mr. WALZ, Ms. WASSERMAN SCHULTZ, Ms. MAXINE WATERS of California, Mr. WELCH, Ms. WILSON of Florida, Mr. LIPINSKI, Mr. RUSH, Mr. BEN RAY LUJAN of New Mexico, and Ms. CLARK of Massachusetts.
 H.R. 5955: Mr. BROOKS of Alabama, Ms. HANABUSA, Mrs. ROBY, and Mrs. NAPOLITANO.
 H.R. 6016: Ms. ROSEN.
 H.R. 6028: Mr. VISCLOSKEY.
 H.R. 6033: Mr. CLAY, Mr. WALZ, Mr. COURTNEY, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. O'ROURKE.
 H.R. 6048: Mr. RASKIN.
 H.R. 6060: Ms. ESHOO and Mr. BLUMENAUER.
 H.R. 6114: Mr. LANCE, Mr. TAKANO, Mr. MCEACHIN, Mr. RICHMOND, and Mr. SEAN PATRICK MALONEY of New York.
 H.R. 6268: Mr. BURGESS.
 H.R. 6274: Mr. RASKIN.
 H.R. 6292: Mr. PANETTA.
 H.R. 6413: Mr. CICILLINE.
 H.R. 6466: Ms. SHEA-PORTER.
 H.R. 6471: Mrs. WAGNER and Mr. LONG.
 H.R. 6505: Mr. SUOZZI, Mr. KILDEE, Mr. LIPINSKI, Mr. RICHMOND, Mr. CLAY, Mr. THOMPSON of California, and Mr. LOEBSACK.
 H.R. 6510: Mr. PETERSON and Mr. RUSH.
 H.R. 6525: Mr. MCNERNEY and Mr. BISHOP of Georgia.
 H.R. 6542: Mr. PETERS.
 H.R. 6557: Mr. BARTON, Mr. GOSAR, Mr. HUNTER, and Mr. MASSIE.
 H.R. 6594: Mr. DESAULNIER.
 H.R. 6622: Ms. CASTOR of Florida.
 H.R. 6629: Mr. PAYNE and Mr. KHANNA.
 H.R. 6635: Mr. RENACCI, Mr. FASO, and Mrs. LESKO.
 H.R. 6649: Ms. CASTOR of Florida, Ms. LEE, and Ms. LOFGREN.
 H.R. 6664: Ms. TENNEY and Mr. CUELLAR.
 H.R. 6681: Mr. HIGGINS of New York and Mr. TED LIEU of California.
 H.R. 6714: Mr. ROE of Tennessee.
 H.R. 6722: Ms. EDDIE BERNICE JOHNSON of Texas.
 H.R. 6772: Mr. LUETKEMEYER.
 H.R. 6793: Mr. HULTGREN, Mr. LAHOOD, Mr. DANNY K. DAVIS of Illinois, Mr. QUIGLEY, Mr. LIPINSKI, and Mr. GUTIÉRREZ.
 H.R. 6833: Mr. POLIS.
 H.R. 6840: Ms. DEGETTE and Mr. PANETTA.
 H.R. 6873: Ms. MOORE.
 H.R. 6876: Mr. THOMPSON of Mississippi.
 H.R. 6877: Mr. GIANFORTE.
 H.R. 6880: Ms. JAYAPAL.
 H.R. 6888: Mr. YOHIO.
 H.R. 6890: Mr. GAETZ, Mr. NORMAN, Mr. LAMALFA, Mr. DESJARLAIS, and Mrs. MCMORRIS RODGERS.
 H.R. 6898: Mr. NEWHOUSE.
 H.R. 6900: Ms. JAYAPAL and Mr. POCAN.
 H.R. 6909: Ms. ESHOO.
 H.R. 6927: Mrs. NAPOLITANO.
 H.R. 6953: Mr. LARSEN of Washington.
 H.J. Res. 140: Mr. GARAMENDI, Ms. DELAURO, and Ms. PINGREE.
 H. Con. Res. 138: Mr. CASTRO of Texas, Mr. HUFFMAN, and Mr. NADLER.
 H. Con. Res. 140: Mr. SWALWELL of California and Mr. DELANEY.
 H. Res. 213: Mr. GALLEGO.
 H. Res. 342: Mr. KHANNA.
 H. Res. 864: Mrs. TORRES and Mr. RUSSELL.
 H. Res. 910: Mr. WILSON of South Carolina.
 H. Res. 975: Ms. WILSON of Florida.
 H. Res. 993: Mr. KIHUANI.
 H. Res. 1031: Ms. BONAMICI.
 H. Res. 1035: Mr. LAMBORN.
 H. Res. 1043: Ms. SHEA-PORTER, Mr. RENACCI, and Mrs. DAVIS of California.

H. Res. 1055: Mr. PERRY.
 H. Res. 1065: Mr. POLIS.
 H. Res. 1087: Mr. BUCHANAN.
 H. Res. 1093: Ms. MCSALLY and Mr. VALADAO.
 H. Res. 1095: Mr. SWALWELL of California and Mr. MCNERNEY.

TUESDAY, OCTOBER 2, 2018 (137)

¶137.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. HARRIS, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
October 2, 2018.

I hereby appoint the Honorable ANDY HARRIS to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶137.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. HARRIS, announced that, pursuant to section 4(a) of House Resolution 1084, the Journal of the proceedings of Friday, September 28, 2018, was approved.

¶137.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6425. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Margin and Capital Requirements for Covered Swap Entities (RIN: 2590-AA92) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6426. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's interim final temporary rule — Regulation Crowdfunding and Regulation A Relief and Assistance for Victims of Hurricane Florence [Release No.: 33-10556] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6427. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31209; Amdt. No.: 3814] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6428. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Telemarketing Sales Rule Fees (RIN: 3084-AA98) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6429. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to significant narcotics traffickers centered in Colombia declared in Executive Order 12978 of October 21, 1995, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6430. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-09, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6431. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on efforts to counter Iran's conventional and asymmetric threats, pursuant to the Countering America's Adversaries through Sanctions Act, 2017, Public Law 115-44; to the Committee on Foreign Affairs.

6432. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-019, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6433. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Lynchburg, VA [Docket No.: FAA-2018-0727; Airspace Docket No.: 18-AEA-15] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6434. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Williamsport, PA [Docket No.: FAA-2018-0322; Airspace Docket No.: 18-AEA-12] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6435. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Chicago Class B and Chicago Class C Airspace; Chicago, IL [Docket No.: FAA-2018-0632; Airspace Docket No.: 17-AWA-4] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6436. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Kamuela, HI [Docket No.: FAA-2017-1145; Airspace Docket No.: 17-AWP-19] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6437. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31208; Amdt. No.: 3813] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6438. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31212; Amdt. No.: 3816] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6439. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0031; Product Identifier 2017-NM-127-AD; Amendment 39-19374; AD 2018-17-20] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6440. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airspace Designations; Incorporation by Reference [Docket No.: FAA-2018-0770; Amendment No.: 71-50] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6441. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes in the vicinity of Mattoon and Charleston, IL [Docket No.: FAA-2018-0219; Amendment No.: 17-AGL-23] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6442. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of the Prohibition Against Certain Flights in the Pyongyang Flight Information Region (FIR) (ZKPP) [Docket No.: FAA-2018-0838; Amendment No.: 91-352] (RIN: 2120-AL34) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6443. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Chebeague Island, ME [Docket No.: FAA-2018-0475; Airspace Docket No.: 18-ANE-4] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6444. A letter from the Deputy Under Secretary, Department of Defense, transmitting a report; jointly to the Committees on Foreign Affairs and Armed Services.

¶137.4 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER pro tempore, Mr. HARRIS, announced, under clause 5(d) of rule XX, that, in light of the resignation of the gentleman from West Virginia [Mr. JENKINS], the whole number of the House is adjusted to 428.

¶137.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, September 28, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following mes-

sage from the Secretary of the Senate on September 28, 2018, at 6:22 p.m.:

That the Senate passed without an amendment H.R. 6897.

That the Senate agreed to S. Con. Res. 49. With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶137.6 ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. HARRIS, announced that, pursuant to clause 4 of rule I, the Speaker pro tempore, Mr. MOONEY of West Virginia, had signed the following enrolled bill on Friday, September 28, 2018:

H.R. 6897. An Act to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

¶137.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 1, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 1, 2018, at 11:45 a.m.:

That the Senate passed S. 2515.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶137.8 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. HARRIS, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 2, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 2, 2018, at 11:04 a.m.:

That the Senate passed without an amendment H.R. 4921.

Appointment:
Social Security Advisory Board
With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶137.9 CORRECTING ENROLLMENT OF S. 2553

On motion of Mr. HARRIS, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 49):

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill S. 2553, the Secretary of the Senate shall make the following correction:

Amend the title so as to read: "A bill to amend title XVIII of the Social Security Act

to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologics.”.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶137.10 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2515. An Act to amend the Indian Self-Determination and Education Assistance Act to provide further self-governance by Indian Tribes, and for other purposes; to the Committee on Natural Resources.

¶137.11 SENATE ENROLLED BILLS SIGNED

The Speaker pro tempore, Mr. HARRIS, announced his signature to enrolled bills of the Senate of the following titles:

S. 2269. An Act to reauthorize the Global Food Security Act of 2016 for 5 additional years.

S. 3354. An Act to amend the Missing Children's Assistance Act, and for other purposes.

S. 3508. An Act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

S. 3509. An Act to reauthorize the Congressional Award Act.

¶137.12 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on September 28, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 4854. An Act to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

H.R. 4958. An Act to increase, effective as of December 1, 2018, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

H.R. 46. An Act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

H.R. 2259. An Act to amend the Peace Corps Act to expand services and benefits for volunteers, and for other purposes.

H.R. 6897. An Act to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

And then,

¶137.13 ADJOURNMENT

The SPEAKER pro tempore, Mr. HARRIS, pursuant to section 4(b) of House Resolution 1084, at 12 o'clock and 35 minutes p.m., declared the House adjourned until 9:30 a.m. on Friday, October 5, 2018.

¶137.14 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CLYBURN:

H.R. 7009. A bill to provide an increased allocation of funding under certain programs for assistance in persistent poverty counties, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, Agriculture, Education and the Workforce, Energy and Commerce, Science, Space, and Technology, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MOORE (for herself, Ms. LEE, Ms. JACKSON LEE, Ms. ROYBAL-ALLARD, and Ms. DELAUNO):

H.R. 7010. A bill to reauthorize and amend the program of block grants to States for temporary assistance for needy families and related programs; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA (for himself and Ms. CLARKE of New York):

H.R. 7011. A bill to direct the Secretary of Defense to conduct a study of the potential application of smart technology on military installations; to the Committee on Armed Services.

By Ms. BASS (for herself and Mr. MARINO):

H.R. 7012. A bill to amend part B of title IV of the Social Security Act to provide grants to develop and enhance, or to evaluate, kinship navigator programs, and for other purposes; to the Committee on Ways and Means.

By Mr. BIGGS:

H.R. 7013. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program to improve the ability of Members of Congress to assist constituents with respect to benefits for veterans; to the Committee on Veterans' Affairs.

By Mr. CARTWRIGHT:

H.R. 7014. A bill to require the Secretary of Transportation to modify the final rule relating to flightcrew member duty and rest requirements for passenger operations of air carriers to apply to all-cargo operations of air carriers, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CURBELO of Florida (for himself, Mr. LAWSON of Florida, and Mr. DIAZ-BALART):

H.R. 7015. A bill to amend title VII of the Tariff Act of 1930 to provide for the treatment of core seasonal industries affected by antidumping or countervailing duty investigations, and for other purposes; to the Committee on Ways and Means.

By Ms. JACKSON LEE (for herself, Mr. CARSON of Indiana, Ms. MOORE, and Ms. NORTON):

H.R. 7016. A bill to establish a task force to address the national security and safety issues presented by the manufacturing of prohibited firearms, munitions, and related materials through the use of 3-D printing technology, to prohibit the use of 3-D printing technology to make a firearm, ammunition, or a component of a firearm or ammunition, and to prohibit the possession or transfer of a firearm, ammunition, or component so made, and for other purposes; to the Committee on the Judiciary.

By Ms. KUSTER of New Hampshire (for herself, Mr. POLIQUIN, Mr. MOONEY of

West Virginia, Mr. GIANFORTE, Mr. WESTERMAN, Ms. SHEA-PORTER, and Mr. WELCH):

H.R. 7017. A bill to direct the Secretary of Veterans Affairs to carry out a demonstration program to expand the availability of telemedicine services for veterans living in rural areas with certain mental health disorders, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAMALFA:

H.R. 7018. A bill to impose enhanced penalties for conduct relating to unlawful production of a controlled substance on Federal property or while intentionally trespassing on the property of another that causes environmental damage, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on the Judiciary, Energy and Commerce, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. LOVE (for herself, Mr. BISHOP of Utah, Mr. STEWART, and Mr. CURTIS):

H.R. 7019. A bill to authorize the United States Postal Service to provide certain non-postal property, products, and services on behalf of State, local, and tribal governments; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H.R. 7020. A bill to authorize the District of Columbia to enter into multi-year agreements to carry out certain public-private partnership projects and make payments for the termination costs under such agreements in any fiscal year, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PAULSEN (for himself and Mr. COFFMAN):

H.R. 7021. A bill to amend the Internal Revenue Code of 1986 to provide for distributions from 529 plans to pay certain early education expenses; to the Committee on Ways and Means.

By Mr. PETERS (for himself, Mr. KATKO, Mr. TAKANO, and Mr. COFFMAN):

H.R. 7022. A bill to provide for greater transparency in the HUD-VASH supported housing program for homeless veterans, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PETERSON (for himself and Mr. MOONEY of West Virginia):

H.R. 7023. A bill to support the preparation and retention of outstanding educators in all fields to ensure a bright future for children and youth in under-resourced and underserved communities in the United States, and for other purposes; to the Committee on Education and the Workforce.

By Mr. RASKIN (for himself, Mr. CURBELO of Florida, Mr. PANETTA, Ms. WASSERMAN SCHULTZ, Mr. DONOVAN, and Mr. VELA):

H.R. 7024. A bill to establish a Federal standard in order to improve the Nation's resilience to current and future flood risk; to the Committee on Financial Services, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROSEN (for herself, Mr. JONES, Mr. KIND, and Mr. CURBELO of Florida):

H.R. 7025. A bill to amend title 10, United States Code, to improve the Transition As-

sistance Program for members of the Armed Forces, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY (for herself, Ms. BONAMICI, and Mr. NORCROSS):

H.R. 7026. A bill to amend the Employee Retirement Income Security Act of 1974 to provide for greater spousal protection under defined contribution plans, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHNEIDER:

H.R. 7027. A bill to improve the procedures of the national instant criminal background check system in the case of firearm transfers by federally licensed firearms importers, manufacturers, and dealers before the completion of the related criminal background check, and to provide for annual reports on default firearm transfers; to the Committee on the Judiciary.

By Mr. VELA:

H.R. 7028. A bill to establish pilot programs for, and require the development of policies with respect to, the use of body-worn cameras by officers and agents of U.S. Customs and Border Protection and U.S. Immigration and Customs Enforcement, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALBERG:

H.R. 7029. A bill to amend the Fair Labor Standards Act of 1938 to clarify the definition of employee as it relates to direct sellers, and for other purposes; to the Committee on Education and the Workforce.

By Ms. WASSERMAN SCHULTZ (for herself, Mr. NADLER, Ms. LOFGREN, Mr. COHEN, Mr. GUTIERREZ, Ms. JAYAPAL, Mrs. DEMINGS, Mr. BLUMENAUER, Mr. CÁRDENAS, Ms. CLARKE of New York, Mr. CURBELO of Florida, Ms. DELAUNO, Mr. HASTINGS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. MCGOVERN, Ms. NORTON, Mr. PERLMUTTER, Ms. ROS-LEHTINEN, Ms. ROYBAL-ALLARD, Mr. SCOTT of Virginia, Ms. SHEA-PORTER, Ms. TITUS, Mr. VARGAS, Mr. VELA, Ms. VELÁZQUEZ, Ms. WILSON of Florida, and Mr. YARMUTH):

H.R. 7030. A bill to protect the information obtained by the Secretary of Health and Human Services for the placement of unaccompanied alien children from being used for any purpose other than providing safe and secure placements, and for other purposes; to the Committee on the Judiciary.

By Mr. ISSA (for himself, Ms. CLARKE of New York, Mr. TONKO, Ms. TITUS, and Ms. JACKSON LEE):

H. Res. 1110. A resolution expressing support for the recognition of October 1, 2018, through October 7, 2018, as "Smart Cities Week" and supporting the further research, development, and adoption of technology designed to improve efficiency, connectivity, sustainability, and mobility in transportation, infrastructure, and workforce opportunity in American cities and communities; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speak-

er, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BASS (for herself, Mr. SMITH of New Jersey, Mr. RUSH, Mr. KIND, Mr. MCGOVERN, Mr. GRIJALVA, Ms. MOORE, Ms. CLARKE of New York, Mr. COHEN, Mr. JOHNSON of Georgia, Mr. CARSON of Indiana, Ms. FUDGE, Mr. CONNOLLY, Mr. CASTRO of Texas, and Mr. GARRETT):

H. Res. 1111. A resolution calling on the Government of Cameroon, armed separatist groups, and all citizens to respect human rights and adopt nonviolent approaches to conflict resolution; to the Committee on Foreign Affairs.

By Mr. BRAT:

H. Res. 1112. A resolution congratulating Mt. Zion Baptist Church upon the occasion of its 160th anniversary; to the Committee on Oversight and Government Reform.

By Ms. PINGREE (for herself, Mr. YOUNG of Iowa, Mr. MCGOVERN, and Ms. JENKINS of Kansas):

H. Res. 1113. A resolution expressing support for the designation of October 16 as World Food Day; to the Committee on Oversight and Government Reform.

By Ms. SHEA-PORTER (for herself and Mr. ENGEL):

H. Res. 1114. A resolution expressing support for designation of the week of October 7, 2018, through October 13, 2018, as "Latex Allergy Awareness Week"; to the Committee on Oversight and Government Reform.

137.15 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 84: Mr. WEBER of Texas.
H.R. 502: Mr. KELLY of Pennsylvania and Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 632: Mr. BURGESS.
H.R. 907: Mr. SUOZZI.
H.R. 1127: Mr. THOMPSON of Mississippi.
H.R. 1171: Mr. KATKO.
H.R. 1368: Ms. CLARK of Massachusetts.
H.R. 1437: Ms. CLARKE of New York.
H.R. 1447: Mr. PRICE of North Carolina.
H.R. 1456: Mr. VELA.
H.R. 1515: Mr. PRICE of North Carolina.
H.R. 1556: Ms. CLARKE of New York.
H.R. 1587: Mr. LARSON of Connecticut.
H.R. 2043: Ms. CLARK of Massachusetts.
H.R. 2119: Mrs. LAWRENCE.
H.R. 2150: Mrs. TORRES.
H.R. 2273: Mr. GROTHMAN.
H.R. 2309: Mr. VEASEY.
H.R. 2315: Ms. BASS.
H.R. 2358: Mr. WEBSTER of Florida, Mr. SCOTT of Virginia, Mr. RUSSELL, Mr. ROE of Tennessee, Mr. RICHMOND, Mr. BISHOP of Georgia, and Mrs. TORRES.
H.R. 2366: Mr. KILMER.
H.R. 2392: Mr. O'ROURKE.
H.R. 2439: Mr. TED LIEU of California.
H.R. 2472: Mr. FITZPATRICK and Mr. COURTNEY.
H.R. 2510: Mr. WELCH.
H.R. 2790: Mr. LANCE and Mr. DENHAM.
H.R. 2911: Mr. MEEKS.
H.R. 2920: Ms. NORTON.
H.R. 2943: Mr. RYAN of Ohio and Ms. ROSEN.
H.R. 3124: Miss RICE of New York.
H.R. 3197: Mr. SWALWELL of California.
H.R. 3222: Mr. CLAY, Ms. KUSTER of New Hampshire, Mr. COURTNEY, Mr. LARSON of Connecticut, and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 3286: Mr. CARTWRIGHT.
H.R. 3390: Mr. THOMPSON of Mississippi.
H.R. 3593: Mr. WEBER of Texas.
H.R. 3751: Mr. GIBBS.
H.R. 3798: Mr. WEBER of Texas.
H.R. 4099: Mrs. BLACK and Mr. WEBER of Texas.

H.R. 4107: Mr. MCNERNEY, Mr. LONG, Mr. BIGGS, Mrs. WATSON COLEMAN, Mr. SEAN PATRICK MALONEY of New York, Mr. SCOTT of Virginia, Mr. COSTA, Mr. HIMES, Mr. CARTWRIGHT, Mr. TONKO, Mr. LARSEN of Washington, Ms. TITUS, Mr. YOUNG of Alaska, Mr. WENSTRUP, Mr. LUETKEMEYER, Mr. PALLONE, Mr. YOUNG of Iowa, Mr. MARCHANT, Mr. RUSH, and Mr. KRISHNAMOORTHY.

H.R. 4202: Mr. ENGEL.

H.R. 4229: Mr. CASTRO of Texas.

H.R. 4345: Mr. DESAULNIER.

H.R. 4691: Mr. COURTNEY, Mr. GOTTHEIMER, Ms. JUDY CHU of California, Mr. MCNERNEY, Mr. CLEAVER, Mr. BEN RAY LUJÁN of New Mexico, Mr. ENGEL, Mrs. MURPHY of Florida, Mr. SCHIFF, Mr. PRICE of North Carolina, Mr. LANCE, Mr. RUPPERSBERGER, Ms. KAPTUR, Mr. LYNCH, Mr. O'HALLERAN, Ms. FRANKEL of Florida, Mr. SHERMAN, Mr. DOGGETT, Ms. SINEMA, Mrs. TORRES, Ms. PINGREE, Mr. MOULTON, and Mr. DENHAM.

H.R. 4693: Mr. SWALWELL of California.

H.R. 4765: Ms. TITUS.

H.R. 4843: Mr. DUFFY, Mr. KIND, and Mr. GIANFORTE.

H.R. 4888: Mr. BUCHANAN.

H.R. 5034: Mr. RUIZ and Mr. KIND.

H.R. 5115: Mr. TED LIEU of California.

H.R. 5210: Mr. ZELDIN.

H.R. 5233: Mr. KIND and Mr. LAMBORN.

H.R. 5318: Mr. CARTWRIGHT.

H.R. 5389: Ms. PINGREE.

H.R. 5574: Mr. CASTRO of Texas.

H.R. 5634: Mr. PETERS.

H.R. 5641: Ms. STEFANIK, Mr. GRIFFITH, and Mr. RUSSELL.

H.R. 5701: Ms. PINGREE.

H.R. 5780: Mr. MCNERNEY.

H.R. 5879: Mr. MCCLINTOCK, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSSELL, Mr. BISHOP of Utah, Mr. DIAZ-BALART, Mr. MCEACHIN, Mr. THOMPSON of California, and Ms. TITUS.

H.R. 5911: Mr. ESPAILLAT.

H.R. 5965: Ms. PINGREE.

H.R. 6016: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 6033: Mr. LARSON of Connecticut, Mrs. LAWRENCE, Ms. ROS-LEHTINEN, and Ms. GABBARD.

H.R. 6034: Mr. ROKITA.

H.R. 6060: Ms. SCHAKOWSKY.

H.R. 6086: Mr. NORCROSS.

H.R. 6105: Mr. WEBER of Texas.

H.R. 6207: Ms. LEE.

H.R. 6225: Mr. HUNTER.

H.R. 6252: Mr. PALLONE.

H.R. 6269: Mr. BISHOP of Michigan.

H.R. 6270: Mr. FRANCIS ROONEY of Florida.

H.R. 6277: Mr. LUETKEMEYER.

H.R. 6344: Mr. LAMALFA.

H.R. 6417: Mr. BABIN.

H.R. 6455: Mr. CARSON of Indiana.

H.R. 6505: Mr. HUFFMAN and Ms. ROYBAL-ALLARD.

H.R. 6507: Mr. CARTWRIGHT.

H.R. 6509: Mr. TAKANO.

H.R. 6510: Mr. KENNEDY, Mr. BABIN, and Mr. BLUM.

H.R. 6545: Ms. PLASKETT and Mr. GOTTHEIMER.

H.R. 6589: Mr. POLIS and Mr. YOUNG of Alaska.

H.R. 6595: Mrs. BLACK.

H.R. 6616: Mr. DUFFY.

H.R. 6637: Mr. HILL.

H.R. 6671: Mr. TED LIEU of California.

H.R. 6708: Mr. BABIN.

H.R. 6723: Mr. WEBER of Texas.

H.R. 6734: Mr. WESTERMAN, Mr. RENACCI, Mrs. DINGELL, Mr. OLSON, and Mr. O'ROURKE.

H.R. 6759: Mr. KATKO.

H.R. 6772: Mr. COHEN.

H.R. 6786: Mr. KING of New York.

H.R. 6793: Mr. FOSTER and Mr. KRISHNAMOORTHY.

H.R. 6813: Mr. WALBERG and Mr. SMITH of Nebraska.

H.R. 6824: Ms. KUSTER of New Hampshire.
 H.R. 6827: Ms. WASSERMAN SCHULTZ.
 H.R. 6836: Mr. CARSON of Indiana.
 H.R. 6869: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 6876: Mr. TAKANO, Mr. JOHNSON of Georgia, and Ms. WASSERMAN SCHULTZ.

H.R. 6880: Ms. BASS.

H.R. 6885: Ms. TITUS and Mr. HUFFMAN.

H.R. 6890: Mr. WEBER of Texas.

H.R. 6900: Ms. LEE.

H.R. 6909: Miss RICE of New York, Mr. TAKANO, and Ms. VELÁZQUEZ.

H.R. 6951: Ms. DELAURO and Ms. MCCOLLUM.

H.R. 6953: Mr. TAKANO, Ms. ROSEN, and Ms. KELLY of Illinois.

H.R. 6982: Mr. PALLONE and Mr. FITZPATRICK.

H.R. 6983: Ms. CLARKE of New York.

H.R. 6992: Mr. KIND and Mr. CARSON of Indiana.

H.R. 7008: Mr. FITZPATRICK.

H.J. Res. 140: Mr. HECK.

H. Con. Res. 139: Mr. GAETZ.

H. Res. 757: Mr. LEWIS of Minnesota, Mr. GALLEGOS, Mr. THOMPSON of Mississippi, Mr. BISHOP of Georgia, Mr. PAYNE, Ms. JAYAPAL, and Ms. BASS.

H. Res. 776: Mr. BUCHANAN.

H. Res. 825: Mr. LARSEN of Washington.

H. Res. 910: Ms. JUDY CHU of California.

H. Res. 931: Mr. COHEN.

H. Res. 987: Ms. BASS.

H. Res. 993: Mr. STIVERS, Mr. MOONEY of West Virginia, Mr. FORTENBERRY, Mrs. BEATTY, and Mr. CARTWRIGHT.

H. Res. 1035: Mr. WENSTRUP.

H. Res. 1043: Mr. CARTWRIGHT.

H. Res. 1066: Mr. ROSKAM, Mr. FITZPATRICK, Mr. SESSIONS, and Mr. MACARTHUR.

H. Res. 1073: Mr. TAKANO.

H. Res. 1087: Mr. CURBELO of Florida.

H. Res. 1091: Mr. FITZPATRICK, Mr. COOK, Mr. WILSON of South Carolina, and Ms. JENKINS of Kansas.

H. Res. 1100: Mr. ESPAILLAT.

137.16 PETITIONS

Under clause 3 of rule XII,

122. The SPEAKER presented a petition of Gregory D. Watson, a citizen of Austin, TX, relative to requesting the enactment of legislation to levy a 10 percent tax upon remittances made by aliens within the United States to recipients in foreign nations—excluding payment for the lawful purchase of goods or services—and to utilize the proceeds of such tax for construction and maintenance of breach-resistant physical barriers between the United States and nations with which the United States shares land borders; which was referred to the Committee on Ways and Means.

FRIDAY, OCTOBER 5, 2018 (138)

138.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MESSER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,

October 5, 2018.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

138.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to

section 4(a) of House Resolution 1084, the Journal of the proceedings of Tuesday, October 2, 2018, was approved.

138.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6445. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major Notice — Medicaid Program; Final FY 2016 and Preliminary FY 2018 Disproportionate Share Hospital Allotments, and Final FY 2016 and Preliminary 2018 Institutions for Mental Diseases Disproportionate Share Hospital Limits [CMS-2414-N] (RIN: 0938-ZB48) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6446. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Inflation Adjustments to the Price-Anderson Act Financial Protection Regulations [NRC-2017-0030] (RIN: 3150-AK01) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6447. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Eastover, SC and Sumter, SC [Docket No.: FAA-2018-0131; Airspace Docket No.: 18-ASO-4] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6448. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Pensacola, FL, and Establishment of Class E Airspace; Milton, FL [Docket No.: FAA-2018-0062; Airspace Docket No.: 18-ASO-3] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6449. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class D and E Airspace, and Amendment of Class E Airspace; Austin, TX [Docket No.: FAA-2017-9378; Airspace Docket No.: 17-ASW-13] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6450. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Louisville, KY [Docket No.: FAA-2018-0825; Airspace Docket No.: 18-ASO-17] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6451. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Olive Branch, MS [Docket No.: FAA-2018-0810; Airspace Docket No.: 18-ASO-16] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6452. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Springfield, OH [Docket No.: FAA-2017-1051; Airspace Docket No.: 17-AGL-21] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6453. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace; Austin, TX; and Establishment of Class E Airspace; Georgetown, TX, and Austin, TX [Docket No.: FAA-2018-0138; Airspace Docket No.: 18-ASW-5] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6454. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Bloomsburg, PA [Docket No.: FAA-2017-1043; Airspace Docket No.: 17-AEA-18] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6455. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment and Modification of Area Navigation Routes, Florida Metroplex Project; Southeastern United States [Docket No.: FAA-2018-0437; Airspace Docket No.: 18-ASO-5] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6456. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airspace Designations; Incorporation by Reference [Docket No.: FAA-2018-0770; Amendment No.: 71-50] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6457. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Modification and Establishment of Restricted Areas; Townsend, GA [Docket No.: FAA-2015-3338; Airspace Docket No.: 15-ASO-7] (RIN: 2120-AA66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6458. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0411; Product Identifier 2017-NM-157-AD; Amendment 39-19376; AD 2018-17-22] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6459. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0766; Product Identifier 2018-NM-111-AD; Amendment 39-19383; AD 2018-18-04] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Com-

mittee on Transportation and Infrastructure.

6460. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Inc., Helicopters [Docket No.: FAA-2018-0036; Product Identifier 2017-SW-015-AD; Amendment 39-19354; AD 2018-16-14] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6461. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0272; Product Identifier 2018-NM-005-AD; Amendment 39-19377; AD 2018-17-23] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6462. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0118; Product Identifier 2017-NM-083-AD; Amendment 39-19371; AD 2018-17-17] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6463. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2017-0554; Product Identifier 2016-NM-201-AD; Amendment 39-19370; AD 2018-17-16] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6464. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division Turboprop [Docket No.: FAA-2017-1107; Product Identifier 2016-NE-22-AD; Amendment 39-19330; AD 2018-14-10] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6465. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0300; Product Identifier 2017-NM-134-AD; Amendment 39-19375; AD 2018-17-21] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6466. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0163; Product Identifier 2017-NM-168-AD; Amendment 39-19386; AD 2018-18-07] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

¶138.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 3, 2018.

Hon. PAUL D. RYAN,

The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 3, 2018, at 2:02 p.m.:

That the Senate concur in the House of Representatives amendment to the Senate amendment to the bill H.R. 302.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶138.5 ENROLLED BILLS AND SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to clause 4 of rule I, the Speaker pro tempore, Mr. MCHENRY, signed the following enrolled bills and enrolled bill of the Senate on Wednesday, October 3, 2018:

H.R. 302. An Act to provide protections for certain sports medicine professionals, to reauthorize Federal aviation programs, to improve aircraft safety certification processes, and for other purposes.

H.R. 4921. An Act to require the Surface Transportation Board to implement certain recommendations of the Inspector General of the Department of Transportation.

S. 2553. An Act to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.

¶138.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,

U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 4, 2018.

Hon. PAUL D. RYAN,

The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 4, 2018, at 9:21 a.m.:

That the Senate concur in the House of Representatives amendment to the Senate amendment to the bill H.R. 6.

That the Senate passed with an amendment H.R. 3359.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

And then,

¶138.7 ADJOURNMENT

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 4(b) of House Resolution 1084, at 9 o'clock and

33 minutes a.m., declared the House adjourned until 11:30 a.m. on Tuesday, October 9, 2018.

¶138.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. BONAMICI, Mr. PERLMUTTER, Mr. LIPINSKI, Mr. TAKANO, Ms. ROSEN, Mr. CRIST, Ms. HANABUSA, Mr. LAMB, Ms. BASS, Mrs. LAWRENCE, Mr. CARSON of Indiana, Mr. RICHMOND, Ms. CLARKE of New York, Mrs. WATSON COLEMAN, Ms. FUDGE, Mr. THOMPSON of Mississippi, Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, Mr. AL GREEN of Texas, Ms. ADAMS, Mr. CLAY, Ms. KELLY of Illinois, Mr. VEASEY, Mr. LAWSON of Florida, Mr. CLEAVER, Mr. HASTINGS, Mr. BUTTERFIELD, Mr. MEEKS, Ms. SEWELL of Alabama, Mr. DANNY K. DAVIS of Illinois, Mrs. DEMINGS, and Ms. SPEIER):

H.R. 7031. A bill to provide for research to better understand the causes and consequences of sexual harassment affecting individuals in the scientific workforce and to examine policies to reduce the prevalence and negative impact of such harassment, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. GOHMERT:

H.R. 7032. A bill to amend the Intelligence Reform and Terrorism Prevention Act of 2004 to enhance protections for individuals who hold a security clearance and who are subject to whistleblower retaliation, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. SMITH of Nebraska:

H.R. 7033. A bill to rename the Homestead National Monument of America near Beatrice, Nebraska, as the Homestead National Historical Park; to the Committee on Natural Resources.

By Ms. JENKINS of Kansas:

H.R. 7034. A bill to approve the Kickapoo Tribe Water Rights Settlement Agreement, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WASSERMAN SCHULTZ (for herself, Ms. JACKSON LEE, and Ms. KELLY of Illinois):

H.R. 7035. A bill to provide for a National Strategy To Increase Life Expectancy, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CHABOT:

H.R. 7036. A bill to amend title 35, United States Code, with respect to actions for patent infringement, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRIST (for himself and Mr. WILLIAMS):

H.R. 7037. A bill to amend the National Flood Insurance Act of 1968 to allow the Administrator of the Federal Emergency Management Agency to provide capitalization grants to States to establish revolving funds to provide funding assistance to reduce flood risks, and for other purposes; to the Committee on Financial Services.

By Mr. FORTENBERRY (for himself and Ms. EDDIE BERNICE JOHNSON of Texas):

H.R. 7038. A bill to improve the health outcomes in communities through community-relevant health information and new health supporting incentives and programs funded without further appropriations; to the Committee on Energy and Commerce.

By Mr. HECK (for himself, Ms. DELBENE, Mr. LARSEN of Washington, Mr. KILMER, Ms. JAYAPAL, Mr. REICHERT, Mr. SMITH of Washington, and Mr. NEWHOUSE):

H.R. 7039. A bill to designate the facility of the United States Postal Service located at 200 Israel Road Southeast in Tumwater, Washington, as the "Eva G. Hewitt Post Office"; to the Committee on Oversight and Government Reform.

By Mr. JEFFRIES (for himself, Ms. MENG, and Ms. BARRAGÁN):

H.R. 7040. A bill to amend title 18, United States Code, to direct the Bureau of Prisons to provide certain voting information to Federal prisoners upon their release from prison; to the Committee on the Judiciary.

By Mr. KILMER (for himself, Ms. KAPTUR, and Mr. HECK):

H.R. 7041. A bill to amend the Internal Revenue Code of 1986 to include green infrastructure bonds in the definition of qualified private activity bonds; to the Committee on Ways and Means.

By Mr. LAMALFA:

H.R. 7042. A bill to exempt certain wildfire mitigation activities from certain environmental requirements, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MENG:

H.R. 7043. A bill to require the Federal Aviation Administration to complete within 1 year the ongoing evaluation of alternative airplane noise metrics to the current Day Night Level (DNL) 65 standard; to the Committee on Transportation and Infrastructure.

By Ms. MENG:

H.R. 7044. A bill to establish a Collegiate Training Initiative Program for unmanned aircraft systems; to the Committee on Transportation and Infrastructure.

By Ms. MENG:

H.R. 7045. A bill to require the Federal Aviation Administration to address cybersecurity concerns for aircraft avionics systems, including software components; to the Committee on Transportation and Infrastructure.

By Ms. NORTON:

H.R. 7046. A bill to amend title 18, United States Code, to limit the ability to assess a fee for health care services for prisoners, and for other purposes; to the Committee on the Judiciary.

By Ms. ROYBAL-ALLARD (for herself and Mr. GUTIÉRREZ):

H.R. 7047. A bill to provide for enhanced protections for vulnerable unaccompanied alien children, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Appropriations, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of Washington:

H.R. 7048. A bill to amend the Workforce Innovation and Opportunity Act to establish a fund to provide support services for individuals participating in certain training activities under such Act; to the Committee on Education and the Workforce.

By Ms. ESTY of Connecticut (for herself, Mr. FASO, Mr. WILSON of South Carolina, Mr. COSTA, Mr. LARSON of Connecticut, Mr. TONKO, Ms. BARRAGÁN, Mr. REED, and Mr. McCAUL):

H. Res. 1115. A resolution expressing support for the designation of October 8, 2018, as "National Hydrogen and Fuel Cell Day"; to the Committee on Oversight and Government Reform.

By Mrs. DAVIS of California (for herself and Mr. GRIJALVA):

H. Res. 1116. A resolution expressing support for designation of October 2018 as "National Principals Month"; to the Committee on Education and the Workforce.

By Mr. FORTENBERRY:

H. Res. 1117. A resolution expressing the sense of the House of Representatives that United States assistance to Iraqi Christians, Yazidis, and other minority communities victimized by ISIS genocide must be combined with a clear plan for local security to facilitate the repatriation of these groups to their ancestral homelands; to the Committee on Foreign Affairs.

By Mr. HULTGREN (for himself and Mr. QUIGLEY):

H. Res. 1118. A resolution supporting the goals and ideals of S.M.A.R.T. Parent Day, and inviting State and local governments to recognize this day; to the Committee on Education and the Workforce.

By Mr. PASCRELL (for himself and Mr. AMODEI):

H. Res. 1119. A resolution urging the people of the United States to observe October of each year as Italian and Italian-American Heritage Month; to the Committee on Oversight and Government Reform.

By Mr. POLIS (for himself, Mr. COSTELLO of Pennsylvania, Mr. LIPINSKI, Mrs. COMSTOCK, Ms. JACKSON LEE, and Ms. HANABUSA):

H. Res. 1120. A resolution expressing support for designation of the week of October 4, 2018, through October 10, 2018, as World Space Week and for the designation of the week of October 14, 2018, through October 20, 2018, as Earth Science Week; to the Committee on Science, Space, and Technology, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

138.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 169: Ms. BASS.
H.R. 333: Mr. KATKO and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 544: Mr. MEADOWS.
H.R. 919: Ms. BORDALLO.
H.R. 1121: Mrs. WALORSKI and Mr. CULBERSON.

H.R. 1318: Mr. KILDEE and Mr. DESAULNIER.
H.R. 1494: Mr. RODNEY DAVIS of Illinois.
H.R. 1540: Mr. WEBER of Texas.
H.R. 1634: Ms. HANABUSA.
H.R. 1639: Mr. FITZPATRICK.
H.R. 1734: Ms. WILSON of Florida.
H.R. 1784: Ms. BASS.
H.R. 1815: Ms. LEE.
H.R. 1881: Mr. CLOUD.
H.R. 1884: Mr. TAYLOR, Mr. SOTO, and Mr. MCKINLEY.

H.R. 1957: Mrs. LAWRENCE, Ms. MAXINE WATERS of California, and Mr. FOSTER.

H.R. 2272: Ms. BASS.
H.R. 2556: Mrs. NAPOLITANO and Ms. KUSTER of New Hampshire.

H.R. 2648: Ms. STEFANIK, Mrs. MIMI WALTERS of California, and Mr. MACARTHUR.

H.R. 2790: Mr. KIHUEN.

H.R. 2886: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 2911: Mr. RUIZ.

H.R. 2920: Mr. GRIJALVA and Ms. SHEA-PORTER.

H.R. 3316: Ms. BROWNLEY of California.

H.R. 3592: Mr. KILMER and Mr. RUPPERS-BERGER.

H.R. 3670: Mr. TED LIEU of California.

H.R. 3751: Mr. ZELDIN.

H.R. 3773: Mr. ENGEL, Mr. JEFFRIES, Ms. CLARKE of New York, Mr. BISHOP of Georgia, and Mr. LEWIS of Georgia.

H.R. 3956: Mr. NEWHOUSE.

H.R. 4107: Mr. CURTIS, Mr. PAYNE, Mr. NORCROSS, Ms. SÁNCHEZ, Mr. VEASEY, Mr. MOULTON, Mr. CONNOLLY, Mrs. MIMI WALTERS of California, and Mr. YODER.

H.R. 4143: Mr. ROGERS of Alabama.

H.R. 4198: Mr. KHANNA, Ms. LEE, Mr. MEEKS, and Ms. SPEIER.

H.R. 4253: Ms. JACKSON LEE.

H.R. 4256: Mrs. NAPOLITANO, Mr. NEWHOUSE, Mr. KNIGHT, and Mr. PAYNE.

H.R. 4345: Mr. KILDEE.

H.R. 4647: Mr. DOGGETT, Mr. AGUILAR, Mr. LARSON of Connecticut, and Mr. CONAWAY.

H.R. 4691: Mr. RODNEY DAVIS of Illinois, Mr. UPTON, Mrs. BEATTY, Mr. CORREA, Mr. LOEBACK, Miss RICE of New York, Mr. CURBELO of Florida, Mr. PANETTA, Mr. McEACHIN, Mr. LARSON of Connecticut, and Ms. CASTOR of Florida.

H.R. 4775: Mr. VELA.

H.R. 4782: Ms. WASSERMAN SCHULTZ.

H.R. 4888: Mr. FRANCIS ROONEY of Florida.

H.R. 4941: Ms. CASTOR of Florida.

H.R. 4957: Ms. MAXINE WATERS of California and Mr. POSEY.

H.R. 5153: Mr. WEBER of Texas and Mr. GARRETT.

H.R. 5266: Mr. HILL.

H.R. 5306: Mr. SMITH of Washington.

H.R. 5541: Mr. MOULTON and Mr. MEADOWS.

H.R. 5561: Mr. POSEY, Mr. TAKANO, Mr. RUTHERFORD, Mr. GRIFFITH, and Mrs. McMORRIS RODGERS.

H.R. 5858: Mr. KRISHNAMOORTHY.

H.R. 5871: Mr. SOTO.

H.R. 5879: Mr. CICILLINE, Mr. CUELLAR, Mr. ENGEL, Mr. TONKO, Mr. BISHOP of Georgia, Mr. DELANEY, and Mr. YARMUTH.

H.R. 5900: Ms. PINGREE.

H.R. 5977: Mr. LOWENTHAL, Ms. LOFGREN, and Ms. JACKSON LEE.

H.R. 6016: Mr. KILMER, Mr. CARBAJAL, Mrs. BUSTOS, and Mr. KRISHNAMOORTHY.

H.R. 6037: Mr. THOMAS J. ROONEY of Florida.

H.R. 6081: Mr. BLUM.

H.R. 6112: Ms. TITUS.

H.R. 6114: Mr. BARR, Mr. GOTTHEIMER, Mr. THOMPSON of Pennsylvania, Mr. HIMES, Mr. LANGEVIN, Mr. CICILLINE, and Mr. MOULTON.

H.R. 6131: Mr. GARAMENDI.

H.R. 6137: Mr. NEWHOUSE.

H.R. 6145: Mr. HASTINGS and Mr. EVANS.

H.R. 6225: Mr. YOUNG of Alaska and Ms. SHEA-PORTER.

H.R. 6267: Ms. SHEA-PORTER.

H.R. 6406: Mrs. DINGELL, Ms. KUSTER of New Hampshire, and Mr. JOHNSON of Georgia.

H.R. 6471: Mr. GRAVES of Missouri.

H.R. 6482: Mr. BARLETTA.

H.R. 6505: Mr. LYNCH.

H.R. 6510: Mr. DEFazio, Mr. MCGOVERN, Mr. ZELDIN, and Mr. ELLISON.

H.R. 6545: Mr. COSTA.

H.R. 6560: Mr. REED.

H.R. 6594: Ms. LEE.

H.R. 6595: Mr. BARLETTA.

H.R. 6606: Mr. CARTWRIGHT.

H.R. 6612: Ms. CLARKE of New York.

H.R. 6637: Mrs. NAPOLITANO.

H.R. 6664: Ms. SINEMA.

H.R. 6692: Ms. CLARKE of New York.

H.R. 6703: Mr. NEWHOUSE.

H.R. 6734: Mr. MOULTON.

H.R. 6748: Mr. ENGEL.
 H.R. 6791: Mr. STEWART.
 H.R. 6813: Mr. NEWHOUSE.
 H.R. 6835: Mr. BISHOP of Michigan.
 H.R. 6836: Mr. YODER and Mr. MOULTON.
 H.R. 6866: Mr. RODNEY DAVIS of Illinois.
 H.R. 6869: Mr. PETERS.
 H.R. 6873: Mr. VELA.
 H.R. 6910: Mr. CULBERSON.
 H.R. 6925: Mrs. CAROLYN B. MALONEY of New York.

H.R. 6933: Mr. GRAVES of Louisiana, Mr. ROSKAM, Mr. MARCHANT, Mr. OLSON, Mr. BACON, Ms. GRANGER, Mr. CONAWAY, Mr. MCCAUL, Mr. LATTA, Mr. SESSIONS, Mr. GONZALEZ of Texas, Mr. HURD, Mr. SHIMKUS, Mr. KNIGHT, Mr. BURGESS, Mr. FLORES, Mr. VELA, Mr. MARINO, and Mr. SMITH of Texas.

H.R. 6941: Mr. CURBELO of Florida.
 H.R. 6983: Mr. BANKS of Indiana.
 H.R. 6992: Mr. FITZPATRICK and Mr. AUSTIN SCOTT of Georgia.

H.R. 7030: Mr. TED LIEU of California, Ms. JUDY CHU of California, Mrs. NAPOLITANO, Mr. TAKANO, Mr. SERRANO, Ms. LEE, and Mr. SMITH of Washington.

H.J. Res. 140: Mr. GENE GREEN of Texas, Mr. MCNERNEY, Mr. CARSON of Indiana, Mr. MOULTON, Ms. DEGETTE, Ms. ROYBAL-ALLARD, and Ms. VELÁZQUEZ.

H. Con. Res. 138: Mr. TONKO, Ms. BASS, Ms. HANABUSA, Ms. PINGREE, Mr. WALZ, Ms. TITUS, Mr. JEFFRIES, and Mrs. NAPOLITANO.
 H. Con. Res. 139: Ms. STEFANIK.

H. Res. 199: Mrs. CAROLYN B. MALONEY of New York.

H. Res. 274: Mr. MARINO.

H. Res. 864: Mr. COURTNEY, Mr. TED LIEU of California, Mr. LAMBORN, Mr. BRADY of Pennsylvania, Ms. ADAMS, and Ms. LEE.

H. Res. 993: Mr. CORREA, Mr. LARSON of Connecticut, Mr. RUPPERSBERGER, and Mr. GOTTHEIMER.

H. Res. 1006: Mrs. TORRES.

H. Res. 1034: Mr. WILSON of South Carolina, Mr. MOONEY of West Virginia, Mr. CARTWRIGHT, Mr. FITZPATRICK, and Mr. TROTT.

H. Res. 1035: Mr. COFFMAN, Mr. BURGESS, and Mr. KATKO.

H. Res. 1060: Mrs. WATSON COLEMAN, Ms. FUDGE, Mr. THOMPSON of Mississippi, Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, Ms. ADAMS, and Ms. MAXINE WATERS of California.

H. Res. 1089: Mrs. MIMI WALTERS of California.

H. Res. 1104: Ms. MAXINE WATERS of California, Ms. ESHOO, Mrs. DAVIS of California, Ms. BORDALLO, and Mr. KHANNA.

H. Res. 1110: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BEN RAY LUJÁN of New Mexico, Mr. THORNBERRY, and Mr. CÁRDENAS.

H. Res. 1111: Mr. ENGEL, Ms. PINGREE, Mr. WALBERG, Mr. MEADOWS, Mr. RASKIN, and Mr. SUOZZI.

TUESDAY, OCTOBER 9, 2018 (139)

139.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MOONEY of West Virginia, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 October 9, 2018.

I hereby appoint the Honorable ALEXANDER X. MOONEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

139.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, announced

that, pursuant to section 4(a) of House Resolution 1084, the Journal of the proceedings of Friday, October 5, 2018, was approved.

139.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6467. A communication from the President of the United States, transmitting designation of funding as an emergency requirement, pursuant to Public Law 115-254, div I (H. Doc. No. 115-160); to the Committee on Appropriations and ordered to be printed.

6468. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Disclosure of Records and Information [Docket No.: CFPB-2016-0039] (RIN: 3170-AA63) received September 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6469. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Mergers and Transfers Between Multiemployer Plans (RIN: 1212-AB31) received September 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6470. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Reasor Chemical Company Superfund Site [EPA-HQ-SFUND-2002-0001; FRL-9984-44-Region 4] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6471. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0366; FRL-9983-72] (RIN: 2070-AB27) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6472. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Davis Timber Company Superfund Site [EPA-HQ-SFUND-2000-0003; FRL-9984-45-Region 4] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6473. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Eureka Mills Superfund Site [EPA-HQ-SFUND-2002-0001; FRL-9984-46-Region 8] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6474. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Maltodextrin-vinyl pyrrolidone copolymer; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2018-0289; FRL-9983-05] received September 24, 2018, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6475. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of the Clean Air Act Section 112(i), Authority for Hazardous Air Pollutants: Asbestos Management and Control; Clerical Corrections to Incorporation by Reference of Inactive Waste Disposal Rules; State of New Hampshire Department of Environmental Services [EPA-R01-OAR-2017-0641; FRL-9979-67-Region 1] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6476. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Permits for Construction and Major Modification of Major Stationary Sources for the Prevention of Significant Deterioration of Air Quality [EPA-R03-OAR-2017-0502; FRL-9984-48-Region 3] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6477. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Tennessee: Volatile Organic Compounds [EPA-R04-OAR-2017-0395; FRL-9984-50-Region 4] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6478. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; New Hampshire; Updates to Enhanced Motor Vehicle Inspection and Maintenance Program Regulation [EPA-R01-OAR-2016-0398; FRL-9983-99-Region 1] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6479. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; AL, FL, GA, KY, MS, NC, SC, TN; Interstate Transport for the 2012 PM_{2.5} NAAQS [EPA-R04-OAR-2016-0334; FRL-9984-36-Region 4] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6480. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, polymer with butyl 2-propenoate, ethenylbenzene and (1-methylethenyl) benzene, ammonium salt; Tolerance Exemption [EPA-HQ-OPP-2018-0264; FRL-9983-22] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6481. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 2-Propenoic acid, 2-methyl-, polymer with butyl 2-methyl-2-propenoate, butyl 2-propenoate, N-(1,1-dimethyl-3-oxobutyl)-2-propenamide, ethenylbenzene, 2-ethylhexyl 2-propenoate and methyl 2-methyl-2-propenoate; Tolerance Exemption [EPA-HQ-OPP-2018-0268; FRL-9983-23] received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6482. A letter from the Assistant General Counsel, Federal Retirement Thrift Investment Board, transmitting the Board's direct final rule — Tax Withholding on Court Ordered Payments received September 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6483. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period July 1, 2018 to September 30, 2018, pursuant to 2 U.S.C. 104a (H. Doc. No. 115–161); to the Committee on House Administration and ordered to be printed.

6484. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2017-1122; Product Identifier 2012-NE-42-AD; Amendment 39-19385; AD 2018-18-06] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6485. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes [Docket No.: FAA-2018-0416; Product Identifier 2017-NM-164-AD; Amendment 39-19388; AD 2018-18-09] (RIN: 2120-AA64) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6486. A letter from the Aviation Enforcement Attorney, Office of the General Counsel, Department of Transportation, transmitting the Department's final rule — Increasing Charter Air Transportation Options [Docket No.: DOT-OST-2007-27057] (RIN: 2105-AD66) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6487. A letter from the Attorney-Advisor, Federal Railroad Administration, Department of Transportation, transmitting the Department's Major final rule — Hours of Service Recordkeeping; Automated Recordkeeping [Docket No.: FRA-2012-0101] (RIN: 2130-AC41) received September 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6488. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance on section 418(a) adjustment period for eligible terminated S corporations (Rev. Proc. 2018-44) received September 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6489. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Modification of effective date provision of Rev. Proc. 2018-29 (Rev. Proc. 2018-49) received September 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6490. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Notice: Extension of the Phase-in Period for the Enforcement and Administration of Section 871(m) [Notice: 2018-72] received September 26, 2018, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶139.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 5, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 5, 2018, at 10:39 a.m.:

That the Senate passed S. 440.

That the Senate passed S. 995.

That the Senate passed S. 2074.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶139.5 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 995. An Act to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes; to the Committee on Natural Resources.

And then,

¶139.6 ADJOURNMENT

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, pursuant to section 4(b) of House Resolution 1084, at 11 o'clock and 32 minutes a.m., declared the House adjourned until 9:30 a.m. on Friday, October 12, 2018.

¶139.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. WALBERG (for himself and Mr. RYAN of Ohio):

H.R. 7049. A bill to provide for the issuance of a Great Lakes Restoration Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committees on Transportation and Infrastructure, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CLYBURN:

H.R. 7050. A bill to require Community Development Block Grant recipients to develop a strategy to support inclusive zoning policies, to allow for a credit to support housing affordability, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BIGGS:

H.R. 7051. A bill to abolish the Agency for Toxic Substances and Disease Registry, and

for other purposes; to the Committee on Energy and Commerce.

By Ms. JUDY CHU of California (for herself, Ms. WASSERMAN SCHULTZ, Ms. JAYAPAL, Ms. MOORE, Mr. ESPAILLAT, Mr. ELLISON, Ms. PINGREE, Ms. SCHAKOWSKY, Ms. CLARKE of New York, Mr. PANETTA, Ms. NORTON, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. LEE, Ms. BASS, Mr. THOMPSON of California, Mr. KHANNA, Mr. POCAN, Mrs. NAPOLITANO, Ms. WILSON of Florida, Mr. CARSON of Indiana, Mr. GUTIÉRREZ, Mr. MCGOVERN, Mr. SMITH of Washington, Mrs. WATSON COLEMAN, Mr. CÁRDENAS, Mr. GOMEZ, Mr. QUIGLEY, Mr. BLUMENAUER, Mr. NADLER, Mr. LEWIS of Georgia, Ms. DELAURO, Mr. SERRANO, Mr. PALLONE, Mr. DESAULNIER, Ms. TITUS, Ms. VELÁZQUEZ, Mr. CROWLEY, Mr. COHEN, Mr. MCNERNEY, Mr. LARSEN of Washington, Mr. SOTO, Mr. SIRES, Mr. HUFFMAN, Miss RICE of New York, Mr. THOMPSON of Mississippi, Ms. BONAMICI, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ROYBAL-ALLARD, Mr. JOHNSON of Georgia, and Mr. GENE GREEN of Texas):

H.R. 7052. A bill to provide that no Federal funds may be used to carry out the proposed rule of the Department of Homeland Security entitled "Inadmissibility on Public Charge Grounds", and for other purposes; to the Committee on the Judiciary.

By Ms. DELAURO (for herself and Ms. ESTY of Connecticut):

H.R. 7053. A bill to provide disaster relief assistance to individuals for the purpose of clearing fallen debris, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DESAULNIER:

H.R. 7054. A bill to establish an Office of Housing Innovation in the Department of Housing and Urban Development to assist in exploring and developing new approaches for increasing and diversifying the supply of housing and for meeting the challenges of housing shortages, housing affordability, and traffic congestion, and for other purposes; to the Committee on Financial Services.

By Ms. FRANKEL of Florida (for herself, Mrs. BROOKS of Indiana, Mrs. LOWEY, Mr. DONOVAN, Mr. BERA, and Mr. FITZPATRICK):

H.R. 7055. A bill to support empowerment, economic security, and educational opportunities for adolescent girls around the world, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MACARTHUR:

H.R. 7056. A bill to authorize the Attorney General to make grants to States to acquire a mobile application that facilitates the reporting of school safety threats to local law enforcement agencies for use by students in secondary schools, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WAGNER (for herself and Mr. SESSIONS):

H.R. 7057. A bill to amend the Internal Revenue Code to increase the exclusion for employer-provided dependent care assistance and to allow limited annual carryforward of unused dependent care flexible spending arrangement account balances; to the Committee on Ways and Means.

¶139.8 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 809: Mr. FITZPATRICK.
 H.R. 927: Mrs. MIMI WALTERS of California.
 H.R. 1121: Mrs. LESKO.
 H.R. 1405: Mr. LOFGREN and Mr. COHEN.
 H.R. 1456: Mr. CORREA.
 H.R. 1516: Mr. CARBAJAL and Mr. LOEBSACK.
 H.R. 1957: Mr. KATKO and Mr. CAPUANO.
 H.R. 2106: Mr. BISHOP of Georgia.
 H.R. 2119: Mr. CAPUANO.
 H.R. 2217: Mr. TED LIEU of California.
 H.R. 2267: Mr. LANGEVIN and Mr. RUPPERS-
 BERGER.
 H.R. 2276: Mr. BISHOP of Michigan.
 H.R. 2322: Mrs. BEATTY.
 H.R. 2358: Mr. LANCE, Mr. HUFFMAN, Mr.
 LAMALFA, Mrs. LOWEY, and Mr. NEAL.
 H.R. 2902: Mr. KHANNA, Mr. VELA, and Ms.
 WASSERMAN SCHULTZ.
 H.R. 3222: Mr. BEN RAY LUJÁN of New Mex-
 ico.
 H.R. 3325: Mr. McEACHIN, Mr. DANNY K.
 DAVIS of Illinois, and Mr. FITZPATRICK.
 H.R. 3520: Mr. NORCROSS.
 H.R. 3592: Ms. ROSEN.
 H.R. 4106: Mr. CARBAJAL.
 H.R. 4107: Ms. ROS-LEHTINEN and Mr. ADER-
 HOLT.
 H.R. 4691: Mr. PAYNE, Mr. LOWENTHAL, Mr.
 JEFFRIES, Ms. ROS-LEHTINEN, Ms. ROSEN, Mr.
 HECK, Mr. SARBANES, and Mr. JOHNSON of
 Georgia.
 H.R. 4732: Mr. MCGOVERN, Mr. FOSTER, Mr.
 HIMES, Ms. LOFGREN, Mr. YOHIO, Mr. RUIZ,
 and Mr. WALZ.
 H.R. 5038: Mr. YOUNG of Iowa.
 H.R. 5222: Ms. KELLY of Illinois and Ms.
 SCHAKOWSKY.
 H.R. 5232: Mr. COFFMAN.
 H.R. 5306: Mr. NORCROSS.
 H.R. 5374: Ms. MAXINE WATERS of Cali-
 fornia.
 H.R. 5658: Mr. SMITH of New Jersey.
 H.R. 6016: Mr. TED LIEU of California and
 Mr. LARSEN of Washington.
 H.R. 6207: Ms. SCHAKOWSKY.
 H.R. 6230: Mr. HUFFMAN.
 H.R. 6358: Mr. KILMER.
 H.R. 6495: Mr. JOYCE of Ohio and Ms.
 MCCOLLUM.
 H.R. 6510: Mr. CONAWAY.
 H.R. 6588: Mr. THOMPSON of Mississippi.
 H.R. 6625: Mr. SAM JOHNSON of Texas.
 H.R. 6629: Mr. ESPAILLAT.
 H.R. 6645: Ms. ROS-LEHTINEN.
 H.R. 6648: Mrs. NAPOLITANO, Ms. MICHELLE
 LUJAN GRISHAM of New Mexico, Ms. CLARKE
 of New York, and Mr. NORCROSS.
 H.R. 6734: Mr. LAWSON of Florida.
 H.R. 6775: Ms. PINGREE and Mr.
 LOWENTHAL.
 H.R. 6793: Ms. KELLY of Illinois, Mrs.
 BUSTOS, and Mr. RUSH.
 H.R. 6840: Mr. COHEN, Mr. RUSH, Mr.
 THOMPSON of California, Ms. NORTON, Ms.
 SCHAKOWSKY, and Mr. RASKIN.
 H.R. 6898: Mr. ROHRBACH.
 H.R. 6927: Mr. GROTHMAN and Mr. LAWSON
 of Florida.
 H.R. 6929: Mrs. CAROLYN B. MALONEY of
 New York, Ms. CLARKE of New York, and Ms.
 JUDY CHU of California.
 H.R. 6932: Mr. PETERSON.
 H.R. 7010: Ms. NORTON and Ms. WILSON of
 Florida.
 H.J. Res. 140: Mr. PAYNE.
 H. Res. 69: Mr. CARTWRIGHT.
 H. Res. 768: Ms. CLARKE of New York.
 H. Res. 869: Ms. TITUS.
 H. Res. 993: Mr. JONES, Mr. WEBSTER of
 Florida, Mr. VARGAS, and Mr. BLUM.
 H. Res. 1056: Ms. MATSUI.
 H. Res. 1062: Ms. JACKSON LEE.
 H. Res. 1089: Ms. STEFANIK.
 H. Res. 1110: Ms. DELBENE.

FRIDAY, OCTOBER 12, 2018 (140)

¶140.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the
 SPEAKER pro tempore, Mr. MESSER,

who laid before the House the following
 communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,

October 12, 2018.

I hereby appoint the Honorable LUKE
 MESSER to act as Speaker pro tempore on
 this day.

PAUL D. RYAN,
Speaker.

¶140.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr.
 MESSER, announced that, pursuant to
 section 4(a) of House Resolution 1084,
 the Journal of the proceedings of Tues-
 day, October 9, 2018, was approved.

¶140.3 COMMUNICATIONS

Executive and other communica-
 tions, pursuant to clause 8 of rule XII,
 were referred as follows:

6491. A letter from the Chief, Recruiting
 Policy Branch, Directorate of Military Per-
 sonnel Management, Department of the
 Army, Department of Defense, transmitting
 the Department's final rule — Recruiting
 and Enlistments [Docket No.: USA-2018-HQ-
 0012] (RIN: 0702-AA78) received September 26,
 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public
 Law 104-121, Sec. 251; (110 Stat. 868); to the
 Committee on Armed Services.

6492. A letter from the Principal Director,
 Defense Pricing and Contracting, Depart-
 ment of Defense, transmitting the Depart-
 ment's final rule — Defense Federal Acquisition
 Regulation Supplement: Repeal of
 DFARS Clause "Indefinite Quantities — No
 Fixed Charges" (DFARS Case 2018-D034)
 [Docket DARS-2018-0045] (RIN: 0750-AJ96) re-
 ceived September 24, 2018, pursuant to 5
 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.
 251; (110 Stat. 868); to the Committee on
 Armed Services.

6493. A letter from the General Counsel,
 Federal Housing Finance Agency, transmit-
 ting the Agency's final rule — Indemnifica-
 tion Payments (RIN: 2590-AA68) received Oc-
 tober 9, 2018, pursuant to 5 U.S.C.
 801(a)(1)(A); Public Law 104-121, Sec. 251;
 (110 Stat. 868); to the Committee on Financial
 Services.

6494. A letter from the Secretary, Depart-
 ment of Education, transmitting the Depart-
 ment's final regulations — Outdated and Su-
 perseded Regulations — Career and Tech-
 nical Education National Programs [Docket
 ID: ED-2018-OCTAE-0071] (RIN: 1830-AA24,
 1830-AA25, 1830-AA26, 1830-AA27, 1830-AA28,
 1830-AA29, and 1830-AA30) received October 9,
 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public
 Law 104-121, Sec. 251; (110 Stat. 868); to the
 Committee on Education and the Workforce.

6495. A letter from the Director, Regula-
 tions Policy and Management Staff, FDA,
 Department of Health and Human Services,
 transmitting the Department's final rule —
 Listing of Color Additives Subject to Certifi-
 cation; D&C Black No. 4; Confirmation of Ef-
 fective Date [Docket No.: FDA-2017-C-0935]
 received October 9, 2018, pursuant to 5 U.S.C.
 801(a)(1)(A); Public Law 104-121, Sec. 251;
 (110 Stat. 868); to the Committee on Energy and
 Commerce.

6496. A letter from the Director, Regula-
 tions Policy and Management Staff, FDA,
 Department of Health and Human Services,
 transmitting the Department's final rule —
 Food Additives Permitted for Direct Addi-
 tion to Food for Human Consumption; Vita-
 min D3 [Docket No.: FDA-2017-F-3717] re-
 ceived October 9, 2018, pursuant to 5 U.S.C.
 801(a)(1)(A); Public Law 104-121, Sec. 251;
 (110 Stat. 868); to the Committee on Energy and
 Commerce.

6497. A letter from the Assistant Adminis-
 trator, Diversion Control Division, Drug En-
 forcement Administration, Department of
 Justice, transmitting the Department's tem-
 porary scheduling order — Schedules of Con-
 trolled Substances: Temporary Placement of
 N-Ethylpentylone in Schedule I [Docket No.:
 DEA-482] received October 9, 2018, pursuant
 to 5 U.S.C. 801(a)(1)(A); Public Law 104-121,
 Sec. 251; (110 Stat. 868); to the Committee on
 Energy and Commerce.

6498. A letter from the Assistant Adminis-
 trator, Diversion Control Division, Drug En-
 forcement Administration, Department of
 Justice, transmitting the Department's final
 order — Schedules of Controlled Substances:
 Placement in Schedule V of Certain FDA-App-
 roved Drugs Containing Cannabidiol; Cor-
 responding Change to Permit Requirements
 [Docket No.: DEA-486] received October 9,
 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public
 Law 104-121, Sec. 251; (110 Stat. 868); to the
 Committee on Energy and Commerce.

6499. A letter from the Chairman, Council
 of the District of Columbia, transmitting DC
 Act 22-455, "Farmer's Market Meter Fee
 Elimination Amendment Act of 2018", pursu-
 ant to Public Law 93-198, Sec. 602(c)(1); (87
 Stat. 814); to the Committee on Oversight and
 Government Reform.

6500. A letter from the Chairman, Council
 of the District of Columbia, transmitting DC
 Act 22-456, "Housing Production Trust Fund
 Board Nominee Confirmation Clarification
 Amendment Act of 2018", pursuant to Public
 Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the
 Committee on Oversight and Government Reform.

6501. A letter from the Chairman, Council
 of the District of Columbia, transmitting DC
 Act 22-463, "Eviction Procedure Reform Tem-
 porary Amendment Act of 2018", pursuant to
 Public Law 93-198, Sec. 602(c)(1); (87 Stat.
 814); to the Committee on Oversight and
 Government Reform.

6502. A letter from the Chairman, Council
 of the District of Columbia, transmitting
 D.C. ACT 22-454, "Targeted Historic Preser-
 vation Assistance Amendment Act of 2018",
 pursuant to Public Law 93-198, Sec. 602(c)(1);
 (87 Stat. 814); to the Committee on Oversight
 and Government Reform.

6503. A letter from the Chairman, Council
 of the District of Columbia, transmitting
 D.C. ACT 22-468, "Healthy Parks Amendment
 Act of 2018", pursuant to Public Law 93-198,
 Sec. 602(c)(1); (87 Stat. 814); to the Committee
 on Oversight and Government Reform.

6504. A letter from the Chairman, Council
 of the District of Columbia, transmitting DC
 Act 22-470, "D.C. General Resident Reloca-
 tion Temporary Act of 2018", pursuant to
 Public Law 93-198, Sec. 602(c)(1); (87 Stat.
 814); to the Committee on Oversight and
 Government Reform.

6505. A letter from the Chairman, Council
 of the District of Columbia, transmitting
 D.C. ACT 22-467, "Specialty License Plate
 Omnibus Amendment Act of 2018", pursuant
 to Public Law 93-198, Sec. 602(c)(1); (87 Stat.
 814); to the Committee on Oversight and
 Government Reform.

6506. A letter from the Chairman, Council
 of the District of Columbia, transmitting
 D.C. ACT 22-466, "Nonbinary Identification
 Cards Amendment Act of 2018", pursuant to
 Public Law 93-198, Sec. 602(c)(1); (87 Stat.
 814); to the Committee on Oversight and
 Government Reform.

6507. A letter from the Chairman, Council
 of the District of Columbia, transmitting DC
 Act 22-469, "Office of Public-Private Partner-
 ships Delegation of Authority Temporary
 Amendment Act of 2018", pursuant to Public
 Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the
 Committee on Oversight and Government Reform.

6508. A letter from the Division Chief, Reg-
 ulatory Affairs, Bureau of Land Manage-

ment, Department of the Interior, transmitting the Department's Major final rule — Waste Prevention, Production Subject to Royalties, and Resource Conservation; Re-evaluation or Revision of Certain Requirements [18X.LLWO310000.L13100000.PP0000] (RIN: 1004-AE53) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6509. A letter from the Division Chief, Regulatory Affairs, Bureau of Land Management, Department of the Interior, transmitting the Department's final rule — Minerals Management: Adjustment of Cost Recovery Fees [18X.LLWO310000.L13100000.PP0000] (RIN: 1004-AE57) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6510. A letter from the Chief, Regulations and Standards Branch, Bureau of Safety and Environmental Enforcement, Department of the Interior, transmitting the Department's final rule — Oil and Gas and Sulphur Operations on the Outer Continental Shelf-Oil and Gas Production Safety Systems [Docket ID: BSEE-2017-0008; 189E1700D2 ETISF0000.PSB000 EEEEE500000] (RIN: 1014-AA37) received September 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6511. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone, Swim Around Charleston; Charleston, SC [Docket No.: USCG-2018-0598] (RIN: 1625-AA00) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6512. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary interim rule — Safety Zone; Boston Harbor's Improvement Dredging Project, Boston, MA [Docket No.: USCG-2018-0575] (RIN: 1625-AA00) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6513. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Neches River, Beaumont, TX [Docket No.: USCG-2018-0376] (RIN: 1625-AA00) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6514. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Upper Mississippi River Mile Markers 824 to 832, St. Paul, MN [Docket No.: USCG-2018-0813] (RIN: 1625-AA00) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6515. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Upper Mississippi River, St. Paul, MN [Docket No.: USCG-2018-0821] (RIN: 1625-AA08) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6516. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety

Zone; Fireworks Display, Indian River Bay, Long Neck, DE [Docket No.: USCG-2018-0737] (RIN: 1625-AA00) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6517. A letter from the Regulations Development Coordinator, Office of Regulation Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — Definition of Domiciliary Care (RIN: 2900-AP00) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6518. A letter from the Impact Analyst, Office of Regulation Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — VA Veteran-Owned Small Business (VOSB) Verification Guidelines (RIN: 2900-AP97) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6519. A letter from the Regulations Development Coordinator, Office of Regulation Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — VA Acquisition Regulation: Taxes; Quality Assurance; Transportation; Solicitation Provisions and Contract Clauses; and Special Procurement Controls (RIN: 2900-AQ04) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

¶140.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 10, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 10, 2018, at 9:27 a.m.:

Appointment:
Cyberspace Solarium Commission
Dwight D. Eisenhower Memorial Commission

With best wishes, I am
Sincerely,
KAREN L. HAAS,
Clerk of the House.

¶140.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 11, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 11, 2018, at 9:15 a.m.:

That the Senate agrees to the House amendments to the bill S. 3021.

With best wishes, I am
Sincerely,
KAREN L. HAAS,
Clerk of the House.

¶140.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MESSER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, October 11, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 11, 2018, at 2:41 p.m.:

That the Senate passed S. 1305.
Appointment:
Board of Trustees of the Institute of American Indian and Alaska Native Culture and Arts Development.
With best wishes, I am
Sincerely,
KAREN L. HAAS,
Clerk of the House.

¶140.7 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1305. An Act to provide U.S. Customs and Border Protection with adequate flexibility in its employment authorities; to the Committee on Oversight and Government Reform.

¶140.8 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. MESSER:

H.R. 6. An Act to provide for opioid use disorder prevention, recovery, and treatment, and for other purposes.

¶140.9 SENATE ENROLLED BILL SIGNED

The Speaker pro tempore, Mr. MESSER, announced his signature to an enrolled bill of the Senate of the following title:

S. 3021. An Act to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, to provide for water pollution control activities, and for other purposes.

¶140.10 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 4, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 302. An Act to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State.

H.R. 4921. An Act to require the Surface Transportation Board to implement certain recommendations of the Inspector General of the Department of Transportation.

H.R. 1551. An Act to modernize copyright law, and for other purposes.

¶140.11 **BILLS APPROVED**

The President notified the Clerk of the House that on the following dates, he had approved and signed bills of the following titles:

July 20, 2018:

H.R. 219. An Act to correct the Swan Lake hydroelectric project survey boundary and to provide for the conveyance of the remaining tract of land within the corrected survey boundary to the State of Alaska.

H.R. 220. An Act to authorize the expansion of an existing hydroelectric project, and for other purposes.

H.R. 770. An Act to require the Secretary of the Treasury to mint coins in recognition of American innovation and significant innovation and pioneering efforts of individuals or groups from each of the 50 States, the District of Columbia, and the United States territories, to promote the importance of innovation in the United States, the District of Columbia, and the United States territories, and for other purposes.

H.R. 2061. An Act to reauthorize the North Korean Human Rights Act of 2004, and for other purposes.

July 23, 2018:

H.R. 446. An Act to extend the deadline for commencement of construction of a hydroelectric project.

H.R. 447. An Act to extend the deadline for commencement of construction of a hydroelectric project.

H.R. 951. An Act to extend the deadline for commencement of construction of a hydroelectric project.

H.R. 2122. An Act to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving Jennings Randolph Dam.

H.R. 2292. An Act to extend a project of the Federal Energy Regulatory Commission involving the Cannonsville Dam.

July 24, 2018:

H.R. 1496. An Act to designate the facility of the United States Postal Service located at 3585 South Vermont Avenue in Los Angeles, California, as the "Marvin Gaye Post Office".

H.R. 2673. An Act to designate the facility of the United States Postal Service located at 514 Broadway Street in Pekin, Illinois, as the "Lance Corporal Jordan S. Basteau Post Office".

H.R. 3183. An Act to designate the facility of the United States Postal Service located at 13683 James Madison Highway in Palmyra, Virginia, as the "U.S. Navy Seaman Dakota Kyle Rigsby Post Office".

H.R. 4301. An Act to designate the facility of the United States Postal Service located at 201 Tom Hall Street in Fort Mill, South Carolina, as the "J. Elliott Williams Post Office Building".

H.R. 4406. An Act to designate the facility of the United States Postal Service located at 99 Macombs Place in New York, New York, as the "Tuskegee Airmen Post Office Building".

H.R. 4463. An Act to designate the facility of the United States Postal Service located at 6 Doyers Street in New York, New York, as the "Mabel Lee Memorial Post Office".

H.R. 4574. An Act to designate the facility of the United States Postal Service located at 108 West Schick Road in Bloomingdale, Illinois, as the "Bloomingdale Veterans Memorial Post Office Building".

H.R. 4646. An Act to designate the facility of the United States Postal Service located at 1900 Corporate Drive in Birmingham, Ala-

bama, as the "Lance Corporal Thomas E. Rivers, Jr. Post Office Building".

H.R. 4685. An Act to designate the facility of the United States Postal Service located at 515 Hope Street in Bristol, Rhode Island, as the "First Sergeant P. Andrew McKenna Jr. Post Office".

H.R. 4722. An Act to designate the facility of the United States Postal Service located at 111 Market Street in Saugerties, New York, as the "Maurice D. Hinchey Post Office Building".

H.R. 4840. An Act to designate the facility of the United States Postal Service located at 567 East Franklin Street in Oviedo, Florida, as the "Sergeant First Class Alwyn Crendall Cashe Post Office Building".

H.R. 5956. An Act to incentivize the hiring of United States workers in the Commonwealth of the Northern Mariana Islands, and for other purposes.

July 30, 2018:

H.R. 6042. An Act to amend title XIX of the Social Security Act to delay the reduction in Federal medical assistance percentage for Medicaid personal care services furnished without an electronic visit verification system, and for other purposes.

July 31, 2018:

H.R. 2353. An Act to reauthorize the Carl D. Perkins Career and Technical Education Act of 2006.

August 2, 2018:

H.R. 4528. An Act to make technical amendments to certain marine fish conservation statutes, and for other purposes.

H.R. 4645. An Act to amend the Wild and Scenic Rivers Act to designate certain segments of East Rosebud Creek in Carbon County, Montana, as components of the Wild and Scenic Rivers System.

H.R. 5729. An Act to restrict the department in which the Coast Guard is operating from implementing any rule requiring the use of biometric readers for biometric transportation security cards until after submission to Congress of the results of an assessment of the effectiveness of the transportation security card program.

August 13, 2018:

H.R. 5515. An Act to authorize appropriations for fiscal year 2019 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

August 14, 2018:

H.R. 2345. An Act to require the Federal Communications Commission to study the feasibility of designating a simple, easy-to-remember dialing code to be used for a national suicide prevention and mental health crisis hotline system.

H.R. 5554. An Act to amend the Federal Food, Drug, and Cosmetic Act to reauthorize user fee programs relating to new animal drugs and generic new animal drugs.

H.R. 6414. An Act to amend title 23, United States Code, to extend the deadline for promulgation of regulations under the tribal transportation self-governance program.

September 13, 2018:

H.R. 4318. An Act to amend the Harmonized Tariff Schedule of the United States to modify temporarily certain rates of duty.

September 17, 2018:

H.R. 2147. An Act to require the Secretary of Veterans Affairs to hire additional Veterans Justice Outreach Specialists to provide treatment court services to justice-involved veterans, and for other purposes.

September 18, 2018:

H.R. 5385. An Act to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs, and for other purposes.

H.R. 5772. An Act to designate the J. Marvin Jones Federal Building and Courthouse in Amarillo, Texas, as the "J. Marvin Jones Federal Building and Mary Lou Robinson United States Courthouse".

September 20, 2018:

H.R. 6124. An Act to amend title II of the Social Security Act to authorize voluntary agreements for coverage of Indian tribal council members, and for other purposes.

September 21, 2018:

H.R. 5895. An Act making consolidated appropriations for Energy and Water Development, the Legislative Branch, Military Construction, Veterans Affairs, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes.

September 28, 2018:

H.R. 589. An Act to establish Department of Energy policy for science and energy research and development programs, and reform National Laboratory management and technology transfer programs, and for other purposes.

H.R. 1109. An Act to amend section 203 of the Federal Power Act.

H.R. 6157. An Act making consolidated appropriations for the Departments of Defense, Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2019, and for other purposes.

September 29, 2018:

H.R. 6897. An Act to extend the authorizations of Federal aviation programs, to extend the funding and expenditure authority of the Airport and Airway Trust Fund, and for other purposes.

October 3, 2018:

H.R. 698. An Act to require a land conveyance involving the Elkhorn Ranch and the White River National Forest in the State of Colorado, and for other purposes.

October 5, 2018:

H.R. 302. An Act to provide protections for certain sports medicine professionals, to reauthorize Federal aviation programs, to improve aircraft safety certification processes, and for other purposes.

¶140.12 **SENATE BILLS AND JOINT RESOLUTION APPROVED**

The President notified the Clerk of the House that on the following dates, he had approved and signed bills and a joint resolution of the Senate of the following titles:

July 20, 2018:

S.J. Res. 60. A joint resolution providing for the reappointment of Barbara M. Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution.

July 27, 2018:

S. 490. An Act to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Gibson Dam.

S. 931. An Act to designate the facility of the United States Postal Service located at 4910 Brighton Boulevard in Denver, Colorado, as the "George Sakato Post Office".

S. 2734. An Act to designate the Federal building and United States courthouse located at 1300 Victoria Street in Laredo, Texas, as the "George P. Kazen Federal Building and United States Courthouse".

July 30, 2018:

S. 2692. An Act to designate the facility of the United States Postal Service located at 4558 Broadway in New York, New York, as the "Stanley Michels Post Office Building".

July 31, 2018:

S. 1182. An Act to extend the National Flood Insurance Program, and for other purposes.

August 1, 2018:

S. 2245. An Act to include New Zealand in the list of foreign states whose nationals are eligible for admission into the United States as E-1 and E-2 nonimmigrants if United States nationals are treated similarly by the Government of New Zealand.

S. 2850. An Act to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.

August 8, 2018:

S. 2779. An Act to amend the Zimbabwe Democracy and Economic Recovery Act of 2001.

August 14, 2018:

S. 770. An Act to require the Director of the National Institute of Standards and Technology to disseminate guidance to help reduce small business cybersecurity risks, and for other purposes.

September 4, 2018:

S. 717. An Act to promote pro bono legal services as a critical way in which to empower survivors of domestic violence.

September 7, 2018:

S. 899. An Act to amend title 5, United States Code, to ensure that the requirements that new Federal employees who are veterans with service-connected disabilities are provided leave for purposes of undergoing medical treatment for such disabilities apply to certain employees of the Veterans Health Administration.

September 28, 2018:

S. 97. An Act to enable civilian research and development of advanced nuclear energy technologies by private and public institutions, to expand theoretical and practical knowledge of nuclear physics, chemistry, and materials science, and for other purposes.

S. 994. An Act to amend title 18, United States Code, to provide for the protection of community centers with religious affiliation, and for other purposes.

September 29, 2018:

S. 3479. An Act to amend title 38, United States Code, to extend certain expiring provisions of law administered by the Secretary of Veterans Affairs, and for other purposes.

October 3, 2018:

S. 2946. An Act to amend title 18, United States Code, to clarify the meaning of the terms "act of war" and "blocked asset", and for other purposes.

And then,

¶140.13 ADJOURNMENT

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 4(b) of House Resolution 1084, at 9 o'clock and 34 minutes a.m., declared the House adjourned until 10 a.m. on Tuesday, October 16, 2018.

¶140.14 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6064. A bill to rename the Oyster Bay National Wildlife Refuge as the Congressman Lester Wolff National Wildlife Refuge (Rept. 115-986). Referred to the House Calendar.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 6901. A bill to amend chapter 36 of title 44, United States Code, to make certain changes relating to electronic Government services, and for other purposes (Rept. 115-987). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. House Resolution 792. Resolution urging the Secretary of the Interior to recognize the historical significance of Roberto Clemente's place of death near Piñones in Loíam Puerto Rico, by adding it to the National Register of Historic Places (Rept. 115-988). Referred to the House Calendar.

¶140.15 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself and Mr. COHEN):

H.R. 7058. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on the Judiciary.

By Mr. MCCARTHY:

H.R. 7059. A bill to fund construction of the southern border wall and to ensure compliance with Federal immigration law; to the Committee on the Judiciary, and in addition to the Committees on Homeland Security, Ways and Means, Armed Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FORTENBERRY (for himself and Mrs. LOWEY):

H.R. 7060. A bill to establish the Palestinian Partnership Fund to promote joint economic development and finance joint ventures between Palestinian entrepreneurs and companies in the United States, Israel, countries in the Middle East to improve economic cooperation and people to people exchanges to further shared community building, peaceful coexistence, dialogue, and reconciliation between Israelis and Palestinians; to the Committee on Foreign Affairs.

By Mr. KING of New York (for himself, Mrs. CAROLYN B. MALONEY of New York, Ms. SCHAKOWSKY, and Ms. BONAMICI):

H.R. 7061. A bill to provide for the issuance of a Stamp Out Elder Abuse Semipostal Stamp; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, Energy and Commerce, Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. NADLER, Mr. KING of New York, Miss RICE of New York, Mr. SUOZZI, Ms. MENG, Ms. VELÁZQUEZ, Mr. JEFFRIES, Mr. DONOVAN, Mr. ESPAILLAT, Mr. CROWLEY, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mr. TONKO, Ms. TENNEY, Mr. HIGGINS of New York, Mr. MACARTHUR, Mr. SMITH of New Jersey, Mr. GOTTHEIMER, Mr. PALLONE, Mr. LANCE, Mr. SIRES, Mr. PASCRELL, Mrs. WATSON COLEMAN, Mr. NOR-

CROSS, Mr. PRICE of North Carolina, Ms. ESTY of Connecticut, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. SINEMA, Mrs. NAPOLITANO, Mr. CICILLINE, Mr. POE of Texas, Mrs. COMSTOCK, and Mr. FITZPATRICK):

H.R. 7062. A bill to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2090, and for other purposes; to the Committee on the Judiciary.

By Ms. VELÁZQUEZ (for herself, Ms. CLARKE of New York, Mr. VELA, Mr. MEEKS, Mr. CARSON of Indiana, Ms. MENG, Mr. ESPAILLAT, Ms. JAYAPAL, Ms. NORTON, Ms. HANABUSA, Mr. THOMPSON of Mississippi, Ms. GABBARD, and Mr. FITZPATRICK):

H.R. 7063. A bill to amend the Public Health Service Act to provide for and support liver illness visibility, education, and research, and for other purposes; to the Committee on Energy and Commerce.

By Ms. ESTY of Connecticut (for herself, Mr. SEAN PATRICK MALONEY of New York, Mr. TAKANO, Mr. CROWLEY, Mr. POCAN, Mr. LOWENTHAL, Ms. LEE, Mr. DEUTCH, Mr. ESPAILLAT, Ms. NORTON, Ms. WILSON of Florida, Mr. SOTO, Mr. GALLEGO, Mr. GUTIÉRREZ, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. WASSERMAN SCHULTZ, Ms. TITUS, Mr. CÁRDENAS, Mr. KENNEDY, Mr. VARGAS, Mrs. CAROLYN B. MALONEY of New York, Mr. JOHNSON of Georgia, Mrs. DAVIS of California, Mr. HIMES, Ms. CLARKE of New York, Mr. PETERS, Mr. KILDEE, Ms. LOFGREN, Mr. McEACHIN, Mr. COURTNEY, Mrs. DINGELL, Ms. MENG, Mr. EVANS, Mr. COSTA, Ms. FRANKEL of Florida, Mr. GRIJALVA, Mr. DELANEY, Mrs. NAPOLITANO, Ms. BARRAGÁN, Mr. ENGEL, Ms. VELÁZQUEZ, Mr. HASTINGS, Ms. DELAURO, Mr. MCGOVERN, Mr. SERRANO, Ms. BORDALLO, Ms. BONAMICI, Mr. SIRES, Mr. SCHIFF, Ms. JACKSON LEE, Mr. KHANNA, Mr. AL GREEN of Texas, Mr. COHEN, Mr. LARSON of Connecticut, Ms. SHEA-PORTER, Mr. SCHNEIDER, Mr. NADLER, Mr. BRENDAN F. BOYLE of Pennsylvania, Ms. BLUNT ROCHESTER, Mr. TED LIEU of California, Mr. MACARTHUR, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SPEIER, Ms. BASS, Ms. MCCOLLUM, Ms. MOORE, Mr. CRIST, Mr. MEEKS, Ms. DEGETTE, Mr. WALZ, Ms. ROSELEHTNEN, Ms. JUDY CHU of California, Ms. SCHAKOWSKY, Ms. CASTOR of Florida, Mr. KRISHNAMOORTHY, Ms. DELBENE, Mr. RASKIN, Mrs. WATSON COLEMAN, Mr. KIHUEN, Mr. PALLONE, Ms. CLARK of Massachusetts, Mrs. MURPHY of Florida, Mr. BLUMENAUER, Mr. CARSON of Indiana, and Mr. HECK):

H. Res. 1121. A resolution remembering the 20th anniversary of Matthew Shepard's death and expressing Congress's continued support for the prevention of hate crimes and the advancement of equality for lesbian, gay, bisexual, transgender, and queer Americans; to the Committee on the Judiciary.

By Mr. THOMPSON of California (for himself, Mr. KIND, Mr. LOBIONDO, and Mr. WITTMAN):

H. Res. 1122. A resolution expressing support for the designation of the week beginning on October 14, 2018, as National Wildlife Refuge Week; to the Committee on Natural Resources.

By Mr. GARRETT:

H. Res. 1123. A resolution recognizing the systematic abductions of Japanese citizens by North Korea; to the Committee on Foreign Affairs.

By Ms. HANABUSA (for herself, Ms. JAYAPAL, Mr. SCOTT of Virginia, Mr.

PETERS, Ms. GABBARD, Mr. SWALWELL of California, Ms. ROSEN, Ms. NORTON, Ms. WILSON of Florida, Mr. LOWENTHAL, Ms. LEE, Mr. SABLAN, Mr. THOMPSON of California, Mr. MCNERNEY, Mr. KHANNA, Mrs. NAPOLITANO, and Ms. JUDY CHU of California):

H. Res. 1124. A resolution expressing support for the designation of the month of October 2018 as Filipino American History Month and celebrating the history and culture of Filipino Americans and their immense contributions to the United States; to the Committee on Oversight and Government Reform.

By Mr. KING of New York (for himself, Ms. SPEIER, Mr. PALLONE, Mr. MCGOVERN, Mr. ROSKAM, Mr. POE of Texas, Mr. AGUILAR, Mr. RASKIN, Mrs. TORRES, Mr. MCCAUL, and Mr. CONNOLLY):

H. Res. 1125. A resolution welcoming His Holiness, Hadhrat Mirza Masroor Ahmad, the worldwide spiritual head of the Ahmadiyya Muslim Community, to the United States, including Pennsylvania, Maryland, Texas, Virginia, and Washington, DC, and recognizing his commitment to world peace, absolute justice, global unity among nations, nonviolence, rejection of extremism, nuclear disarmament, elimination of weapon profiteering, eradication of poverty, economic equity, service to humanity, universal human rights, international religious freedom, and democracy; to the Committee on Foreign Affairs.

By Ms. NORTON:

H. Res. 1126. A resolution expressing support for the designation of September 23 as "Mary Church Terrell Day", and calling on Congress to recognize Mary Church Terrell's lasting contributions to the civil rights and women's rights movements; to the Committee on Oversight and Government Reform.

¶140.16 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 159: Ms. WILSON of Florida and Mr. VELA.
H.R. 242: Mr. CARBAJAL.
H.R. 303: Mr. GOTTHEIMER.
H.R. 305: Ms. WILSON of Florida, Mr. LANDEVIN, Ms. ROYBAL-ALLARD, and Mr. SIRES.
H.R. 398: Ms. BASS.
H.R. 579: Mr. BISHOP of Michigan.
H.R. 930: Mr. GENE GREEN of Texas, Ms. CHENEY, Mr. SMITH of Nebraska, Mr. COLLINS of Georgia, and Mr. LAMBORN.
H.R. 1187: Ms. NORTON.
H.R. 1456: Mr. LAWSON of Florida.
H.R. 1515: Mr. GALLEGO.
H.R. 1661: Mrs. WATSON COLEMAN, Mr. DELANEY, and Mr. HULTGREN.
H.R. 1820: Mr. PERLMUTTER.
H.R. 2077: Mr. POSEY, Mr. SCHIFF, and Mr. WOMACK.
H.R. 2315: Mr. FORTENBERRY.
H.R. 2358: Miss GONZÁLEZ-COLÓN of Puerto Rico and Mr. THOMAS J. ROONEY of Florida.
H.R. 2472: Ms. FUDGE, Mr. CURBELO of Florida, Mr. NORCROSS, Mr. DESAULNIER, Ms. PINGREE, Mr. SCOTT of Virginia, and Mr. THOMPSON of Mississippi.
H.R. 2495: Mr. GALLEGO.
H.R. 2544: Ms. LEE.
H.R. 2801: Mr. ENGEL.
H.R. 2876: Mr. BEN RAY LUJÁN of New Mexico and Mr. TED LIEU of California.
H.R. 2886: Ms. WASSERMAN SCHULTZ.
H.R. 2918: Mr. RUSSELL.
H.R. 3026: Ms. PINGREE.
H.R. 3034: Mr. KHANNA, Mr. KENNEDY, Mr. RYAN of Ohio, Mr. MARINO, Ms. FUDGE, Mr. O'HALLERAN, and Mr. BARLETTA.

H.R. 3602: Mr. COHEN.
H.R. 3773: Mr. CARBAJAL.
H.R. 3923: Mr. PETERS, Ms. CASTOR of Florida, and Mr. MEEKS.
H.R. 4107: Mr. CUELLAR, Ms. ESHOO, Ms. BARRAGÁN, Mr. ABRAHAM, Mr. MEEKS, Mrs. BLACKBURN, Mr. DIAZ-BALART, Mr. TED LIEU of California, Mr. NOLAN, Mr. SHERMAN, Mr. STIVERS, and Mr. SCHWEIKERT.
H.R. 4253: Ms. SHEA-PORTER.
H.R. 4256: Mr. MULLIN, Mr. WELCH, Mr. RUSSELL, and Ms. NORTON.
H.R. 4417: Ms. STEFANIK.
H.R. 4454: Ms. BONAMICI.
H.R. 4638: Ms. ROS-LEHTINEN.
H.R. 4691: Mr. GOMEZ and Mr. KIHUEN.
H.R. 4732: Mr. WEBER of Texas, Mr. THOMPSON of Mississippi, and Mr. WELCH.
H.R. 4944: Mr. NOLAN.
H.R. 5034: Mr. LARSON of Connecticut.
H.R. 5132: Mr. WENSTRUP.
H.R. 5233: Mr. MITCHELL, Mrs. LAWRENCE, Ms. ROS-LEHTINEN, and Mr. MCGOVERN.
H.R. 5276: Mr. GENE GREEN of Texas.
H.R. 5306: Mr. GENE GREEN of Texas.
H.R. 5396: Mr. CARTWRIGHT.
H.R. 5671: Mr. WITTMAN, Ms. ESHOO, Mr. JOHNSON of Georgia, and Mr. CROWLEY.
H.R. 5694: Ms. SPEIER and Mr. RUPPERS-BERGER.
H.R. 5753: Ms. CASTOR of Florida.
H.R. 5879: Mr. ROHRBACHER and Mrs. WALORSKI.
H.R. 5881: Mr. SCHWEIKERT.
H.R. 5899: Mr. NEWHOUSE and Ms. ROYBAL-ALLARD.
H.R. 6028: Mr. ZELDIN.
H.R. 6033: Mr. FOSTER.
H.R. 6071: Mr. HIGGINS of New York.
H.R. 6103: Mr. LAWSON of Florida.
H.R. 6114: Mrs. MURPHY of Florida, Ms. TSONGAS, Mr. WILSON of South Carolina, Ms. TENNEY, and Mr. MAST.
H.R. 6117: Mr. KHANNA.
H.R. 6363: Mr. GENE GREEN of Texas.
H.R. 6410: Mrs. CAROLYN B. MALONEY of New York.
H.R. 6482: Mrs. LESKO.
H.R. 6509: Ms. JACKSON LEE.
H.R. 6510: Mr. ENGEL, Mr. BRADY of Pennsylvania, and Mr. LAMB.
H.R. 6534: Ms. NORTON and Mrs. WATSON COLEMAN.
H.R. 6571: Mr. TAKANO.
H.R. 6578: Mr. PALLONE and Mr. MEEKS.
H.R. 6595: Mrs. LESKO.
H.R. 6597: Mr. LOWENTHAL.
H.R. 6631: Mrs. CAROLYN B. MALONEY of New York.
H.R. 6635: Mr. MCEACHIN, Mr. CURBELO of Florida, Mr. FITZPATRICK, Ms. VELÁZQUEZ, Ms. BORDALLO, and Mrs. RADEWAGEN.
H.R. 6636: Mr. MAST and Mr. ROYCE of California.
H.R. 6645: Mr. DEUTCH.
H.R. 6681: Mr. SIRES.
H.R. 6734: Mr. MITCHELL.
H.R. 6791: Ms. SINEMA and Mr. CORREA.
H.R. 6796: Ms. JENKINS of Kansas.
H.R. 6869: Mr. YOUNG of Alaska.
H.R. 6876: Mr. GALLEGO.
H.R. 6890: Mr. VALADAO.
H.R. 6927: Mrs. BEATTY and Mr. BISHOP of Georgia.
H.R. 6932: Mr. ROGERS of Alabama.
H.R. 6986: Mr. BANKS of Indiana.
H.R. 6987: Ms. NORTON and Ms. JACKSON LEE.
H.R. 6992: Mr. BACON and Mr. GROTHMAN.
H.R. 6996: Mrs. MIMI WALTERS of California.
H.R. 7015: Mr. YOHIO and Mr. CARTER of Georgia.
H.R. 7030: Mr. PRICE of North Carolina, Mr. CARSON of Indiana, and Mr. ELLISON.
H.R. 7046: Ms. JACKSON LEE and Ms. JAYAPAL.
H.R. 7047: Mrs. NAPOLITANO and Ms. DELAURO.
H.R. 7052: Mr. ENGEL, Mr. CUMMINGS, and Mr. PRICE of North Carolina.

H.J. Res. 140: Mr. GOMEZ, Mr. WELCH, Mr. KIHUEN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. SCHIFF, Mr. CUMMINGS, Mr. KHANNA, Ms. LEE, Mr. ELLISON, and Mr. SARBANES.

H. Con. Res. 138: Mr. BEYER, Mr. KILDEE, Ms. WILSON of Florida, Ms. MCCOLLUM, Ms. ESHOO, Ms. NORTON, Mr. CARBAJAL, and Mr. ELLISON.

H. Con. Res. 140: Mrs. BROOKS of Indiana.
H. Res. 349: Mr. FRANCIS ROONEY of Florida.
H. Res. 523: Mr. SMITH of Washington.

H. Res. 718: Mr. CAPUANO.

H. Res. 960: Ms. WASSERMAN SCHULTZ and Ms. TITUS.

H. Res. 993: Mr. HOYER, Mr. COSTELLO of Pennsylvania, Mr. COURTNEY, and Mr. NEAL.
H. Res. 1026: Mr. BUDD.

H. Res. 1031: Ms. MENG, Ms. SCHAKOWSKY, Mr. JEFFRIES, Mr. POCAN, Mr. CLAY, Mr. SMITH of Washington, and Mr. POLIS.

H. Res. 1034: Mr. UPTON, Mr. YODER, Mr. BRAT, Mr. OLSON, and Mr. RODNEY DAVIS of Illinois.

H. Res. 1035: Mr. MARINO.

H. Res. 1093: Mr. SEAN PATRICK MALONEY of New York.

TUESDAY, OCTOBER 16, 2018 (141)

¶141.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

October 16, 2018.

I hereby appoint the Honorable RYAN A. COSTELLO to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶141.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, announced that, pursuant to section 4(a) of House Resolution 1084, the Journal of the proceedings of Friday, October 12, 2018, was approved.

¶141.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6520. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Cranberries Grown in States of Massachusetts, et al.; Establishment of 2018-19 Seasonal Volume Regulation [Doc. No.: AMS-SC-18-0012; SC18-929-2 FR] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6521. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; Georgia: Acworth, City of, Cobb County, et al. [Docket ID: FEMA-2018-0002; Internal Agency Docket No.: FEMA-8549] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6522. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting the Office's report on discretionary appropriations legislation within seven calendar days of enact-

ment, pursuant to 2 U.S.C. 901(a)(7)(B); Public Law 99-177, Sec. 251(a)(7)(B) (as amended by Public Law 114-113, Sec. 1003); (129 Stat. 3035); to the Committee on the Budget.

6523. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6524. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's Major final rule — Mergers and Transfers Between Multiemployer Plans (RIN: 1212-AB31) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6525. A letter from the Director, Division of Regulations, Legislation and Interpretations, Wage and Hour Division, Department of Labor, transmitting the Department's final rule — Minimum Wage for Contractors; Updating Regulations To Reflect Executive Order 13838 (RIN: 1235-AA27) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6526. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Subject to Certification: D&C Yellow No. 8 [Docket No.: FDA-2017-C-2902] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6527. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Food Additives Permitted in Feed and Drinking Water of Animals; 25-Hydroxyvitamin D3 [Docket Nos.: FDA-2013-F-1540 and FDA-2014-F-0296] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6528. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2018-0649; FRL-9984-65] (RIN: 2070-AB27) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6529. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flumioxazin; Pesticide Tolerances [EPA-HQ-OPP-2017-0333; FRL-9984-01] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6530. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fees for the Administration of the Toxic Substances Control Act [EPA-HQ-OPPT-2016-0401; FRL-9984-41] (RIN: 2070-AK27) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6531. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West

Virginia; 2018 Amendments to West Virginia's Ambient Air Quality Standards [EPA-R03-OAR-2018-0550; FRL-9985-00-Region 3] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6532. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Interstate Transport Requirements for the 2012 Fine Particulate Matter Standard [EPA-R03-OAR-2016-0373; FRL-9984-96-Region 3] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6533. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Minor New Source Review Permitting [EPA-R03-OAR-2017-0503; FRL-9984-95-Region 3] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6534. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Kansas Air Quality State Implementation Plans; Construction Permits and Approvals Program [EPA-R07-OAR-2017-0512; FRL-9984-66-Region 7] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6535. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Interstate Transport Requirements for the 2012 Fine Particulate Matter Standard [EPA-R03-OAR-2018-0054; FRL-9984-99-Region 3] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6536. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Nitrogen Oxides (NOx) Ozone Season Emissions Caps for Non-Trading Large NOx Units and Associated Revisions to General Administrative Provisions and Kraft Pulp Mill Regulation [EPA-R03-OAR-2018-0507; FRL-9984-97-Region 3] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6537. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Texas; Control of Air Pollution from Motor Vehicles with Mobile Source Incentive Programs [EPA-R6-OAR-2018-0386; FRL-9983-93-Region 6] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6538. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; State of Iowa; Attainment Redesignation for 2008 Lead NAAQS and Associated Maintenance Plan [EPA-R07-OAR-2018-0532; FRL-9984-64-Region 7] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6539. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Oregon; Lane County Permitting and General Rule Revisions [EPA-R10-OAR-2018-0238; FRL-9984-78-Region 10] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6540. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Minnesota; Infrastructure SIP Requirements for the 2012 PM_{2.5} NAAQS; Multistate Transport [EPA-R05-OAR-2017-0060; FRL-9985-12-Region 5] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6541. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Illinois; Permit-by-Rule Provisions [EPA-R05-OAR-2017-0276; FRL-9985-11-Region 5] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6542. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i); Digital Television Broadcast Stations (Block Island and Newport, Rhode Island) [MB Docket No.: 18-153] (RM-11801) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6543. A letter from the Director, Office of Public Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting the Commission's revision 4 of RG 1.160 — Monitoring the Effectiveness of Maintenance at Nuclear Power Plants received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6544. A letter from the Director, Office of Public Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting the Commission's withdrawal of RG 5.68 — Protection Against Malevolent Use of Vehicles at Nuclear Power Plants [NRC-2018-0206] [7590-01-P] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6545. A letter from the Director, Office of Public Affairs, Office of Nuclear Regulatory Research, Nuclear Regulatory Commission, transmitting the Commission's revision 3 of RG 4.2 — Preparation of Environmental Report for Nuclear Power Stations received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6546. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Addition of Certain Entities to the Entity List, Revision of an Entry on the Entity List and Removal of an Entity From the Entity List [Docket No.: 180910826-8826-01] (RIN: 0694-AH63) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6547. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's small entity compliance guide — Federal Acquisition Regulation: Federal Acquisition Circular 2005-101

[Docket No.: FAR 2018-0001, Sequence No. 5] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6548. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulations: One Dollar Coins [FAC 2005-101; FAR Case 2018-009; Item II; Docket No.: 2018-0009; Sequence No. 1] (RIN: 9000-AN70) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6549. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's summary presentation of final rules — Federal Acquisition Regulation: Federal Acquisition Circular 2005-101; Introduction [Docket No.: FAR 2018-0001, Sequence No. 5] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6550. A letter from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation: System for Award Management Registration [FAC 2005-101; FAR Case 2015-005; Item I; Docket No.: 2015-0005, Sequence No. 1] (RIN: 9000-AN19) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6551. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Defense Logistics Agency Freedom of Information Act Program [Docket ID: DOD-2017-OS-0029] (RIN: 0790-AJ71) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

6552. A letter from the Regulations Coordinator, Office of the Assistant Secretary for Financial Resources, Department of Health and Human Services, transmitting the Department's final rule — Annual Civil Monetary Penalties Inflation Adjustment (RIN: 0991-AC0) received October 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

6553. A letter from the Assistant Chief Counsel, Regulatory Affairs, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Removal of Electronically Controlled Pneumatic Brake System Requirements for High Hazard Flammable Unit Trains [Docket No.: PHMSA-2017-0102 (HM-251F)] (RIN: 2137-AF35) received October 11, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6554. A letter from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule — Truck Size and Weight [FHWA Docket No.: FHWA-2018-0035] (RIN: 2125-AF81) received October 11, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6555. A letter from the Regulations Development Coordinator, Office of Regulation Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — VA Acquisition Regulation: Describing Agency Needs; Contract Financing (RIN:

2900-AP81) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6556. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Fringe Benefit Aircraft Valuation Formula (Revenue Ruling 2018-26) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6557. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance under Section 132(g) for the Exclusion from Income of Qualified Moving Expense Reimbursements (Notice 2018-75) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6558. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Additional Guidance Under Section 965 (Notice 2018-78) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6559. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Employee Plans Compliance Resolution System ("EPCRS") Update [RP-116926-18] (Rev. Proc. 2018-52) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6560. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Extension of Replacement Period for Livestock Sold on Account of Drought (Notice 2018-79) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6561. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Bronze Level Coverage Monthly National Average Premium (Rev. Proc. 2018-43) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6562. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Notice regarding the special per diem rates for 2018-2019 (Notice 2018-77), pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6563. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Employer credit for paid family and medical leave (Notice 2018-71) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶141.4 COMMUNICATION FROM THE

CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,

U.S. HOUSE OF REPRESENTATIVES,

Washington, DC, October 12, 2018.

Hon. PAUL D. RYAN,

The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 12, 2018, at 3:19 p.m.:

That the Senate agrees to the House amendment to the bill S. 1595.

That the Senate passed S. 2465.

That the Senate passed S. 2765.

That the Senate passed without amendment H.R. 1037.

That the Senate passed without amendment H.R. 3834.

That the Senate passed without amendment H.R. 6758.

That the Senate passed without amendment H.R. 6870.

That the Senate passed without amendment H.R. 6896.

That the Senate passed with amendments H.R. 390.

That the Senate passed with an amendment H.R. 2422.

That the Senate passed with amendment H.R. 2615.

That the Senate passed with amendments H.R. 3342.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶141.5 SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2765. An Act to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and for other purposes; to the Committee on Financial Services.

And then,

¶141.6 ADJOURNMENT

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, pursuant to section 4(b) of House Resolution 1084, at 10 o'clock and 3 minutes a.m., declared the House adjourned until 9 a.m. on Friday, October 19, 2018.

¶141.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. COFFMAN:

H.R. 7064. A bill to require the United States Trade Representative to certify certain trade agreements respecting labor and the environment entered into by the United States, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BLACK (for herself, Mr. HOLDING, and Mr. BISHOP of Michigan):

H.R. 7065. A bill to amend the Internal Revenue Code of 1986 to establish a new phaseout of the credit for plug-in electric drive motor vehicles; to the Committee on Ways and Means.

By Ms. ADAMS (for herself, Mr. PITTENGER, Mr. MEADOWS, Mr. JONES, and Mr. LAWSON of Florida):

H.R. 7066. A bill to direct the Secretary of the Army to place in Arlington National Cemetery a monument honoring Army Security Agency veterans of World War II, the

Korean conflict, and the Vietnam Era, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 7067. A bill to amend the Federal Election Campaign Act of 1971 to provide political advertising vouchers and payments to defray the costs of postage for candidates in general elections to the Senate or House of Representatives who agree to restrictions on the types of contributions such candidates raise and the types of expenditures such candidates make, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOODLATTE:

H.R. 7068. A bill to close loopholes in the immigration laws that serve as incentives to aliens to attempt to enter the United States unlawfully, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LEWIS of Minnesota:

H.R. 7069. A bill to amend the Workforce Innovation and Opportunity Act to make permanent a grant program to promote and assist in the reentry of ex-offenders into the workforce; to the Committee on Education and the Workforce.

By Mr. MCGOVERN (for himself, Mr. JONES, Mrs. DINGELL, Mr. MASSIE, Ms. SCHAKOWSKY, Mr. WELCH, Mr. HUFFMAN, Ms. ESHOO, and Mr. AMASH):

H.R. 7070. A bill to prohibit the provision of United States security assistance to the Government of Saudi Arabia pending a determination by the Secretary of State regarding the status of Jamal Khashoggi, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PANETTA:

H.R. 7071. A bill to reform the programs of the Secretary of Agriculture for housing for rural farmworkers, and for other purposes; to the Committee on Financial Services.

By Mr. WALZ (for himself, Mr. RYAN of Ohio, and Mr. PALAZZO):

H.R. 7072. A bill to amend the Internal Revenue Code of 1986 to allow for a credit against tax for employers of reservists; to the Committee on Ways and Means.

By Mr. BIGGS:

H. Res. 1127. A resolution supporting the goals and ideals of a National Move Over Law Day; to the Committee on Transportation and Infrastructure.

By Mr. QUIGLEY:

H. Res. 1128. A resolution expressing condolences to the family of Stan Mikita, and commemorating the life of Stan Mikita; to the Committee on Oversight and Government Reform.

¶141.8 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 544: Mr. SWALLOW of California.

H.R. 964: Mr. RUTHERFORD and Mrs. BROOKS of Indiana.

H.R. 1098: Mrs. HARTZLER.

H.R. 1223: Mr. PRICE of North Carolina.

H.R. 1291: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 1300: Mr. PASCRELL, Mr. SHERMAN, and Mr. SCOTT of Virginia.

H.R. 1542: Mr. DOGGETT.

H.R. 1567: Mr. GONZALEZ of Texas, Mr. SHERMAN, and Mr. CICILLINE.

H.R. 1893: Ms. STEFANIK.

H.R. 1957: Mr. KRISHNAMOORTHY.

H.R. 2119: Mr. CUMMINGS.

H.R. 2495: Mr. BEYER.

H.R. 2701: Mr. RASKIN.

H.R. 2790: Mr. SABLON and Mr. CLEAVER.

H.R. 2972: Mrs. BUSTOS.

H.R. 3034: Mr. WALKER, Mr. GRIFFITH, Ms. LOFGREN, and Mr. LIPINSKI.

H.R. 3113: Ms. TITUS.

H.R. 3325: Mr. MCGOVERN and Mrs. LESKO.

H.R. 3592: Mr. HASTINGS.

H.R. 3798: Mr. GUTHRIE and Mr. LOUDERMILK.

H.R. 3923: Mr. THOMPSON of California and Mrs. BEATTY.

H.R. 4143: Mr. HUNTER.

H.R. 4691: Mr. DESAULNIER.

H.R. 4724: Ms. ROS-LEHTINEN.

H.R. 4906: Mr. CARBAJAL.

H.R. 4954: Mr. KILDEE.

H.R. 5222: Mr. QUIGLEY and Ms. NORTON.

H.R. 5244: Mr. RASKIN.

H.R. 5306: Ms. NORTON.

H.R. 5389: Mr. COLE.

H.R. 5690: Mr. CARTWRIGHT and Mr. HIMES.

H.R. 5879: Mr. THOMPSON of Mississippi and Mr. FORTENBERRY.

H.R. 5893: Mr. GENE GREEN of Texas and Mr. RYAN of Ohio.

H.R. 5911: Mr. MICHAEL F. DOYLE of Pennsylvania and Mr. CARTWRIGHT.

H.R. 5977: Mr. SERRANO.

H.R. 6062: Ms. JACKSON LEE, Ms. SEWELL of Alabama, Ms. CLARKE of New York, Mr. MEEKS, Ms. LEE, Mr. LEWIS of Georgia, Mr. MCEACHIN, and Ms. KELLY of Illinois.

H.R. 6172: Ms. LEE.

H.R. 6207: Mr. YARMUTH.

H.R. 6325: Mr. SOTO.

H.R. 6421: Ms. ROSEN.

H.R. 6510: Mr. CUMMINGS, Mr. CONNOLLY, Mr. FRANCIS ROONEY of Florida, Mr. MOONEY of West Virginia, and Ms. JENKINS of Kansas.

H.R. 6517: Mr. GENE GREEN of Texas.

H.R. 6545: Mr. NORCROSS and Mr. MEEKS.

H.R. 6635: Mr. STEWART, Mr. FORTENBERRY, Mrs. DINGELL, Mr. JOHNSON of Georgia, and Mr. SABLON.

H.R. 6653: Mr. LARSEN of Washington.

H.R. 6689: Mr. THOMPSON of Pennsylvania, Mr. BROWN of Maryland, and Mr. TONKO.

H.R. 6747: Mr. BISHOP of Michigan.

H.R. 6749: Mrs. BEATTY.

H.R. 6791: Ms. KAPTUR, Ms. JACKSON LEE, and Mr. CRIST.

H.R. 6793: Mr. SCHNEIDER.

H.R. 6809: Mr. KING of New York and Mrs. RADEWAGEN.

H.R. 6933: Mr. KING of New York, Mr. WILLIAMS, Mr. CLOUD, Mr. POSEY, Mr. CARTER of Texas, Mr. RATCLIFFE, Mr. GENE GREEN of Texas, Mr. GUTHRIE, Mr. ABRAHAM, and Mr. CRAMER.

H.R. 6948: Mr. RUSH.

H.R. 6960: Mr. JOHNSON of Georgia.

H.R. 6987: Mr. BLUMENAUER.

H.R. 6989: Mr. GOSAR and Mr. JONES.

H.R. 6992: Mr. BISHOP of Georgia.

H.R. 7006: Mr. TED LIEU of California.

H.R. 7022: Mrs. MIMI WALTERS of California.

H.R. 7049: Mr. JOYCE of Ohio.

H.R. 7051: Mr. GOSAR.

H.R. 7059: Mr. HIGGINS of Louisiana, Mr. CRAMER, Mrs. HANDEL, Mr. BARR, Mr. FLEISCHMANN, Mr. SHIMKUS, Mr. CONAWAY, Mr. GRAVES of Georgia, Mr. GOODLATTE, Mr. MCCLINTOCK, Mr. MCCAUL, Mr. LAMBORN, Mrs. LESKO, Mr. BANKS of Indiana, Mr. CARTER of Georgia, Mr. RATCLIFFE, Ms. CHENEY, Mr. MITCHELL, Mr. PALMER, and Mr. LOUDERMILK.

H.R. 7062: Ms. BASS, Mr. MEEKS, Ms. CLARKE of New York, Ms. WILSON of Florida, Ms. JACKSON LEE, Mr. GRIJALVA, Mr. REED, Mr. SEAN PATRICK MALONEY of New York, Ms. NORTON, and Ms. DELAULO.

H.R. 7063: Ms. JUDY CHU of California.

H. Con. Res. 10: Mr. CROWLEY.

H. Con. Res. 132: Ms. VELÁZQUEZ and Mr. SMITH of Washington.

H. Con. Res. 138: Mr. CONNOLLY and Mr. PANETTA.

H. Res. 932: Mr. SMITH of New Jersey, Mr. SESSIONS, and Mr. HOLDING.

H. Res. 960: Mr. SEAN PATRICK MALONEY of New York.

H. Res. 993: Mr. POSEY and Mr. GRAVES of Missouri.

H. Res. 1026: Mr. GOSAR.

H. Res. 1104: Mr. SMITH of Washington and Mr. GENE GREEN of Texas.

H. Res. 1115: Mr. MICHAEL F. DOYLE of Pennsylvania.

H. Res. 1116: Ms. LEE.

H. Res. 1121: Mr. KILMER, Mr. CLEAVER, Mr. BROWN of Maryland, Ms. ESHOO, Mr. DEFALZIO, Mr. PANETTA, Mr. LOBIONDO, Mr. QUIGLEY, and Ms. SÁNCHEZ.

H. Res. 1122: Mr. PALLONE, Mr. CONNOLLY, Mr. VELA, Mr. CLEAVER, Ms. MCCOLLUM, Ms. LEE, and Mrs. DINGELL.

H. Res. 1124: Ms. JACKSON LEE and Mr. VARGAS.

FRIDAY, OCTOBER 19, 2018 (142)

¶142.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. WITTMAN, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
October 19, 2018.

I hereby appoint the Honorable ROBERT J. WITTMAN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶142.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WITTMAN, announced that, pursuant to section 4(a) of House Resolution 1084, the Journal of the proceedings of Tuesday, October 16, 2018, was approved.

¶142.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6564. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's notification of its 2018 compensation program adjustments, including the Agency's current salary range structure and the performance-based merit pay matrix, pursuant to 12 U.S.C. 1833b(a); Public Law 101-73, Sec. 1206(a); (103 Stat. 523); to the Committee on Agriculture.

6565. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a report of a violation of the Antideficiency Act, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

6566. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting a report titled, "Summary Report to Congress of the Department of Defense Fiscal Year 2017 Inventory of Contracted Services", pursuant to 10 U.S.C.

2330a(c)(1); Public Law 107-107, Sec. 801(c)(1) (as amended by Public Law 114-328, Sec. 812); (130 Stat. 2269); to the Committee on Armed Services.

6567. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Vincent K. Brooks, United States Army, and his advancement to the grade of general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6568. A letter from the Assistant Secretary of the Navy, Manpower and Reserve Affairs, U.S. Navy, Department of Defense, transmitting a notice to Congress of the anticipated use of Selected Reserve units that will be ordered to active duty, pursuant to 10 U.S.C. 12304(b)(d); Public Law 112-81, Sec. 516(a)(1); (125 Stat. 1396); to the Committee on Armed Services.

6569. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Attorney General's 2017 Annual Report to Congress, pursuant to 15 U.S.C. 1691f; Public Law 90-321, Sec. 707 (as added by Public Law 94-239, Sec. 7); (90 Stat. 255); to the Committee on Financial Services.

6570. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's Report titled, "Preservation and Promotion of Minority Depository Institutions" for FY 2017, pursuant to 12 U.S.C. 1463 note; Public Law 101-73, Sec. 308 (as amended by Public Law 111-203, Sec. 367(4)(B)); (124 Stat. 1556); to the Committee on Financial Services.

6571. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the 2017 Annual Report to the Congress on the Native Hawaiian Revolving Loan Fund, pursuant to 42 U.S.C. 2991b-1(g)(1); Public Law 88-452, Sec. 803A (as amended by Public Law 102-375, Sec. 822(2)); (106 Stat. 1296); to the Committee on Education and the Workforce.

6572. A letter from the National Advisory Committee on Institutional Quality and Integrity, Executive Director, Office of Post-secondary Education, Department of Education, transmitting the Annual Report of the National Advisory Committee on Institutional Quality and Integrity for FY 2018, pursuant to Sec. 114(e) of the Higher Education Act, as amended; to the Committee on Education and the Workforce.

6573. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's FY 2017 report titled, "Review of Medicare's Program for Oversight of Accrediting Organizations and the Clinical Laboratory Improvement Validation Program", pursuant to 42 U.S.C. 139511(b); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1875(b) (as amended by Public Law 110-275, Sec. 125(b)(4)); (122 Stat. 2519); to the Committee on Energy and Commerce.

6574. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report to Congress titled "2017 Actuarial Report on the Financial Outlook for Medicaid", pursuant to 42 U.S.C. 1396 note; Public Law 111-3, Sec. 506(c); (123 Stat. 95); to the Committee on Energy and Commerce.

6575. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to significant malicious cyber-enabled activities that was declared in Executive Order 13694 of April 1, 2015, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6576. A communication from the President of the United States, transmitting notification that the national emergency with respect to significant narcotics traffickers centered in Colombia declared in Executive Order 12978 of October 21, 1995, is to continue in effect beyond October 21, 2018, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—162); to the Committee on Foreign Affairs and ordered to be printed.

6577. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-42, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6578. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-0H, pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6579. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of Defense, transmitting Transmittal No. DDTC 18-044, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6580. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of Defense, transmitting Transmittal No. DDTC 18-047, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6581. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of Defense, transmitting Transmittal No. DDTC 18-027, pursuant to the reporting requirements of Section 36(c) and (d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6582. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-033, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6583. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-026, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6584. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-002, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6585. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-023, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6586. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-048, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6587. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-471, "Revised Uniform Law on Notarial Acts Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6588. A letter from the Chairman, Council of the District of Columbia, transmitting

D.C. Act 22-472, "Public Housing Resident Bill of Rights Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6589. A letter from the Acting President and Chairman, Export-Import Bank, transmitting notification of a designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6590. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's annual submission regarding agency compliance with the Federal Managers' Financial Integrity Act and revised Office of Management and Budget Circular A-123; to the Committee on Oversight and Government Reform.

6591. A letter from the Inspector General, Railroad Retirement Board, transmitting the Board's FY 2020 budget request for the Office of Inspector General, pursuant to 45 U.S.C. 231f(f); Aug. 29, 1935, ch. 812, Sec. 7(f) (as amended by Public Law 93-445, Sec. 416); (97 Stat. 436); to the Committee on Oversight and Government Reform.

6592. A letter from the Inspector General, Office of Inspector General, U.S. House of Representatives, transmitting an Audit of House Purchase Card Program (Report No. 18-CAO-14); to the Committee on House Administration.

6593. A letter from the Secretary, Department of Transportation, transmitting the Department's National Plan of Integrated Airport Systems report for 2019-2023, pursuant to 49 U.S.C. 47103; to the Committee on Transportation and Infrastructure.

6594. A letter from the Chairman, U.S. International Trade Commission, transmitting the Commission's report titled, "Andean Trade Preference Act: Impact on U.S. Industries and Consumers and on Drug Crop Eradication and Crop Substitution, 2017", pursuant to 19 U.S.C. 3204(a)(1); Public Law 102-182, Sec. 206(a) (as amended by Public Law 106-200, Sec. 211(d)(2)); (114 Stat. 287); to the Committee on Ways and Means.

6595. A letter from the Secretary, Department of Energy, transmitting the Department's report to Congress concerning the Mixed Oxide (MOX) Fuel Fabrication Facility under construction at the Department's Savannah River Site near Aiken, South Carolina, pursuant to 50 U.S.C. 2566(a)(3)(A); Public Law 107-314, Sec. 4306(a)(3)(A); (116 Stat. 2747); jointly to the Committees on Energy and Commerce and Armed Services.

And then,

¶142.4 ADJOURNMENT

The SPEAKER pro tempore, Mr. WITTMAN, pursuant to section 4(b) of House Resolution 1084, at 9 o'clock and 2 minutes a.m., declared the House adjourned until 9:30 a.m. on Tuesday, October 23, 2018.

¶142.5 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BYRNE (for himself, Mr. CRAMER, Mr. ROGERS of Alabama, Mr. BROOKS of Alabama, Mr. BURGESS, Mr. FRANCIS ROONEY of Florida, Mr. BABIN, Mr. BANKS of Indiana, Mr. GOSAR, Mr. GAETZ, Mr. NORMAN, Mr. BIGGS, Mr. POSEY, Mr. MOONEY of West Virginia, Mr. DESJARLAIS, and Mr. SMITH of Texas):

H.R. 7073. A bill to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2019; to the Committee on Homeland Security.

By Mr. PEARCE:

H.R. 7074. A bill to amend the Federal Land Policy and Management Act of 1976 to reauthorize grazing advisory boards; to the Committee on Natural Resources.

By Mr. PEARCE:

H.R. 7075. A bill to enhance protections of Native American cultural heritage, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HERRERA BEUTLER:

H.R. 7076. A bill to reinstate requirements pertaining to electronically controlled pneumatic brake systems on high-hazard flammable unit trains, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. JODY B. HICE of Georgia:

H.R. 7077. A bill to direct the Secretary of the Interior to conduct a special resource study of the site of the Kettle Creek Battlefield in Wilkes County, Georgia, and adjacent property, and for other purposes; to the Committee on Natural Resources.

By Ms. KAPTUR (for herself, Mr. RYAN of Ohio, Ms. BONAMICI, Mrs. DINGELL, Mr. QUIGLEY, and Ms. FUDGE):

H.R. 7078. A bill to amend the Safe Drinking Water Act to require the Administrator of the Environmental Protection Agency to publish a maximum contaminant level goal and promulgate a national primary drinking water regulation for microcystin toxin, and for other purposes; to the Committee on Energy and Commerce.

By Ms. KUSTER of New Hampshire (for herself, Mrs. WALORSKI, Ms. JAYAPAL, Ms. BASS, Mr. CICILLINE, Ms. ESTY of Connecticut, Mr. TURNER, and Mr. LANGEVIN):

H.R. 7079. A bill to authorize the Attorney General to make grants to, and enter into cooperative agreements with, States and units of local government to develop, implement, or expand a program to provide medication-assisted treatment, from arrest to release, to individuals incarcerated in the jurisdiction who are addicted to opioids, and for other purposes; to the Committee on the Judiciary.

By Mr. TED LIEU of California (for himself and Mr. MCGOVERN):

H.R. 7080. A bill to modify the expedited procedures in the House of Representatives under section 36 of the Arms Export Control Act with respect to consideration of joint resolutions prohibiting proposed sales of defense articles or services, prohibiting proposed licenses for exports of defense articles or services, and prohibiting approval of United States commercial technical assistance or manufacturing licensing agreements; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RYAN of Ohio (for himself, Mr. JOYCE of Ohio, Ms. KAPTUR, Mr. RENACCI, and Ms. FUDGE):

H.R. 7081. A bill to amend the Ohio & Erie Canal National Heritage Canalway Act of 1996 to repeal the funding limitation; to the Committee on Natural Resources.

By Mr. LIPINSKI (for himself, Mr. MOOLENAAR, Mr. GROTHMAN, and Mr. FOSTER):

H. Res. 1129. A resolution expressing support for the designation of the week begin-

ning on October 21, 2018, as "National Chemistry Week"; to the Committee on Science, Space, and Technology.

¶142.6 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

264. The SPEAKER presented a memorial of the General Assembly of the State of New Jersey, relative to Assembly Resolution No. 181, memorializing Congress and the President of the United States to take certain actions to ensure that a woman can freely make reproductive health decisions and access reproductive health care, including abortion; to the Committee on the Judiciary.

265. Also, a memorial of the Legislature of the State of New Jersey, relative to Senate Joint Resolution No. 12, urging the federal government to assist with expediting the installation of positive train control technology on New Jersey railways; to the Committee on Transportation and Infrastructure.

266. Also, a memorial of the Legislature of the State of New Jersey, relative to State Joint Resolution No. 73, respectfully urging the Congress of the United States to pass the "Military Hunger Prevention Act"; jointly to the Committees on Armed Services and Agriculture.

¶142.7 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 134: Mr. JEFFRIES.
H.R. 173: Mr. ESTES of Kansas.
H.R. 296: Mr. POSEY.
H.R. 750: Ms. KUSTER of New Hampshire.
H.R. 809: Mrs. HARTZLER.
H.R. 834: Ms. WILSON of Florida.
H.R. 1318: Ms. CHENEY and Mr. REED.
H.R. 1515: Mr. SMITH of Washington.
H.R. 1697: Mr. KRISHNAMOORTHY and Mr. CLOUD.

H.R. 1710: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 1739: Mr. PANETTA.
H.R. 1757: Mr. MCNERNEY.
H.R. 1898: Mr. YOUNG of Alaska and Mr. MCCAUL.

H.R. 1954: Mrs. DINGELL.
H.R. 2015: Ms. CLARK of Massachusetts and Mr. DEFAZIO.

H.R. 2119: Ms. KUSTER of New Hampshire and Mr. BROWN of Maryland.

H.R. 2472: Mr. MCEACHIN.
H.R. 2498: Mr. SMITH of Washington.

H.R. 2623: Mr. GAETZ and Mr. MOONEY of West Virginia.

H.R. 2801: Mrs. CAROLYN B. MALONEY of New York.

H.R. 2856: Mr. PAULSEN.
H.R. 3119: Ms. ESHOO.

H.R. 3197: Mr. GUTHRIE.
H.R. 3325: Mr. QUIGLEY, Ms. MCSALLY, Mr. LARSEN of Washington, and Ms. SPEIER.

H.R. 3520: Mr. PRICE of North Carolina and Mr. SMITH of Washington.

H.R. 3781: Mr. GALLEGO, Mr. JONES, Mr. LANGEVIN, and Mr. LARSEN of Washington.

H.R. 3988: Mr. SESSIONS.

H.R. 4107: Mr. FLORES, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. YARMUTH, Mr. ESPAILLAT, and Mrs. LAWRENCE.

H.R. 4459: Ms. PINGREE.
H.R. 4691: Mr. VEASEY and Mr. LIPINSKI.

H.R. 4843: Ms. HANABUSA.
H.R. 4897: Mr. LIPINSKI.

H.R. 4932: Mr. PANETTA.
H.R. 4993: Mr. HOLDING.

H.R. 5153: Mr. PALAZZO.
H.R. 5266: Mr. COFFMAN.

H.R. 5609: Ms. BONAMICI.
H.R. 5634: Mr. PERLMUTTER.

H.R. 5780: Mr. FOSTER and Mr. GUTHRIE.

H.R. 5856: Mr. GOSAR.

H.R. 5942: Mr. CLAY, Mrs. LAWRENCE, and Mr. THOMPSON of Mississippi.

H.R. 6016: Mr. GRIJALVA.

H.R. 6033: Mr. BROWN of Maryland.

H.R. 6051: Mr. COFFMAN.

H.R. 6062: Ms. MCCOLLUM.

H.R. 6093: Mr. HASTINGS.

H.R. 6103: Mr. FITZPATRICK.

H.R. 6178: Mr. GUTHRIE.

H.R. 6510: Mr. MCKINLEY and Mr. RYAN of Ohio.

H.R. 6595: Mr. JONES.

H.R. 6631: Mr. SMITH of Washington.

H.R. 6660: Mr. VEASEY.

H.R. 6734: Mr. PALAZZO and Mr. BRADY of Pennsylvania.

H.R. 6840: Mr. CARBAJAL.

H.R. 6980: Mr. KING of Iowa.

H.R. 7031: Ms. ESHOO.

H.R. 7049: Mr. MOOLENAAR.

H.R. 7055: Ms. KELLY of Illinois and Mr. GUTHRIE.

H.R. 7059: Mr. SCALISE, Mr. CRAWFORD, Mr. GUTHRIE, Mr. HARPER, Mr. GRAVES of Missouri, Mr. FERGUSON, Mrs. BLACK, Mr. COOK, Mr. ABRAHAM, Mr. ADERHOLT, Mr. MARSHALL, Mr. BURGESS, Mr. POSEY, and Mr. GRAVES of Louisiana.

H.R. 7070: Mr. LEWIS of Georgia, Mr. DESAULNIER, Mr. PALLONE, Ms. NORTON, Ms. PINGREE, Ms. LEE, and Mr. POCAN.

H. Con. Res. 10: Mr. GUTHRIE.

H. Con. Res. 138: Mr. BROWN of Maryland, Mr. LOEBSACK, Mr. GALLEGO, Mr. BUCK, and Mr. HASTINGS.

H. Res. 274: Mr. SOTO and Mr. ESPAILLAT.

H. Res. 864: Mr. BANKS of Indiana.

H. Res. 910: Ms. MICHELLE LUJAN GRISHAM of New Mexico and Ms. ESHOO.

H. Res. 926: Mr. BANKS of Indiana.

H. Res. 944: Mr. BANKS of Indiana.

H. Res. 960: Mr. CRIST and Mr. SCHIFF.

H. Res. 1013: Mr. BANKS of Indiana.

H. Res. 1033: Mr. KING of Iowa and Mr. GAETZ.

H. Res. 1038: Mr. BANKS of Indiana.

H. Res. 1061: Mr. BANKS of Indiana.

H. Res. 1090: Ms. STEFANIK and Mr. KATKO.

H. Res. 1114: Mr. BANKS of Indiana.

H. Res. 1116: Mr. BANKS of Indiana.

H. Res. 1120: Mr. BANKS of Indiana.

H. Res. 1121: Mr. CARBAJAL and Mr. COFFMAN.

H. Res. 1122: Mr. MCNERNEY, Mr. HIGGINS of New York, Mr. SABLON, Mr. LARSEN of Washington, Mr. LIPINSKI, Mr. HUFFMAN, Mr. KHANNA, Mr. HASTINGS, Mr. DEFAZIO, Mr. COSTA, Mr. MOULTON, and Mr. GARAMENDI.

H. Res. 1125: Ms. LOFGREN, Mr. SHERMAN, Ms. MOORE, and Ms. JUDY CHU of California.

TUESDAY, OCTOBER 23, 2018 (143)

¶143.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
October 23, 2018.

I hereby appoint the Honorable RYAN A. COSTELLO to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶143.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, announced that, pursuant to section 4(a)

of House Resolution 1084, the Journal of the proceedings of Friday, October 19, 2018, was approved.

¶143.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6596. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral James W. Crawford III, United States Navy, and his advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6597. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Rear Admiral Michael J. Dumont, United States Navy Reserve, to wear the insignia of the grade of vice admiral, pursuant to 10 U.S.C. 777a(b)(4); Public Law 111-383, Sec. 505(a)(1); (124 Stat. 4208); to the Committee on Armed Services.

6598. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; California; San Diego County Air Pollution Control District; Stationary Source Permits and Exemptions [EPA-R09-OAR-2018-0233; FRL-9982-44-Region 9] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6599. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Connecticut; Plan Submittals for the 2008 Ozone National Ambient Air Quality Standard [EPA-R01-OAR-2016-0166; FRL-9984-17-Region 1] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6600. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Iowa; Approval of the State Implementation Plan and the Operating Permits Program [EPA-R07-OAR-2018-0536; FRL-9983-66-Region 7] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6601. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Maine; Infrastructure State Implementation Plan Requirements for the 2012 PM_{2.5} NAAQS [EPA-R01-OAR-2018-0138; FRL-9984-61-Region 1] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6602. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; MS; Section 128 Board Requirements for Infrastructure SIPs [EPA-R04-OAR-2017-0546; FRL-9984-53-Region 4] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6603. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; TN; Revisions to Ambient Air Quality Standards [EPA-R04-OAR-2017-0395; FRL-9984-89-Region 4] received October 9, 2018, pursuant to 5

U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6604. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Update to Materials Incorporated by Reference [DE105-1105; FRL-9983-49-Region 3] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6605. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Update to Materials Incorporated by Reference [DC105-2053; FRL-9983-57-Region 3] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6606. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; New York; Determination of Attainment of the 2008 8-Hour Ozone National Ambient Air Quality Standard for the Jamestown, New York Marginal Nonattainment Area [EPA-R02-OAR-2018-0422; FRL-9984-81-Region 2] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6607. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Jersey; Elements for the 2008 8-Hour Ozone National Ambient Air Quality Standards [EPA-R02-OAR-2018-0549; FRL-9984-58-Region 2] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6608. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Missouri Air Quality Implementation Plans; Infrastructure SIP Requirements for the 2012 Annual Fine Particulate Matter (PM_{2.5}) National Ambient Air Quality Standard Interstate Transport [EPA-R07-OAR-2018-0261; FRL-9983-77-Region 7] received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6609. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2018-0627; FRL-9983-82] (RIN: 2070-AB27) received October 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6610. A letter from the Secretary, Department of Commerce, transmitting a report certifying that the export of the listed items to the People's Republic of China is not detrimental to the U.S. space launch industry, pursuant to 22 U.S.C. 2778 note; Public Law 105-261, Sec. 1512 (as amended by Public Law 105-277, Sec. 146); (112 Stat. 2174); to the Committee on Foreign Affairs.

6611. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 of April 12, 2010, pursuant to 50 U.S.C. 1641(c); Public

Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6612. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

6613. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the annual report titled "Report to Congress on U.S. Persons Expropriation Claims and Certain Other Commercial and Investment Disputes", dated October 2018, pursuant to Sec. 527(f) of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995, Public Law 103-236; to the Committee on Foreign Affairs.

¶143.4 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. MESSER, on Monday, October 22, 2018:

H.R. 1037. An Act to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

H.R. 3834. An Act to provide that members of public safety agencies who died of 9/11-related health conditions are eligible for the Presidential 9/11 Heroes Medal of Valor, and for other purposes.

H.R. 6758. An Act to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women, minorities, and veterans in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office's authority to set the amounts for the fees it charges, and for other purposes.

H.R. 6870. An Act to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter.

H.R. 6896. An Act to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

¶143.5 SENATE ENROLLED BILL SIGNED

The Speaker pro tempore, Mr. MESSER, announced his signature to an enrolled bill of the Senate of the following title on October 22, 2018:

S. 1595. An Act to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

¶143.6 BILL PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 16, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 6. An Act to provide for opioid use disorder prevention, recovery, and treatment, and for other purposes.

And then,

¶143.7 ADJOURNMENT

The SPEAKER pro tempore, Mr. COSTELLO of Pennsylvania, pursuant to section 4(b) of House Resolution 1084, at 9 o'clock and 32 minutes a.m., declared the House adjourned until 4 p.m. on Friday, October 26, 2018.

¶143.8 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5636. A bill to designate additions to the Flatside Wilderness on the Ouachita National Forest, and for other purposes; with an amendment (Rept. 115-989). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5171. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account (Rept. 115-990, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5706. A bill to establish the Pearl Harbor National Memorial in the State of Hawai'i and the Honouliuli National Historic Site in the State of Hawai'i, and for other purposes (Rept. 115-991). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 4644. A bill to withdraw certain National Forest System land in the Emigrant Crevice area located in the Custer Gallatin National Forest, Park County, Montana, from the mining and mineral leasing laws of the United States, and for other purposes (Rept. 115-992). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 210. A bill to facilitate the development of energy on Indian lands by reducing Federal regulations that impede tribal development of Indian lands, and for other purposes; with an amendment (Rept. 115-993). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6302. A bill to enact as law certain regulations relating to the taking of double-crested cormorants; with an amendment (Rept. 115-994). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6666. A bill to authorize the Secretary of the Interior to grant to States and local governments easements and rights-of-way over Federal land within Gateway National Recreation Area for construction, operation, and maintenance of projects for control and prevention of flooding and shoreline erosion (Rept. 115-995). Referred to the Committee of the Whole House on the state of the Union.

¶143.9 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCGOVERN (for himself, Mrs. DINGELL, Ms. SCHAKOWSKY, Mr. WELCH, Mr. HUFFMAN, Mr. LEWIS of

Georgia, Mr. MASSIE, Mr. POCAN, Mr. DeSAULNIER, Ms. LEE, Mr. NOLAN, Mr. DEFazio, Mr. KHANNA, Ms. SPEIER, Mr. PALLONE, Ms. PINGREE, Mr. JONES, Mr. GRIJALVA, Mr. AMASH, Ms. VELÁZQUEZ, and Ms. GABBARD):

H.R. 7082. A bill to prohibit the provision of United States security assistance to the Government of Saudi Arabia, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PAULSEN (for himself and Mr. LOEBACK):

H.R. 7083. A bill to amend title XVIII of the Social Security Act to provide for expanded coverage of services furnished by genetic counselors under part B of the Medicare program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BANKS of Indiana:

H.R. 7084. A bill to amend title XVIII of the Social Security Act to increase hospital competition, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUDD:

H.R. 7085. A bill to direct the Secretary of Veterans Affairs to inform individuals who are eligible to enroll in the dental insurance plan administered by the Secretary of the benefits of such plan; to the Committee on Veterans' Affairs.

By Mr. LAMB (for himself, Mr. RYAN of Ohio, Ms. NORTON, Mr. BRADY of Pennsylvania, Ms. WASSERMAN SCHULTZ, Mr. BROWN of Maryland, Ms. SHEA-PORTER, Ms. CLARKE of New York, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. CUMMINGS, and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 7086. A bill to amend the Internal Revenue Code of 1986 to allow workers an above-the-line deduction for union dues and expenses and to allow a miscellaneous itemized deduction for workers for all unreimbursed expenses incurred in the trade or business of being an employee; to the Committee on Ways and Means.

By Mr. LAMB (for himself, Mr. MICHAEL F. DOYLE of Pennsylvania, and Mr. RYAN of Ohio):

H.R. 7087. A bill to require development and implementation of an interagency plan to assist communities affected by climate change in the Ohio River Basin, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Natural Resources, Agriculture, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico (for herself and Mr. BEN RAY LUJÁN of New Mexico):

H.R. 7088. A bill to amend the Federal Agriculture Improvement and Reform Act of 1996 to require that the Secretary of Agriculture to require a notice period with respect to certain modifications of assigned yields under the noninsured crop disaster assistance program; to the Committee on Agriculture.

By Mrs. CAROLYN B. MALONEY of New York (for herself and Mr. SMITH of New Jersey):

H.R. 7089. A bill to amend the Securities Exchange Act of 1934 to require certain com-

panies to disclose information describing any measures the company has taken to identify and address conditions of forced labor, slavery, human trafficking, and the worst forms of child labor within the company's supply chains; to the Committee on Financial Services.

By Mr. NADLER (for himself, Mrs. CAROLYN B. MALONEY of New York, Ms. CLARKE of New York, Mr. CROWLEY, Mr. DONOVAN, Mr. ENGEL, Mr. ESPAILLAT, Mr. HIGGINS of New York, Mr. JEFFRIES, Mr. KING of New York, Mr. SEAN PATRICK MALONEY of New York, Mr. SERRANO, Mr. SUOZZI, Mr. TONKO, Ms. VELÁZQUEZ, Mr. COHEN, Ms. DELAURO, Mr. DOGGETT, Ms. ESTY of Connecticut, Mr. HASTINGS, Mr. HUFFMAN, Mr. LANCE, Ms. JACKSON LEE, Mr. TED LIEU of California, Mr. PALLONE, Ms. PINGREE, Mr. SCHIFF, Mr. SIREs, Mr. SMITH of Texas, and Mr. TAKANO):

H. Res. 1130. A resolution expressing the sense of the House of Representatives that the Citizens' Stamp Advisory Committee, as an entity of the United States Postal Service, should issue a commemorative stamp in honor of the 150th anniversary of the Metropolitan Museum of Art; to the Committee on Oversight and Government Reform.

By Mr. CARDENAS (for himself and Mr. LEWIS of Minnesota):

H. Res. 1131. A resolution expressing support for the designation of October 2018 as "National Youth Justice Action Month"; to the Committee on Oversight and Government Reform.

By Mr. FRANCIS ROONEY of Florida:

H. Res. 1132. A resolution expressing the sense of the House of Representatives that to promote global religious freedom and freedom of expression, United States foreign aid should not be directed to countries that enforce blasphemy laws; to the Committee on Foreign Affairs.

¶143.10 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 305: Mr. GENE GREEN of Texas and Mr. NOLAN.

H.R. 644: Mr. CLOUD.

H.R. 712: Mr. KHANNA.

H.R. 834: Mr. RUSH.

H.R. 904: Mr. LAMB.

H.R. 930: Mr. CUMMINGS.

H.R. 936: Ms. ROSEN.

H.R. 1102: Mr. KHANNA.

H.R. 1205: Ms. SINEMA and Mr. CRIST.

H.R. 1300: Mrs. LAWRENCE.

H.R. 1447: Mr. SMITH of Washington.

H.R. 1661: Mr. BALDERSON and Mr. O'HALLERAN.

H.R. 1949: Mr. PRICE of North Carolina.

H.R. 1953: Mr. LAWSON of Florida and Mr. MAST.

H.R. 2077: Mr. YOUNG of Alaska, Mr. PRICE of North Carolina, and Mr. KHANNA.

H.R. 2092: Mr. DANNY K. DAVIS of Illinois and Mr. TONKO.

H.R. 2306: Ms. BONAMICI.

H.R. 2315: Ms. ADAMS and Mr. CARBAJAL.

H.R. 2358: Mrs. HARTZLER, Mr. KILDEE, Mr. MOOLENAAR, Ms. ADAMS, Mr. SMITH of Texas, Ms. FUDGE, and Mr. McCLINTOCK.

H.R. 2366: Mr. YARMUTH.

H.R. 2472: Mr. O'HALLERAN.

H.R. 2531: Mr. FITZPATRICK.

H.R. 2556: Mr. PANETTA.

H.R. 2567: Ms. SPEIER.

H.R. 2598: Mr. HIMES.

H.R. 2709: Ms. ESHOO.

H.R. 2886: Mr. SOTO.

H.R. 3034: Mr. EVANS, Mr. ADERHOLT, Mr. CRIST, and Mr. VEASEY.

H.R. 3773: Mr. GENE GREEN of Texas.
 H.R. 4022: Mr. DOGGETT and Mr. EVANS.
 H.R. 4099: Mr. PALAZZO.
 H.R. 4122: Ms. MCCOLLUM.
 H.R. 4198: Ms. BARRAGÁN, Mrs. CAROLYN B. MALONEY of New York, Ms. FRANKEL of Florida, Mr. BEYER, and Mr. CARSON of Indiana.
 H.R. 4215: Ms. ESTY of Connecticut.
 H.R. 4256: Mr. GAETZ and Ms. GABBARD.
 H.R. 4322: Ms. ROYBAL-ALLARD and Mr. TED LIEU of California.
 H.R. 4328: Mr. SOTO.
 H.R. 4732: Mr. BERA, Mrs. WALORSKI, Mr. BROWN of Maryland, Mr. LOBIONDO, Mr. MOONEY of West Virginia, Mr. COMER, Mr. HOLLINGSWORTH, and Mr. ESPAILLAT.
 H.R. 5060: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. SOTO.
 H.R. 5114: Ms. MOORE.
 H.R. 5282: Mr. LEWIS of Minnesota, Mr. FLORES, and Ms. HERRERA BEUTLER.
 H.R. 5339: Mr. SOTO.
 H.R. 5343: Mr. BABIN.
 H.R. 5359: Mr. MOULTON.
 H.R. 5374: Mr. SUOZZI.
 H.R. 5536: Mr. KATKO.
 H.R. 5541: Mr. ENGEL.
 H.R. 5651: Mr. FITZPATRICK.
 H.R. 5671: Mr. FOSTER and Mr. GALLAGHER.
 H.R. 5701: Mr. DELANEY.
 H.R. 5924: Mr. JORDAN and Mr. GENE GREEN of Texas.
 H.R. 5949: Mr. PALAZZO.
 H.R. 5975: Mr. FITZPATRICK.
 H.R. 6016: Mr. NADLER and Ms. JAYAPAL.
 H.R. 6022: Mrs. WALORSKI and Mr. CUELLAR.
 H.R. 6071: Ms. DELBENE.
 H.R. 6080: Ms. MATSUI.
 H.R. 6209: Mr. FITZPATRICK.
 H.R. 6211: Mr. FITZPATRICK.
 H.R. 6220: Ms. ESHOO.
 H.R. 6231: Mr. DELANEY.
 H.R. 6392: Mr. KILDEE.
 H.R. 6410: Mr. ESPAILLAT.
 H.R. 6474: Mr. SOTO.
 H.R. 6495: Mr. KENNEDY.
 H.R. 6517: Mr. SCHIFF.
 H.R. 6545: Mr. HIMES.
 H.R. 6636: Mrs. WALORSKI.
 H.R. 6664: Mr. STIVERS.
 H.R. 6689: Mr. PERLMUTTER.
 H.R. 6692: Mr. HASTINGS.
 H.R. 6693: Ms. WILSON of Florida.
 H.R. 6711: Mr. SOTO.
 H.R. 6733: Mr. BABIN.
 H.R. 6809: Mr. FITZPATRICK.
 H.R. 6834: Mr. HUFFMAN.
 H.R. 6835: Mr. POSEY.
 H.R. 6871: Mr. LAMALFA.
 H.R. 6909: Ms. SÁNCHEZ.
 H.R. 6916: Mr. SUOZZI.
 H.R. 6927: Mr. SENSENBRENNER.
 H.R. 6980: Ms. GABBARD.
 H.R. 6986: Mr. GHANFORTE.
 H.R. 6987: Ms. SHEA-PORTER, Mr. GRIJALVA, Ms. SCHAKOWSKY, Ms. LEE, Mr. HUFFMAN, and Mr. THOMPSON of California.
 H.R. 6992: Mr. COSTELLO of Pennsylvania.
 H.R. 7030: Mr. SOTO.
 H.R. 7059: Mr. BIGGS, Mr. KUSTOFF of Tennessee, Mr. MARINO, Mr. DUNCAN of South Carolina, Mr. BROOKS of Alabama, and Mr. CHABOT.
 H.R. 7062: Mr. PAYNE, Mr. ZELDIN, Mr. REICHERT, Mr. LARSON of Connecticut, Mr. KNIGHT, Mr. CARSON of Indiana, Mr. GARAMENDI, Mr. KATKO, Mr. CÁRDENAS, Miss GONZÁLEZ-COLÓN of Puerto Rico, and Mr. RASKIN.
 H.R. 7073: Mr. OLSON and Mr. MITCHELL.
 H.J. Res. 31: Mr. KATKO.
 H.J. Res. 140: Mr. SMITH of Washington and Mr. GRIJALVA.
 H. Con. Res. 138: Mr. YARMUTH, Mr. RASKIN, Mr. SARBANES, and Mr. DANNY K. DAVIS of Illinois.
 H. Con. Res. 139: Mrs. HARTZLER.
 H. Res. 69: Mr. PERLMUTTER and Mr. JOYCE of Ohio.

H. Res. 349: Mr. HUFFMAN.
 H. Res. 766: Mr. CALVERT.
 H. Res. 826: Mr. BANKS of Indiana.
 H. Res. 904: Mr. BANKS of Indiana.
 H. Res. 910: Mr. KILMER.
 H. Res. 993: Mr. BISHOP of Georgia, Mrs. BROOKS of Indiana, and Mr. AL GREEN of Texas.
 H. Res. 1031: Mr. KIHUEN.
 H. Res. 1062: Mr. BANKS of Indiana.
 H. Res. 1065: Mr. BANKS of Indiana.
 H. Res. 1100: Mr. BANKS of Indiana.
 H. Res. 1121: Mr. FOSTER.
 H. Res. 1122: Mr. BROWN of Maryland, Ms. TITUS, Ms. JAYAPAL, Ms. BORDALLO, Mr. PANNETTA, and Mr. WALZ.

FRIDAY, OCTOBER 26, 2018 (144)

¶144.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. GOODLATTE, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 October 26, 2018.

I hereby appoint the Honorable BOB GOODLATTE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶144.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. GOODLATTE, announced that, pursuant to section 4(a) of House Resolution 1084, the Journal of the proceedings of Tuesday, October 23, 2018, was approved.

¶144.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6614. A letter from the Principal Director, Defense Pricing and Contracting, OUSD (A&S) DPC/DARS, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Clause "Indefinite Quantities — Fixed Charges" (DFARS Case 2018-D039) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6615. A letter from the Principal Director, Defense Pricing and Contracting, OUSD (A&S) DPC/DARS Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Clause "Additional Services" (DFARS Case 2018-D027) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6616. A letter from the Principal Director, Defense Pricing and Contracting, OUSD (A&S) DPC/DARS Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Clause "Award Fee" (DFARS Case 2018-D037) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6617. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the "Annual Report to the Congress on the Presidential \$1 Coin Program" September 2018, pursuant to 31 U.S.C. 5112(p)(3)(B); Public Law 97-258 (as amended

by Public Law 109-145, Sec. 104); (119 Stat. 2670); to the Committee on Financial Services.

6618. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting the Office's report on discretionary appropriations legislation within seven calendar days of enactment, pursuant to 2 U.S.C. 901(a)(7)(B); Public Law 99-177, Sec. 251(a)(7)(B) (as amended by Public Law 114-113, Sec. 1003); (129 Stat. 3035); to the Committee on the Budget.

6619. A letter from the Secretary, Department of Education, transmitting the Department's final regulations — Outdated Regulations — Teacher Quality Enhancement Grants Program and Preparing Tomorrow's Teachers to Use Technology (PT3) Program (RIN: 1840-AD33) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6620. A letter from the Secretary, Department of Health and Human Services, transmitting a Declaration of a Public Health Emergency and Waiver and/or Modification of Certain HIPAA, and Medicare, Medicaid, and Children's Health Insurance Program Requirements (Hurricane Michael on Florida), pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630) and 42 U.S.C. 1320b-5(d); Aug. 14, 1935, ch. 531, title XI, Sec. 1135(d) (as added by Public Law 107-188, Sec. 143(a)); (116 Stat. 628); to the Committee on Energy and Commerce.

6621. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to South Sudan that was declared in Executive Order 13664 of April 3, 2014, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6622. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 of November 14, 1979, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6623. A communication from the President of the United States, transmitting notification that the national emergency with respect to the situation in or in relation to the Democratic Republic of the Congo declared in Executive Order 13413 of October 27, 2006, is to continue in effect beyond October 27, 2018, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115-163); to the Committee on Foreign Affairs and ordered to be printed.

6624. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report to Congress on the methods employed by the Government of Cuba to enforce the United States-Cuba September 1994 "Joint Communiqué", the treatment by the Government of Cuba of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement", and an update on the implementation of the United States-Cuba January 2017 "Joint Statement", together known as the Migration Accords, April 2018 to October 2018, pursuant to Public Law 105-277, Sec. 2245; (112 Stat. 2681-824); to the Committee on Foreign Affairs.

6625. A letter from the Chair and Co-Chair, Congressional-Executive Commission on China, transmitting the 2018 Annual Report of the Congressional-Executive Commission on China, pursuant to 22 U.S.C. 6912(g); Public Law 106-286, Sec. 302(g); (114 Stat. 897); to the Committee on Foreign Affairs.

6626. A letter from the Assistant Director, OSD SEMO, Department of Defense, transmitting a notification of a vacancy, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6627. A letter from the Assistant Director, OSD SEMO, Department of Defense, transmitting a notification of an action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6628. A letter from the Assistant Director, OSD SEMO, Department of Defense, transmitting a notification of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6629. A letter from the Assistant Director, OSD SEMO, Department of Defense, transmitting a notification of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6630. A letter from the Executive Analyst (Political), Department of Health and Human Services, transmitting a notification of an action on nomination, and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6631. A letter from the Assistant General Counsel (GLER), Department of the Treasury, transmitting a notification of designation of acting officer, nomination, action on nomination, and discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6632. A letter from the Solicitor General, Department of Justice, transmitting a determination of the Federal Housing Finance Agency's for-cause removal provision, 12 U.S.C. 4512(b)(2), pursuant to 28 U.S.C. 530D(a)(1); (Public Law 107-273, Sec. 202(a); (116 Stat. 1771); to the Committee on the Judiciary.

6633. A letter from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Changes to the Claim Construction Standard for Interpreting Claims in Trial Proceedings Before the Patent Trial and Appeal Board [Docket No.: PTO-P-2018-0036] (RIN: 0651-AD16) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

6634. A letter from the United States Trade Representative, Executive Office of The President, transmitting notification of the President's intention to enter into negotiations on a trade agreement with the United Kingdom, pursuant to 19 U.S.C. 4204(a)(1)(A); Public Law 114-26, Sec. 105(a)(1)(A); (129 Stat. 342); to the Committee on Ways and Means.

6635. A letter from the United States Trade Representative, Executive Office of The President, transmitting notification of the President's intention to enter into negotiations on a trade agreement with the European Union, pursuant to 19 U.S.C. 4204(a)(1)(A); Public Law 114-26, Sec. 105(a)(1)(A); (129 Stat. 342); to the Committee on Ways and Means.

6636. A letter from the United States Trade Representative, Executive Office of The President, transmitting notification of the President's intention to enter into negotiations on a U.S.-Japan Trade Agreement, pursuant to 19 U.S.C. 4204(a)(1)(A); Public Law 114-26, Sec. 105(a)(1)(A); (129 Stat. 342); to the Committee on Ways and Means.

6637. A letter from the Regulations Coordinator, Office of Strategic Operations and

Regulatory Affairs, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; CY 2019 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts [CMS-8068-N] (RIN: 0938-AT33) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6638. A letter from the Chief Privacy Officer, Department of Homeland Security, transmitting the Department's Privacy Office 2018 Annual Report to Congress, pursuant to 6 U.S.C. 142(a)(6); Public Law 107-296, Sec. 222(a)(6) (as amended by Public Law 108-458, Sec. 8305); (118 Stat. 3868); to the Committee on Homeland Security.

6639. A letter from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Survivor's Bill of Rights Act Working Group Report to Congress, October 2018, pursuant to 34 U.S.C. 12512(e); Public Law 114-236, Sec. 4(e); (130 Stat. 968); jointly to the Committees on the Judiciary and Energy and Commerce.

¶144.4 COMMUNICATION REGARDING

SUBPOENA

The SPEAKER pro tempore, Mr. GOODLATTE, laid before the House the following communication from Mr. ADERHOLT:

HOUSE OF REPRESENTATIVES,
Washington, DC, October 22, 2018.

Hon. PAUL D. RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a request for records in connection with an action pending in a civil case issued by the Circuit Court of Marion County in the State of Alabama. The request seeks documents and information relating to a workforce development program at a state community college campus.

After consultation with the Office of General Counsel, I have determined that compliance with the request is not consistent with the privileges and rights of the House.

Sincerely,

ROBERT ADERHOLT,
Member of Congress.

¶144.5 CYBERSPACE SOLARIUM COMMISSION

The SPEAKER pro tempore, Mr. GOODLATTE, pursuant to section 1652(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019 (Public Law 115-232), and the order of the House of January 3, 2017, announced that the Speaker appointed the following Member on the part of the House to the Cyberspace Solarium Commission: Mr. GALLAGHER; and from private life: Ms. Samantha Ravich, Alexandria, Virginia, and Mr. Frank Cilluffo, Oakton, Virginia.

Ordered, That the Clerk notify the Senate of the foregoing appointments.

¶144.6 HOUSE OF REPRESENTATIVES CHILD CARE CENTER ADVISORY BOARD

The SPEAKER pro tempore, Mr. GOODLATTE, pursuant to 2 United States Code 2062, and the order of the House of January 3, 2017, announced that the Speaker appointed the following Member and additional individuals to the Advisory Board for the

House of Representatives Child Care Center: Mr. HUDSON; and Ms. Kristene Blake, Washington, DC; Ms. Parker Poling, Washington, DC; Ms. Lynette Fraga, Alexandria, Virginia; and Ms. Jessica McFaul, Washington, DC.

And then,

¶144.7 ADJOURNMENT

The SPEAKER pro tempore, Mr. GOODLATTE, pursuant to section 4(b) of House Resolution 1084, at 4 o'clock and 4 minutes p.m., declared the House adjourned until 1 p.m. on Tuesday, October 30, 2018.

¶144.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CURTIS (for himself, Mr. BISHOP of Utah, Mr. STEWART, and Mrs. LOVE):

H.R. 7090. A bill to designate a mountain in the State of Utah as "Miracle Mountain"; to the Committee on Natural Resources.

By Mr. SMITH of New Jersey (for himself, Mr. SUOZZI, Ms. ROS-LEHTINEN, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. POE of Texas, Mr. FLEISCHMANN, Mr. LANCE, Mr. MACARTHUR, Mr. LIPINSKI, Mr. CHABOT, and Mr. DONOVAN):

H.R. 7091. A bill to stop the production of fentanyl and its trafficking into the United States from the People's Republic of China; to the Committee on Foreign Affairs.

By Mr. VEASEY:

H.R. 7092. A bill to direct the Administrators of the National Aeronautics and Space Administration and the National Science Foundation to produce a report to Congress regarding the efforts to support minority women involvement in STEM fields; to the Committee on Science, Space, and Technology.

By Mr. CHABOT (for himself, Mr. JOHNSON of Georgia, and Mr. GOODLATTE):

H.R. 7093. A bill to eliminate unused sections of the United States Code, and for other purposes; to the Committee on the Judiciary.

By Ms. ESTY of Connecticut (for herself and Mr. MOOLENAAR):

H.R. 7094. A bill to require the Director of the National Science Foundation to review the application process for awarding grants under the Small Business Innovation Research Program and the Small Business Technology Transfer Program; to the Committee on Science, Space, and Technology, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KHANNA (for himself, Mr. HASTINGS, Ms. CLARKE of New York, Ms. WILSON of Florida, Mr. POCAN, Ms. NORTON, Mr. ELLISON, Mr. PAYNE, and Ms. SCHAKOWSKY):

H.R. 7095. A bill to amend the Federal Reserve Act to modify the goals of the Board of Governors of the Federal Reserve System, to eliminate class A and B directors from the board of directors of each Federal reserve bank, and to establish certain reporting requirements for the Board of Governors, and for other purposes; to the Committee on Financial Services.

By Mr. LANGEVIN (for himself and Ms. SCHAKOWSKY):

H.R. 7096. A bill to establish the Office of Disability Congressional Research at the National Council on Disability; to the Committee on Education and the Workforce.

By Mr. NORMAN (for himself, Mr. GOSAR, and Mr. GAETZ):

H.R. 7097. A bill to amend title 10, United States Code, to require the establishment of a searchable database containing the names and citations of members of the Armed Forces who have been awarded the Purple Heart; to the Committee on Armed Services.

By Ms. NORTON:

H.R. 7098. A bill to amend title 40, United States Code, to remove the authority of the National Capital Planning Commission with respect to property owned by the District of Columbia, and for other purposes; to the Committee on Oversight and Government Reform.

By Miss RICE of New York:

H.R. 7099. A bill to amend title 23, United States Code, to establish national standards relating to sanctions for individuals who drive a motor vehicle, with a child passenger in the vehicle, while intoxicated or impaired, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SENSENBRENNER (for himself and Mr. NEAL):

H.R. 7100. A bill to add Ireland to the E-3 nonimmigrant visa program; to the Committee on the Judiciary.

By Mr. WELCH:

H.R. 7101. A bill to amend titles II and XIX of the Social Security Act remove the age limit on the Medicaid buy-program, to remove work restrictions on disabled adult children who have reached retirement age, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. EMMER (for himself, Mrs. HANDEL, Mr. WOODALL, and Mr. POLIQUIN):

H. Res. 1133. A resolution expressing support for the designation of the third Thursday in November as "National Pressure Ulcer/Injury Prevention Day" and promoting enhanced care coordination and prevention resources to reduce the development of pressure ulcers/injuries; to the Committee on Energy and Commerce.

By Ms. ADAMS (for herself, Mrs. RADEWAGEN, Ms. VELÁZQUEZ, Mr. HASTINGS, Ms. SCHAKOWSKY, Mr. LAWSON of Florida, Mr. EVANS, Mrs. MURPHY of Florida, Mr. COHEN, Ms. NORTON, Mr. DAVID SCOTT of Georgia, Ms. CLARKE of New York, Mr. GRIJALVA, Mr. SCHNEIDER, and Mr. ESPAILLAT):

H. Res. 1134. A resolution expressing support for the recognition of October as National Women's Small Business Month as a time to celebrate the growth and accomplishments of women entrepreneurs and small business owners, and to support efforts to increase awareness of the value of women-owned small businesses; to the Committee on Small Business.

By Mr. PAULSEN:

H. Res. 1135. A resolution raising awareness of the lifesaving role of three-dimensional (3D) digital breast tomosynthesis screening in detection and treatment of breast cancer; to the Committee on Energy and Commerce.

By Mr. THOMPSON of Pennsylvania (for himself and Mr. WELCH):

H. Res. 1136. A resolution expressing support for the designation of the week of October 24, 2018, to October 31, 2018, as "BatWeek"; to the Committee on Agriculture.

¶144.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 358: Mr. GOHMERT.
H.R. 564: Mr. BUCK.
H.R. 997: Mr. BERGMAN.
H.R. 1017: Mr. ROSS, Mr. MEEKS, Mr. CULBERSON, Ms. CHENEY, Mr. WILLIAMS, Mr. WELCH, Mr. WILSON of South Carolina, and Ms. KAPTUR.
H.R. 1270: Mr. GRIJALVA.
H.R. 1300: Ms. BASS.
H.R. 1318: Mr. SARBANES and Mr. SOTO.
H.R. 1322: Ms. ESTY of Connecticut.
H.R. 1498: Mr. CONNOLLY.
H.R. 1515: Mr. BROWN of Maryland.
H.R. 1874: Mr. RASKIN.
H.R. 1898: Ms. MATSUI and Mr. SMITH of Texas.
H.R. 2095: Ms. FRANKEL of Florida.
H.R. 2141: Mr. BLUM.
H.R. 2358: Mrs. BEATTY, Mr. HOLDING, and Mr. LIPINSKI.
H.R. 2417: Ms. WASSERMAN SCHULTZ and Mr. HECK.
H.R. 2452: Mr. SEAN PATRICK MALONEY of New York and Mr. KILDEE.
H.R. 2598: Mr. CORREA.
H.R. 2911: Mr. BACON.
H.R. 2925: Ms. NORTON.
H.R. 2944: Ms. SÁNCHEZ.
H.R. 3197: Mr. CLAY, Mr. GUTIÉRREZ, Mr. FOSTER, Mr. SERRANO, Mrs. BUSTOS, Mr. KEATING, and Mr. KIHUEN.
H.R. 3222: Mr. BROWN of Maryland.
H.R. 3520: Mr. BROWN of Maryland.
H.R. 3687: Mr. TAKANO.
H.R. 3730: Mr. DEUTCH and Mr. BISHOP of Michigan.
H.R. 3773: Mr. PRICE of North Carolina and Mr. LAWSON of Florida.
H.R. 3923: Mrs. LOWEY.
H.R. 3932: Mr. FITZPATRICK.
H.R. 3945: Ms. JAYAPAL and Mr. FITZPATRICK.
H.R. 3976: Mr. CARTWRIGHT.
H.R. 4107: Mr. LARSON of Connecticut, Mr. DESJARLAIS, Mr. KHANNA, Ms. BASS, and Mr. GRAVES of Georgia.
H.R. 4256: Mr. TURNER, Mr. COLE, Mr. CUELLAR, and Ms. MICHELLE LUJAN GRISHAM of New Mexico.
H.R. 4647: Mr. NOLAN, Mr. GONZALEZ of Texas, Mr. BUDD, Mr. THOMPSON of California, Mr. CASTRO of Texas, and Ms. PLASKETT.
H.R. 5003: Mrs. NAPOLITANO.
H.R. 5222: Mr. RUSH.
H.R. 5306: Ms. JENKINS of Kansas.
H.R. 5389: Mr. RASKIN and Mr. CICILLINE.
H.R. 5485: Mr. BACON.
H.R. 5618: Mr. DUFFY.
H.R. 5652: Mr. DESAULNIER.
H.R. 5671: Mr. DONOVAN, Mr. BROOKS of Alabama, and Mr. SMUCKER.
H.R. 5780: Mr. KEATING.
H.R. 5879: Mr. KINZINGER.
H.R. 5942: Ms. CASTOR of Florida.
H.R. 5965: Mr. ELLISON and Mr. RASKIN.
H.R. 5977: Mr. DEUTCH.
H.R. 5985: Mr. WELCH.
H.R. 6016: Mr. DANNY K. DAVIS of Illinois.
H.R. 6060: Mr. RASKIN.
H.R. 6062: Ms. NORTON and Mr. BISHOP of Georgia.
H.R. 6080: Mr. FOSTER.
H.R. 6081: Mr. HIGGINS of New York.
H.R. 6103: Mr. RASKIN.
H.R. 6114: Mr. EVANS.
H.R. 6224: Mr. COFFMAN and Mr. KATKO.
H.R. 6409: Mrs. HARTZLER.
H.R. 6427: Ms. JACKSON LEE.
H.R. 6455: Mrs. HARTZLER.
H.R. 6466: Ms. CLARKE of New York.
H.R. 6503: Ms. DELBENE.
H.R. 6504: Mr. JEFFRIES.
H.R. 6509: Mr. KATKO.
H.R. 6510: Mr. MARINO, Mr. EVANS, Mr. TROTT, Mr. DEUTCH, Mr. MARSHALL, Mr. ROUZER, and Mr. YODER.
H.R. 6543: Mr. JEFFRIES, Mr. DeFAZIO, Mr. NOLAN, and Ms. LOFGREN.
H.R. 6590: Mr. RASKIN.
H.R. 6635: Mr. CARSON of Indiana and Mr. SMUCKER.
H.R. 6647: Mrs. WALORSKI.
H.R. 6734: Mr. RATCLIFFE.
H.R. 6791: Mr. HASTINGS and Ms. SPEIER.
H.R. 6805: Ms. ROSEN.
H.R. 6813: Mr. YOUNG of Iowa.
H.R. 6869: Ms. FRANKEL of Florida.
H.R. 6876: Mr. MEEKS and Mr. SOTO.
H.R. 6899: Mr. DELANEY and Mr. PAULSEN.
H.R. 6931: Ms. MCCOLLUM.
H.R. 6932: Mr. FLORES.
H.R. 6933: Mr. BUCSHON, Mr. CULBERSON, and Mr. TURNER.
H.R. 6987: Mr. BEYER.
H.R. 7052: Mr. WELCH and Mrs. DAVIS of California.
H.R. 7059: Mr. JOHNSON of Ohio, Mr. GIBBS, Mr. SMITH of Texas, Mr. SENSENBRENNER, Mr. ROKITA, and Mr. HUDSON.
H.R. 7062: Mr. CLAY, Mr. GOMEZ, Mr. LOBIONDO, Mr. BEYER, Ms. SCHAKOWSKY, Ms. ADAMS, Mr. HIMES, Mr. HUFFMAN, Ms. MATSUI, Mr. BUTTERFIELD, Ms. STEFANIK, Mr. FASO, Mr. KHANNA, Mr. LOWENTHAL, Mr. TAKANO, Mr. TED LIEU of California, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. FOSTER, Mr. COHEN, Mr. CRIST, Mr. YOUNG of Alaska, and Ms. ESHOO.
H.R. 7063: Mr. COHEN.
H.R. 7073: Mr. BARLETTA.
H.R. 7082: Ms. CLARKE of New York, Mr. RUSH, Ms. ESHOO, Mr. DOGGETT, Ms. NORTON, and Ms. MOORE.
H. Con. Res. 123: Mr. BANKS of Indiana.
H. Con. Res. 138: Ms. WASSERMAN SCHULTZ, Mr. MEEKS, Ms. CLARK of Massachusetts, Mr. NOLAN, and Ms. BONAMICI.
H. Con. Res. 139: Mr. SMITH of Texas.
H. Res. 85: Mr. KILMER.
H. Res. 910: Mr. LOWENTHAL and Mr. SMITH of Washington.
H. Res. 967: Ms. ROSEN.
H. Res. 993: Ms. PINGREE.
H. Res. 1031: Mr. AL GREEN of Texas.
H. Res. 1034: Ms. WILSON of Florida, Mr. PETERSON, Mr. RATCLIFFE, Mr. GARAMENDI, and Mrs. NAPOLITANO.
H. Res. 1070: Mr. BANKS of Indiana.
H. Res. 1104: Ms. JUDY CHU of California.
H. Res. 1106: Mr. BANKS of Indiana.
H. Res. 1111: Mr. ESPAILLAT.
H. Res. 1122: Mr. SIRES and Ms. LOFGREN.
H. Res. 1129: Ms. JACKSON LEE.
H. Res. 1131: Ms. JACKSON LEE.

¶144.10 PETITIONS

Under clause 3 of rule XII,
123. The SPEAKER presented a petition of Gregory D. Watson, a citizen of Austin, TX, relative to requesting that Congress enact legislation that would uniformly mandate the immediate termination of the national security clearance of any person who has fully and completely ceased to occupy a position within the Federal Government — or within a corporation conducting business with the Federal Government or within a State or lower level of American government, or within the government of a foreign nation — that requires the holding of such a security clearance; which was referred to the Committee on Oversight and Government Reform.

TUESDAY, OCTOBER 30, 2018 (145)

¶145.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr.

ARRINGTON, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

October 30, 2018.

I hereby appoint the Honorable JODEY C. ARRINGTON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

145.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. ARRINGTON, announced that, pursuant to section 4(a) of House Resolution 1084, the Journal of the proceedings of Friday, October 26, 2018, was approved.

145.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6640. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Irish Potatoes Grown in Certain Designated Counties in Idaho, and Malheur Country, Oregon; Modification of Handling Regulations [Doc. No.: AMS-SC-17-0077; SC18-945-1 FIR] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6641. A letter from the Regulatory Review Group Director, Commodity Credit Corporation, Department of Agriculture, transmitting the Department's final rule — Supplemental Agricultural Disaster Assistance Programs, Payment Limitation and Payment Eligibility (RIN: 0560-AH69) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6642. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Tart Cherries Grown in the States of Michigan, et al.; Free and Restricted Percentages for the 2017-18 Crop Year for Tart Cherries [Doc. No.: AMS-SC-17-0071; SC18-930-1 FR] received October 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6643. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the 2017 Annual Report on the Farm Credit System, pursuant to Sec. 5.17(a)(3) of the Farm Credit Act of 1971, as amended (Public Law 92-181); to the Committee on Agriculture.

6644. A letter from the Under Secretary, Acquisition, Technology, and Logistics, Department of Defense, transmitting a report titled, "Failure of Contractors Participating Under the DoD Test Program for a Comprehensive Subcontracting Plan to Meet Their Negotiated Goals", pursuant to 15 U.S.C. 637 note; Public Law 114-92, Sec. 872(d)(2); (129 Stat. 939); to the Committee on Armed Services.

6645. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Vice Admiral Craig S. Faller, United States Navy, to wear the insignia of the grade of admiral, pursuant to 10 U.S.C. 777a(b)(4); Public Law 111-383, Sec. 505(a)(1); (124 Stat. 4208); to the Committee on Armed Services.

6646. A letter from the Assistant Secretary of Defense, Department of Defense, transmitting a report on wildfire suppression capabilities of the Active and Reserve Components of the Department of Defense, pursu-

ant to Public Law 115-232, Sec. 337(b); to the Committee on Armed Services.

6647. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; North Carolina: Chapel Hill, Town of, Durham and Orange Counties, et al. [Docket ID: FEMA-2018-0002; Internal Agency Docket No.: FEMA-8551] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6648. A letter from the Program Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule — Margin and Capital Requirements for Covered Swap Entities [Docket No.: OCC-2018-0003] (RIN: 1557-AE29) received October 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6649. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Responsibilities of Boards of Directors, Corporate Practices, and Corporate Governance (RIN: 2590-AA90) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6650. A letter from the Senior Counsel for Regulatory Affairs, Office of Investment Security, Department of the Treasury, transmitting the Department's interim rule — Provisions Pertaining to Certain Investments in the United States by Foreign Persons (RIN: 1505-AC60) received October 12, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6651. A letter from the Senior Counsel for Regulatory Affairs, Office of Investment Security, Department of the Treasury, transmitting the Department's interim rule — Determination and Temporary Provisions Pertaining to a Pilot Program to Review Certain Transactions Involving Foreign Persons and Critical Technologies (RIN: 1505-AC61) received October 12, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6652. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting the Office's report for the Supplemental Appropriations for Disaster Relief Act, 2018, pursuant to 2 U.S.C. 901(a)(7)(B); Public Law 99-177, Sec. 251(a)(7)(B) (as amended by Public Law 114-113, Sec. 1003); (129 Stat. 3035); to the Committee on the Budget.

6653. A letter from the Assistant General Counsel for Regulatory Services, Office of Postsecondary Education, Department of Education, transmitting the Department's final regulations — Outdated Regulations-Teacher Quality Enhancement Grants Program and Preparing Tomorrow's Teachers to Use Technology (PT3) Program (RIN: 1840-AD32; 1840-AD33) received October 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6654. A letter from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Owner-Participant Changes to Guaranteed Benefits and Asset Allocation (RIN: 1212-AB24) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6655. A letter from the Secretary, Department of Health and Human Services, transmitting a Declaration of a Public Health Emergency and Waiver and/or Modification

of Certain HIPAA, and Medicare, Medicaid, and Children's Health Insurance Program Requirements (Hurricane Michael on Florida), pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630) and 42 U.S.C. 1320b-5(d); Aug. 14, 1935, ch. 531, title XI, Sec. 1135(d) (as added by Public Law 107-188, Sec. 143(a)); (116 Stat. 628); to the Committee on Energy and Commerce.

6656. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyraclostrobin; Pesticide Tolerances [EPA-HQ-OPP-2017-0311; FRL-9980-56] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6657. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0414; FRL-9984-71] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6658. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination of Attainment by the Attainment Date and Clean Data Determination for the Logan, UT-ID 2006 24-Hour PM2.5 Nonattainment Area [EPA-R08-OAR-2018-0309 and EPA-R10-OAR-2018-0316; FRL-9985-28-Region 8 and Region 10] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6659. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Etoxazole; Pesticide Tolerances [EPA-HQ-OPP-2017-0273; FRL-9983-96] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6660. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Manufacture of Amino/Phenolic Resins Risk and Technology Review Reconsideration [EPA-HQ-OAR-2012-0133; FRL-9985-37-OAR] (RIN: 2060-AS79) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6661. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Update to Materials Incorporated by Reference [WV106-6044; FRL-9983-55-Region 3] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6662. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Attainment Plan for the Warren County, Pennsylvania Nonattainment Area for the 2010 Sulfur Dioxide Primary National Ambient Air Quality Standard [EPA-R03-OAR-2017-0578; FRL-9985-26-Region 3] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6663. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — Air Quality Designations for the 2015 Ozone National Ambient Air Quality Standards: Error Corrections [EPA-HQ-OAR-2017-0548; FRL-9985-35-OAR] (RIN: 2060-AU29) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6664. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Expedited Approval of Alternative Test Procedures for the Analysis of Contaminants under the Safe Drinking Water Act; Analysis and Sampling Procedures [EPA-HQ-OW-2018-0558; FRL-9985-19-OW] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6665. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Ohio; Approval of Sulfur Dioxide Regulations [EPA-R05-OAR-2017-0165; FRL-9985-13-Region 5] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6666. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final state agreement — State of Wyoming; Discontinuance of Certain Commission Regulatory Authority Within the State; Notice of Agreement Between the NRC and the State of Wyoming [NRC-2018-0104] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6667. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Physical Security — Combined License and Operating Reactors [NUREG-0800] (13.6.1) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6668. A letter from the Chairman, Nuclear Regulatory Commission, transmitting a report titled, "The 2018 Radiation Source Protection and Security Task Force Report", pursuant to 42 U.S.C. 2210h(f)(3)(B); Aug. 1, 1946, ch. 724, title I, Sec. 170H (as amended by Public Law 109-58, Sec. 651(d)); (119 Stat. 805); to the Committee on Energy and Commerce.

6669. A letter from the Division Chief, Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Toll Free Assignment Modernization [WC Docket No.: 17-192]; Toll Free Service Access Codes [CC Docket No.: 95-155] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6670. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

6671. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Wassenaar Arrangement 2017 Plenary Agreements Implementation [Docket No.: 170831854-7854-01] (RIN: 0694-AH44) received

October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6672. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 01-19, pursuant to the reporting requirements of Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6673. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-489, "Tipped Wage Workers Fairness Amendment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6674. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-477, "Ben's Chili Bowl Way Designation Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6675. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-476, "Rev. W.W. Flood Way Designation Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6676. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-475, "Outlaw Way Designation Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6677. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-474, "Mazie Washington Way Designation Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6678. A letter from the Chairman, Council of the District of Columbia, transmitting D.C. Act 22-473, "Office of and Commission on Nightlife and Culture Establishment Act of 2018", pursuant to Public Law 93-198, Sec. 602(c)(1); (87 Stat. 814); to the Committee on Oversight and Government Reform.

6679. A letter from the Executive Analyst (Political), Department of Health and Human Services, transmitting a notification of a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6680. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Water Quality Standards; Withdrawal of Certain Federal Water Quality Criteria Applicable to California: Lead, Chlorodibromomethane, and Dichlorobromomethane [EPA-HQ-OW-2017-0303; FRL-9985-34-OW] received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6681. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps' report on Ala Wai Canal Flood Risk Management Study O'ahu, Hawaii Feasibility Study with Integrated Environmental Impact Statement, Interim Final Report for May 2017 (H. Doc. No. 115—164); to the Committee on Transportation and Infrastructure and ordered to be printed.

6682. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps' report on St. Lucie County, Florida Coastal Storm Risk Management Project Final Integrated Feasibility Study and Environmental Assessment for August 2017 (H. Doc. No. 115—165); to the

Committee on Transportation and Infrastructure and ordered to be printed.

6683. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Notification of change in certain user fees for Form 8802 (Rev. Proc. 2018-50) received October 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6684. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Expenses for Business Meals Under Sec. 274 of the Internal Revenue Code (NOT-116824-18) [Notice 2018-76] received October 17, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6685. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance on Application of Sections 355/361 to Distributing's use of Controlled stock/securities to retire debt of Distributing (Rev. Proc. 2018-53) received October 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6686. A letter from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; CY 2019 Part A Premiums for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement [CMS-8069-N] (RIN: 0938-AT34) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6687. A letter from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting the Department's Security Privacy Office 2017 Data Mining Report to Congress, pursuant to 42 U.S.C. 2000ee-3(c)(1); Public Law 110-53, Sec. 804(c)(1); (121 Stat. 363); to the Committee on Homeland Security.

6688. A letter from the Regulations Coordinator, OACT, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; Medicare Part B Monthly Actuarial Rates, Premium Rates, and Annual Deductible Beginning January 1, 2019 [CMS-8070-N] (RIN: 0938-AT35) received October 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

And then,

¶145.4 ADJOURNMENT

The SPEAKER pro tempore, Mr. ARRINGTON, pursuant to section 4(b) of House Resolution 1084, at 1 o'clock and 2 minutes p.m., declared the House adjourned until 11:30 a.m. on Friday, November 2, 2018.

¶145.5 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5513. A bill to provide for an exchange of lands with San Bernardino County, California, to enhance management of lands within the San Bernardino National Forest, and for other

purposes; with an amendment (Rept. 115-996). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5787. A bill to amend the Coastal Barrier Resources Act to give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping of such units, and for other purposes; with an amendment (Rept. 115-997). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6118. A bill to direct the Secretary of the Interior to annually designate at least one city in the United States as an "American World War II Heritage City", and for other purposes (Rept. 115-998). Referred to the Committee of the Whole House on the state of the Union.

145.6 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. CASTOR of Florida (for herself and Ms. BLUNT ROCHESTER):

H.R. 7102. A bill to amend the Patient Protection and Affordable Care Act to provide for additional requirements with respect to the navigator program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DELANEY (for himself and Mr. STEWART):

H.R. 7103. A bill to authorize a pilot program under which the Secretary of Health and Human Services, acting through the Director of the Centers for Disease Control and Prevention, expands and intensifies surveillance of self-harm and suicidal ideation behavior in partnership with State and local public health departments, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BIGGS (for himself and Mr. JEFFRIES):

H.R. 7104. A bill to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering; to the Committee on the Judiciary.

By Mr. BRAT (for himself, Mrs. COMSTOCK, Mrs. RADEWAGEN, and Miss GONZÁLEZ-COLÓN of Puerto Rico):

H.R. 7105. A bill to amend title 38, United States Code, to ensure that certain health care contractors of the Department of Veterans Affairs are subject to Federal tort claims laws, to improve the accountability of physicians of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HUNTER:

H.R. 7106. A bill to amend title 13, United States Code, to provide that the penalty for refusing or neglecting to answer a decennial census question shall apply only to the extent necessary to allow the Government to obtain the information needed for its enumeration of the population, as required by the Constitution of the United States, as well as the enumeration of its citizen and noncitizen populations, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. JEFFRIES (for himself, Mr. SUOZZI, Mr. MEEKS, Mrs. CAROLYN B. MALONEY of New York, Mr. HIGGINS of New York, Ms. CLARKE of New York, Mr. AL GREEN of Texas, Mr. CLEAVER, Mr. CROWLEY, Mr. THOMPSON of Mississippi, Mr. RICHMOND, Mr. CARSON of Indiana, Ms. NORTON, Mr.

BROWN of Maryland, Mr. HASTINGS, Ms. KELLY of Illinois, Mrs. WATSON COLEMAN, Ms. FUDGE, Ms. LEE, Mr. SEAN PATRICK MALONEY of New York, Mr. ESPAILLAT, Mr. ENGEL, Mrs. LAWRENCE, Mr. CUMMINGS, Ms. PLASKETT, Ms. BLUNT ROCHESTER, Ms. BASS, Mr. BUTTERFIELD, Mr. ELLISON, Mrs. BEATTY, Mr. SERRANO, Mrs. LOWEY, Mr. TONKO, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. NADLER, Mr. LAWSON of Florida, Mr. EVANS, Mr. CLAY, Mr. SCOTT of Virginia, Ms. SEWELL of Alabama, Mr. DANNY K. DAVIS of Illinois, Miss RICE of New York, Ms. VELAZQUEZ, Ms. ADAMS, Mr. BISHOP of Georgia, Ms. WILSON of Florida, Ms. MENG, Mr. RUSH, Mr. JOHNSON of Georgia, Mr. DONOVAN, Ms. MOORE, and Mr. PAYNE):

H.R. 7107. A bill to posthumously award a Congressional gold medal to Shirley Chisholm; to the Committee on Financial Services.

By Mrs. LOWEY:

H.R. 7108. A bill to designate the Department of Veterans Affairs community clinic in New City, New York, as the "Jerry Donnellan VA Community Clinic"; to the Committee on Veterans' Affairs.

By Mr. NADLER (for himself, Mr.

SCOTT of Virginia, Mr. CICILLINE, Mr. JOHNSON of Georgia, Ms. JAYAPAL, Mr. CUMMINGS, Ms. MAXINE WATERS of California, Ms. LOFGREN, Ms. JACKSON LEE, Mr. DEUTCH, Mr. JEFFRIES, Ms. BASS, Mr. GUTIÉRREZ, Mr. SWALWELL of California, Mr. TAKANO, Ms. BONAMICI, Ms. WILSON of Florida, Ms. WASSERMAN SCHULTZ, Ms. HANABUSA, Ms. NORTON, Mrs. NAPOLITANO, Ms. CLARKE of New York, Mr. RYAN of Ohio, Ms. SCHAKOWSKY, Mr. MEEKS, Mr. LOWENTHAL, Mr. VELA, Mr. COURTNEY, Ms. DELAURO, Mr. NORCROSS, Ms. KAPTUR, Mrs. WATSON COLEMAN, Mrs. DINGELL, Mr. DESAULNIER, Ms. BARRAGAN, Mr. HASTINGS, Ms. ROYBAL-ALLARD, Mr. LYNCH, Mr. SOTO, Ms. BROWNLEY of California, Ms. LEE, Mr. GOMEZ, Mrs. DAVIS of California, Ms. ESHOO, Ms. SHEA-PORTER, Mr. TONKO, Mr. GARAMENDI, Mr. GRJALVA, Mr. PAYNE, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Mr. RASKIN, Mr. WELCH, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. MCEACHIN, Mr. KENNEDY, Ms. SPEIER, Mr. CARSON of Indiana, and Mr. TED LIEU of California):

H.R. 7109. A bill to prohibit forced arbitration in employment disputes, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PANETTA (for himself and Mr. VALADAO):

H.R. 7110. A bill to direct the Secretary of Agriculture to provide for prize competitions relating to specialty crop mechanization, and for other purposes; to the Committee on Agriculture.

By Miss RICE of New York (for herself and Mr. KING of New York):

H.R. 7111. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to increase transparency with respect to duplication of benefits requirements, to amend the Small Business Act to notify disaster loan recipients of their ability to refuse assistance, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Small Business, for a period

to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO (for himself, Mr. GARAMENDI, and Mr. AGUILAR):

H.R. 7112. A bill to improve the Higher Education Act of 1965, and for other purposes; to the Committee on Education and the Workforce.

By Mr. WESTERMAN (for himself, Ms.

WASSERMAN SCHULTZ, Ms. BROWNLEY of California, Mr. BUCSHON, Mr. DEUTCH, Mr. HILL, Mr. KILMER, Ms. JACKSON LEE, Ms. LOFGREN, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MOULTON, Mr. NOLAN, Ms. NORTON, Mr. PALAZZO, Mr. TAKANO, and Mr. YODER):

H. Res. 1137. A resolution calling on Congress, schools, and State and local educational agencies to recognize the significant educational implications of dyslexia that must be addressed, and expressing support for the designation of October 2018 as "National Dyslexia Awareness Month"; to the Committee on Education and the Workforce.

145.7 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 714: Mr. DAVIDSON.
H.R. 874: Mr. NORCROSS.
H.R. 1098: Mr. SIMPSON.
H.R. 1168: Mr. BLUM.
H.R. 1270: Mr. MOULTON.
H.R. 2315: Mr. GIANFORTE, Mr. SMITH of Texas, and Mr. RENACCI.
H.R. 2472: Ms. CASTOR of Florida, Ms. DELBENE, and Mr. CUMMINGS.
H.R. 3530: Mr. BARLETTA.
H.R. 3580: Ms. WILSON of Florida.
H.R. 3592: Ms. SCHAKOWSKY.
H.R. 3605: Ms. DELBENE.
H.R. 3666: Mr. CICILLINE and Mr. FITZPATRICK.
H.R. 3742: Ms. CLARKE of New York.
H.R. 3960: Mr. LIPINSKI.
H.R. 4030: Mr. TED LIEU of California.
H.R. 4152: Ms. FRANKEL of Florida.
H.R. 4198: Ms. EDDIE BERNICE JOHNSON of Texas and Mrs. WATSON COLEMAN.
H.R. 4638: Mr. BRADY of Pennsylvania, Mr. FITZPATRICK, and Mr. NOLAN.
H.R. 5171: Mr. SCHRADER.
H.R. 5301: Mr. STIVERS.
H.R. 5460: Mr. CARBAJAL and Mr. BACON.
H.R. 5734: Mr. POSEY.
H.R. 5911: Mrs. DINGELL.
H.R. 5921: Mr. MCNERNEY.
H.R. 5922: Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 6016: Ms. BASS.
H.R. 6184: Ms. FRANKEL of Florida.
H.R. 6495: Mr. KIHUEN and Ms. DELBENE.
H.R. 6581: Mr. POCAN.
H.R. 6611: Mr. GENE GREEN of Texas.
H.R. 6639: Ms. DEGETTE.
H.R. 6649: Ms. TITUS and Ms. CLARK of Massachusetts.
H.R. 6651: Mr. GARRETT.
H.R. 6759: Mr. FASO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. TONKO, Ms. LEE, Mr. MCGOVERN, and Mr. GALLEG0.
H.R. 6927: Mr. DANNY K. DAVIS of Illinois, Mr. LAMBORN, and Ms. MOORE.
H.R. 6986: Mr. PETERSON and Mr. MARSHALL.
H.R. 7059: Mr. COLLINS of Georgia, Mr. LAMALFA, Mr. HUNTER, and Mr. OLSON.
H.R. 7062: Ms. DELBENE, Mrs. DINGELL, Mr. DELANEY, Mr. COURTNEY, Mr. CUMMINGS, and Mr. GALLEG0.
H.R. 7066: Mrs. HARTZLER.
H.R. 7073: Mr. SMITH of Nebraska.

H.R. 7091: Mr. LOBIONDO.
H. Con. Res. 138: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. VELÁZQUEZ, Mr. HECK, and Mr. JOHNSON of Georgia.
H. Res. 318: Mr. BRADY of Texas.
H. Res. 864: Mr. CASTRO of Texas.
H. Res. 1111: Mr. KENNEDY.
H. Res. 1125: Mr. SUOZZI.
H. Res. 1133: Ms. PINGREE.

FRIDAY, NOVEMBER 2, 2018 (146)

¶146.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MESSER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
November 2, 2018.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶146.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to section 4(a) of House Resolution 1084, the Journal of the proceedings of Tuesday, October 30, 2018, was approved.

¶146.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6689. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Food Additives Permitted for Direct Addition to Food for Human Consumption; Styrene [Docket No.: FDA-2016-F-1444] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6690. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Food Additive Regulations; Synthetic Flavoring Agents and Adjuvants [Docket No.: FDA-2015-F-4317] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6691. A communication from the President of the United States, transmitting an Executive Order with respect to Venezuela that takes additional steps with respect to the national emergency declared in Executive Order 13692 of March 8, 2015, and relied upon for additional steps taken in Executive Order 13808 of August 24, 2017, Executive Order 13827 of March 19, 2018, and Executive Order 13835 of May 21, 2018, pursuant to 50 U.S.C. 1703(b); Public Law 95-223 Sec. 204(b); (91 Stat. 1627) (H. Doc. No. 115—167); to the Committee on Foreign Affairs and ordered to be printed.

6692. A communication from the President of the United States, transmitting notification that the national emergency, with respect to Sudan, originally declared in Executive Order 13067 of November 3, 1997, as amended, is to continue in effect beyond November 3, 2018, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—166); to the Committee on Foreign Affairs and ordered to be printed.

6693. A letter from the Deputy Assistant Administrator for Regulatory Programs,

NMFS, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Endangered and Threatened Wildlife and Plants; Final Rule To List the Chambered Nautilus as Threatened Under the Endangered Species Act [Docket No.: 160614518-8790-03] (RIN: 0648-XE685) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

6694. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Ohio River, Cincinnati, OH [Docket No.: USCG-2018-0855] (RIN: 1625-AA00) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6695. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Upper Mississippi River, Mile 182.5, St. Louis, MO [Docket No.: USCG-2018-0905] (RIN: 1625-AA00) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6696. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Trans-mission Line Survey, Tennessee River Mile Marker 300 to 302, Decatur, AL [Docket No.: USCG-2018-0937] (RIN: 1625-AA00) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6697. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary interim final rule — Safety Zone; North Hero-Grand Isle Bridge, Lake Champlain, VT [Docket No.: USCG-2018-0682] (RIN: 1625-AA00) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6698. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Willamette River, Portland, OR [Docket No.: USCG-2018-0901] (RIN: 1625-AA00) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6699. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Breton Bay, Leonardtown, MD [Docket No.: USCG-2018-0225] (RIN: 1625-AA08) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6700. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; Choptank River, Talbot and Dorchester Counties, MD [Docket No.: USCG-2018-0577] (RIN: 1625-AA08) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6701. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the De-

partment's temporary final rule — Safety Zone; Cape Fear River, Wilmington, NC [Docket No.: USCG-2018-0920] (RIN: 1625-AA00) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6702. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Straits of Mackinac [Docket No.: USCG-2018-0563] (RIN: 1625-AA11) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6703. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Regulated Navigation Area; Upper Mississippi River, Sabula Railroad Drawbridge, Mile Marker 535, Sabula, IA [Docket No.: USCG-2018-0917] (RIN: 1625-AA11) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6704. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Intra-coastal Waterway, Biscayne Bay, Miami, FL [Docket No.: USCG-2018-0731] (RIN: 1625-AA00) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6705. A letter from the United States Trade Representative, Executive Office of the President, transmitting reports regarding a trade agreement with Mexico and Canada, pursuant to 19 U.S.C. 2155(e)(1); Public Law 93-618, Sec. 135(e)(1); (88 Stat. 1997); to the Committee on Ways and Means.

And then,

¶146.4 ADJOURNMENT

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 4(b) of House Resolution 1084, at 11 o'clock and 33 minutes a.m., declared the House adjourned until 2:30 p.m. on Tuesday, November 6, 2018.

¶146.5 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3117. A bill to prohibit the Secretary of Energy, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, and the Chair of the Council on Environmental Quality from considering the social cost of carbon, the social cost of methane, or the social cost of nitrous oxide, in taking any action, and for other purposes; with an amendment (Rept. 115-999, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 4239. A bill to distribute revenues from oil and gas leasing on the outer Continental Shelf to certain coastal States, to require sale of approved offshore oil and gas leases, to promote offshore wind lease sales, and to empower States to manage the development and production of oil and gas on available Federal land, and for other purposes; with an amendment (Rept. 115-1000). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 4419. A bill to facilitate and streamline the Bureau of Reclamation and Bureau of Indian Affairs processes for creating or expanding certain water projects, and for other purposes; with an amendment (Rept. 115-1001). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5347. A bill to facilitate resolution of environmental remediation and reclamation, resolve potential liability of the United States, and promote economic development in Lyon County, Nevada, and for other purposes; with an amendment (Rept. 115-1002). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. H.R. 6032. A bill to direct the Secretary of Commerce to conduct a study and submit to Congress a report on the state of the internet-connected devices industry in the United States (Rept. 115-1003). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6107. A bill to clarify that Bureau of Land Management shall not require permits for oil and gas activities conducted on non-Federal surface estate to access subsurface mineral estate that is less than 50 percent Federally owned, and for other purposes; with an amendment (Rept. 115-1004). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6087. A bill to authorize the Secretary of the Interior to recover the cost of processing administrative protests for oil and gas lease sales, applications for permits to drill, and right of way applications, and for other purposes; with an amendment (Rept. 115-1005). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6434. A bill to amend section 7 of Public Law 100-515 (16 U.S.C. 1244 note) to promote continued use of the James J. Howard Marine Sciences Laboratory at Gateway National Recreation Area by the National Oceanic and Atmospheric Administration (Rept. 115-1006). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3626. A bill to amend the Bank Service Company Act to provide improvements with respect to State banking agencies, and for other purposes; with amendments (Rept. 115-1007). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 3861. A bill to reform the Federal Insurance Office of the Department of the Treasury, and for other purposes; with an amendment (Rept. 115-1008). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6035. A bill to direct the Securities and Exchange Commission to revise section 230.163 of title 17, Code of Federal Regulations, to apply the exemption offered in such section to communications made by underwriters and dealers acting by or on behalf of a well-known seasoned issuer (Rept. 115-1009). Referred to the Committee of the Whole House on the state of the Union.

146.6 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. ROBY:

H.R. 7113. A bill to amend title 18, United States Code, to clarify the definition of crime of violence, and for other purposes; to the Committee on the Judiciary.

By Ms. MENG:

H.R. 7114. A bill to require the Administrator of the Federal Emergency Management Agency to encourage States and localities to adopt policies pertaining to the safe relocation of prisoners during major disasters and emergencies; to the Committee on Transportation and Infrastructure.

By Mr. PALLONE (for himself, Mr. SIREN, Ms. NORTON, Mr. CÁRDENAS, Mr. KHANNA, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. HASTINGS, Ms. CLARKE of New York, Mr. CARBAJAL, Mr. SOTO, Mr. MCGOVERN, Ms. KELLY of Illinois, and Mr. RUSH):

H.R. 7115. A bill to prohibit the sale, acquisition, distribution in commerce, or import into the United States of certain firearm receiver castings or blanks, assault weapon parts kits, and machinegun parts kits and the marketing or advertising of such castings or blanks and kits on any medium of electronic communications, to require home-made firearms to have serial numbers, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

146.7 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 427: Mr. COHEN.
H.R. 592: Mr. GAETZ.
H.R. 785: Mr. HILL.
H.R. 813: Mr. COHEN.
H.R. 908: Mr. HIGGINS of New York.
H.R. 930: Mr. TAYLOR.
H.R. 1038: Mr. ROGERS of Kentucky.
H.R. 1270: Mr. CLEAVER.
H.R. 1318: Mr. DELANEY and Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 1322: Mr. THOMPSON of Mississippi, Ms. MENG, and Mr. SHERMAN.
H.R. 1456: Mr. EMMER.
H.R. 1517: Mr. COHEN.
H.R. 1560: Mr. COHEN.
H.R. 1606: Ms. CLARKE of New York and Mr. POSEY.
H.R. 1827: Mr. COHEN.
H.R. 1881: Mr. RATCLIFFE.
H.R. 1904: Mr. GIANFORTE.
H.R. 1939: Mr. COHEN.
H.R. 2000: Mr. COHEN.
H.R. 2060: Mr. COHEN.
H.R. 2315: Mr. HILL.
H.R. 2358: Ms. BARRAGÁN, Mr. PAYNE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. YOUNG of Iowa, Mr. LEWIS of Minnesota, and Mr. EMMER.
H.R. 2417: Ms. FUDGE, Mr. EVANS, and Mr. CICCILLINE.
H.R. 2418: Ms. CLARKE of New York.
H.R. 2436: Ms. HANABUSA.
H.R. 2790: Mr. BEN RAY LUJÁN of New Mexico.
H.R. 2797: Mr. CLEAVER.
H.R. 2999: Mr. COHEN.
H.R. 3038: Mr. COHEN.
H.R. 3067: Ms. WASSERMAN SCHULTZ.
H.R. 3098: Mr. COHEN.
H.R. 3273: Mrs. LOWEY.
H.R. 3592: Mr. CLAY.
H.R. 3716: Ms. JUDY CHU of California.
H.R. 3923: Ms. SPEIER.
H.R. 4065: Ms. NORTON.
H.R. 4107: Mr. ZELDIN, Mr. EVANS, and Mr. CLAY.

H.R. 4114: Mr. LAWSON of Florida.
H.R. 4143: Mr. SAM JOHNSON of Texas.
H.R. 4156: Mr. CLAY.
H.R. 4253: Mr. CLAY, Mr. JEFFRIES, and Mr. CORREA.
H.R. 4426: Ms. JUDY CHU of California.
H.R. 4471: Mr. LAMB.
H.R. 4527: Ms. JACKSON LEE.
H.R. 4548: Mr. CLAY.
H.R. 4732: Mr. HASTINGS and Ms. DELAULO.
H.R. 5060: Ms. JACKSON LEE.
H.R. 5162: Mr. COHEN.
H.R. 5222: Ms. JACKSON LEE.
H.R. 5282: Mr. NEWHOUSE.
H.R. 5401: Mr. CLAY.
H.R. 5460: Mr. VELA, Mr. MCCAUL, Mrs. DAVIS of California, Ms. CLARKE of New York, Ms. NORTON, Mrs. WATSON COLEMAN, Mr. JEFFRIES, Mr. CARTWRIGHT, Mr. LOWENTHAL, and Mr. BLUMENAUER.
H.R. 5507: Mr. COHEN.
H.R. 5596: Mr. CARTWRIGHT.
H.R. 5918: Mr. CLAY.
H.R. 6016: Mr. CLAY.
H.R. 6085: Mr. FITZPATRICK and Ms. ROYBAL-ALLARD.
H.R. 6288: Ms. JACKSON LEE.
H.R. 6406: Miss GONZÁLEZ-COLÓN of Puerto Rico and Ms. JACKSON LEE.
H.R. 6410: Ms. MENG.
H.R. 6510: Mr. LARSON of Connecticut, Mr. SARBANES, and Mr. CUELLAR.
H.R. 6545: Mr. PASCRELL.
H.R. 6557: Mr. DESJARLAIS.
H.R. 6624: Mr. ADERHOLT.
H.R. 6631: Ms. HANABUSA.
H.R. 6681: Mr. LIPINSKI.
H.R. 6692: Mr. RASKIN.
H.R. 6723: Mr. DUNCAN of South Carolina.
H.R. 6734: Mr. HOLDING.
H.R. 6759: Mr. BRENDAN F. BOYLE of Pennsylvania and Mr. NOLAN.
H.R. 6824: Mr. COFFMAN.
H.R. 6835: Mr. HUIZENGA.
H.R. 6840: Mr. LARSEN of Washington.
H.R. 6927: Mr. NEWHOUSE.
H.R. 6987: Mr. TAKANO.
H.R. 6989: Mrs. LESKO.
H.R. 7051: Mrs. LESKO.
H.R. 7059: Mr. FLORES, Mr. ROE of Tennessee, Mr. LUETKEMEYER, and Mr. SMITH of Nebraska.
H.R. 7062: Mr. FRELINGHUYSEN and Ms. JUDY CHU of California.
H.R. 7107: Mr. KING of New York.
H. Con. Res. 10: Mr. ELLISON.
H. Con. Res. 64: Mr. COHEN.
H. Con. Res. 138: Mr. LABRADOR, Mr. SCHNEIDER, Mrs. CAROLYN B. MALONEY of New York, Mr. DOGGETT, Mr. RUSH, Mr. LIPINSKI, Mr. COHEN, and Mrs. WATSON COLEMAN.
H. Res. 31: Mr. NEWHOUSE.
H. Res. 673: Mr. BRAT.
H. Res. 809: Mr. BANKS of Indiana.
H. Res. 906: Mr. BANKS of Indiana.
H. Res. 932: Mrs. WAGNER.
H. Res. 991: Mr. WEBER of Texas.
H. Res. 993: Mr. NEWHOUSE.
H. Res. 1026: Mrs. HANDEL.
H. Res. 1031: Mr. CLEAVER.

TUESDAY, NOVEMBER 6, 2018 (147)

147.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MESSER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

November 6, 2018.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶147.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to section 4(a) of House Resolution 1084, the Journal of the proceedings of Friday, November 2, 2018, was approved.

¶147.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6706. A letter from the Deputy Assistant Secretary for Budget and Programs, Department of Transportation, transmitting an alleged violation of the Antideficiency Act, pursuant to Sec. 145.8 of the Office of Management and Budget Circular A-11 (2018); to the Committee on Appropriations.

6707. A letter from the Secretary, Department of the Treasury, transmitting a report of two violations of the Antideficiency Act, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

6708. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's interim final temporary rule — Regulation Crowdfunding and Regulation A Relief and Assistance for Victims of Hurricane Michael [Release No.: 33-10567] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6709. A letter from the Secretary, Department of Health and Human Services, transmitting a renewed determination that a public health emergency exists nationwide as a result of the consequences of the opioid crisis, pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630); to the Committee on Energy and Commerce.

6710. A letter from the Secretary, Department of Health and Human Services, transmitting a Declaration of a Public Health Emergency and Waiver and/or Modification of Certain HIPAA, and Medicare, Medicaid, and Children's Health Insurance Program Requirements (Typhoon Yutu on the Commonwealth of the Northern Mariana Islands), pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630) and 42 U.S.C. 1320b-5(d); Aug. 14, 1935, ch. 531, title XI, Sec. 1135(d) (as added by Public Law 107-188, Sec. 143(a)); (116 Stat. 628); to the Committee on Energy and Commerce.

6711. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report titled "National Plan to Address Alzheimer's Disease: 2018 Update", pursuant to 42 U.S.C. 11225(g); Public Law 111-375, Sec. 2(g); (124 Stat. 4102); to the Committee on Energy and Commerce.

6712. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report titled, "An Evaluation of the Advisory Committee on Immunization Practices", pursuant to Section 3092 of the 21st Century Cures Act of 2016; to the Committee on Energy and Commerce.

6713. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a Report to Congress on Bipartisan Budget Act of 2018 — Title III — Section 20301: Hurricane Maria Relief for Puerto Rico and the Virgin Islands Medicaid Program; to the Committee on Energy and Commerce.

6714. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyroxasulfone; Pesticide

Tolerances [EPA-HQ-OPP-2017-0334; FRL-9983-29] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6715. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tetrahydrofurfuryl Alcohol; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2013-0098; FRL-9984-70] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6716. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prothioconazole; Pesticide Tolerances [EPA-HQ-OPP-2017-0531; FRL-9984-63] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6717. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants; Delegation of Authority to Oklahoma [EPA-R06-OAR-2008-0063; FRL-9985-49-Region 6] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6718. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Boscalid; Pesticide Tolerances [EPA-HQ-OPP-2017-0310; FRL-9979-17] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6719. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Louisiana's Request to Relax the Federal Reid Vapor Pressure (RVP) Gasoline Standard for the Baton Rouge Area [EPA-HQ-OAR-2018-0172; FRL-9985-76-OAR] (RIN: 2060-AT91) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6720. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Wisconsin; VOC Definition Update and Removal of Obsolete Gasoline Vapor Recovery Regulations [EPA-R05-OAR-2017-0279; FRL-9985-30-Region 5] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6721. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina; Update to Materials Incorporated by Reference [NC-2018; FRL-9974-83-Region 4] received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6722. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Burundi that was declared in Executive Order 13712 of November 22, 2015, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6723. A letter from the Deputy Assistant Secretary, Bureau of Legislative Affairs, De-

partment of State, transmitting a report pursuant to Sec. 804 of the Palestine Liberation Organization Commitments Compliance Act of 1989 (Title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Public Law 101-246)), as amended, and Secs. 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 ("the Act", Public Law 107-228); to the Committee on Foreign Affairs.

6724. A letter from the Assistant Director, OSD SEMO, Department of Defense, transmitting a notification of a nomination and an action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6725. A letter from the Assistant Director, OSD SEMO, Department of Defense, transmitting a notification of a designation of acting officer an action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6726. A letter from the Assistant Director, OSD SEMO, Department of Defense, transmitting a notification of an action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6727. A letter from the Assistant Director, OSD SEMO, Department of Defense, transmitting a notification of a vacancy and an action on nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6728. A letter from the Assistant Director, OSD SEMO, Department of Defense (Army), transmitting a notification of an action on nomination and a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6729. A letter from the Chairman, Board of Trustees and President, John F. Kennedy Center for the Performing Arts, transmitting the Center's audited financial statements for the fiscal years ending October 1, 2017 and October 2, 2016, pursuant to 5 U.S.C. app. 8G(h)(2); Public Law 95-452, Sec. 8G(h)(2) (as added by Public Law 100-504, Sec. 104(a)); (102 Stat. 2525); to the Committee on Oversight and Government Reform.

6730. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's Strategic Plan for Fiscal Years 2018 through 2022, pursuant to 5 U.S.C. 306(a); Public Law 103-62, Sec. 3 (as amended by Public Law 111-352, Sec. 2); (124 Stat. 3866); to the Committee on Oversight and Government Reform.

6731. A letter from the Secretary, Department of Health and Human Services, transmitting a petition filed on behalf of workers at the Sandia National Laboratories in Albuquerque, New Mexico, to be added to the Special Exposure Cohort, pursuant to 42 U.S.C. 7384q(c)(2); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3166(b)(1)); (118 Stat. 2188); to the Committee on the Judiciary.

6732. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Lower Mississippi River, Mile Markers 94 to 95 Above Head of Passes, New Orleans, LA [Docket No.: USCG-2018-0619] (RIN: 1625-AA00) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6733. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's

final rule — Ballast Water Management-Annual Reporting Requirement [Docket No.: USCG-2018-0245] (RIN: 1625-AC45) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6734. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Atlantic Intracoastal Waterway, Palm Beach, FL [Docket No.: USCG-2017-0273] (RIN: 1625-AA09) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6735. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Pensacola, FL, and Establishment of Class E Airspace; Milton, FL [Docket No.: FAA-2018-0062; Airspace Docket No.: 18-ASO-3] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6736. A communication from the President of the United States, transmitting notification of the intent to terminate the designation of the Islamic Republic of Mauritania as a beneficiary sub-Saharan African country under the African Growth and Opportunity Act as of January 1, 2019, pursuant to 19 U.S.C. 2466a(c)(2); Public Law 93-618, Sec. 506A(c)(2) (as added by Public Law 114-27, Sec. 105(b)(2)); (129 Stat. 366) (H. Doc. No. 115—168); to the Committee on Ways and Means and ordered to be printed.

6737. A letter from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Department of Health and Human Services, transmitting the Department's notice — Medicare Program; CY 2019 Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts [CMS-8068-N] (RIN: 0938-AT33) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6738. A letter from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Department of Homeland Security, transmitting the Department's notice — Medicare Program; CY 2019 Part A Premiums for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement [CMS-8069-N] (RIN: 0938-AT34) received October 22, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6739. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Notice Regarding Certain Church Plan Clarifications under Section 336 of the PATH Act [Notice 2018-81] received October 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6740. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance under Sections 36B, 5000A, and 6011 on the suspension of personal exemption deductions [Notice 2018-84] received October 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6741. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Special Rules for Capital Gains In-

vested in Opportunity Zones, RR-123479-18 (Revenue Ruling 2018-29) received October 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6742. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Single Security Initiative (Section 817) (Rev. Proc. 2018-54) received October 24, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6743. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a revised report entitled, "Annual Report to Congress on the Medicare and Medicaid and Medicaid Integrity Programs for Fiscal Year (FY) 2016", pursuant to 42 U.S.C. 1395ddd(i)(2); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1893(i)(2) (as amended by Public Law 111-148, Sec. 6402(j)(1)(B)); (124 Stat. 762) and 42 U.S.C. 1396u-6(e)(5); Aug. 14, 1935, ch. 531, Sec. 1936(e)(5) (as added by Public Law 109-171, Sec. 6034(a)(2)); (120 Stat. 76); jointly to the Committees on Energy and Commerce and Ways and Means.

6744. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare and Medicaid Programs; CY 2019 Home Health Prospective Payment System Rate Update and CY 2020 Case-Mix Adjustment Methodology Refinements; Home Health Value-Based Purchasing Model; Home Health Quality Reporting Requirements; Home Infusion Therapy Requirements; and Training Requirements for Surveyors of National Accrediting Organizations [CMS-1689-FC] (RIN: 0938-AT29) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

6745. A letter from the Correspondence and Regulations Specialist, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program: Changes to Hospital Outpatient Prospective Payment and Ambulatory Surgical Center Payment Systems and Quality Reporting Programs [CMS-1695-FC] (RIN: 0938-AT30) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

6746. A letter from the Secretary, Department of Commerce, transmitting a draft of legislation establishing the Bureau of Space Commerce, within the Department of Commerce; jointly to the Committees on Science, Space, and Technology and Oversight and Government Reform.

And then,

¶147.4 ADJOURNMENT

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 4(b) of House Resolution 1084, at 2 o'clock and 32 minutes p.m., declared the House adjourned until 10:30 a.m. on Friday, November 9, 2018.

¶147.5 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 4302. A bill to amend the

Federal Reserve Act to create congressional accountability for emergency lending programs, and for other purposes (Rept. 115-1010, Pt. 1). Ordered to be printed.

Mr. BRADY of Texas: Committee on Ways and Means. H.R. 6377. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to provide alternative minimum funding rules for a certain single-employer plans maintained by a community newspaper; with an amendment (Rept. 115-1011, Pt. 1). Ordered to be printed.

¶147.6 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 4302. Referral to the Committee on Rules extended for a period ending not later than December 7, 2018.

¶147.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DESAULNIER:

H.R. 7116. A bill to amend the Public Health Service Act to establish a grant program to provide self-harm and suicide prevention services in primary care offices, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DESAULNIER:

H.R. 7117. A bill to direct the Chairman of the Federal Trade Commission to establish a task force for the purpose of studying the effects of automated accounts on social media, public discourse, and elections, and for other purposes; to the Committee on Energy and Commerce.

By Mr. JEFFRIES (for himself, Ms.

BASS, Ms. CLARKE of New York, Mr. CLAY, Mr. COHEN, Mr. DANNY K. DAVIS of Illinois, Ms. DELAUNO, Mr. HASTINGS, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Ms. LOFGREN, Mr. NADLER, Ms. NORTON, Mr. RICHMOND, Mr. SERRANO, and Ms. LEE):

H.R. 7118. A bill to amend section 242 of title 18, United States Code, to forbid the use of chokeholds by persons subject to that provision's prohibitions, and for other purposes; to the Committee on the Judiciary.

By Mr. MICHAEL F. DOYLE of Penn-

sylvania (for himself, Mrs. LOWEY, Mr. SMITH of New Jersey, Mr. ENGEL, Ms. ROS-LEHTINEN, Mr. DEUTCH, Ms. GRANGER, Mr. VEASEY, and Mr. ROSKAM):

H. Res. 1138. A resolution condemning the anti-Semitic attack on the building housing three congregations, Tree of Life, Dor Hadash, and New Light, honoring the memory of the victims of the attack, and offering condolences to and expressing support for their families, friends, and community; to the Committee on Oversight and Government Reform.

¶147.8 MEMORIALS

Under clause 3 of rule XII,

267. The SPEAKER presented a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 421, urging the Congress of the United States to pass the language from the Hemp Farming Act of 2018, as contained in the Farm Bill of 2018, removing industrial hemp from the Schedule I Controlled Substance List and legalizing commercial industrial hemp production in the United States; which was referred to the Committee on Agriculture.

¶147.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 191: Mr. COHEN.
H.R. 1141: Mr. COHEN.
H.R. 1318: Mrs. NAPOLITANO.
H.R. 2095: Ms. SPEIER, Ms. WASSERMAN SCHULTZ, and Mr. RASKIN.
H.R. 2150: Mr. RUSH.
H.R. 2418: Mr. RASKIN.
H.R. 2476: Mr. COHEN.
H.R. 2498: Mr. BROWN of Maryland and Mr. PRICE of North Carolina.
H.R. 2574: Mr. COHEN.
H.R. 4229: Mr. CLAY.
H.R. 4415: Mr. GARAMENDI, Mr. PANETTA, Mr. KHANNA, Ms. BORDALLO, Ms. HANABUSA, and Mr. THOMPSON of California.
H.R. 4588: Mr. JODY B. HICE of Georgia.
H.R. 4846: Mr. LARSON of Connecticut and Mr. BEYER.
H.R. 4944: Mr. POCAN.
H.R. 5115: Mrs. BEATTY and Mr. MAC-ARTHUR.
H.R. 5121: Ms. ESHOO.
H.R. 5460: Mr. EVANS.
H.R. 5671: Mr. VISCLOSKEY.
H.R. 5782: Mr. RASKIN and Mr. WELCH.
H.R. 5885: Mr. GRIJALVA, Mrs. CAROLYN B. MALONEY of New York, and Mr. TED LIEU of California.
H.R. 5911: Mr. GUTIÉRREZ.
H.R. 5985: Ms. CASTOR of Florida.
H.R. 6033: Mr. MEEKS.
H.R. 6080: Mr. JEFFRIES, Mr. WELCH, and Mr. CLAY.
H.R. 6224: Mr. WILSON of South Carolina.
H.R. 6296: Mr. SANFORD.
H.R. 6410: Mr. LARSON of Connecticut.
H.R. 6543: Mr. PANETTA, Mr. LARSON of Connecticut, Mr. CARBAJAL, and Mr. CLYBURN.
H.R. 6609: Ms. KAPTUR.
H.R. 6689: Mr. PAULSEN.
H.R. 6932: Mr. CLAY.
H.R. 7059: Mr. ROGERS of Alabama.
H.R. 7082: Mr. NADLER.
H.R. 7086: Mr. POCAN.
H. Res. 910: Mr. HULTGREN.
H. Res. 1055: Mr. MCGOVERN.
H. Res. 1124: Ms. SPEIER.

¶147.10 PETITIONS

Under clause 3 of rule XII,

124. The SPEAKER presented a petition of Gregory D. Watson, a citizen of Austin, TX, relative to requesting the enactment of legislation to amend Section 31 of U.S.C. 5103 so as to universally require the acceptance of government-produced United States currency throughout the United States as legal tender for all debts public and private and stipulating that a refusal to accept cash — not exceeding the amount actually due and not involving more than 50 coins — as payment shall extinguish the debt; which was referred to the Committee on Financial Services.

FRIDAY, NOVEMBER 9, 2018 (148)

¶148.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MCHENRY, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

November 9, 2018.

I hereby appoint the Honorable PATRICK T. MCHENRY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶148.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MCHENRY, announced that, pursuant to section 4(a) of House Resolution 1084, the Journal of the proceedings of Tuesday, November 6, 2018, was approved.

¶148.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6747. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting a report titled, "Failure of Contractors Participating Under the DoD Test Program for a Comprehensive Subcontracting Plan to Meet Their Negotiated Goals", October 2018, pursuant to 15 U.S.C. 637 note; Public Law 114-92, Sec. 872(d)(2); (129 Stat. 939); to the Committee on Armed Services.

6748. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Admiral Kurt W. Tidd, United States Navy, and his advancement to the grade of admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6749. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John D. Bansemer, United States Air Force, and his advancement to the grade of lieutenant general on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

6750. A communication from the President of the United States, transmitting notification that the continuation of the national emergency with respect to the proliferation of weapons of mass destruction that was declared in Executive Order 12938 of November 14, 1994, as amended, is to continue in effect beyond November 14, 2018, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—169); to the Committee on Foreign Affairs and ordered to be printed.

6751. A communication from the President of the United States, transmitting notification that the national emergency with respect to Iran, declared in Executive Order 12170 of November 14, 1979, is to continue in effect beyond November 14, 2018, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—170); to the Committee on Foreign Affairs and ordered to be printed.

6752. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, Belfast, ME [Docket No.: FAA-2018-0199; Airspace Docket No.: 18-ANE-3] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6753. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, Knoxville, TN; and Establishment of Class E Airspace, Madisonville, TN [Docket No.: FAA-2017-1214; Airspace Docket No.: 17-ASO-24] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6754. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Beaver Falls, PA; and Zellenople, PA [Docket No.: FAA-2017-0954; Airspace Docket No.: 17-AEA-16] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6755. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Burlington, WI [Docket No.: FAA-2017-0145; Airspace Docket No.: 17-AGL-4] received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6756. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Glen Ullin, ND [Docket No.: FAA-2018-0312; Airspace Docket No.: 18-AGL-07] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6757. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31213; Amdt. No.: 3817] received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6758. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31214; Amdt. No.: 3818] received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6759. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Lewiston, ID [Docket No.: FAA-2018-0896; Airspace Docket No.: 18-ANM-14] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6760. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Transport Airplane Fuel Tank and System Lightning Protection [Docket No.: FAA-2014-1027; Amdt. No.: 25-146] (RIN: 2120-AK24) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6761. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Removal of Flight Plan Requirements for Commercial Air Tour Operations Within the Special Flight Rules Area at Grand Canyon National Park [Docket No.: FAA-2018-0851; Amdt. Nos.: 93-102] (RIN: 2120-AL22) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6762. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2018-0359; Product Identifier 2018-NM-040-AD; Amendment 39-19405; AD 2018-19-05] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6763. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Leonardo S.p.A. (Type Certificate Previously Held by Finmeccanica S.p.A., AgustaWestland S.p.A) Helicopters [Docket No.: FAA-2017-0619; Product Identifier 2016-SW-093-AD; Amendment 39-19408; AD 2018-19-08] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6764. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Zodiac Seats France, Cabin Attendant Seats [Docket No.: FAA-2017-0688; Product Identifier 2017-NE-23-AD; Amendment 39-19353; AD 2018-16-13] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6765. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0505; Product Identifier 2017-NM-178-AD; Amendment 39-19419; AD 2018-19-19] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6766. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0414; Product Identifier 2017-NM-159-AD; Amendment 39-19417; AD 2018-19-17] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6767. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program: End-Stage Renal Disease Prospective Payment System, Payment for Renal Dialysis Services Furnished to Individuals with Acute Kidney Injury, End-Stage Renal Disease Quality Incentive Program, Durable Medical Equipment, Prosthetics, Orthotics and Supplies (DMEPOS) Competitive Bidding Program (CBP) and Fee Schedule Amounts, and Technical Amendments to Correct Existing Regulations Related to the CBP for Certain DMEPOS [CMS-1691-F] (RIN: 0938-AT28) November 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

6768. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program: Revisions to Payment Policies under the Physician Fee Schedule and Other Revisions to

Part B for CY 2019; Medicare Shared Savings Program Requirements; Quality Payment Program; Medicaid Promoting Interoperability Program; etc. [CMS-1693-F, CMS-1693-IFC, CMS-5522-F3, and CMS-1701-F] (RIN: 0938-AT31, 0938-AT13, and 0938-AT45) received November 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

¶148.4 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on October 24, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 6870. An Act to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter.

H.R. 6896. An Act to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

H.R. 3834. An Act to provide that members of public safety agencies who died of 9/11-related health conditions are eligible for the Presidential 9/11 Heroes Medal of Valor, and for other purposes.

H.R. 6758. An Act to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women, minorities, and veterans in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office's authority to set the amounts for the fees it charges, and for other purposes.

H.R. 1037. An Act to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

And then,

¶148.5 ADJOURNMENT

The SPEAKER pro tempore, Mr. MCHENRY, pursuant to section 4(b) of House Resolution 1084, at 10 o'clock and 32 minutes a.m., declared the House adjourned until 2 p.m. on Tuesday, November 13, 2018.

¶148.6 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6784. A bill to provide for removal of the gray wolf in the contiguous 48 States from the List of Endangered and Threatened Wildlife published under the Endangered Species Act of 1973 (Rept. 115-1012). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2365. A bill to convey certain Federal land in California to Apple Valley, California, Twentynine Palms, California, Barstow, California, and Victorville, California; with an amendment (Rept. 115-1013). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROYCE of California: Committee on Foreign Affairs. H.R. 6651. A bill to extend

certain authorities relating to United States efforts to combat HIV/AIDS, tuberculosis, and malaria globally, and for other purposes; with an amendment (Rept. 115-1014). Referred to the Committee of the Whole House on the state of the Union.

¶148.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. CLARKE of New York (for herself, Ms. LEE, Mr. LEWIS of Georgia, Mr. LARSEN of Washington, Ms. NORTON, Mr. BISHOP of Georgia, Ms. BASS, Mr. JEFFRIES, Ms. WASSERMAN SCHULTZ, Mr. COHEN, Mr. BRADY of Pennsylvania, Mr. HASTINGS, Mr. LOWENTHAL, Mr. PAYNE, Mr. RUSH, Mr. DANNY K. DAVIS of Illinois, Ms. JAYAPAL, Mr. MEEKS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. MOORE, Ms. DELBENE, Mr. CLEAVER, Mr. CLAY, Ms. KELLY of Illinois, Mr. ESPAILLAT, Mr. SCOTT of Virginia, Ms. WILSON of Florida, Ms. VELÁZQUEZ, Mrs. WATSON COLEMAN, Mr. HIGGINS of New York, Mr. CUMMINGS, Mrs. LAWRENCE, Ms. FUDGE, Mr. EVANS, Ms. BARRAGAN, Mr. DAVID SCOTT of Georgia, Mr. BROWN of Maryland, Mr. SCHIFF, Ms. KAPTUR, Mr. GUTIÉRREZ, Ms. DELAURO, Mr. CARSON of Indiana, Mr. SMITH of Washington, Ms. SÁNCHEZ, Mrs. BEATTY, Ms. MCCOLLUM, Mr. JOHNSON of Georgia, Ms. JACKSON LEE, Mr. MCGOVERN, Ms. SPEIER, Ms. ESHOO, Mr. NADLER, Mr. KHANNA, Mr. POCAN, Mr. THOMPSON of Mississippi, Mr. MCNERNEY, Ms. SCHAKOWSKY, Mrs. CAROLYN B. MALONEY of New York, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CICILLINE, Ms. FRANKEL of Florida, Mr. SOTO, and Mr. MOULTON):

H. Res. 1139. A resolution acknowledging the 50th anniversary of the election of Shirley Anita St. Hill Chisholm, the first African-American woman in Congress; to the Committee on House Administration.

By Ms. NORTON:

H. Res. 1140. A resolution recognizing the denial of full voting rights in Congress for veterans and their families who are District of Columbia residents; to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHNEIDER (for himself, Mr. FITZPATRICK, and Ms. VELÁZQUEZ):

H. Res. 1141. A resolution commemorating and acknowledging veteran-owned small businesses; to the Committee on Veterans' Affairs, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶148.8 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1291: Mr. SHERMAN.
H.R. 1337: Ms. ESHOO.
H.R. 1661: Ms. LEE.
H.R. 2777: Mrs. CAROLYN B. MALONEY of New York.
H.R. 3086: Ms. ESHOO.
H.R. 4057: Mr. VISCLOSKEY.
H.R. 4107: Mr. RATCLIFFE and Mrs. LOWEY.

H.R. 4229: Mr. ROGERS of Kentucky.
 H.R. 4241: Mr. DESAULNIER.
 H.R. 5001: Mr. BROWN of Maryland.
 H.R. 5125: Mr. KILMER.
 H.R. 5383: Mrs. LOWEY.
 H.R. 5457: Mr. COHEN.
 H.R. 5460: Ms. VELÁZQUEZ.
 H.R. 5701: Mr. CURBELO of Florida.
 H.R. 5780: Ms. LEE.
 H.R. 6060: Mr. DONOVAN.
 H.R. 6071: Ms. ROYBAL-ALLARD.
 H.R. 6207: Ms. ESHOO.
 H.R. 6246: Mr. LANGEVIN.
 H.R. 6474: Mr. MEEKS.
 H.R. 6502: Ms. ESHOO.
 H.R. 6651: Mr. HASTINGS.
 H.R. 6726: Mr. BLUMENAUER.
 H.R. 6759: Mrs. DINGELL, Ms. SINEMA, and Mr. WELCH.
 H.R. 6775: Ms. LEE and Mr. BLUMENAUER.
 H.R. 7073: Mrs. LESKO.
 H.R. 7108: Mr. ENGEL.
 H.R. 7115: Mr. MEEKS, Mr. RASKIN, and Ms. WILSON of Florida.
 H.J. Res. 65: Mr. SMITH of Washington.
 H. Res. 588: Mr. CURTIS.
 H. Res. 1062: Mrs. CAROLYN B. MALONEY of New York.
 H. Res. 1122: Mr. GRIJALVA.
 H. Res. 1125: Mr. KRISHNAMOORTHY and Mr. CARSON of Indiana.

TUESDAY, NOVEMBER 13, 2018 (149)

¶149.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. BOST, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 November 13, 2018.

I hereby appoint the Honorable MIKE BOST to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶149.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. BOST, announced he had examined and approved the Journal of the proceedings of Friday, November 9, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶149.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6769. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Colonel Brett T. Funck, United States Army, to wear the insignia of the grade of brigadier general, pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

6770. A letter from the Secretary, Department of Defense, transmitting a letter authorizing Colonel James M. Smith, United States Army, to wear the insignia of the grade of brigadier general while serving as Commanding General, 3d Sustainment Command (Expeditionary), pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

6771. A letter from the Secretary, Division of Trading and Markets, Securities and Exchange Commission, transmitting the Commission's Major final rule — Disclosure of

Order Handling Information [Release No.: 34-84528; File No.: S7-14-16] (RIN: 3235-AL67) received November 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6772. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters [Docket No.: FAA-2018-0438; Product Identifier 2017-SW-062-AD; Amendment 39-19410; AD 2018-19-10] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6773. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Sikorsky Aircraft Corporation Helicopters [Docket No.: FAA-2018-0439; Product Identifier 2016-SW-074-AD; Amendment 39-19409; AD 2018-19-09] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6774. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited Airplanes [Docket No.: FAA-2017-0867; Product Identifier 2017-CE-021-AD; Amendment 39-19411; AD 2018-19-11] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6775. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; 328 Support Services GmbH (Type Certificate Previously Held by AvCraft Aerospace GmbH; Fairchild Dornier GmbH; Dornier Luftfahrt GmbH) Airplanes [Docket No.: FAA-2018-0503; Product Identifier 2018-NM-048-AD; Amendment 39-19413; AD 2018-19-13] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6776. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0399; Product Identifier 2018-NM-008-AD; Amendment 39-19412; AD 2018-19-12] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6777. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0412; Product Identifier 2017-NM-180-AD; Amendment 39-19420; AD 2018-19-20] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6778. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2018-0496; Product Identifier 2018-NM-031-AD; Amendment 39-19414; AD 2018-19-14] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law

104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6779. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2017-0650; Product Identifier 2017-NE-19-AD; Amendment 39-19394; AD 2018-18-15] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6780. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH Helicopters [Docket No.: FAA-2018-0517; Product Identifier 2017-SW-098-AD; Amendment 39-19443; AD 2018-20-09] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6781. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2017-1026; Product Identifier 2017-NM-097-AD; Amendment 39-19422; AD 2018-19-21] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6782. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0497; Product Identifier 2017-NM-140-AD; Amendment 39-19418; AD 2018-19-18] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6783. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company CF34-8E Engines [Docket No.: FAA-2018-0142; Product Identifier 2018-NE-04-AD; Amendment 39-19368; AD 2018-17-14] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6784. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Airplanes [Docket No.: FAA-2018-0511; Product Identifier 2017-NM-145-AD; Amendment 39-19425; AD 2018-19-24] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6785. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2017-0905; Product Identifier 2017-NM-090-AD; Amendment 39-19424; AD 2018-19-23] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

¶149.4 RECESS—2:09 P.M.

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 9 minutes p.m., until approximately 3:45 p.m.

¶149.5 AFTER RECESS—3:46 P.M.

The SPEAKER pro tempore, Mr. TIP-TON, called the House to order.

¶149.6 RABBI MICHOEL BER WEISSMANDEL CONGRESSIONAL GOLD MEDAL

Mr. BARR moved to suspend the rules and pass the bill (H.R. 2740) to posthumously award a Congressional Gold Medal to Rabbi Michoel Ber Weissmandl in recognition of his acts of valor during World War II.

The SPEAKER pro tempore, Mr. TIP-TON, recognized Mr. BARR and Ms. VELAZQUEZ, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. TIP-TON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶149.7 NATIONAL GEOLOGIC MAPPING REAUTHORIZATION

Mr. LAMBORN moved to suspend the rules and pass the bill (H.R. 4033) to reauthorize the National Geologic Mapping Act of 1992.

The SPEAKER pro tempore, Mr. TIP-TON, recognized Mr. LAMBORN and Ms. HANABUSA, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶149.8 STRENGTHENING COASTAL COMMUNITIES

Mr. LAMBORN moved to suspend the rules and pass the bill (H.R. 5787) to amend the Coastal Barrier Resources Act to give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping of

such units, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. LAMBORN and Ms. HANABUSA, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LAMBORN objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, November 14, 2018.

The point of no quorum was considered as withdrawn.

¶149.9 FLATSIDE WILDERNESS ENHANCEMENT

Mr. LAMBORN moved to suspend the rules and pass the bill (H.R. 5636) to designate additions to the Flatside Wilderness on the Ouachita National Forest, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. LAMBORN and Ms. HANABUSA, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶149.10 CONGRESSMAN LESTER WOLFF NATIONAL WILDLIFE REFUGE

Mr. LAMBORN moved to suspend the rules and pass the bill (H.R. 6064) to rename the Oyster Bay National Wildlife Refuge as the Congressman Lester Wolff National Wildlife Refuge.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. LAMBORN and Ms. HANABUSA, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. LAMBORN demanded that the vote be taken by the yeas and nays,

which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶149.11 CONVEYANCE OF CERTAIN FEDERAL PROPERTY AROUND THE DICKINSON RESERVOIR

Mr. LAMBORN moved to suspend the rules and pass the bill of the Senate (S. 440) to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. LAMBORN and Ms. HANABUSA, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶149.12 CONVEYANCE OF CERTAIN FEDERAL PROPERTY AROUND THE JAMESTOWN RESERVOIR

Mr. LAMBORN moved to suspend the rules and pass the bill of the Senate (S. 2074) to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. LAMBORN and Ms. HANABUSA, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶149.13 COTTONWOOD LAND EXCHANGE

Mr. GOSAR moved to suspend the rules and pass the bill (H.R. 6146) to authorize, direct, expedite, and facilitate a land exchange in Yavapai County, Arizona, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GOSAR and Ms. HANABUSA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶149.14 AMENDMENT OF THE SENATE TO H.R. 2615

Mr. GOSAR moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2615) to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Gulf Islands National Seashore Land Exchange Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **FEDERAL LAND.**—The term "Federal land" means the parcel of approximately 1,542 acres of land that is located within the Gulf Islands National Seashore in Jackson County, Mississippi, and identified as "NPS Exchange Area" on the Map.

(2) **MAP.**—The term "Map" means the map entitled "Gulf Islands National Seashore, Proposed Land Exchange with VFW, Davis Bayou Area—Jackson County, MS", numbered 635/133309, and dated June 2016.

(3) **NON-FEDERAL LAND.**—The term "non-Federal land" means the parcel of approximately 2.161 acres of land that is located in Jackson County, Mississippi, and identified as "VFW Exchange Area" on the Map.

(4) **POST.**—The term "Post" means the Veterans of Foreign Wars Post 5699.

(5) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior, acting through the Director of the National Park Service.

SEC. 3. GULF ISLANDS NATIONAL SEASHORE LAND EXCHANGE.

(a) **IN GENERAL.**—The Secretary may convey to the Post all right, title, and interest of the United States in and to the Federal land in exchange for the conveyance by the Post to the Secretary of all right, title, and interest of the Post in and to the non-Federal land.

(b) **EQUAL VALUE EXCHANGE.**—

(1) **IN GENERAL.**—The values of the Federal land and non-Federal land to be exchanged under this section shall be equal, as determined by an appraisal conducted—

(A) by a qualified and independent appraiser; and

(B) in accordance with nationally recognized appraisal standards.

(2) **EQUALIZATION.**—If the values of the Federal land and non-Federal land to be exchanged under this section are not equal, the values shall be equalized through—

(A) a cash payment; or

(B) adjustments to the acreage of the Federal land or non-Federal land to be exchanged, as applicable.

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

(1) **PAYMENT REQUIRED.**—As a condition of the exchange authorized under this section, the Secretary shall require the Post to pay the costs to be incurred by the Secretary, or to reimburse the Secretary for the costs incurred by the Secretary, to carry out the exchange, including—

(A) survey costs;

(B) any costs relating to environmental documentation; and

(C) any other administrative costs relating to the land exchange.

(2) **REFUND.**—If the Secretary collects amounts from the Post under paragraph (1) before the Secretary incurs the actual costs and the amount collected by the Secretary exceeds the costs actually incurred by the Secretary to carry out the land exchange under this section, the Secretary shall provide to the Post a refund of the excess amount paid by the Post.

(3) **TREATMENT OF CERTAIN AMOUNTS RECEIVED.**—Amounts received by the Secretary from the Post as reimbursement for costs incurred under paragraph (1) shall be—

(A) credited to the fund or account from which amounts were used to pay the costs incurred by the Secretary in carrying out the land exchange;

(B) merged with amounts in the fund or account to which the amounts were credited under subparagraph (A); and

(C) available for the same purposes as, and subject to the same conditions and limitations applicable to, amounts in the fund or account to which the amounts were credited under subparagraph (A).

(d) **DESCRIPTION OF FEDERAL LAND AND NON-FEDERAL LAND.**—The exact acreage and legal description of the Federal land and non-Federal land to be exchanged under this section shall be determined by surveys that are determined to be satisfactory by the Secretary and the Post.

(e) **CONVEYANCE AGREEMENT.**—The exchange of Federal land and non-Federal land under this section shall be—

(1) carried out through a quitclaim deed or other legal instrument; and

(2) subject to such terms and conditions as are mutually satisfactory to the Secretary and the Post, including such additional terms and conditions as the Secretary considers to be appropriate to protect the interests of the United States.

(f) **VALID EXISTING RIGHTS.**—The exchange of Federal land and non-Federal land authorized under this section shall be subject to valid existing rights.

(g) **TITLE APPROVAL.**—Title to the Federal land and non-Federal land to be exchanged under this section shall be in a form acceptable to the Secretary.

(h) **TREATMENT OF ACQUIRED LAND.**—Any non-Federal land and interests in non-Federal land acquired by the United States under this section shall be administered by the Secretary as part of the Gulf Islands National Seashore.

(i) **MODIFICATION OF BOUNDARY.**—On completion of the exchange of Federal land and non-Federal land under this section, the Secretary shall modify the boundary of the Gulf Islands National Seashore to reflect the exchange of Federal land and non-Federal land.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GOSAR and Ms. HANABUSA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GOSAR demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶149.15 WORLD WAR II PACIFIC SITES ESTABLISHMENT

Mr. GOSAR moved to suspend the rules and pass the bill (H.R. 5706) to establish the Pearl Harbor National Memorial in the State of Hawai'i and the Honouliuli National Historic Site in the State of Hawai'i, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GOSAR and Ms. HANABUSA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶149.16 GATEWAY NATIONAL RECREATION AREA

Mr. GOSAR moved to suspend the rules and pass the bill (H.R. 6666) to authorize the Secretary of the Interior to grant to States and local governments easements and rights-of-way over Federal land within Gateway National Recreation Area for construction, operation, and maintenance of projects for control and prevention of flooding and shoreline erosion.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GOSAR and Ms. HANABUSA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GOSAR objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further pro-

ceedings on the question were postponed until Wednesday, November 14, 2018.

The point of no quorum was considered as withdrawn.

¶149.17 PEPFAR EXTENSION

Mr. ROYCE of California, moved to suspend the rules and pass the bill (H.R. 6651) to extend certain authorities relating to United States efforts to combat HIV/AIDS, tuberculosis, and malaria globally, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to extend certain authorities relating to United States efforts to combat HIV/AIDS, tuberculosis, and malaria globally, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶149.18 UNITED STATES-LIBERIA TIES

Mr. ROYCE of California, moved to suspend the rules and agree to the following resolution (H. Res. 1055):

Whereas today the United States is home to an estimated 80,000 people of Liberian ancestry in vibrant communities across the country, who have been instrumental in America's efforts to build a peaceful, democratic, and prosperous Liberia;

Whereas Liberia and the United States share close historical, political, and economic ties over the course of a nearly 200-year relationship;

Whereas the people and Government of the United States have a deep interest in Liberia's democratic stability and postconflict development;

Whereas the civil war from 1991 to 2002 resulted in the death of over 200,000 people in Sierra Leone and Liberia, the displacement of over 1,000,000 persons, and the horrific cases of amputations, mass rape, and human rights abuses conducted under the leadership of Charles Taylor;

Whereas Charles Taylor was convicted through the Special Court for Sierra Leone for 11 different charges of war crimes, crimes against humanity, such as rape, sexual abuse, and slavery, and violation of international law, including the use of child soldiers;

Whereas a comprehensive peace agreement was signed by the Government of Liberia, rebel groups, and political parties in 2003;

Whereas the Truth and Reconciliation Commission, as established under the 2003 comprehensive peace agreement, was for-

mally created in 2005 with a mandate "to promote national peace, security, unity and reconciliation by investigating gross human rights violations and violations of humanitarian law, sexual violations, and economic crimes that occurred between January 1979 and October 2003";

Whereas the Truth and Reconciliation Commission released a report in December 2008 recommending the establishment of an Extraordinary Criminal Tribunal for Liberia and listed individuals, corporations, and institutions recommended for further investigation and prosecution, among other recommendations;

Whereas the Government of Liberia has not fully implemented the recommendations of the Truth and Reconciliation Agreement to date, including the establishment of an Extraordinary Criminal Tribunal;

Whereas Liberia experienced its first democratic and peaceful transition of power since 1944 after President Ellen Johnson Sirleaf respected constitutional term limits and George Weah defeated Vice President Joseph Boakai following a runoff during the 2017 Presidential elections;

Whereas the United States congratulated the people of Liberia on the successful conclusion of the Presidential runoff election and recognized the important role Liberia's Supreme Court, political parties, security forces, and civil society organizations played in holding a peaceful and transparent contest; and

Whereas the United States Government and American citizens have invested in Liberia to rebuild and support democratic institutions, postconflict recovery, economic growth, improved access to education and health care, professionalization of the country's military and civilian security forces, and efforts to foster accountability and transparency of government institutions: Now, therefore, be it

Resolved, That the House of Representatives—

(1) upholds its commitment to maintain and foster the enduring relationship between the people and the Governments of the United States and Liberia;

(2) urges the Government and people of Liberia to support the truth and reconciliation process through full implementation of the recommendations of the Truth and Reconciliation Commission, including the establishment of an Extraordinary Criminal Tribunal; and

(3) supports efforts by the Department of State and United States Agency for International Development to advance Liberian efforts toward national reconciliation through continued support for the rule of law, effective governance, and the robust role of civil society.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶149.19 UNITED STATES-AUSTRALIA COOPERATION ON SPACE RESEARCH

Mr. ROYCE of California, moved to suspend the rules and agree to the following resolution (H. Res. 1052):

Whereas the United States of America and the Commonwealth of Australia are treaty allies;

Whereas United States and Australia defense cooperation extends back 100 years, to the Battle of Hamel in World War I;

Whereas the Australia, New Zealand, United States Security Treaty, also referred to as the ANZUS Treaty, has formed the framework of the United States-Australia alliance since 1951;

Whereas the Australia-United States Ministerial Consultation, also referred to as AUSMIN, has contributed to a deeper partnership between the two nations;

Whereas the National Aeronautics and Space Administration (NASA) notes that, "The United States and Australia have been cooperating in civil space for more than 50 years";

Whereas the United States Apollo missions and subsequent space science and exploration conducted by the United States benefited greatly from the partnership with our Australian allies;

Whereas Neil Armstrong's first steps on the surface of the Moon were relayed to Houston through the Honeysuckle Creek site in Australia;

Whereas NASA also notes that, "The Canberra complex is an integral component of NASA's Deep Space Network (DSN), the world's largest and most sensitive scientific telecommunications system";

Whereas the Canberra Deep Space Communication Complex (CDSCC) is one of NASA's largest tracking and communication facilities outside the United States;

Whereas, on Tuesday, October 17, 2017, Australian Ambassador to the United States Joe Hockey and Acting NASA Administrator Robert Lightfoot signed a 25-year agreement for continued cooperation on space cooperation, including on space tracking;

Whereas the United States and Australian governments have jointly committed to expanding Space Situational Awareness (SSA);

Whereas United States-Australia cooperation on SSA is critical to maximize defense capabilities, monitoring environmental changes, avoiding space congestion and collisions, and protecting against exploitation from the growing counter-space capabilities of our adversaries;

Whereas, on September 24, 2017, the Government of Australia under Prime Minister Malcolm Turnbull committed to creating the Australian Space Agency, with operations beginning on July 1, 2018; and

Whereas the Australian Space Agency commenced operations on July 1, 2018: Now, therefore, be it

Resolved, That the House of Representatives—

(1) commends the Australian Government in constituting the Australian Space Agency;

(2) recognizes the value in United States-Australia cooperation on space research, exploration, and utilization, including on terrestrial research, commercial activities, and human and robotic space exploration;

(3) supports international cooperation on space research, exploration, and utilization and other forms of space diplomacy as being in the national interest of the United States;

(4) encourages the Department of State to support and facilitate international cooperation with Australia on space research, exploration, and utilization through diplomatic efforts, including through the Australia-United States Ministerial Consultations

(AUSMIN) forum and multilateral initiatives with Japan, Canada, the European Union, and other partners of both the United States and Australia; and

(5) supports deeper cooperation with our Australian allies in contributing each country's unique strengths and resources to mutual prosperity and security.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶149.20 TRANS-SAHARA

COUNTERTERRORISM PARTNERSHIP

Mr. ROYCE of California, moved to suspend the rules and pass the bill (H.R. 6018) to establish an interagency program to assist countries in the Sahel, Maghreb, and adjacent regions of Africa to improve immediate and long-term capabilities to counter terrorist threats, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to establish an interagency program to assist countries in North and West Africa to improve immediate and long-term capabilities to counter terrorist threats, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶149.21 RECESS—5:58 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 58 minutes p.m., until approximately 6:30 p.m.

¶149.22 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, called the House to order.

¶149.23 PROVIDING FOR CONSIDERATION OF H.R. 6784

Mr. NEWHOUSE, by direction of the Committee on Rules, reported (Rept. No. 115-1022) the resolution (H. Res. 1142) providing for consideration of the bill (H.R. 6784) to provide for removal of the gray wolf in the contiguous 48 States from the List of Endangered and Threatened Wildlife published under the Endangered Species Act of 1973, and providing for proceedings during the period from November 19, 2018, through November 26, 2018.

When said resolution and report were referred to the House Calendar and ordered printed.

¶149.24 H.R. 6064—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6064) to rename the Oyster Bay National Wildlife Refuge as the Congressman Lester Wolff National Wildlife Refuge.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	385
	Nays	4
	Answered present	2

¶149.25

[Roll No. 416]

YEAS—385

Abraham	Castor (FL)	Doggett
Adams	Castro (TX)	Donovan
Aderholt	Chabot	Doyle, Michael
Aguilar	Cheney	F.
Allen	Chu, Judy	Duffy
Amodei	Ciulline	Duncan (SC)
Arrington	Clark (MA)	Duncan (TN)
Babin	Clarke (NY)	Dunn
Bacon	Clay	Emmer
Balderson	Cleaver	Engel
Banks (IN)	Cloud	Eshoo
Barr	Clyburn	Espallat
Barragán	Coffman	Estes (KS)
Barton	Cohen	Esty (CT)
Bass	Cole	Evans
Beatty	Collins (GA)	Faso
Bera	Collins (NY)	Ferguson
Bergman	Comer	Fitzpatrick
Beyer	Comstock	Fleischmann
Bilirakis	Conaway	Flores
Bishop (GA)	Connolly	Fortenberry
Bishop (MI)	Cook	Foster
Bishop (UT)	Cooper	Fox
Black	Correa	Frankel (FL)
Blackburn	Costa	Frelinghuysen
Blumenauer	Costello (PA)	Fudge
Blunt Rochester	Courtney	Gabbard
Bonamici	Cramer	Gallagher
Bost	Crawford	Galleo
Boyle, Brendan	Crist	Garamendi
F.	Crowley	Garrett
Brady (TX)	Cuellar	Gianforte
Brat	Culberson	Gibbs
Brooks (AL)	Cummings	Gohmert
Brooks (IN)	Curtis	Gomez
Brown (MD)	Davidson	Gonzalez (TX)
Buchanan	Davis (CA)	Goodlatte
Buck	Davis, Danny	Gosar
Budd	Davis, Rodney	Gottheimer
Burgess	DeFazio	Granger
Bustos	DeGette	Graves (GA)
Butterfield	Delaney	Graves (LA)
Byrne	DeLauro	Graves (MO)
Calvert	DelBene	Green, Al
Carbajal	Demings	Green, Gene
Cárdenas	Denham	Griffith
Carson (IN)	DesJarlais	Guthrie
Carter (GA)	Deutch	Hanabusa
Carter (TX)	Diaz-Balart	Handel
Cartwright	Dingell	Harris

Hartzler	Maloney, Sean	Sarbanes
Hastings	Marchant	Scalise
Heck	Marino	Schakowsky
Hensarling	Marshall	Schiff
Herrera Beutler	Mast	Schneider
Hice, Jody B.	Matsui	Schrader
Higgins (LA)	McCarthy	Schweikert
Higgins (NY)	McCaul	Scott (VA)
Hill	McClintock	Scott, Austin
Holding	McCollum	Scott, David
Hollingsworth	McEachin	Sensenbrenner
Hoyer	McGovern	Serrano
Hudson	McHenry	Sessions
Huffman	McKinley	Sewell (AL)
Huizenga	McMorris	Shea-Porter
Hultgren	Rodgers	Sherman
Hunter	McNerney	Shimkus
Hurd	Meadows	Shuster
Issa	Meeks	Simpson
Jackson Lee	Meng	Sinema
Jayapal	Messer	Sires
Jeffries	Mitchell	Smith (MO)
Johnson (GA)	Moolenaar	Smith (NE)
Johnson (LA)	Mooney (WV)	Smith (NJ)
Johnson (OH)	Moore	Smith (TX)
Johnson, E. B.	Moulton	Smith (WA)
Johnson, Sam	Mullin	Smucker
Jordan	Nadler	Soto
Joyce (OH)	Napolitano	Speier
Kaptur	Neal	Stefanik
Katko	Newhouse	Stewart
Keating	Norcross	Stivers
Kelly (IL)	Norman	Suozzi
Kelly (MS)	Nunes	Swalwell (CA)
Kelly (PA)	O'Halleran	Takano
Kennedy	O'Rourke	Taylor
Khanna	Palazzo	Tenney
Kihuen	Pallone	Thompson (CA)
Kildee	Palmer	Thompson (MS)
Kilmer	Panetta	Thompson (PA)
Kind	Pascrell	Thornberry
King (IA)	Paulsen	Tipton
King (NY)	Payne	Titus
Krishnamoorthi	Pearce	Tonko
Kuster (NH)	Pelosi	Trott
Kustoff (TN)	Perlmutter	Tsongas
Labrador	Perry	Turner
LaHood	Peterson	Upton
LaMalfa	Pingree	Valadao
Lamb	Pittenger	Vargas
Lamborn	Pocan	Veasey
Lance	Poe (TX)	Vela
Langevin	Posey	Velázquez
Larsen (WA)	Price (NC)	Visclosky
Larson (CT)	Quigley	Wagner
Latta	Raskin	Walberg
Lawrence	Reed	Walden
Lawson (FL)	Reichert	Walker
Lee	Renacci	Walorski
Lesko	Richmond	Walters, Mimi
Levin	Roby	Wasserman
Lewis (GA)	Roe (TN)	Schultz
Lewis (MN)	Rogers (AL)	Waters, Maxine
Lieu, Ted	Rogers (KY)	Weber (TX)
Lipinski	Rohrabacher	Webster (FL)
LoBiondo	Rokita	Welch
Loeb sack	Ros-Lehtinen	Wenstrup
Lofgren	Rosen	Westerman
Long	Roskam	Williams
Loudermilk	Ross	Wilson (SC)
Lowenthal	Rothfus	Wittman
Lowey	Rouzer	Womack
Lucas	Roybal-Allard	Woodall
Luetkemeyer	Royce (CA)	Yarmuth
Lujan Grisham,	Ruiz	Yoder
M.	Ruppersberger	Yoho
Luján, Ben Ray	Rush	Young (AK)
Lynch	Russell	Young (IA)
MacArthur	Rutherford	Zeldin
Maloney,	Ryan (OH)	
Carolyn B.	Sánchez	

NAYS—4

Amash	Grothman
Biggs	Massie

ANSWERED "PRESENT"—2

Rice (SC)	Sanford

NOT VOTING—36

Barletta	Gowdy	McSally
Blum	Grijalva	Murphy (FL)
Brady (PA)	Gutiérrez	Noem
Brownley (CA)	Harper	Nolan
Bucshon	Himes	Olson
Capuano	Jenkins (KS)	Peters
Curbelo (FL)	Jones	Poliquin
DeSaulnier	Kinzinger	Polis
Ellison	Knight	Ratcliffe
Gaetz	Love	Rice (NY)

Rooney, Francis Torres Wilson (FL)
 Rooney, Thomas Walz
 J. Watson Coleman

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶149.26 COMMUNICATION FROM THE
 CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
 U.S. HOUSE OF REPRESENTATIVES,
 Washington, DC, November 7, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Robert Brehm and Mr. Todd Valentine, Co-Executive Directors, New York State Board of Elections, indicating that, according to the preliminary results of the Special Election held November 6, 2018, the Honorable Joseph D. Morelle was elected Representative to Congress for the 25th Congressional District, State of New York.

With best wishes, I am
 Sincerely,

KAREN L. HAAS,
Clerk of the House.

NEW YORK STATE
 BOARD OF ELECTIONS,
 Albany, NY, November 7, 2018.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, Washington DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, November 6, 2018 for Representative in Congress from the Twenty-fifth Congressional District of New York show that Joseph D. Morelle received 145,168 votes, Jim Maxwell received 103,510 votes, and there were 145 write-in votes of the 248,823 total votes cast for that office on Election Day.

It would appear from these unofficial results that Joseph D. Morelle was elected as Representative in Congress from the Twenty-fifth Congressional District of New York. Please see also attached notice of unofficial results from the Monroe County Board of Elections. New York Congressional District Twenty-five is wholly contained within that county.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by the Monroe County Board of Elections and the New York State Board of Canvassers, an official Certification of Election will be prepared for transmittal as required by law.

Sincerely,

ROBERT A. BREHM,
Co-Executive Director.
 TODD D. VALENTINE,
Co-Executive Director.

¶149.27 COMMUNICATION FROM THE
 CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
 U.S. HOUSE OF REPRESENTATIVES,
 Washington, DC, November 9, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from the Honorable Mary Fallin, Governor of Oklahoma, indicating that the Honorable Kevin Hern of the First Congressional District, is elected to fill the vacancy in the 115th Congress created by the resignation of the Honorable Jim Bridenstine on April 23, 2018.

This certification has been submitted under the laws of Oklahoma as stated in the accompanying documents.

With best wishes, I am
 Sincerely,

KAREN L. HAAS,
Clerk of the House.

NOVEMBER 8, 2018.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, Washington, DC.

DEAR MS. HAAS: The provisions of 26 O.S. 12-101(B) (Oklahoma Statutes) require the election held November 6, 2018, for the seat to which Kevin Hern was elected, to be treated as election, within the meaning of Oklahoma law, to fill the unexpired term of Jim Bridenstine who resigned on Monday, April 23, 2018. Accordingly, pursuant to that statute, my appointment, as Governor of the State of Oklahoma, is the ministerial act incident to that election.

Sincerely,

MARY FALLIN,
Governor.

ORDER OF APPOINTMENT

TO SECRETARY OF STATE, OKLAHOMA STATE CAPITAL, OKLAHOMA CITY, OKLAHOMA

Please file for record the following executive order. By virtue of the authority vested in me as Governor of the State of Oklahoma, I hereby appoint: Kevin Hern as United States Representative, District 1 for the unexpired term of Jim Bridenstine who resigned on Monday, April 23, 2018 and, whose term expired on January 3, 2019 as provided by 26 O.S., Section 12-101(B)

Signed this 8th day of November, 2018

By the Governor of the State of Oklahoma
 MARY FALLIN,

Attest:

JAMES A. WILLIAMSON,
Secretary of State.

[State Seal Affixed]

¶149.28 COMMUNICATION FROM THE
 CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
 U.S. HOUSE OF REPRESENTATIVES,
 Washington, DC, November 13, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a scanned copy of a letter received from Mr. Jonathan Marks, Commissioner, Bureau Commissions, Election and Legislation, Department of State, Commonwealth of Pennsylvania, indicating that, according to the preliminary results of the Special Election held November 6, 2018, the Honorable Mary Gay Scanlon was elected Representative to Congress for the Seventh Congressional District, Commonwealth of Pennsylvania.

With best wishes, I am
 Sincerely,

KAREN L. HAAS,
Clerk of the House.

COMMONWEALTH OF PENNSYLVANIA,
 BUREAU COMMISSIONS, ELECTIONS AND
 LEGISLATION,
 Harrisburg, PA, November 9, 2018.

Hon. KAREN L. HAAS,
Clerk, House of Representatives, Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, November 6, 2018, for Representative in Congress for the 7th Congressional District of Pennsylvania, show that Mary Gay Scanlon received 167,680 votes or 52.02% of the total number of votes cast for that office.

It would appear from these unofficial results that Mary Gay Scanlon was elected as Representative in Congress from the 7th Congress District of Pennsylvania.

To the best of our knowledge and belief at this time, there is no contest to this election. Furthermore, the possibility of a recount is unlikely because the provisional ballots and military and overseas absentee ballots that are yet to be counted are not in great enough number to potentially alter the outcome of this election.

As soon as the official results are certified to this office by all counties involved, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

JONATHAN MARKS,
Commissioner.

¶149.29 ORDER OF BUSINESS—SWEARING
 IN OF MEMBER-ELECT

On motion of Mr. ENGEL, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Mr. Morelle, 25th District of the State of New York, has not been received by the Clerk of the House of Representatives, Mr. MORELLE be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to his election.

¶149.30 ORDER OF BUSINESS—SWEARING
 IN OF MEMBER-ELECT

On motion of Mr. LUCAS, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Mr. Hern, 1st District of the State of Oklahoma, has not been received by the Clerk of the House of Representatives, Mr. HERN be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to his election.

¶149.31 ORDER OF BUSINESS—SWEARING
 IN OF MEMBER-ELECT

On motion of Mr. Michael F. DOYLE of Pennsylvania, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Ms. Scanlon, 7th District of the Commonwealth of Pennsylvania, has not been received by the Clerk of the House of Representatives, Ms. SCANLON be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to her election.

Mr. MORELLE, Mr. HERN, and Ms. SCANLON, then presented themselves at the bar of the House and took the oath of office prescribed by law.

¶149.32 WHOLE NUMBER OF THE HOUSE
OF REPRESENTATIVES ADJUSTED

The SPEAKER announced, under clause 5(d) of rule XX, that, in light of the administration of the oath to Representatives MORELLE, HERN, and SCANLON, the whole number of the House is adjusted to 431.

¶149.33 AMENDMENT OF THE SENATE TO
H.R. 2615—UNFINISHED BUSINESS

The SPEAKER, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 2615) to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the { Yeas 375
affirmative } Nays 1

¶149.34 [Roll No. 417]

YEAS—375

Abraham	Cleaver	Foxx
Adams	Cloud	Frankel (FL)
Aderholt	Clyburn	Frelinghuysen
Aguilar	Coffman	Fudge
Allen	Cole	Gabbard
Amodei	Collins (GA)	Gallagher
Arrington	Collins (NY)	Gallego
Babin	Comer	Garamendi
Bacon	Conaway	Garrett
Balderson	Cook	Gianforte
Banks (IN)	Cooper	Gibbs
Barr	Correa	Gohmert
Barragán	Costa	Gomez
Barton	Courtney	Gonzalez (TX)
Bass	Crawford	Gosar
Beatty	Crist	Gottheimer
Bera	Crowley	Granger
Bergman	Cuellar	Graves (GA)
Beyer	Culberson	Graves (LA)
Biggs	Cummings	Graves (MO)
Bilirakis	Curtis	Green, Al
Bishop (GA)	Davidson	Green, Gene
Bishop (MI)	Davis (CA)	Griffith
Bishop (UT)	Davis, Danny	Griffman
Black	Davis, Rodney	Guthrie
Blumenauer	DeGette	Hanabusa
Blunt Rochester	Delaney	Handel
Bonamici	DeLauro	Harper
Bost	DelBene	Harris
Boyle, Brendan	Demings	Hartzler
F.	Denham	Heck
Brady (TX)	DesJarlais	Hensarling
Brat	Deutch	Hern
Brooks (AL)	Diaz-Balart	Herrera Beutler
Brooks (IN)	Dingell	Hice, Jody B.
Brown (MD)	Doggett	Higgins (LA)
Buck	Donovan	Hill
Budd	Doyle, Michael	Himes
Burgess	F.	Holding
Bustos	Duffy	Hollingsworth
Butterfield	Duncan (SC)	Hoyer
Byrne	Duncan (TN)	Hudson
Calvert	Dunn	Huffman
Carbajal	Emmer	Hultgren
Cárdenas	Engel	Hunter
Carson (IN)	Eshoo	Hurd
Carter (GA)	Españat	Jackson Lee
Carter (TX)	Estes (KS)	Jayapal
Cartwright	Esty (CT)	Jeffries
Castor (FL)	Evans	Johnson (GA)
Castro (TX)	Faso	Johnson (LA)
Chabot	Ferguson	Johnson (OH)
Cheney	Fitzpatrick	Johnson, E. B.
Chu, Judy	Fleischmann	Johnson, Sam
Clark (MA)	Flores	Jordan
Clarke (NY)	Fortenberry	Joyce (OH)
Clay	Foster	Kaptur

Katko	Mooleenaar	Scott, Austin
Keating	Mooney (WV)	Scott, David
Kelly (IL)	Moore	Sensenbrenner
Kelly (MS)	Morelle	Serrano
Kelly (PA)	Moulton	Sessions
Kennedy	Mullin	Sewell (AL)
Khanna	Murphy (FL)	Shea-Porter
Kihuen	Nadler	Sherman
Kildee	Napolitano	Shimkus
Kilmer	Neal	Shuster
Kind	Newhouse	Simpson
King (IA)	Norcross	Sinema
King (NY)	Norman	Sires
Krishnamoorthi	Nunes	Smith (MO)
Kuster (NH)	O'Rourke	Smith (NE)
Kustoff (TN)	Palazzo	Smith (NJ)
Labrador	Pallone	Smith (WA)
LaHood	Palmer	Smucker
LaMalfa	Panetta	Soto
Lamb	Pascrell	Stefanik
Lamborn	Paulsen	Stewart
Lance	Payne	Stivers
Langevin	Pearce	Suozzi
Larson (CT)	Pelosi	Swalwell (CA)
Latta	Perlmutter	Takano
Lawrence	Perry	Taylor
Lawson (FL)	Peterson	Tenney
Lee	Pingree	Thompson (CA)
Lesko	Pocan	Thompson (MS)
Levin	Poe (TX)	Thompson (PA)
Lewis (GA)	Posey	Thornberry
Lewis (MN)	Price (NC)	Tipton
Lipinski	Quigley	Titus
LoBiondo	Raskin	Tonko
Loebsack	Reed	Torres
Lofgren	Reichert	Trott
Long	Renacci	Tsongas
Loudermilk	Rice (NY)	Turner
Lowenthal	Rice (SC)	Upton
Lowe	Richmond	Valadao
Lucas	Roby	Vargas
Luetkemeyer	Roe (TN)	Veasey
Lujan Grisham,	Rogers (AL)	Vela
M.	Rogers (KY)	Velázquez
Luján, Ben Ray	Rohrabacher	Visclosky
Lynch	Rokita	Wagner
MacArthur	Ros-Lehtinen	Walberg
Maloney,	Rosen	Walden
Carolyn B.	Roskam	Walker
Marchant	Ross	Walorski
Marino	Rothfus	Walters, Mimi
Marshall	Rouzer	Wasserman
Massie	Roybal-Allard	Schultz
Mast	Royce (CA)	Waters, Maxine
McCarthy	Ruiz	Weber (TX)
McCaull	Ruppersberger	Webster (FL)
McClintock	Rush	Welch
McCollum	Russell	Wenstrup
McEachin	Rutherford	Westerman
McGovern	Sánchez	Williams
McHenry	Sanford	Wilson (SC)
McKinley	Sarbanes	Wittman
McMorris	Scalise	Womack
Rodgers	Scanlon	Woodall
McNerney	Schakowsky	Yarmuth
Meadows	Schiff	Yoder
Meeks	Schneider	Yoho
Meng	Schrader	Young (AK)
Messer	Schweikert	Young (IA)
Mitchell	Scott (VA)	Zeldin

NAYS—1

Amash
NOT VOTING—54

Barletta	Goodlatte	Nolan
Blackburn	Gowdy	O'Halleran
Blum	Grijalva	Olson
Brady (PA)	Gutiérrez	Peters
Brownley (CA)	Hastings	Pittenger
Buchanan	Higgins (NY)	Poliquin
Bucshon	Huizenga	Polis
Capuano	Issa	Ratcliffe
Cicilline	Jenkins (KS)	Rooney, Francis
Cohen	Jones	Rooney, Thomas
Comstock	Kinzinger	J.
Connolly	Knight	Ryan (OH)
Costello (PA)	Larsen (WA)	Smith (TX)
Cramer	Lieu, Ted	Speier
Curbelo (FL)	Love	Walz
DeFazio	Maloney, Sean	Watson Coleman
DeSaulnier	Matsui	Wilson (FL)
Ellison	McSally	
Gaetz	Noem	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶149.35 AMENDMENT OF THE SENATE TO
H.R. 3359

On motion of Mr. McCAUL, by unanimous consent, the bill (H.R. 3359) to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Cybersecurity and Infrastructure Security Agency Act of 2018".

SEC. 2. CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

(a) *IN GENERAL.*—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended by adding at the end the following:

"TITLE XXII—CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY
"Subtitle A—Cybersecurity and Infrastructure Security

"SEC. 2201. DEFINITIONS.

"In this subtitle:

"(1) CRITICAL INFRASTRUCTURE INFORMATION.—The term 'critical infrastructure information' has the meaning given the term in section 2202.

"(2) CYBERSECURITY RISK.—The term 'cybersecurity risk' has the meaning given the term in section 2209.

"(3) CYBERSECURITY THREAT.—The term 'cybersecurity threat' has the meaning given the term in section 102(5) of the Cybersecurity Act of 2015 (contained in division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113; 6 U.S.C. 1501)).

"(4) NATIONAL CYBERSECURITY ASSET RESPONSE ACTIVITIES.—The term 'national cybersecurity asset response activities' means—

"(A) furnishing cybersecurity technical assistance to entities affected by cybersecurity risks to protect assets, mitigate vulnerabilities, and reduce impacts of cyber incidents;

"(B) identifying other entities that may be at risk of an incident and assessing risk to the same or similar vulnerabilities;

"(C) assessing potential cybersecurity risks to a sector or region, including potential cascading effects, and developing courses of action to mitigate such risks;

"(D) facilitating information sharing and operational coordination with threat response; and

"(E) providing guidance on how best to utilize Federal resources and capabilities in a timely, effective manner to speed recovery from cybersecurity risks.

"(5) SECTOR-SPECIFIC AGENCY.—The term 'Sector-Specific Agency' means a Federal department or agency, designated by law or presidential directive, with responsibility for providing institutional knowledge and specialized expertise of a sector, as well as leading, facilitating, or supporting programs and associated activities of its designated critical infrastructure sector in the all hazards environment in coordination with the Department.

"(6) SHARING.—The term 'sharing' has the meaning given the term in section 2209.

"SEC. 2202. CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY.

"(a) REDESIGNATION.—

“(1) IN GENERAL.—The National Protection and Programs Directorate of the Department shall, on and after the date of the enactment of this subtitle, be known as the ‘Cybersecurity and Infrastructure Security Agency’ (in this subtitle referred to as the ‘Agency’).”

“(2) REFERENCES.—Any reference to the National Protection and Programs Directorate of the Department in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Cybersecurity and Infrastructure Security Agency of the Department.

“(b) DIRECTOR.—

“(1) IN GENERAL.—The Agency shall be headed by a Director of Cybersecurity and Infrastructure Security (in this subtitle referred to as the ‘Director’), who shall report to the Secretary.

“(2) REFERENCE.—Any reference to an Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and any other related program of the Department as described in section 103(a)(1)(H) as in effect on the day before the date of enactment of this subtitle in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Director of Cybersecurity and Infrastructure Security of the Department.

“(c) RESPONSIBILITIES.—The Director shall—

“(1) lead cybersecurity and critical infrastructure security programs, operations, and associated policy for the Agency, including national cybersecurity asset response activities;

“(2) coordinate with Federal entities, including Sector-Specific Agencies, and non-Federal entities, including international entities, to carry out the cybersecurity and critical infrastructure activities of the Agency, as appropriate;

“(3) carry out the responsibilities of the Secretary to secure Federal information and information systems consistent with law, including subchapter II of chapter 35 of title 44, United States Code, and the Cybersecurity Act of 2015 (contained in division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113));

“(4) coordinate a national effort to secure and protect against critical infrastructure risks, consistent with subsection (e)(1)(E);

“(5) upon request, provide analyses, expertise, and other technical assistance to critical infrastructure owners and operators and, where appropriate, provide those analyses, expertise, and other technical assistance in coordination with Sector-Specific Agencies and other Federal departments and agencies;

“(6) develop and utilize mechanisms for active and frequent collaboration between the Agency and Sector-Specific Agencies to ensure appropriate coordination, situational awareness, and communications with Sector-Specific Agencies;

“(7) maintain and utilize mechanisms for the regular and ongoing consultation and collaboration among the Divisions of the Agency to further operational coordination, integrated situational awareness, and improved integration across the Agency in accordance with this Act;

“(8) develop, coordinate, and implement—

“(A) comprehensive strategic plans for the activities of the Agency; and

“(B) risk assessments by and for the Agency;

“(9) carry out emergency communications responsibilities, in accordance with title XVIII;

“(10) carry out cybersecurity, infrastructure security, and emergency communications stakeholder outreach and engagement and coordinate that outreach and engagement with critical infrastructure Sector-Specific Agencies, as appropriate; and

“(11) carry out such other duties and powers prescribed by law or delegated by the Secretary.

“(d) DEPUTY DIRECTOR.—There shall be in the Agency a Deputy Director of Cybersecurity and Infrastructure Security who shall—

“(1) assist the Director in the management of the Agency; and

“(2) report to the Director.

“(e) CYBERSECURITY AND INFRASTRUCTURE SECURITY AUTHORITIES OF THE SECRETARY.—

“(1) IN GENERAL.—The responsibilities of the Secretary relating to cybersecurity and infrastructure security shall include the following:

“(A) To access, receive, and analyze law enforcement information, intelligence information, and other information from Federal Government agencies, State, local, tribal, and territorial government agencies, including law enforcement agencies, and private sector entities, and to integrate that information, in support of the mission responsibilities of the Department, in order to—

“(i) identify and assess the nature and scope of terrorist threats to the homeland;

“(ii) detect and identify threats of terrorism against the United States; and

“(iii) understand those threats in light of actual and potential vulnerabilities of the homeland.

“(B) To carry out comprehensive assessments of the vulnerabilities of the key resources and critical infrastructure of the United States, including the performance of risk assessments to determine the risks posed by particular types of terrorist attacks within the United States, including an assessment of the probability of success of those attacks and the feasibility and potential efficacy of various countermeasures to those attacks. At the discretion of the Secretary, such assessments may be carried out in coordination with Sector-Specific Agencies.

“(C) To integrate relevant information, analysis, and vulnerability assessments, regardless of whether the information, analysis, or assessments are provided or produced by the Department, in order to make recommendations, including prioritization, for protective and support measures by the Department, other Federal Government agencies, State, local, tribal, and territorial government agencies and authorities, the private sector, and other entities regarding terrorist and other threats to homeland security.

“(D) To ensure, pursuant to section 202, the timely and efficient access by the Department to all information necessary to discharge the responsibilities under this title, including obtaining that information from other Federal Government agencies.

“(E) To develop, in coordination with the Sector-Specific Agencies with available expertise, a comprehensive national plan for securing the key resources and critical infrastructure of the United States, including power production, generation, and distribution systems, information technology and telecommunications systems (including satellites), electronic financial and property record storage and transmission systems, emergency communications systems, and the physical and technological assets that support those systems.

“(F) To recommend measures necessary to protect the key resources and critical infrastructure of the United States in coordination with other Federal Government agencies, including Sector-Specific Agencies, and in cooperation with State, local, tribal, and territorial government agencies and authorities, the private sector, and other entities.

“(G) To review, analyze, and make recommendations for improvements to the policies and procedures governing the sharing of information relating to homeland security within the Federal Government and between Federal Government agencies and State, local, tribal, and territorial government agencies and authorities.

“(H) To disseminate, as appropriate, information analyzed by the Department within the Department to other Federal Government agencies with responsibilities relating to homeland security and to State, local, tribal, and territorial government agencies and private sector entities with those responsibilities in order to assist in the deterrence, prevention, or preemption of, or response to, terrorist attacks against the United States.

“(I) To consult with State, local, tribal, and territorial government agencies and private sec-

tor entities to ensure appropriate exchanges of information, including law enforcement-related information, relating to threats of terrorism against the United States.

“(J) To ensure that any material received pursuant to this Act is protected from unauthorized disclosure and handled and used only for the performance of official duties.

“(K) To request additional information from other Federal Government agencies, State, local, tribal, and territorial government agencies, and the private sector relating to threats of terrorism in the United States, or relating to other areas of responsibility assigned by the Secretary, including the entry into cooperative agreements through the Secretary to obtain such information.

“(L) To establish and utilize, in conjunction with the Chief Information Officer of the Department, a secure communications and information technology infrastructure, including data-mining and other advanced analytical tools, in order to access, receive, and analyze data and information in furtherance of the responsibilities under this section, and to disseminate information acquired and analyzed by the Department, as appropriate.

“(M) To coordinate training and other support to the elements and personnel of the Department, other Federal Government agencies, and State, local, tribal, and territorial government agencies that provide information to the Department, or are consumers of information provided by the Department, in order to facilitate the identification and sharing of information revealed in their ordinary duties and the optimal utilization of information received from the Department.

“(N) To coordinate with Federal, State, local, tribal, and territorial law enforcement agencies, and the private sector, as appropriate.

“(O) To exercise the authorities and oversight of the functions, personnel, assets, and liabilities of those components transferred to the Department pursuant to section 201(g).

“(P) To carry out the functions of the national cybersecurity and communications integration center under section 209.

“(Q) To carry out the requirements of the Chemical Facility Anti-Terrorism Standards Program established under title XXI and the secure handling of ammonium nitrate program established under subtitle J of title VIII, or any successor programs.

“(2) REALLOCATION.—The Secretary may reallocate within the Agency the functions specified in sections 2203(b) and 2204(b), consistent with the responsibilities provided in paragraph (1), upon certifying to and briefing the appropriate congressional committees, and making available to the public, at least 60 days prior to the reallocation that the reallocation is necessary for carrying out the activities of the Agency.

“(3) STAFF.—

“(A) IN GENERAL.—The Secretary shall provide the Agency with a staff of analysts having appropriate expertise and experience to assist the Agency in discharging the responsibilities of the Agency under this section.

“(B) PRIVATE SECTOR ANALYSTS.—Analysts under this subsection may include analysts from the private sector.

“(C) SECURITY CLEARANCES.—Analysts under this subsection shall possess security clearances appropriate for their work under this section.

“(4) DETAIL OF PERSONNEL.—

“(A) IN GENERAL.—In order to assist the Agency in discharging the responsibilities of the Agency under this section, personnel of the Federal agencies described in subparagraph (B) may be detailed to the Agency for the performance of analytic functions and related duties.

“(B) AGENCIES.—The Federal agencies described in this subparagraph are—

“(i) the Department of State;

“(ii) the Central Intelligence Agency;

“(iii) the Federal Bureau of Investigation;

“(iv) the National Security Agency;

“(v) the National Geospatial-Intelligence Agency;

“(vi) the Defense Intelligence Agency;

“(vii) Sector-Specific Agencies; and

“(viii) any other agency of the Federal Government that the President considers appropriate.

“(C) INTERAGENCY AGREEMENTS.—The Secretary and the head of a Federal agency described in subparagraph (B) may enter into agreements for the purpose of detailing personnel under this paragraph.

“(D) BASIS.—The detail of personnel under this paragraph may be on a reimbursable or non-reimbursable basis.

“(f) COMPOSITION.—The Agency shall be composed of the following divisions:

“(1) The Cybersecurity Division, headed by an Assistant Director.

“(2) The Infrastructure Security Division, headed by an Assistant Director.

“(3) The Emergency Communications Division under title XVIII, headed by an Assistant Director.

“(g) CO-LOCATION.—

“(1) IN GENERAL.—To the maximum extent practicable, the Director shall examine the establishment of central locations in geographical regions with a significant Agency presence.

“(2) COORDINATION.—When establishing the central locations described in paragraph (1), the Director shall coordinate with component heads and the Under Secretary for Management to collocate or partner on any new real property leases, renewing any occupancy agreements for existing leases, or agreeing to extend or newly occupy any Federal space or new construction.

“(h) PRIVACY.—

“(1) IN GENERAL.—There shall be a Privacy Officer of the Agency with primary responsibility for privacy policy and compliance for the Agency.

“(2) RESPONSIBILITIES.—The responsibilities of the Privacy Officer of the Agency shall include—

“(A) assuring that the use of technologies by the Agency sustain, and do not erode, privacy protections relating to the use, collection, and disclosure of personal information;

“(B) assuring that personal information contained in systems of records of the Agency is handled in full compliance as specified in section 552a of title 5, United States Code (commonly known as the ‘Privacy Act of 1974’);

“(C) evaluating legislative and regulatory proposals involving collection, use, and disclosure of personal information by the Agency; and

“(D) conducting a privacy impact assessment of proposed rules of the Agency on the privacy of personal information, including the type of personal information collected and the number of people affected.

“(i) SAVINGS.—Nothing in this title may be construed as affecting in any manner the authority, existing on the day before the date of enactment of this title, of any other component of the Department or any other Federal department or agency, including the authority provided to the Sector-Specific Agency specified in section 61003(c) of division F of the Fixing America’s Surface Transportation Act (6 U.S.C. 121 note; Public Law 114–94).

“SEC. 2203. CYBERSECURITY DIVISION.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established in the Agency a Cybersecurity Division.

“(2) ASSISTANT DIRECTOR.—The Cybersecurity Division shall be headed by an Assistant Director for Cybersecurity (in this section referred to as the ‘Assistant Director’), who shall—

“(A) be at the level of Assistant Secretary within the Department;

“(B) be appointed by the President without the advice and consent of the Senate; and

“(C) report to the Director.

“(3) REFERENCE.—Any reference to the Assistant Secretary for Cybersecurity and Communications in any law, regulation, map, docu-

ment, record, or other paper of the United States shall be deemed to be a reference to the Assistant Director for Cybersecurity.

“(b) FUNCTIONS.—The Assistant Director shall—

“(1) direct the cybersecurity efforts of the Agency;

“(2) carry out activities, at the direction of the Director, related to the security of Federal information and Federal information systems consistent with law, including subchapter II of chapter 35 of title 44, United States Code, and the Cybersecurity Act of 2015 (contained in division N of the Consolidated Appropriations Act, 2016 (Public Law 114–113));

“(3) fully participate in the mechanisms required under section 2202(c)(7); and

“(4) carry out such other duties and powers as prescribed by the Director.

“SEC. 2204. INFRASTRUCTURE SECURITY DIVISION.

“(a) ESTABLISHMENT.—

“(1) IN GENERAL.—There is established in the Agency an Infrastructure Security Division.

“(2) ASSISTANT DIRECTOR.—The Infrastructure Security Division shall be headed by an Assistant Director for Infrastructure Security (in this section referred to as the ‘Assistant Director’), who shall—

“(A) be at the level of Assistant Secretary within the Department;

“(B) be appointed by the President without the advice and consent of the Senate; and

“(C) report to the Director.

“(3) REFERENCE.—Any reference to the Assistant Secretary for Infrastructure Protection in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Assistant Director for Infrastructure Security.

“(b) FUNCTIONS.—The Assistant Director shall—

“(1) direct the critical infrastructure security efforts of the Agency;

“(2) carry out, at the direction of the Director, the Chemical Facilities Anti-Terrorism Standards Program established under title XXI and the secure handling of ammonium nitrate program established under subtitle J of title VIII, or any successor programs;

“(3) fully participate in the mechanisms required under section 2202(c)(7); and

“(4) carry out such other duties and powers as prescribed by the Director.”.

(b) TREATMENT OF CERTAIN POSITIONS.—

(1) UNDER SECRETARY.—The individual serving as the Under Secretary appointed pursuant to section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H)) of the Department of Homeland Security on the day before the date of enactment of this Act may continue to serve as the Director of Cybersecurity and Infrastructure Security of the Department on and after such date.

(2) DIRECTOR FOR EMERGENCY COMMUNICATIONS.—The individual serving as the Director for Emergency Communications of the Department of Homeland Security on the day before the date of enactment of this Act may continue to serve as the Assistant Director for Emergency Communications of the Department on and after such date.

(3) ASSISTANT SECRETARY FOR CYBERSECURITY AND COMMUNICATIONS.—The individual serving as the Assistant Secretary for Cybersecurity and Communications on the day before the date of enactment of this Act may continue to serve as the Assistant Director for Cybersecurity on and after such date.

(4) ASSISTANT SECRETARY FOR INFRASTRUCTURE PROTECTION.—The individual serving as the Assistant Secretary for Infrastructure Protection on the day before the date of enactment of this Act may continue to serve as the Assistant Director for Infrastructure Security on and after such date.

(c) REFERENCE.—Any reference to—

(1) the Office of Emergency Communications in any law, regulation, map, document, record,

or other paper of the United States shall be deemed to be a reference to the Emergency Communications Division; and

(2) the Director for Emergency Communications in any law, regulation, map, document, record, or other paper of the United States shall be deemed to be a reference to the Assistant Director for Emergency Communications.

(d) OVERSIGHT.—The Director of Cybersecurity and Infrastructure Security of the Department of Homeland Security shall provide to Congress, in accordance with the deadlines specified in paragraphs (1) through (6), information on the following:

(1) Not later than 60 days after the date of enactment of this Act, a briefing on the activities of the Agency relating to the development and use of the mechanisms required pursuant to section 2202(c)(6) of the Homeland Security Act of 2002 (as added by subsection (a)).

(2) Not later than 1 year after the date of the enactment of this Act, a briefing on the activities of the Agency relating to the use and improvement by the Agency of the mechanisms required pursuant to section 2202(c)(6) of the Homeland Security Act of 2002 and how such activities have impacted coordination, situational awareness, and communications with Sector-Specific Agencies.

(3) Not later than 90 days after the date of the enactment of this Act, information on the mechanisms of the Agency for regular and ongoing consultation and collaboration, as required pursuant to section 2202(c)(7) of the Homeland Security Act of 2002 (as added by subsection (a)).

(4) Not later than 1 year after the date of the enactment of this Act, information on the activities of the consultation and collaboration mechanisms of the Agency as required pursuant to section 2202(c)(7) of the Homeland Security Act of 2002, and how such mechanisms have impacted operational coordination, situational awareness, and integration across the Agency.

(5) Not later than 180 days after the date of enactment of this Act, information, which shall be made publicly available and updated as appropriate, on the mechanisms and structures of the Agency responsible for stakeholder outreach and engagement, as required under section 2202(c)(10) of the Homeland Security Act of 2002 (as added by subsection (a)).

(e) CYBER WORKFORCE.—Not later than 90 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, in coordination with the Director of the Office of Personnel Management, shall submit to Congress a report detailing how the Agency is meeting legislative requirements under the Cybersecurity Workforce Assessment Act (Public Law 113–246; 128 Stat. 2880) and the Homeland Security Cybersecurity Workforce Assessment Act (enacted as section 4 of the Border Patrol Agent Pay Reform Act of 2014; Public Law 113–277) to address cyber workforce needs.

(f) FACILITY.—Not later than 180 days after the date of enactment of this Act, the Director of the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security shall report to Congress on the most efficient and effective methods of consolidating Agency facilities, personnel, and programs to most effectively carry out the Agency’s mission.

(g) TECHNICAL AND CONFORMING AMENDMENTS TO THE HOMELAND SECURITY ACT OF 2002.—The Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) is amended—

(1) by amending section 103(a)(1)(H) (6 U.S.C. 113(a)(1)(H)) to read as follows:

“(H) A Director of the Cybersecurity and Infrastructure Security Agency.”;

(2) in title II (6 U.S.C. 121 et seq.)—

(A) in the title heading, by striking “AND INFRASTRUCTURE PROTECTION”;

(B) in the subtitle A heading, by striking “and Infrastructure Protection”;

(C) in section 201 (6 U.S.C. 121)—

(i) in the section heading, by striking “AND INFRASTRUCTURE PROTECTION”;

(ii) in subsection (a)—
 (I) in the subsection heading, by striking “AND INFRASTRUCTURE PROTECTION”; and
 (II) by striking “and an Office of Infrastructure Protection”;

(iii) in subsection (b)—
 (I) in the subsection heading, by striking “AND ASSISTANT SECRETARY FOR INFRASTRUCTURE PROTECTION”; and
 (II) by striking paragraph (3);
 (iv) in subsection (c)—
 (I) by striking “and infrastructure protection”; and
 (II) by striking “or the Assistant Secretary for Infrastructure Protection, as appropriate”;
 (v) in subsection (d)—
 (I) in the subsection heading, by striking “AND INFRASTRUCTURE PROTECTION”;
 (II) in the matter preceding paragraph (1), by striking “and infrastructure protection”;
 (III) by striking paragraphs (5), (6), and (25);
 (IV) by redesignating paragraphs (7) through (24) as paragraphs (5) through (22), respectively;
 (V) by redesignating paragraph (26) as paragraph (23); and
 (VI) in paragraph (23)(B)(i), as so redesignated, by striking “section 319” and inserting “section 320”;
 (vi) in subsection (e)(1), by striking “and the Office of Infrastructure Protection”; and
 (vii) in subsection (f)(1), by striking “and the Office of Infrastructure Protection”;
 (D) in section 202 (6 U.S.C. 122)—
 (i) in subsection (c), in the matter preceding paragraph (1), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”; and
 (ii) in subsection (d)(2), by striking “Director of Central Intelligence” and inserting “Director of National Intelligence”;
 (E) in section 204 (6 U.S.C. 124a)—
 (i) in subsection (c)(1), in the matter preceding subparagraph (A), by striking “Assistant Secretary for Infrastructure Protection” and inserting “Director of the Cybersecurity and Infrastructure Security Agency”; and
 (ii) in subsection (d)(1), in the matter preceding subparagraph (A), by striking “Assistant Secretary for Infrastructure Protection” and inserting “Director of the Cybersecurity and Infrastructure Security Agency”;
 (F) in section 210A(c)(2)(B) (6 U.S.C. 124h(c)(2)(B)), by striking “Office of Infrastructure Protection” and inserting “Cybersecurity and Infrastructure Security Agency”;
 (G) by redesignating section 210E (6 U.S.C. 124I) as section 2214 and transferring such section to appear after section 2213 (as redesignated by subparagraph (I));
 (H) in subtitle B, by redesignating sections 211 through 215 (6 U.S.C. 101 note, and 131 through 134) as sections 2221 through 2225, respectively, and transferring such subtitle, including the enumerator and heading of subtitle B and such sections, to appear after section 2214 (as redesignated by subparagraph (G));
 (I) by redesignating sections 223 through 230 (6 U.S.C. 143 through 151) as sections 2205 through 2213, respectively, and transferring such sections to appear after section 2204, as added by this Act;
 (J) by redesignating section 210F as section 210E; and
 (K) by redesignating subtitles C and D as subtitles B and C, respectively;
 (3) in title III (6 U.S.C. 181 et seq.)—
 (A) in section 302 (6 U.S.C. 182)—
 (i) by striking “biological,” each place that term appears and inserting “biological,”; and
 (ii) in paragraph (3), by striking “Assistant Secretary for Infrastructure Protection” and inserting “Director of the Cybersecurity and Infrastructure Security Agency”;
 (B) by redesignating the second section 319 (6 U.S.C. 195f) (relating to EMP and GMD mitigation research and development) as section 320; and
 (C) in section 320(c)(1), as so redesignated, by striking “Section 214” and inserting “Section 2224”;

(4) in title V (6 U.S.C. 311 et seq.)—
 (A) in section 508(d)(2)(D) (6 U.S.C. 318(d)(2)(D)), by striking “The Director of the Office of Emergency Communications of the Department of Homeland Security” and inserting “The Assistant Director for Emergency Communications”;

(B) in section 514 (6 U.S.C. 321c)—
 (i) by striking subsection (b); and
 (ii) by redesignating subsection (c) as subsection (b); and
 (C) in section 523 (6 U.S.C. 321I)—
 (i) in subsection (a), in the matter preceding paragraph (1), by striking “Assistant Secretary for Infrastructure Protection” and inserting “Director of Cybersecurity and Infrastructure Security”; and
 (ii) in subsection (c), by striking “Assistant Secretary for Infrastructure Protection” and inserting “Director of Cybersecurity and Infrastructure Security”;

(5) in title VIII (6 U.S.C. 361 et seq.)—
 (A) in section 884(d)(4)(A)(ii) (6 U.S.C. 464(d)(4)(A)(ii)), by striking “Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department” and inserting “Director of Cybersecurity and Infrastructure Security”; and
 (B) in section 899B(a) (6 U.S.C. 488a(a)), by adding at the end the following: “Such regulations shall be carried out by the Cybersecurity and Infrastructure Security Agency.”;

(6) in title XVIII (6 U.S.C. 571 et seq.)—
 (A) in section 1801 (6 U.S.C. 571)—
 (i) in the section heading, by striking “OFFICE OF EMERGENCY COMMUNICATIONS” and inserting “EMERGENCY COMMUNICATIONS DIVISION”;
 (ii) in subsection (a)—
 (I) by striking “Office of Emergency Communications” and inserting “Emergency Communications Division”; and
 (II) by adding at the end the following: “The Division shall be located in the Cybersecurity and Infrastructure Security Agency.”;

(iii) by amending subsection (b) to read as follows:
 “(b) ASSISTANT DIRECTOR.—The head of the Division shall be the Assistant Director for Emergency Communications. The Assistant Director shall report to the Director of Cybersecurity and Infrastructure Security. All decisions of the Assistant Director that entail the exercise of significant authority shall be subject to the approval of the Director of Cybersecurity and Infrastructure Security.”;

(iv) in subsection (c)—
 (I) in the matter preceding paragraph (1), by inserting “Assistant” before “Director”;
 (II) in paragraph (14), by striking “and” at the end;
 (III) in paragraph (15), by striking the period at the end and inserting “; and”; and
 (IV) by inserting after paragraph (15) the following:
 “(16) fully participate in the mechanisms required under section 2202(c)(7).”;

(v) in subsection (d), in the matter preceding paragraph (1), by inserting “Assistant” before “Director”; and
 (vi) in subsection (e), in the matter preceding paragraph (1), by inserting “Assistant” before “Director”;

(B) in sections 1802 through 1805 (6 U.S.C. 572 through 575), by striking “Director for Emergency Communications” each place that term appears and inserting “Assistant Director for Emergency Communications”;

(C) in section 1809 (6 U.S.C. 579)—
 (i) by striking “Director of Emergency Communications” each place that term appears and inserting “Assistant Director for Emergency Communications”;

(ii) in subsection (b)—
 (I) by striking “Director for Emergency Communications” and inserting “Assistant Director for Emergency Communications”; and
 (II) by striking “Office of Emergency Communications” and inserting “Emergency Communications Division”;

(iii) in subsection (e)(3), by striking “the Director” and inserting “the Assistant Director”; and
 (iv) in subsection (m)(1)—
 (I) by striking “The Director” and inserting “The Assistant Director”;
 (II) by striking “the Director determines” and inserting “the Assistant Director determines”; and
 (III) by striking “Office of Emergency Communications” and inserting “Cybersecurity and Infrastructure Security Agency”;

(D) in section 1810 (6 U.S.C. 580)—
 (i) in subsection (a)(1), by striking “Director of the Office of Emergency Communications (referred to in this section as the ‘Director’)” and inserting “Assistant Director for Emergency Communications (referred to in this section as the ‘Assistant Director’)”;

(ii) in subsection (c), by striking “Office of Emergency Communications” and inserting “Emergency Communications Division”; and
 (iii) by striking “Director” each place that term appears and inserting “Assistant Director”;

(7) in title XX (6 U.S.C. 601 et seq.)—
 (A) in paragraph (4)(A)(iii)(II) of section 2001 (6 U.S.C. 601), by striking “section 210E(a)(2)” and inserting “section 2214(a)(2)”;

(B) in section 2008(a)(3) (6 U.S.C. 609(a)(3)), by striking “section 210E(a)(2)” and inserting “section 2214(a)(2)”;

(C) in section 2021 (6 U.S.C. 611)—
 (i) by striking subsection (c); and
 (ii) by redesignating subsection (d) as subsection (c);

(8) in title XXI (6 U.S.C. 621 et seq.)—
 (A) in section 2102(a)(1) (6 U.S.C. 622(a)(1)), by inserting “, which shall be located in the Cybersecurity and Infrastructure Security Agency” before the period at the end; and
 (B) in section 2104(c)(2) (6 U.S.C. 624(c)(2)), by striking “Under Secretary responsible for overseeing critical infrastructure protection, cybersecurity, and other related programs of the Department appointed under section 103(a)(1)(H)” and inserting “Director of Cybersecurity and Infrastructure Security”; and
 (9) in title XXII, as added by this Act—
 (A) in subtitle A—
 (i) in section 2205, as so redesignated—
 (I) in the matter preceding paragraph (1)—
 (aa) by striking “section 201” and inserting “section 2202”; and
 (bb) by striking “Under Secretary appointed under section 103(a)(1)(H)” and inserting “Director of Cybersecurity and Infrastructure Security”; and
 (II) in paragraph (1)(B), by striking “and” at the end;
 (ii) in section 2206, as so redesignated, by striking “Assistant Secretary for Infrastructure Protection” and inserting “Director of Cybersecurity and Infrastructure Security”;
 (iii) in section 2209, as so redesignated—
 (I) by striking “Under Secretary appointed under section 103(a)(1)(H)” each place that term appears and inserting “Director”;

(II) in subsection (a)(4), by striking “section 212(5)” and inserting “section 2222(5)”;

(III) in subsection (b), by adding at the end the following: “The Center shall be located in the Cybersecurity and Infrastructure Security Agency. The head of the Center shall report to the Assistant Director for Cybersecurity.”; and
 (IV) in subsection (c)(11), by striking “Office of Emergency Communications” and inserting “Emergency Communications Division”;

(iv) in section 2210, as so redesignated—
 (I) by striking “section 227” each place that term appears and inserting “section 2209”; and
 (II) in subsection (c)—
 (aa) by striking “Under Secretary appointed under section 103(a)(1)(H)” and inserting “Director of Cybersecurity and Infrastructure Security”; and
 (bb) by striking “section 212(5)” and inserting “section 2222(5)”;

(v) in section 2211(b)(2)(A), as so redesignated, by striking “the section 227” and inserting “section 2209”;

(vi) in section 2212, as so redesignated, by striking “section 212(5)” and inserting “section 222(5)”;

(vii) in section 2213(a), as so redesignated—
(I) in paragraph (3), by striking “section 228” and inserting “section 2210”; and

(II) in paragraph (4), by striking “section 227” and inserting “section 2209”; and

(viii) in section 2214, as so redesignated—
(I) by striking subsection (e); and
(II) by redesignating subsection (f) as subsection (e); and

(B) in subtitle B—

(i) in section 2222(8), as so redesignated, by striking “section 227” and inserting “section 2209”; and

(ii) in section 2224(h), as so redesignated, by striking “section 213” and inserting “section 2223”;

(h) TECHNICAL AND CONFORMING AMENDMENTS TO OTHER LAWS.—

(I) CYBERSECURITY ACT OF 2015.—The Cybersecurity Act of 2015 (6 U.S.C. 1501 et seq.) is amended—

(A) in section 202(2) (6 U.S.C. 131 note)—
(i) by striking “section 227” and inserting “section 2209”; and

(ii) by striking “, as so redesignated by section 223(a)(3) of this division”;

(B) in section 207(2) (Public Law 114–113; 129 Stat. 2962)—

(i) by striking “section 227” and inserting “section 2209”; and

(ii) by striking “, as redesignated by section 223(a) of this division.”;

(C) in section 208 (Public Law 114–113; 129 Stat. 2962), by striking “Under Secretary appointed under section 103(a)(1)(H) of the Homeland Security Act of 2002 (6 U.S.C. 113(a)(1)(H))” and inserting “Director of Cybersecurity and Infrastructure Security of the Department”;

(D) in section 222 (6 U.S.C. 1521)—

(i) in paragraph (2)—

(I) by striking “section 228” and inserting “section 2210”; and

(II) by striking “, as added by section 223(a)(4) of this division”; and

(i) in paragraph (4)—

(I) by striking “section 227” and inserting “section 2209”; and

(II) by striking “, as so redesignated by section 223(a)(3) of this division”;

(E) in section 223(b) (6 U.S.C. 151 note)—

(i) by striking “section 230(b)(1) of the Homeland Security Act of 2002, as added by subsection (a)” each place that term appears and inserting “section 2213(b)(1) of the Homeland Security Act of 2002”; and

(ii) in paragraph (1)(B), by striking “section 230(b)(2) of the Homeland Security Act of 2002, as added by subsection (a)” and inserting “section 2213(b)(2) of the Homeland Security Act of 2002”;

(F) in section 226 (6 U.S.C. 1524)—

(i) in subsection (a)—

(I) in paragraph (1)—

(aa) by striking “section 230” and inserting “section 2213”; and

(bb) by striking “, as added by section 223(a)(6) of this division”;

(II) in paragraph (4)—

(aa) by striking “section 228(b)(1)” and inserting “section 2210(b)(1)”; and

(bb) by striking “, as added by section 223(a)(4) of this division”; and

(III) in paragraph (5)—

(aa) by striking “section 230(b)” and inserting “section 2213(b)”; and

(bb) by striking “, as added by section 223(a)(6) of this division”; and

(ii) in subsection (c)(I)(A)(vi)—

(I) by striking “section 230(c)(5)” and inserting “section 2213(c)(5)”; and

(II) by striking “, as added by section 223(a)(6) of this division”;

(G) in section 227 (6 U.S.C. 1525)—

(i) in subsection (a)—

(I) by striking “section 230” and inserting “section 2213”; and

(II) by striking “, as added by section 223(a)(6) of this division.”; and

(ii) in subsection (b)—

(I) by striking “section 230(d)(2)” and inserting “section 2213(d)(2)”; and

(II) by striking “, as added by section 223(a)(6) of this division.”; and

(H) in section 404 (6 U.S.C. 1532)—

(i) by striking “Director for Emergency Communications” each place that term appears and inserting “Assistant Director for Emergency Communications”; and

(ii) in subsection (a)—

(I) by striking “section 227” and inserting “section 2209”; and

(II) by striking “, as redesignated by section 223(a)(3) of this division.”;

(2) SMALL BUSINESS ACT.—Section 21(a)(8)(B) of the Small Business Act (15 U.S.C. 648(a)(8)(B)) is amended by striking “section 227(a) of the Homeland Security Act of 2002 (6 U.S.C. 148(a))” and inserting “section 2209(a) of the Homeland Security Act of 2002”.

(3) TITLE 5.—Subchapter II of chapter 53 of title 5, United States Code, is amended—

(A) in section 5314, by inserting after “Under Secretaries, Department of Homeland Security.” the following:

“Director, Cybersecurity and Infrastructure Security Agency.”; and

(B) in section 5315, by inserting after “Assistant Secretaries, Department of Homeland Security.” the following:

“Assistant Director for Cybersecurity, Cybersecurity and Infrastructure Security Agency.

“Assistant Director for Infrastructure Security, Cybersecurity and Infrastructure Security Agency.”.

(i) TABLE OF CONTENTS AMENDMENTS.—The table of contents in section 1(b) of the Homeland Security Act of 2002 (Public Law 107–296; 116 Stat. 2135) is amended—

(1) by striking the item relating to title II and inserting the following:

“TITLE II—INFORMATION ANALYSIS”;

(2) by striking the item relating to subtitle A of title II and inserting the following:

“Subtitle A—Information and Analysis; Access to Information”;

(3) by striking the item relating to section 201 and inserting the following:

“Sec. 201. Information and analysis.”;

(4) by striking the items relating to sections 210E and 210F and inserting the following:

“Sec. 210E. Classified Information Advisory Officer.”;

(5) by striking the items relating to subtitle B of title II and sections 211 through 215;

(6) by striking the items relating to section 223 through section 230;

(7) by striking the item relating to subtitle C and inserting the following:

“Subtitle B—Information Security”;

(8) by striking the item relating to subtitle D and inserting the following:

“Subtitle C—Office of Science and Technology”;

(9) by striking the items relating to sections 317, 319, 318, and 319 and inserting the following:

“Sec. 317. Promoting antiterrorism through international cooperation program.

“Sec. 318. Social media working group.

“Sec. 319. Transparency in research and development.

“Sec. 320. EMP and GMD mitigation research and development.”;

(10) by striking the item relating to section 1801 and inserting the following:

“Sec. 1801. Emergency Communications Division.”; and

(11) by adding at the end the following:

“TITLE XXII—CYBERSECURITY AND INFRASTRUCTURE SECURITY AGENCY

“Subtitle A—Cybersecurity and Infrastructure Security

“Sec. 2201. Definitions.

“Sec. 2202. Cybersecurity and Infrastructure Security Agency.

“Sec. 2203. Cybersecurity Division.

“Sec. 2204. Infrastructure Security Division.

“Sec. 2205. Enhancement of Federal and non-Federal cybersecurity.

“Sec. 2206. Net guard.

“Sec. 2207. Cyber Security Enhancement Act of 2002.

“Sec. 2208. Cybersecurity recruitment and retention.

“Sec. 2209. National cybersecurity and communications integration center.

“Sec. 2210. Cybersecurity plans.

“Sec. 2211. Cybersecurity strategy.

“Sec. 2212. Clearances.

“Sec. 2213. Federal intrusion detection and prevention system.

“Sec. 2214. National Asset Database.

“Subtitle B—Critical Infrastructure Information

“Sec. 2221. Short title.

“Sec. 2222. Definitions.

“Sec. 2223. Designation of critical infrastructure protection program.

“Sec. 2224. Protection of voluntarily shared critical infrastructure information.

“Sec. 2225. No private right of action.”.

SEC. 3. TRANSFER OF OTHER ENTITIES.

(a) OFFICE OF BIOMETRIC IDENTITY MANAGEMENT.—The Office of Biometric Identity Management of the Department of Homeland Security located in the National Protection and Programs Directorate of the Department of Homeland Security on the day before the date of enactment of this Act is hereby transferred to the Management Directorate of the Department.

(b) FEDERAL PROTECTIVE SERVICE.—

(1) IN GENERAL.—Not later than 90 days after the completion of the Government Accountability Office review of the organizational placement of the Federal Protective Service (authorized under section 1315 of title 40, United States Code), the Secretary of Homeland Security shall determine the appropriate placement of the Service within the Department of Homeland Security and commence the transfer of the Service to such component, directorate, or other office of the Department that the Secretary so determines appropriate.

(2) EXCEPTION.—If the Secretary of Homeland Security determines pursuant to paragraph (1) that no component, directorate, or other office of the Department of Homeland Security is an appropriate placement for the Federal Protective Service, the Secretary shall—

(A) provide to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate and the Office of Management and Budget a detailed explanation, in writing, of the reason for such determination that includes—

(i) information on how the Department considered the Government Accountability Office review described in such paragraph;

(ii) a list of the components, directorates, or other offices of the Department that were considered for such placement; and

(iii) information on why each such component, directorate, or other office of the Department was determined to not be an appropriate placement for the Service;

(B) not later than 120 days after the completion of the Government Accountability Office review described in such paragraph, develop and submit to the committees specified in subparagraph (A) and the Office of Management and Budget a plan to coordinate with other appropriate Federal agencies, including the General Services Administration, to determine a more appropriate placement for the Service; and

(C) not later than 180 days after the completion of such Government Accountability Office review, submit to such committees and the Office of Management and Budget a recommendation regarding the appropriate placement of the

Service within the executive branch of the Federal Government.

SEC. 4. DHS REPORT ON CLOUD-BASED CYBERSECURITY.

(a) **DEFINITION.**—In this section, the term “Department” means the Department of Homeland Security.

(b) **REPORT.**—Not later than 120 days after the date of enactment of this Act, the Secretary of Homeland Security, in coordination with the Director of the Office of Management and Budget and the Administrator of General Services, shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform and the Committee on Homeland Security of the House of Representatives a report on the leadership role of the Department in cloud-based cybersecurity deployments for civilian Federal departments and agencies, which shall include—

(1) information on the plan of the Department for ensuring access to a security operations center as a service capability in accordance with the December 19, 2017 Report to the President on Federal IT Modernization issued by the American Technology Council;

(2) information on what service capabilities under paragraph (1) the Department will prioritize, including—

(A) criteria the Department will use to evaluate capabilities offered by the private sector; and

(B) how Federal government- and private sector-provided capabilities will be integrated to enable visibility and consistency of such capabilities across all cloud and on premise environments, as called for in the report described in paragraph (1); and

(3) information on how the Department will adapt the current capabilities of, and future enhancements to, the intrusion detection and prevention system of the Department and the Continuous Diagnostics and Mitigation Program of the Department to secure civilian Federal government networks in a cloud environment.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act or an amendment made by this Act may be construed as—

(1) conferring new authorities to the Secretary of Homeland Security, including programmatic, regulatory, or enforcement authorities, outside of the authorities in existence on the day before the date of enactment of this Act;

(2) reducing or limiting the programmatic, regulatory, or enforcement authority vested in any other Federal agency by statute; or

(3) affecting in any manner the authority, existing on the day before the date of enactment of this Act, of any other Federal agency or component of the Department of Homeland Security.

SEC. 6. PROHIBITION ON ADDITIONAL FUNDING.

No additional funds are authorized to be appropriated to carry out this Act or the amendments made by this Act. This Act and the amendments made by this Act shall be carried out using amounts otherwise authorized.

On motion of Mr. McCAUL, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶149.36 CONDEMNING THE ANTI-SEMITIC ATTACK ON THE TREE OF LIFE, DOR HADASH, AND NEW LIGHT CONGREGATIONS

On motion of Ms. FOXX, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the following resolution (H. Res. 1138):

Whereas, on October 27, 2018, an anti-Semitic attack took place at the Tree of Life synagogue building in the Squirrel Hill neighborhood of Pittsburgh, Pennsylvania, where members of the Tree of Life, Dor Hadash, and New Light Jewish congregations were engaged in morning Shabbat services, killing 11 and wounding six innocent people;

Whereas the people of the United States mourn the lives of Joyce Feinberg, Richard Gottfried, Rose Mallinger, Jerry Rabinowitz, Cecil Rosenthal, David Rosenthal, Bernice Simon, Sylvan Simon, Daniel Stein, Melvin Wax, and Irving Younger;

Whereas the people of the United States hope for the speedy recovery of those who were injured;

Whereas the people of the United States are grateful for the swift action of law enforcement, emergency response teams, and medical professionals who responded to the attack;

Whereas the attack is believed to be the deadliest assault on Jewish people in American history;

Whereas the Federal Bureau of Investigation finds the majority of religious hate crimes are motivated by anti-Jewish bias; and

Whereas anti-Semitism has been increasing for years, including a reported 57 percent rise in anti-Semitic incidents from 2016 to 2017, the largest single-year increase in anti-Jewish hate since such data was collected: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the horrific, anti-Semitic attack on the Tree of Life synagogue building in Pittsburgh, Pennsylvania, on October 27, 2018, in which 11 innocent people were killed and six were injured;

(2) condemns rising anti-Semitism in the United States and around the world;

(3) honors the memory of Joyce Feinberg, Richard Gottfried, Rose Mallinger, Jerry Rabinowitz, Cecil Rosenthal, David Rosenthal, Bernice Simon, Sylvan Simon, Daniel Stein, Melvin Wax, and Irving Younger, who were killed in the attack;

(4) expresses hope for a full and speedy recovery by and pledges continued support for those injured in the attack;

(5) offers heartfelt condolences and deepest sympathies to the Tree of Life, Dor Hadash, and New Light Jewish congregations, as well as the families, friends, loved ones, and communities affected by the tragedy;

(6) applauds the dedication and bravery of law enforcement for their efforts to respond to the attack, as well as the service of first responders and medical professionals throughout the Pittsburgh community;

(7) stands with the Jewish community in Pittsburgh, the United States, and across the world;

(8) reaffirms the commitment of the United States and its allies to defeat anti-Semitism in all its forms throughout the world; and

(9) supports the right of Americans to freely exercise their religious beliefs and rejects all forms of terror and hate.

When said resolution was considered. Ms. FOXX submitted the following amendment which was agreed to:

Page 3, line 1, strike “Feinberg” and insert “Fienberg”.

The resolution, as amended, was agreed to.

Ms. FOXX submitted the following amendment to the preamble which was agreed to:

In the second whereas clause, strike “Feinberg” and insert “Fienberg”.

In the last whereas clause, insert “according to the Anti-Defamation League” after “2017”.

A motion to reconsider the votes whereby said resolution, as amended, was agreed to and the preamble was amended was, by unanimous consent, laid on the table.

¶149.37 ORDER OF BUSINESS—MORNING-HOUR DEBATE

On motion of Ms. FOXX, by unanimous consent,

Ordered, That it may be in order that the order of the House of January 8, 2018, regarding morning-hour debate not apply on Wednesday, November 14, 2018.

¶149.38 ORDER OF BUSINESS—POSTPONEMENT OF VOTE ON SUSPENSION

On motion of Ms. FOXX, by unanimous consent,

Ordered, That, notwithstanding clause 8 of rule XX, further proceedings on the question of agreeing to the motion to suspend the rules with regard to the bill (H.R. 5787) to amend the Coastal Barrier Resources Act to give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping of such units, and for other purposes, may continue to be postponed through the legislative day of Friday, November 16, 2018.

¶149.39 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mrs. WATSON COLEMAN, for today.

And then,

¶149.40 ADJOURNMENT

On motion of Mr. LAMALFA, pursuant to the previous order of the House, at 7 o'clock and 45 minutes p.m., the House adjourned until noon on Wednesday, November 14, 2018.

¶149.41 OATH OF OFFICE/MEMBERS, RESIDENT COMMISSIONER & DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

“I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.”

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 115th Congress,

pursuant to the provisions of 2 U.S.C. 25:

KEVIN HERN, First District of Oklahoma.

JOSEPH D. MORELLE, 25th District of New York.

MARY GAY SCANLON, Seventh District of Pennsylvania.

149.42 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5326. A bill to amend titles 14 and 46, United States Code, to make technical corrections with respect to Coast Guard and shipping authorities, and for other purposes; with an amendment (Rept. 115-1015). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 5319. A bill to transfer Coast Guard property in the Town of Jupiter Island, Florida, for inclusion in Hobe Sound National Wildlife Refuge (Rept. 115-1016, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 2593. A bill to authorize appropriations for the Federal Maritime Commission for fiscal years 2018 and 2019, and for other purposes; with an amendment (Rept. 115-1017). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 4673. A bill to create opportunities for women in the aviation industry; with an amendment (Rept. 115-1018). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 6175. A bill to enhance maritime safety, and for other purposes (Rept. 115-1019). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 6206. A bill to direct the Commandant of the Coast Guard to establish a Blue Technology center of expertise, and for other purposes (Rept. 115-1020). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 6622. A bill to designate the Federal building located at 2110 First Street in Fort Myers, Florida, as the "George W. Whitehurst Federal Building"; with amendments (Rept. 115-1021). Referred to the House Calendar.

Mr. NEWHOUSE: Committee on Rules. House Resolution 1142. Resolution providing for consideration of the bill (H.R. 6784) to provide for removal of the gray wolf in the contiguous 48 States from the List of Endangered and Threatened Wildlife published under the Endangered Species Act of 1973, and providing for proceedings during the period from November 19, 2018, through November 26, 2018 (Rept. 115-1022). Referred to the House Calendar.

149.43 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Natural Resources discharged from further consideration. H.R. 5319 referred to the Committee on the Whole House on the state of the Union.

149.44 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. DUNN:

H.R. 7119. A bill to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to continue to pay educational assistance or subsistence allowances to eligible persons when educational institutions are temporarily closed, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. HARPER (for himself and Mr. BRADY of Pennsylvania):

H.R. 7120. A bill to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission; to the Committee on House Administration.

By Ms. NORTON:

H.R. 7121. A bill to amend title 40, United States Code, to prohibit the Commission of Fine Arts from exercising authority over non-Federal property in the District of Columbia, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PAULSEN:

H.R. 7122. A bill to amend title III of the Public Health Service Act and titles XI and XVIII of the Social Security Act to accelerate the adoption of value-based payment and delivery arrangements among health care stakeholders intended to coordinate care, improve patient outcomes, share accountability, or lower costs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself, Mr. SUOZZI, Mr. MCCAUL, Ms. KAPTUR, Mr. CHABOT, Mr. SHERMAN, Mrs. COMSTOCK, Mr. CONNOLLY, Mr. HULTGREEN, and Mr. MCGOVERN):

H.R. 7123. A bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China; to the Committee on Foreign Affairs, and in addition to the Committees on Intelligence (Permanent Select), and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WITTMAN (for himself, Ms. GRANGER, Mr. MCGOVERN, and Ms. ROYBAL-ALLARD):

H. Con. Res. 141. Concurrent resolution expressing the sense of Congress that public health professionals should be commended for their dedication and service to the United States on Public Health Thank You Day, November 19, 2018; to the Committee on Energy and Commerce.

By Mr. BABIN:

H. Res. 1143. A resolution calling on the President to resume the interpretation of section 1 of the 14th Amendment to the Constitution as originally intended and applied as law for a century; to the Committee on the Judiciary.

By Mr. CHABOT (for himself, Ms. VELÁZQUEZ, Ms. ADAMS, Mr. ESPAILLAT, Mr. LAWSON of Florida, Mrs. RADEWAGEN, Mr. LUETKEMEYER, Mr. SCHNEIDER, Mr. FITZPATRICK, Mr. BRAT, Mr. EVANS, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. CURTIS, Ms. JUDY CHU of California, Mr. NORMAN, Mr. BLUM, Mr. MARSHALL, Mr. KING of Iowa, Mr. KNIGHT, Mr. KELLY

of Mississippi, Mr. BALDERSON, Ms. CLARKE of New York, Ms. MCCOLLUM, Mr. HIGGINS of New York, Ms. PINGREE, Ms. HANABUSA, Mr. LOEBACK, Mr. SCHWEIKERT, Ms. NORTON, Mr. JOHNSON of Georgia, Mr. DELANEY, Mr. GRIJALVA, Ms. KELLY of Illinois, Mr. TIPTON, Mr. SEAN PATRICK MALONEY of New York, Mr. MOULTON, Mr. STIVERS, and Ms. BONAMICI):

H. Res. 1144. A resolution recognizing November 24, 2018, as "Small Business Saturday" and supporting efforts to increase awareness of the value of locally owned small businesses; to the Committee on Small Business.

By Mr. QUIGLEY (for himself, Ms.

MATSUI, Mr. TONKO, Mr. CONNOLLY, Mr. POLIS, Ms. PINGREE, Mr. CARTWRIGHT, Mr. LOWENTHAL, Mr. HUFFMAN, Ms. BARRAGÁN, Mr. MCNERNEY, Mr. KILMER, Mr. THOMPSON of California, Mrs. CAROLYN B. MALONEY of New York, Mr. WELCH, Mr. ENGEL, Mr. DESAULNIER, Ms. BONAMICI, Ms. KAPTUR, Mrs. WATSON COLEMAN, Mr. KHANNA, Mr. BEYER, Mr. GRIJALVA, Mr. LANGEVIN, Ms. SCHAKOWSKY, Ms. WASSERMAN SCHULTZ, Mrs. DINGELL, Mr. CARBAJAL, Mr. LIPINSKI, Mr. MOULTON, Mr. BEN RAY LUJÁN of New Mexico, Mrs. DAVIS of California, Mr. MCGOVERN, Ms. MCCOLLUM, Mr. PRICE of North Carolina, Ms. LEE, Mr. KRISHNAMOORTHY, Ms. VELÁZQUEZ, Mr. POCAN, Mr. MCEACHIN, Mr. PALONE, Mr. CLEAVER, Ms. ADAMS, Ms. ROYBAL-ALLARD, Mr. PANETTA, Mr. SMITH of Washington, Ms. DEGETTE, Ms. SHEA-PORTER, Ms. MENG, Mr. RUSH, Mr. HIGGINS of New York, Mr. SOTO, Mr. HASTINGS, Mr. ESPAILLAT, Mr. SIRES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GARAMENDI, Mr. PETERS, Mr. BLUMENAUER, Ms. HANABUSA, Ms. GABBARD, Ms. ESHOO, Ms. JUDY CHU of California, Mr. RASKIN, Mr. KILDEE, Ms. CASTOR of Florida, Mr. GALLEGO, Mrs. LAWRENCE, Ms. DELAUNO, Mr. SCHIFF, Ms. JAYAPAL, Ms. SEWELL of Alabama, Ms. TSONGAS, Mr. RYAN of Ohio, Mr. NOLAN, Ms. DELBENE, Mr. JOHNSON of Georgia, Mr. RUPPERSBERGER, Ms. FRANKEL of Florida, Mr. NADLER, Ms. LOFGREN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LARSEN of Washington, Ms. NORTON, and Mr. EVANS):

H. Res. 1145. A resolution expressing the need for bold climate action in response to the release of the United Nations report titled "Global Warming of 1.5 degrees Celsius, an IPCC special report on the impacts of global warming of 1.5 degrees Celsius above pre-industrial levels and related global greenhouse gas emission pathways in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty"; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

149.45 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 121: Mr. COHEN.

H.R. 154: Mr. JOHNSON of Georgia.

H.R. 530: Ms. DEGETTE.

H.R. 742: Ms. PINGREE.

H.R. 1322: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1358: Mr. LARSON of Connecticut.
 H.R. 1438: Ms. NORTON.
 H.R. 1516: Mr. CLAY.
 H.R. 1542: Mr. RUSH.
 H.R. 1566: Mr. HASTINGS, Mr. LAWSON of Florida, Ms. LEE, and Ms. SEWELL of Alabama.
 H.R. 1960: Mr. KHANNA.
 H.R. 2059: Mr. COHEN.
 H.R. 2285: Mr. DELANEY.
 H.R. 2358: Mrs. LESKO, Mr. BYRNE, Mr. ROUZER, Mr. CLEAVER, Mr. VARGAS, Ms. PLASKETT, and Mr. WEBER of Texas.
 H.R. 2417: Mrs. TORRES and Mrs. WATSON COLEMAN.
 H.R. 2447: Mr. COHEN.
 H.R. 2657: Mr. GARRETT.
 H.R. 3032: Mr. LATTI.
 H.R. 3085: Mr. COLE.
 H.R. 3197: Mr. WELCH and Mrs. WALORSKI.
 H.R. 3325: Mr. GUTIERREZ.
 H.R. 3767: Mr. DANNY K. DAVIS of Illinois.
 H.R. 3798: Mr. CURTIS.
 H.R. 4107: Mr. BLUMENAUER, Mrs. DAVIS of California, Mr. GARRETT, Ms. GRANGER, Mr. LANGEVIN, Mr. KUSTOFF of Tennessee, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DANNY K. DAVIS of Illinois, Mr. BUDD, and Mr. NEWHOUSE.
 H.R. 4138: Mr. SEAN PATRICK MALONEY of New York.
 H.R. 4565: Mr. DELANEY.
 H.R. 4575: Mr. PETERSON.
 H.R. 4701: Mr. COHEN.
 H.R. 4732: Mr. LONG, Mr. POSEY, and Mr. BYRNE.
 H.R. 4828: Mr. COURTNEY.
 H.R. 4897: Mr. MACARTHUR.
 H.R. 4912: Ms. SHEA-PORTER.
 H.R. 5306: Mr. DOGGERT.
 H.R. 5337: Mr. RASKIN.
 H.R. 5413: Mr. DELANEY.
 H.R. 5472: Mrs. LOVE.
 H.R. 5476: Mr. THOMPSON of California.
 H.R. 5561: Mr. LIPINSKI.
 H.R. 5595: Mr. BYRNE.
 H.R. 5671: Mrs. LOWEY.
 H.R. 5955: Mrs. MIMI WALTERS of California and Mr. RODNEY DAVIS of Illinois.
 H.R. 5985: Mrs. DEMINGS.
 H.R. 6315: Mr. AGUILAR and Ms. KUSTER of New Hampshire.
 H.R. 6358: Ms. SPEIER.
 H.R. 6421: Mr. COHEN.
 H.R. 6424: Ms. PINGREE.
 H.R. 6566: Mr. YOUNG of Alaska.
 H.R. 6643: Mr. TED LIEU of California, Ms. CASTOR of Florida, and Mr. FOSTER.
 H.R. 6678: Ms. NORTON.
 H.R. 6759: Mr. BLUMENAUER, Mr. MCNERNEY, Mr. SMITH of Washington, and Mr. HUFFMAN.
 H.R. 6873: Mr. CICILLINE.
 H.R. 6880: Mr. SCHIFF.
 H.R. 6948: Mr. CLAY.
 H.R. 6967: Ms. KAPTUR.
 H.R. 6993: Mr. MCNERNEY.
 H.R. 7052: Mr. LOWENTHAL and Ms. ESHOO.
 H.R. 7073: Mr. ARRINGTON.
 H.R. 7118: Ms. JAYAPAL and Mr. CARSON of Indiana.
 H. Con. Res. 138: Mr. CICILLINE, Mr. COOPER, Mr. HIMES, and Ms. DELBENE.
 H. Res. 282: Mr. KRISHNAMOORTHY and Mr. ESPAILLAT.
 H. Res. 757: Mr. ENGEL, Mr. ESPAILLAT, Ms. VELÁZQUEZ, and Mr. KRISHNAMOORTHY.
 H. Res. 884: Mr. BANKS of Indiana.
 H. Res. 1073: Ms. SÁNCHEZ.
 H. Res. 1121: Mr. DESAULNIER.
 H. Res. 1134: Ms. WASSERMAN SCHULTZ, Mr. SEAN PATRICK MALONEY of New York, and Mr. MICHAEL F. DOYLE of Pennsylvania.
 H. Res. 1138: Mr. LAMB, Mr. ROTHFUS, Mr. BACON, Mr. BILIRAKIS, Ms. BONAMICI, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. CARSON of Indiana, Mr. COHEN, Ms. DELBENE, Ms. ESHOO, Mr. ESPAILLAT, Mr. FITZPATRICK, Mr.

FLEISCHMANN, Mr. FOSTER, Ms. FRANKEL of Florida, Mr. GONZALEZ of Texas, Mr. HASTINGS, Mr. JOHNSON of Georgia, Mr. KHANNA, Mr. KING of New York, Mr. LOWENTHAL, Mrs. CAROLYN B. MALONEY of New York, Mr. SEAN PATRICK MALONEY of New York, Ms. MENG, Ms. MOORE, Mr. NADLER, Mr. NEAL, Ms. NORTON, Mr. PALLONE, Mr. PASCRELL, Mr. POCAN, Ms. ROSEN, Mr. RYAN of Ohio, Mr. SCHIFF, Mr. SERRANO, Mr. SIREES, Ms. SPEIER, Mr. STEWART, Mr. SUOZZI, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Mr. WEBER of Texas, Mr. WENSTRUP, Mr. ZELDIN, Ms. CLARKE of New York, and Ms. FOXX.
 H. Res. 1139: Ms. LOFGREN.
 H. Res. 1141: Mr. LAWSON of Florida.

WEDNESDAY, NOVEMBER 14, 2018 (150)

The House was called to order by the SPEAKER.

¶150.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, November 13, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶150.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6786. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the FY 2014 Report to Congress on Community Services Block Grant Discretionary Activities — Community Economic Development and Rural Community Development Programs, pursuant to Sec. 680(c) of the Community Services Block Grant Act of 1981, Public Law 97-35, as amended by the Community Opportunities, Accountability, and Training and Educational Services Act of 1998; to the Committee on Education and the Workforce.

6787. A letter from the Secretary of Agriculture, Secretary of Health and Human Services, Department of Agriculture, Department of Health and Human Services, transmitting the Department's Report to Congress on the Notifications of Thefts, Losses, or Releases of Select Agents and Toxins for CY 2017, pursuant to 7 U.S.C. 8401(k); Pub. L. 107-188, Sec. 212(k); (116 Stat. 656); to the Committee on Energy and Commerce.

6788. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report to Congress titled, "Activities to Improve Women's Health As Required by the Affordable Care Act" 2017; to the Committee on Energy and Commerce.

6789. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-025, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6790. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-059, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6791. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-042, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6792. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-032, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6793. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report titled, "Fiscal Year 2015 Report to Congress on Administration of the Tribal Self-Governance Program"; to the Committee on Natural Resources.

6794. A letter from the Secretary, Judicial Conference of the United States, transmitting a letter expressing concerns on H.R. 6755, the Judiciary Reforms, Organization and Operational Modernization Act of 2018 (Judiciary ROOM Act); to the Committee on the Judiciary.

6795. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2018-0394; Product Identifier 2018-NM-036-AD; Amendment 39-19441; AD 2018-20-07] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6796. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0301; Product Identifier 2017-NM-112-AD; Amendment 39-19407; AD 2018-19-07] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6797. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0395; Product Identifier 2017-NM-136-AD; Amendment 39-19430; AD 2018-19-29] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6798. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No. FAA-2018-0357; Product Identifier 2018-NM-035-AD; Amendment 39-19428; AD 2018-19-27] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6799. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0417; Product Identifier 2017-NM-132-AD; Amendment 39-19440; AD 2018-20-06] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6800. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2018-0451; Product Identifier 2017-NM-172-AD; Amendment 39-19406; AD 2018-19-06] (RIN: 2120-AA64) received October 25, 2018,

pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6801. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International S.A. Turbofan Engines [Docket No.: FAA-2018-0855; Product Identifier 2018-NE-31-AD; Amendment 39-19416; AD 2018-19-16] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6802. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International S.A. Turbofan Engines [Docket No.: FAA-2018-0785; Product Identifier 2018-NE-14-AD; Amendment 39-19380; AD 2018-18-01] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6803. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2018-0863; Product Identifier 2018-NE-30-AD; Amendment 39-19423; AD 2018-19-22] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6804. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0804; Product Identifier 2018-NM-129-AD; Amendment 39-19442; AD 2018-20-08] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6805. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; GEVEN S.p.A. Seat Assemblies, Type D1-02 and D1-03 [Docket No.: FAA-2017-0504; Product Identifier 2017-NE-12-AD; Amendment 39-19415; AD 2018-19-15] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6806. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2018-0549; Product Identifier 2018-NM-014-AD; Amendment 39-19427; AD 2018-19-26] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6807. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0360; Product Identifier 2018-NM-009-AD; Amendment 39-19434; AD 2018-19-33] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6808. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; Hoffmann GmbH & Co. KG Propellers [Docket No.: FAA-2018-0281; Product Identifier 2018-NE-06-AD; Amendment 39-19437; AD 2018-20-03] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6809. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0491; Product Identifier 2017-NM-158-AD; Amendment 39-19432; AD 2018-19-31] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6810. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0455; Product Identifier 2017-NM-121-AD; Amendment 39-19436; AD 2018-20-02] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6811. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; BAE Systems (Operations) Limited Airplanes [Docket No.: FAA-2018-0555; Product Identifier 2017-NM-152-AD; Amendment 39-19431; AD 2018-19-30] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6812. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2018-0306; Product Identifier 2018-NM-039-AD; Amendment 39-19426; AD 2018-19-25] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6813. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report titled, "Assets for Independence Program Report to Congress: Status at the Conclusion of the Seventeenth Year, Fiscal Year 2016", pursuant to 42 U.S.C. 604 note; Public Law 105-285, Sec. 414(d); (112 Stat. 2771); to the Committee on Ways and Means.

6814. A letter from the Under Secretary, Personnel and Readiness, Department of Defense, transmitting the Department's annual report concerning the Post-9/11 Educational Assistance Program, pursuant to 38 U.S.C. 3325(a)(1); Public Law 112-154, Sec. 402(a)(1); (126 Stat. 1189); jointly to the Committees on Armed Services and Veterans' Affairs.

6815. A letter from the Inspector General, Department of Health and Human Services, transmitting the Office's report titled, "Medicare Payments for Clinical Diagnostic Laboratory Tests: Year 4 of Baseline Data (OEI-09-18-00410)"; jointly to the Committees on Energy and Commerce and Ways and Means.

¶150.3 RECESS—12:12 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at

12 o'clock and 12 minutes p.m., subject to the call of the Chair.

¶150.4 AFTER RECESS—3:46 P.M.

The SPEAKER pro tempore, Mr. YODER, called the House to order.

¶150.5 PROVIDING FOR CONSIDERATION OF H.R. 6784

Mr. NEWHOUSE, by direction of the Committee on Rules, called up the following resolution (H. Res. 1142):

Resolved, That upon adoption of this resolution it shall be in order to consider in the House the bill (H.R. 6784) to provide for removal of the gray wolf in the contiguous 48 States from the List of Endangered and Threatened Wildlife published under the Endangered Species Act of 1973. All points of order against consideration of the bill are waived. The bill shall be considered as read. All points of order against provisions in the bill are waived. The previous question shall be considered as ordered on the bill and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit.

SEC. 2. On any legislative day during the period from November 19, 2018, through November 26, 2018—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

SEC. 4. The provisions of section 7 of the War Powers Resolution (50 U.S.C. 1546) shall not apply to House Concurrent Resolution 138.

When said resolution was considered. After debate,

On motion of Mr. NEWHOUSE, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce, Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. YODER, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 201
affirmative Nays 187

¶150.6 [Roll No. 418]

YEAS—201

Abraham	Bilirakis	Burgess
Aderholt	Bishop (MI)	Byrne
Allen	Bishop (UT)	Calvert
Amodei	Blackburn	Carter (GA)
Arrington	Bost	Carter (TX)
Bacon	Brady (TX)	Chabot
Balderson	Brooks (AL)	Cheney
Banks (IN)	Buchanan	Cloud
Barletta	Buck	Coffman
Barr	Bucshon	Cole
Bergman	Budd	Collins (NY)

Comer
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Dunn
Emmer
Eshoo
Estes (KS)
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxy
Frelinghuysen
Gaetz
Gallagher
Gianforte
Gibbs
Gonzalez (TX)
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Gene
Grothman
Guthrie
Handel
Harper
Hartzler
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd
Issa

Johnson (LA)
Johnson (OH)
Johnson, Sam
Joyce (OH)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McSally
Mitchell
Moelenaar
Mooney (WV)
Mullin
Newhouse
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Ratcliffe
Reichert
Renacci
Rice (SC)
Rohy
Roe (TN)

Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Scalise
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Upton
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Westernman
Williams
Wilson (SC)
Wittman
Womack
Yoder
Yoho
Young (IA)
Zeldin

NAYS—187

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Biggs
Bishop (GA)
Blum
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brat
Brown (MD)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Crist
Crowley

Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Duncan (TN)
Ellison
Engel
Españat
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Galleo
Garamendi
Gohmert
Gottheimer
Green, Al
Griffith
Grijalva
Gutiérrez
Hanabusa
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal

Jeffries
Johnson, E. B.
Jordan
Keating
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Labrador
Lamb
Langevin
Larsen (WA)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loeb sack
Lofgren
Lowenthal
Lowe
Lujan Grisham, M.
Luján, Ben Ray
Maloney,
Carolyn B.
Maloney, Sean
Massie
Matsui
McCollum
McEachin
McGovern
McNerney
Meadows

Meeks
Meng
Moore
Morelle
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norman
O'Halleran
O'Rourke
Pallone
Pascarelli
Payne
Pelosi
Pingree
Pocan
Posey
Price (NC)
Quigley
Raskin

Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schweikert
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema

Sires
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Walz
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Yarmuth

NOT VOTING—42

Babin
Barton
Beyer
Black
Brooks (IN)
Brownley (CA)
Collins (GA)
Comstock
Denham
DesJarlais
Esty (CT)
Fitzpatrick
Garrett
Gomez
Goodlatte

Harris
Hastings
Hultgren
Jenkins (KS)
Johnson (GA)
Jones
Kaptur
Katko
Larson (CT)
Lynch
McMorris
Rodgers
Messer
Noem
Norcross

Panetta
Perlmutter
Peters
Polis
Reed
Ross
Schrader
Shuster
Visclosky
Walters, Mimi
Wilson (FL)
Woodall
Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶150.7 H.R. 6666—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6666) to authorize the Secretary of the Interior to grant to States and local governments easements and rights-of-way over Federal land within Gateway National Recreation Area for construction, operation, and maintenance of projects for control and prevention of flooding and shoreline erosion.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. YODER, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶150.8 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2615. An Act to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County,

Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes.

H.R. 3359. An Act to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes.

And then,

¶150.9 ADJOURNMENT

On motion of Mr. WOODALL, at 5 o'clock and 27 minutes p.m., the House adjourned.

¶150.10 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 2069. A bill to provide priority under certain federally assisted housing programs to assist youths who are aging out of foster care, and for other purposes; with an amendment (Rept. 115–1023). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2570. A bill to amend the Truth in Lending Act to clarify that the points and fees in connection with a mortgage loan do not include certain compensation amounts already taken into account in setting the interest rate on such loan, and for other purposes (Rept. 115–1024). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2683. A bill to amend the Fair Credit Reporting Act to delay the inclusion in consumer credit reports and to establish requirements for debt collectors with respect to medical debt information of veterans due to inappropriate or delayed billing payments or reimbursements from the Department of Veterans Affairs, and for other purposes; with an amendment (Rept. 115–1025). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 1511. A bill to amend the McKinney-Vento Homeless Assistance Act to meet the needs of homeless children, youth, and families, and honor the assessments and priorities of local communities; with amendments (Rept. 115–1026, Pt. 1). Ordered to be printed.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 3288. A bill to amend title 40, United States Code, to promote regional economic and infrastructure development, and for other purposes; with an amendment (Rept. 115–1027, Pt. 1). Ordered to be printed.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 4177. A bill to enhance the Federal Government's planning and preparation for extreme weather and the Federal Government's dissemination of best practices to respond to extreme weather, thereby increasing resilience, improving regional coordination, and mitigating the financial risk to the Federal Government from such extreme weather, and for other purposes (Rept. 115–1028, Pt. 1). Ordered to be printed.

¶150.11 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 1511. Referral to the Committee on Education and the Workforce extended for a period ending not later than December 28, 2018.

H.R. 3288. Referral to the Committee on Financial Services extended for a period ending not later than December 28, 2018.

H.R. 4177. Referral to the Committee on Oversight and Government Reform extended for a period ending not later than December 28, 2018.

¶150.12 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BEYER (for himself, Mr. SCOTT of Virginia, Mr. CONNOLLY, Mr. TONKO, Ms. NORTON, Mr. DANNY K. DAVIS of Illinois, Mr. SABLON, Ms. WILSON of Florida, Mr. ESPAILLAT, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. LEE, Mrs. NAPOLITANO, Ms. MOORE, Ms. ESTY of Connecticut, Ms. PINGREE, Mr. SEAN PATRICK MALONEY of New York, Mr. LANGEVIN, Mrs. DAVIS of California, Mr. CÁRDENAS, Mr. PRICE of North Carolina, Mr. MCEACHIN, Ms. MCCOLLUM, Ms. CLARK of Massachusetts, Mr. DESAULNIER, Mr. HIMES, Ms. BLUNT ROCHESTER, Mr. TAKANO, Mr. MCNERNEY, Ms. JAYAPAL, Mr. MCGOVERN, Mr. RYAN of Ohio, Mr. NADLER, Mr. KENNEDY, Mr. PALLONE, Mr. GOMEZ, and Mr. JOHNSON of Georgia):

H.R. 7124. A bill to prohibit and prevent seclusion and to prevent and reduce the use of physical restraint in schools, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DONOVAN:

H.R. 7125. A bill to rename the portions of the Gateway National Seashore located on Staten Island, New York, as the "Senator James L. Buckley National Seashore"; to the Committee on Natural Resources.

By Mr. LONG:

H.R. 7126. A bill to exempt certain structures from removal from Army Corps of Engineers property on Table Rock Lake, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BEN RAY LUJAN of New Mexico (for himself, Mr. GALLEGO, Ms. MCCOLLUM, Mr. O'HALLERAN, Mr. HUFFMAN, Ms. MOORE, Ms. NORTON, Mrs. TORRES, Mr. SOTO, Mr. BLUMENAUER, Mr. GRIJALVA, and Mr. RUIZ):

H.R. 7127. A bill to protect the voting rights of Native American and Alaska Native voters; to the Committee on House Administration, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOULTON (for himself, Mr. GAETZ, Mr. CRIST, and Mr. CORREA):

H.R. 7128. A bill to direct the Secretary of Veterans Affairs to seek to enter into an agreement with a federally funded research and development center to conduct surveys to measure cannabis use by veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MOULTON (for himself, Mr. GAETZ, and Mr. CORREA):

H.R. 7129. A bill to require the Secretary of Veterans Affairs to provide training in the

use of medical cannabis for all Department of Veterans Affairs primary care providers, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MOULTON (for himself, Mr. GAETZ, Mr. CRIST, and Mr. CORREA):

H.R. 7130. A bill to provide for a Department of Veterans Affairs policy on medicinal cannabis, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. THOMPSON of California (for himself and Mr. FRANCIS ROONEY of Florida):

H.R. 7131. A bill to amend the Communications Act of 1934 to provide for a moratorium on number reassignment after a disaster declaration, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WELCH:

H.R. 7132. A bill to permit aliens who lawfully enter the United States on valid visas as nonimmigrant elementary and secondary school students to attend public schools in the United States for longer than 1 year if such aliens reimburse the local educational agency that administers the school for the full, unsubsidized per capita cost of providing education at such school for the period of the alien's attendance; to the Committee on the Judiciary.

By Mr. WELCH:

H.R. 7133. A bill to clarify the definition of nonadmitted insurer under the Nonadmitted and Reinsurance Reform Act of 2010, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LOEBSACK (for himself, Mr. O'HALLERAN, Mr. LOWENTHAL, Mrs. NAPOLITANO, Ms. NORTON, and Ms. MOORE):

H. Res. 1146. A resolution expressing support for designation of the week beginning on November 12, 2018, as "National School Psychology Week"; to the Committee on Education and the Workforce.

By Ms. MOORE (for herself, Ms. JACKSON LEE, Ms. WASSERMAN SCHULTZ, Mr. MCGOVERN, Ms. ROYBAL-ALLARD, Ms. NORTON, Mr. MEEKS, Ms. SCHAKOWSKY, Ms. CLARKE of New York, and Mr. COHEN):

H. Res. 1147. A resolution congratulating Dr. Denis Mukwege and Nadia Murad for receiving the 2018 Nobel Peace Prize for their advocacy on behalf of the millions who have suffered from sexual violence as a result of conflict, and for other purposes; to the Committee on Foreign Affairs.

¶150.13 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CORREA:

H.R. 7134. A bill for the relief of Gualterio Lazaro Santos Santos; to the Committee on the Judiciary.

By Mr. YOUNG of Alaska:

H.R. 7135. A bill to direct the Secretary of the department in which the Coast Guard is operating to issue a certificate of documentation with a coastwise endorsement for the vessel Pacific Provider; to the Committee on Transportation and Infrastructure.

¶150.14 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 778: Mr. KILDEE.

H.R. 919: Mr. MAST.

H.R. 1038: Mr. ESTES of Kansas and Mr. LOUDERMILK.

H.R. 1291: Mr. AGUILAR.

H.R. 1456: Ms. WILSON of Florida.

H.R. 1515: Mr. KENNEDY.

H.R. 1566: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1639: Mr. PANETTA.

H.R. 1727: Ms. NORTON.

H.R. 2001: Mr. COHEN.

H.R. 2012: Mr. COHEN.

H.R. 2092: Mr. AGUILAR and Mr. KENNEDY.

H.R. 2491: Mr. CRIST.

H.R. 2639: Mr. COHEN.

H.R. 2976: Mr. DELANEY.

H.R. 3400: Ms. NORTON.

H.R. 3409: Mr. TIPTON.

H.R. 3666: Mr. POCAN.

H.R. 3730: Mr. MEEKS.

H.R. 3734: Mr. COHEN.

H.R. 3956: Mr. LOUDERMILK.

H.R. 3981: Ms. BONAMICI.

H.R. 4022: Mr. HUFFMAN.

H.R. 4107: Mr. ARRINGTON, Mr. WESTERMAN, Mr. GUTHRIE, Mr. O'HALLERAN, Mr. WEBER of Texas, and Ms. CASTOR of Florida.

H.R. 4159: Mr. AGUILAR.

H.R. 4256: Mr. GIANFORTE and Mr. SARBANES.

H.R. 4333: Mr. DELANEY.

H.R. 4339: Mr. DELANEY.

H.R. 4391: Mrs. WATSON COLEMAN.

H.R. 4415: Mr. TED LIEU of California.

H.R. 4459: Ms. ESTY of Connecticut.

H.R. 4691: Mr. HIMES and Mr. DELANEY.

H.R. 4732: Mr. LATTA, Mr. SHERMAN, and Mr. JONES.

H.R. 4777: Ms. LEE.

H.R. 5028: Ms. NORTON.

H.R. 5156: Mr. QUIGLEY.

H.R. 5158: Mr. QUIGLEY.

H.R. 5161: Mr. LIPINSKI.

H.R. 5233: Mr. MULLIN and Ms. MAXINE WATERS of California.

H.R. 5244: Mr. FITZPATRICK.

H.R. 5541: Mr. KRISHNAMOORTHY, Mr. PETERS, and Mr. DELANEY.

H.R. 5855: Mr. POSEY and Mr. NEWHOUSE.

H.R. 5911: Mr. TONKO.

H.R. 5922: Mr. DELANEY.

H.R. 5955: Mr. MCGOVERN.

H.R. 6263: Mr. DELANEY.

H.R. 6455: Miss RICE of New York.

H.R. 6469: Mr. KIND.

H.R. 6510: Mr. JODY B. HICE of Georgia, Mrs. BEATTY, Mr. GARRETT, Mr. LAHOOD, and Mr. RUTHERFORD.

H.R. 6525: Ms. SÁNCHEZ.

H.R. 6543: Mr. SEAN PATRICK MALONEY of New York and Mr. THOMPSON of Mississippi.

H.R. 6589: Mr. COHEN, Mr. RASKIN, Mr. PANETTA, Mr. MOULTON, and Mr. POCAN.

H.R. 6636: Mr. CURTIS, Mr. BRENDAN F. BOYLE of Pennsylvania, and Ms. ROSELEHTINEN.

H.R. 6637: Ms. LOFGREN.

H.R. 6726: Mr. HOLDING.

H.R. 6771: Mr. GENE GREEN of Texas, Mr. HARPER, and Mr. THOMPSON of Mississippi.

H.R. 6800: Mr. BLUMENAUER, Mr. RYAN of Ohio, and Ms. SCHAKOWSKY.

H.R. 6854: Mr. MEADOWS and Mr. BUDD.

H.R. 6874: Mr. SWALWELL of California.

H.R. 6927: Mr. RUTHERFORD and Mr. AGUILAR.

H.R. 6933: Mr. KING of Iowa.

H.R. 6941: Mr. POSEY.

H.R. 6953: Mr. SWALWELL of California.

H.R. 6987: Ms. LOFGREN.

H.R. 7062: Mr. KENNEDY and Mr. RUPPERSBERGER.

H.R. 7078: Mr. KILDEE.

H.R. 7080: Mr. POCAN.

H.R. 7086: Mrs. BUSTOS and Mr. GONZALEZ of Texas.

H. Con. Res. 70: Mr. DELANEY.

H. Res. 220: Mr. VISCLOSKEY and Mr. GENE GREEN of Texas.

H. Res. 623: Ms. MOORE.
 H. Res. 993: Mr. LAHOOD.
 H. Res. 1031: Ms. ADAMS.
 H. Res. 1063: Mr. RASKIN.
 H. Res. 1104: Mr. AGUILAR.
 H. Res. 1111: Mr. RUPPERSBERGER.
 H. Res. 1145: Mr. CRIST, Mr. DELANEY, and Mr. YARMUTH.

¶150.15 DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions, as follows:

H.R. 5276: Mr. GENE GREEN of Texas.

THURSDAY, NOVEMBER 15, 2018 (151)

¶151.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. SIMPSON, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
November 15, 2018.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶151.2 RECESS—11:20 A.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 20 minutes a.m., until noon.

¶151.3 AFTER RECESS—NOON

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, called the House to order.

¶151.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, announced he had examined and approved the Journal of the proceedings of Wednesday, November 14, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶151.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6816. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — General Regulations for Federal Fruit, Vegetable, and Specialty Crop Marketing Agreements and Orders; Electronic Mailing Notice of Hearing [Doc. No.: AMS-SC-18-0066; SC18-900-2 FR] received October 31, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6817. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Hazelnuts Grown in Oregon and Washington;

Order Amending Marketing Order No. 982 [Doc. No.: AO-SC-16-0136; AMS-SC-16-0074; SC16-982-1] received October 31, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6818. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Changing of Container Requirements [Doc. No.: AMS-SC-17-0049; SC17-906-2 FR] received October 31, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6819. A letter from the Administrator, Livestock and Poultry Program, Department of Agriculture, transmitting the Department's final rule — Soybean Promotion and Research: Amend the Order To Adjust Representation on the United Soybean Board [Doc. No.: AMS-LPS-18-0015] received October 31, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6820. A letter from the Administrator, Specialty Crops Program, Specialty Crops Inspection Division, Department of Agriculture, transmitting the Department's direct final rule — United States Standards for Grades of Pecans [Doc. No.: AMS-FV-14-0101, SC-17-331] received October 29, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6821. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — North Dakota: Authorization of State Hazardous Waste Management Program Revisions and Incorporation by Reference of Approved State Hazardous Waste Management Program [EPA-R08-RCRA-2018-0084; FRL-9982-08-Region 8] received October 29, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6822. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0464; FRL-9985-55] (RIN: 2070-AB27) received October 29, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6823. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2017-0560; FRL-9985-56] (RIN: 2070-AB27) received October 29, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6824. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final NUREG — Piping Systems and Components — Inspections, Tests, Analyses, and Acceptance Criteria [NUREG-0800, Chapter 14.3.3] received October 31, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6825. A letter from the Attorney-Advisor, Passport Office of Legal Affairs, Bureau of Consular Affairs, Department of State, transmitting the Department's interim final rule — Passports: Service Passports [Public Notice: 9680] (RIN: 1400-AE01) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6826. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer S.A. Airplanes [Docket No.: FAA-2018-0509; Product Identifier 2017-NM-076-AD; Amendment 39-19429; AD 2018-19-28] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6827. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Aerospace Corporation Airplanes [Docket No.: FAA-2018-0870; Product Identifier 2018-CE-047-AD; Amendment 39-19438; AD 2018-20-04] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6828. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0452; Product Identifier 2017-NM-150-AD; Amendment 39-19439; AD 2018-20-05] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6829. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0504; Product Identifier 2018-NM-046-AD; Amendment 39-19433; AD 2018-19-32] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6830. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2017-0127; Product Identifier 2016-NM-161-AD; Amendment 39-19447; AD 2018-20-13] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6831. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0410; Product Identifier 2018-NM-030-AD; Amendment 39-19444; AD 2018-20-10] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6832. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2017-0127; Product Identifier 2016-NM-161-AD; Amendment 39-19447; AD 2018-20-13] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6833. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.:

FAA-2018-0358; Product Identifier 2017-NM-142-AD; Amendment 39-19463; AD 2018-21-05] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6834. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0498; Product Identifier 2018-NM-013-AD; Amendment 39-19465; AD 2018-21-07] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6835. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0546; Product Identifier 2017-NM-171-AD; Amendment 39-19461; AD 2018-21-03] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6836. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. Turboprop Engines [Docket No.: FAA-2017-1116; Product Identifier 2016-NE-32-AD; Amendment 39-19459; AD 2018-21-01] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6837. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2017-0814; Product Identifier 2017-NM-066-AD; Amendment 39-19458; AD 2018-20-24] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6838. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0583; Product Identifier 2018-NM-019-AD; Amendment 39-19453; AD 2018-20-19] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6839. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Régional Airplanes [Docket No.: FAA-2018-0366; Product Identifier 2017-NM-166-AD; Amendment 39-19448; AD 2018-20-14] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6840. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; ATR-GIE Avions de Transport Régional Airplanes [Docket No.: FAA-2018-0494; Product Identifier 2017-NM-182-AD; Amendment 39-19467; AD 2018-21-09] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121,

Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6841. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0587; Product Identifier 2018-NM-054-AD; Amendment 39-19451; AD 2018-20-17] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6842. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0449; Product Identifier 2018-NM-042-AD; Amendment 39-19452; AD 2018-20-18] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6843. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0397; Product Identifier 2017-NM-163-AD; Amendment 39-19454; AD 2018-20-20] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6844. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0550; Product Identifier 2018-NM-024-AD; Amendment 39-19455; AD 2018-20-21] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6845. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2017-0771; Product Identifier 2016-NM-212-AD; Amendment 39-19449; AD 2018-20-15] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

¶151.6 COMMUNICATION FROM THE

CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. PALMER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 15, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 15, 2018, at 9:32 a.m.:

Appointments:
National Commission on Military Aviation Safety.

National Security Commission on Artificial Intelligence.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

And then,

¶151.7 ADJOURNMENT

On motion of Mr. WILSON of South Carolina, at 12 o'clock and 10 minutes p.m., the House adjourned.

¶151.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. ADAMS (for herself and Mr. FASO):

H.R. 7136. A bill to amend section 28 of the Food and Nutrition Act of 2008 to include eating disorders prevention within the nutrition education and obesity prevention grant program and the local wellness program; and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KHANNA (for himself, Ms. BARRAGAN, Ms. BASS, Mr. BRADY of Pennsylvania, Mr. CARSON of Indiana, Ms. CLARK of Massachusetts, Ms. CLARKE of New York, Mr. CLEAVER, Mr. CLYBURN, Mr. COHEN, Mr. CUMMINGS, Mr. DESAULNIER, Mrs. DINGELL, Mr. EVANS, Ms. JAYAPAL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Ms. LOFGREN, Mr. MEEKS, Ms. MOORE, Mr. MOULTON, Ms. NORTON, Mr. RYAN of Ohio, Ms. WILSON of Florida, and Mr. THOMPSON of Mississippi):

H.R. 7137. A bill to award a Congressional Gold Medal to Reverend James Morris Lawson, Jr., in recognition of his contributions to the United States through the promotion of nonviolence during the Civil Rights movement and beyond; to the Committee on Financial Services.

By Mr. SMITH of New Jersey (for himself and Mr. SMITH of Washington):

H.R. 7138. A bill to direct the Secretary of Veterans Affairs to establish an inter-agency task force on the use of Federal lands for medical treatment and therapy through outdoor recreation for veterans; to the Committee on Veterans' Affairs.

By Mrs. BROOKS of Indiana (for herself, Mr. BANKS of Indiana, Mr. BUCSHON, Mr. CARSON of Indiana, Mr. HOLLINGSWORTH, Mr. ROKITA, Mr. VIS-CLOSKY, Mrs. WALORSKI, and Mr. MESSER):

H. Res. 1148. A resolution expressing support for the goals and ideas of "Stomach Cancer Awareness Month"; to the Committee on Energy and Commerce.

¶151.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 893: Mr. RYAN of Ohio.

H.R. 1225: Mr. BISHOP of Michigan.

H.R. 1270: Ms. MATSUI, Mr. TONKO, and Mr. MAST.

H.R. 2315: Mr. NEAL, Mr. BROOKS of Alabama, Mr. WENSTRUP, Mrs. BLACK, Mrs. NAPOLITANO, Ms. HANABUSA, Mr. COMER, Ms. MENG, Mr. FLEISCHMANN, Mr. FLORES, and Mr. MEADOWS.

H.R. 2358: Mr. CALVERT, Mr. WOMACK, Mr. COLLINS of Georgia, Mr. HUIZENGA, Mr. COMER, Mr. TURNER, Mr. MCCAUL, Mr. WENSTRUP, Mrs. ROBY, Mrs. McMORRIS ROD-

TERS, Mr. RUSH, Mr. NORMAN, Ms. CASTOR of Florida, Mr. BRADY of Pennsylvania, Mr. CUMMINGS, Mr. AGUILAR, Mr. POLIQUIN, Mr. LUTKEMEYER, Mr. BARR, Mr. KUSTOFF of Tennessee, Mr. LoBIONDO, Mr. CONNOLLY, Mr. GENE GREEN of Texas, Mr. MCHENRY, Mr. HOLLINGSWORTH, Mr. HASTINGS, Mr. HULTGREN, Mr. GAETZ, Mr. GOTTHEIMER, Mr. RUTHERFORD, Mr. BRAT, Ms. STEFANIK, Mr. KNIGHT, Mr. MITCHELL, Ms. TENNEY, Mrs. CAROLYN B. MALONEY of New York, Mr. FLORES, Mr. DUNCAN of Tennessee, Mr. BANKS of Indiana, Mr. NEWHOUSE, Mr. YODER, and Mr. BISHOP of Utah.

H.R. 3558: Mr. DELANEY and Mr. MCGOVERN. H.R. 4732: Mr. COLE.

H.R. 4734: Ms. CLARK of Massachusetts, Ms. MENG, Ms. BROWNLEY of California, Mr. BEYER, Miss RICE of New York, Mr. SOTO, Ms. WASSERMAN SCHULTZ, Ms. NORTON, Mr. DOGETT, Mr. MOULTON, Mrs. LAWRENCE, Mr. DESAULNIER, Mr. CICILLINE, Mrs. CAROLYN B. MALONEY of New York, Mr. LOEBACK, Mr. MCNERNEY, Ms. SCHAKOWSKY, Mr. DEFazio, and Mr. BISHOP of Georgia.

H.R. 5062: Mr. MACARTHUR.

H.R. 5306: Mr. DEFazio.

H.R. 5476: Mr. VISCLOSKEY.

H.R. 6629: Mr. LARSON of Connecticut.

H.R. 6664: Mrs. BEATTY.

H.R. 6689: Mr. SIMPSON.

H.R. 6734: Mr. KIND.

H.R. 6813: Mrs. BLACK.

H.R. 7095: Mr. DESAULNIER.

H.R. 7124: Ms. SCHAKOWSKY.

H.R. 7127: Ms. LOFGREN.

H. Con. Res. 138: Mr. PRICE of North Carolina, Ms. FRANKEL of Florida, Mr. SIREN, Mr. DESAULNIER, Mr. SOTO, and Mr. GOMEZ.

H. Res. 318: Mr. CALVERT.

H. Res. 588: Mr. DELANEY.

FRIDAY, NOVEMBER 16, 2018 (152)

The House was called to order by the SPEAKER.

152.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, November 15, 2018.

Mr. NEWHOUSE, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. NEWHOUSE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

152.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6846. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Raisins Produced From Grapes Grown in California; Order Amending Marketing Order No. 989 [Doc. No.: AO-FV-16-0016; AMS-SC-16-0011; SC16-989-1] received November 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law

104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6847. A letter from the Principal Deputy, Defense Pricing and Contracting, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Update of Clause on Section 8(a) Direct Award (DFARS Case 2018-D052) [Docket: DARS-2018-0051] (RIN: 0750-AK34) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6848. A letter from the Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Clause "Acquisition Streamlining" (DFARS Case 2018-D033) [Docket: DARS-2018-0048] (RIN: 0750-AJ95) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6849. A letter from the Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Clause "Option for Supervision and Inspection Services" (DFARS Case 2018-D041) [Docket: DARS-2018-0050] (RIN: 0750-AK03) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6850. A letter from the Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Provision "Bonds or Other Security" (DFARS Case 2018-D036) [Docket: DARS-2018-0049] (RIN: 0750-AJ98) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6851. A letter from the Principal Deputy, Defense Pricing and Contracting, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Mentor-Protégé Program Modifications (DFARS Case 2017-D016) [Docket: DARS-2018-0019] (RIN: 0750-AJ25) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

6852. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's Major final rule — Modernization of Property Disclosures for Mining Registrants [Release Nos.: 33-10570; 34-84509; File No.: S7-10-16] (RIN: 3235-AL81) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6853. A letter from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received October 29, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6854. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Termination of Listing of Color Additive Exempt From Certification; Lead Acetate [Docket No.: FDA-2017-C-1951] received November 5, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6855. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — Listing of Color Additives Exempt From Certification; Synthetic Iron Oxide [Docket No.: FDA-2017-C-6238] received November 5, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6856. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Cyantraniliprole; Pesticide Tolerances [EPA-HQ-OPP-2017-0694; FRL-9985-32] received November 5, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6857. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fludioxonil; Pesticide Tolerances [EPA-HQ-OPP-2017-0538; FRL-9982-75] received November 5, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6858. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Utah: Final Approval of State Underground Storage Tank Program Revisions, Codification and Incorporation by Reference [EPA-R08-UST-2018-0169; FRL-9982-18-Region 8] received November 5, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6859. A letter from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting the Department's final rule — Addition of an Entity to the Entity List [Docket No.: 181010930-8930-01] (RIN: 0694-AH67) received November 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6860. A letter from the Director, Executive Office for Immigration Review, Department of Justice, transmitting the Department's interim final rule — Aliens Subject to a Bar on Entry under Sections 212(f) or 215(a)(1) of the Immigration and Nationality Act; Procedures for Protection Claims [EOIR Docket No.: 18-0501; A.G. Order No.: 4327-2018] (RIN: 1125-AA89) received November 8, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

6861. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes in the Vicinity of Mattoon and Charleston, IL [Docket No.: FAA-2018-0219; Airspace Docket No.: 17-AGL-23] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6862. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0415; Product Identifier 2017-NM-149-AD; Amendment 39-19466; AD 2018-21-08] (RIN: 2120-AA64) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6863. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E

Airspace; Reedley, CA [Docket No.: FAA-2017-1200; Airspace Docket No.: 17-AWP-23] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6864. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class D and E Airspace, and Amendment of Class E Airspace; Austin, TX [Docket No.: FAA-2017-9378; Airspace Docket No.: 17-ASW-13] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6865. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Wooster, OH [Docket No.: FAA-2018-0370; Airspace Docket No.: 18-AGL-11] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6866. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace for Lancaster, PA; and Williamsport, PA [Docket No.: FAA-2016-9377; 16-AEA-8] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6867. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Chicago Class B and Chicago Class C Airspace; Chicago, IL [Docket No.: FAA-2018-0632; Airspace Docket No.: 17-AWA-4] (RIN: 2120-AA66) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6868. A letter from the Honors Attorney, Regulatory Affairs, Pipeline Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Notification of the Pilot-in-Command and Response to Air Related Petitions for Rule-making [Docket No. PHMSA-2015-0100 (HM-259)] (RIN: 2137-AF10) received October 25, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6869. A letter from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's Major final rule — Tankers—Automatic Pilot Systems [Docket No.: USCG-2015-0926] (RIN: 1625-AC27) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6870. A letter from the Deputy General Counsel, Office of Government Contracting and Business Development, Small Business Administration, transmitting the Administration's final rule — Ownership and Control of Service-Disabled Veteran-Owned Small Business Concerns (RIN: 3245-AG85) received November 5, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Small Business.

6871. A letter from the Regulations Development Coordinator, Office of Regulations Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final

rule — VA Acquisition Regulation: Describing Agency Needs; Contract Financing (RIN: 2900-AP81) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6872. A letter from the Regulations Development Coordinator, Office of Regulation Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — VA Acquisition Regulation: Subcontracting Policies and Procedures; Government Property (RIN: 2900-AQ05) received November 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6873. A letter from the Regulations Development Coordinator, Office of Regulation Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Net Worth, Asset Transfers, and Income Exclusions for Needs-Based Benefits (RIN: 2900-AO73) received November 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6874. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2019 Limitations Adjusted As Provided in Section 415(d), etc. [Notice 2018-83] received November 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6875. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulation and removal of temporary regulation — Tax Return Preparer Due Diligence Penalty under Section 6695(g) [TD 9842] (RIN: 1545-BO63) received November 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶152.3 MANAGE OUR WOLVES

Mr. WESTERMAN, pursuant to House Resolution 1142, called up for consideration the bill (H.R. 6784) to provide for removal of the gray wolf in the contiguous 48 States from the List of Endangered and Threatened Wildlife published under the Endangered Species Act of 1973.

When said bill was considered and read twice.

After debate,

The previous question having been ordered by said resolution.

The bill was ordered to be engrossed and read a third time, was read a third time by title.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 1(c) of rule XIX, announced that further proceedings on the bill were postponed.

¶152.4 MESSAGE FROM THE SENATE

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

S. 3554. An Act to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 140) "An Act to

amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund.", with an amendment.

¶152.5 H.R. 5787—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5787) to amend the Coastal Barrier Resources Act to give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping of such units, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of those present had voted in the affirmative.

Mr. WESTERMAN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 375
affirmative } Nays 1

¶152.6

[Roll No. 419]

YEAS—375

Abraham	Cartwright	Doyle, Michael
Adams	Castor (FL)	F.
Aderholt	Castro (TX)	Duffy
Aguilar	Chabot	Duncan (TN)
Allen	Cheney	Dunn
Amash	Chu, Judy	Emmer
Amodei	Ciциlline	Engel
Arrington	Clark (MA)	Eshoo
Babin	Clarke (NY)	Espallat
Bacon	Clay	Estes (KS)
Balderson	Cleaver	Esty (CT)
Banks (IN)	Cloud	Evans
Barletta	Clyburn	Faso
Barr	Coffman	Ferguson
Barragán	Cohen	Fitzpatrick
Bass	Cole	Fleischmann
Beatty	Collins (GA)	Flores
Bera	Collins (NY)	Fortenberry
Bergman	Comer	Foster
Beyer	Conaway	Fox
Biggs	Connolly	Frankel (FL)
Bilirakis	Cook	Frelinghuysen
Bishop (GA)	Cooper	Fudge
Bishop (MI)	Correa	Gabbard
Bishop (UT)	Costa	Gaetz
Blum	Costello (PA)	Gallagher
Blumenauer	Courtney	Galleo
Blunt Rochester	Cramer	Garamendi
Bonamici	Crawford	Garrett
Bost	Crist	Gianforte
Boyle, Brendan	Cuellar	Gibbs
F.	Cummings	Gohmert
Brady (PA)	Curbelo (FL)	Gomez
Brat	Curtis	Gonzalez (TX)
Brooks (AL)	Davidson	Goodlatte
Brooks (IN)	Davis (CA)	Gosar
Brown (MD)	Davis, Danny	Granger
Buchanan	Davis, Rodney	Graves (GA)
Buck	DeFazio	Graves (LA)
Bucshon	DeGette	Graves (MO)
Budd	Delaney	Green, Al
Burgess	DeLauro	Green, Gene
Bustos	DelBene	Griffith
Butterfield	Demings	Grijalva
Byrne	DeSaunier	Grothman
Calvert	DesJarlais	Guthrie
Carbajal	Deutch	Hanabusa
Cardenas	Diaz-Balart	Handel
Carson (IN)	Dingell	Harper
Carter (GA)	Doggett	Harris
Carter (TX)	Donovan	Hartzler

Heck	Marchant	Ryan (OH)
Hern	Marino	Sánchez
Herrera Beutler	Marshall	Sanford
Hice, Jody B.	Mast	Scalise
Higgins (LA)	Matsui	Scanlon
Higgins (NY)	McCarthy	Schakowsky
Hill	McCaul	Schiff
Himes	McClintock	Schneider
Hollingsworth	McCollum	Schrader
Hoyer	McEachin	Schweikert
Hudson	McGovern	Scott (VA)
Huffman	McHenry	Scott, Austin
Huizenga	McKinley	Scott, David
Hunter	McMorris	Serrano
Hurd	Rodgers	Sessions
Issa	McNerney	Sewell (AL)
Jackson Lee	McSally	Shea-Porter
Jayapal	Meadows	Sherman
Jeffries	Meeks	Shimkus
Johnson (GA)	Meng	Simpson
Johnson (LA)	Mitchell	Sinema
Johnson (OH)	Moolenaar	Sires
Johnson, E. B.	Mooney (WV)	Smith (MO)
Johnson, Sam	Moore	Smith (NE)
Jordan	Morelle	Smith (NJ)
Kaptur	Moulton	Smith (TX)
Katko	Mullin	Smith (WA)
Keating	Murphy (FL)	Smucker
Kelly (IL)	Nadler	Soto
Kelly (MS)	Napolitano	Speier
Kelly (PA)	Neal	Stefanik
Kennedy	Newhouse	Stewart
Khanna	Norcross	Suozi
Kihuen	Norman	Takano
Kildee	O'Halleran	Taylor
Kilmer	O'Rourke	Tenney
Kind	Olson	Thompson (CA)
King (IA)	Palazzo	Thompson (MS)
Kinzinger	Pallone	Thompson (PA)
Knight	Palmer	Thornberry
Krishnamoorthi	Panetta	Tipton
Kuster (NH)	Pascrell	Titus
Kustoff (TN)	Paulsen	Tonko
LaHood	Payne	Torres
LaMalfa	Pearce	Trott
Lamb	Pelosi	Turner
Lamborn	Perlmutter	Valadao
Lance	Perry	Vargas
Langevin	Peterson	Veasey
Larsen (WA)	Pingree	Vela
Larson (CT)	Pittenger	Velázquez
Latta	Pocan	Visclosky
Lawrence	Poliquin	Wagner
Lawson (FL)	Posey	Walberg
Lee	Price (NC)	Walden
Lesko	Quigley	Walker
Levin	Raskin	Walorski
Lewis (MN)	Reed	Walters, Mimi
Lieu, Ted	Reichert	Wasserman
Lipinski	Rice (NY)	Schultz
LoBiondo	Rice (SC)	Waters, Maxine
Loebsock	Richmond	Watson Coleman
Lofgren	Roe (TN)	Weber (TX)
Long	Rogers (AL)	Webster (FL)
Loudermilk	Rogers (KY)	Welch
Lowenthal	Rohrabacher	Wenstrup
Lowe	Rokita	Westerman
Lucas	Rosen	Wilson (FL)
Luetkemeyer	Rothfus	Wilson (SC)
Lujan Grisham,	Rouzer	Wittman
M.	Roybal-Allard	Womack
Luján, Ben Ray	Royce (CA)	Woodall
MacArthur	Ruiz	Yoder
Maloney,	Ruppersberger	Young (AK)
Carolyn B.	Russell	Young (IA)
Maloney, Sean	Rutherford	Zeldin

NAYS—1

Massie

NOT VOTING—54

Barton	Jenkins (KS)	Rooney, Thomas
Black	Jones	J.
Blackburn	Joyce (OH)	Ros-Lehtinen
Brady (TX)	King (NY)	Roskam
Brownley (CA)	Labrador	Ross
Capuano	Lewis (GA)	Rush
Comstock	Love	Sarbanes
Crowley	Lynch	Sensenbrenner
Culberson	Messer	Shuster
Denham	Noem	Stivers
Duncan (SC)	Nolan	Swalwell (CA)
Ellison	Nunes	Tsongas
Gottheimer	Peters	Upton
Govdy	Poe (TX)	Walz
Gutiérrez	Polis	Williams
Hastings	Ratcliffe	Yarmuth
Hensarling	Renacci	Yoho
Holding	Roby	
Hultgren	Rooney, Francis	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

152.7 MANAGE OUR WOLVES

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 1(c) of rule XIX, announced that further proceedings were resumed on the bill (H.R. 6784) to provide for removal of the gray wolf in the contiguous 48 States from the List of Endangered and Threatened Wildlife published under the Endangered Species Act of 1973.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

Mr. BEYER demanded a recorded vote on passage of said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 196
affirmative Noes 180

152.8

[Roll No. 420]

AYES—196

Abraham	Duncan (TN)	Kinzinger
Aderholt	Dunn	Knight
Allen	Emmer	Kustoff (TN)
Amodei	Estes (KS)	LaHood
Arrington	Faso	LaMalfa
Babin	Ferguson	Lamborn
Bacon	Fleischmann	Latta
Balderson	Flores	Lesko
Banks (IN)	Fortenberry	Lewis (MN)
Barletta	Fox	Long
Barr	Frelinghuysen	Loudermilk
Bergman	Gaetz	Lucas
Biggs	Gallagher	Luetkemeyer
Bilirakis	Garrett	MacArthur
Bishop (GA)	Gianforte	Marchant
Bishop (UT)	Gibbs	Marino
Blum	Gohmert	Marshall
Bost	Gonzalez (TX)	Massie
Brat	Goodlatte	Mast
Brooks (AL)	Gosar	McCarthy
Brooks (IN)	Granger	McCauley
Buck	Graves (GA)	McClintock
Buchson	Graves (LA)	McHenry
Budd	Graves (MO)	McKinley
Burgess	Green, Gene	McMorris
Byrne	Griffith	Rodgers
Calvert	Grothman	McSally
Carter (GA)	Guthrie	Meadows
Carter (TX)	Handel	Messer
Chabot	Harper	Mitchell
Cheney	Harris	Moolenaar
Cloud	Hartzler	Mooney (WV)
Coffman	Hern	Mullin
Cole	Herrera Beutler	Newhouse
Collins (GA)	Hice, Jody B.	Norman
Collins (NY)	Higgins (LA)	Olson
Comer	Hill	Palazzo
Conaway	Hollingsworth	Palmer
Cook	Hudson	Paulsen
Cooper	Huizenga	Pearce
Costa	Hurd	Perry
Cramer	Issa	Peterson
Crawford	Johnson (LA)	Pittenger
Cuellar	Johnson (OH)	Poliquin
Curtis	Johnson, Sam	Posey
Davidson	Jordan	Reed
Davis, Rodney	Kelly (MS)	Reichert
DesJarlais	Kelly (PA)	Rice (SC)
Diaz-Balart	Kind	Roe (TN)
Duffy	King (IA)	Rogers (AL)

Rogers (KY)	Smith (TX)
Rohrabacher	Smucker
Rokita	Stefanik
Rothfus	Stewart
Rouzer	Taylor
Royce (CA)	Tenney
Russell	Thompson (PA)
Rutherford	Thornberry
Scalise	Tipton
Schweikert	Trott
Scott, Austin	Turner
Sessions	Valadao
Shimkus	Vela
Simpson	Wagner
Smith (MO)	Walberg
Smith (NE)	Walden

NOES—180

Adams	Frankel (FL)	Nadler
Aguilar	Fudge	Napolitano
Amash	Galleo	Neal
Barragán	Garamendi	Norcross
Bass	Gomez	O'Halleran
Beatty	Green, Al	O'Rourke
Bera	Grijalva	Pallone
Beyer	Hanabusa	Panetta
Bishop (MI)	Heck	Payne
Blumenauer	Higgins (NY)	Pelosi
Blunt Rochester	Himes	Perlmutter
Bonamici	Hoyer	Pingree
Boyle, Brendan F.	Huffman	Pocan
Brady (PA)	Jackson Lee	Price (NC)
Brown (MD)	Jeffries	Quigley
Buchanan	Johnson (GA)	Raskin
Bustos	Johnson, E. B.	Rice (NY)
Butterfield	Kaptur	Richmond
Carbajal	Katko	Rosen
Cárdenas	Keating	Roybal-Allard
Carson (IN)	Kelly (IL)	Ruiz
Cartwright	Kennedy	Ruppersberger
Castor (FL)	Khanna	Ryan (OH)
Castro (TX)	Kihuen	Sánchez
Chu, Judy	Kildee	Sanford
Ciulline	Kilmer	Sarbanes
Clark (MA)	Krishnamoorthi	Scanlon
Clarke (NY)	Kuster (NH)	Schakowsky
Clay	Lamb	Schiff
Cleaver	Lance	Schneider
Clyburn	Langevin	Schrader
Cohen	Larsen (WA)	Scott (VA)
Connolly	Larson (CT)	Scott, David
Correa	Lawrence	Serrano
Costello (PA)	Lawson (FL)	Sevell (AL)
Courtney	Lee	Shea-Porter
Crist	Levin	Sherman
Cummings	Lewis (GA)	Sinema
Curbelo (FL)	Lieu, Ted	Sires
Davis (CA)	Lipinski	Smith (NJ)
Davis, Danny	LoBiondo	Smith (WA)
DeFazio	Loebsock	Soto
DeGette	Lofgren	Speier
Delaney	Lowenthal	Suozi
DeLauro	Lowe	Takano
DelBene	Lujan Grisham,	Thompson (CA)
Demings	M.	Thompson (MS)
DeSaulnier	Luján, Ben Ray	Titus
Deutch	Maloney,	Tonko
Dingell	Carolyn B.	Torres
Doggett	Maloney, Sean	Vargas
Donovan	Matsui	Veasey
Doyle, Michael F.	McCollum	Velázquez
Engel	McEachin	Visclosky
Eshoo	McGovern	Wasserman
Espallat	McNerney	Schultz
Esty (CT)	Meeks	Waters, Maxine
Evans	Meng	Watson Coleman
Fitzpatrick	Moore	Welch
Foster	Morelle	Wilson (FL)
	Moulton	Yarmuth
	Murphy (FL)	

NOT VOTING—54

Barton	Hensarling	Poe (TX)
Black	Holding	Polis
Blackburn	Hultgren	Ratcliffe
Brady (TX)	Hunter	Renacci
Brownley (CA)	Jayapal	Roby
Capuano	Jenkins (KS)	Rooney, Francis
Comstock	Jones	Rooney, Thomas
Crowley	Joyce (OH)	J.
Culberson	King (NY)	Ros-Lehtinen
Denham	Labrador	Roskam
Duncan (SC)	Love	Ross
Ellison	Lynch	Rush
Gabbard	Noem	Sensenbrenner
Gottheimer	Nolan	Shuster
Govdy	Nunes	Stivers
Gutiérrez	Pascrell	
Hastings	Peters	

Swalwell (CA)
Tsongas

Upton
Walz

Williams
Yoho

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶152.9 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, November 15, 2018.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. SIMPSON, announced that the ayes had it.

So the Journal was approved.

¶152.10 SMALL BUSINESS ADMINISTRATION DISASTER LOANS SUNSET EXTENSION

On motion of Mr. CHABOT, by unanimous consent, the bill of the Senate (S. 3554) to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶152.11 ADJOURNMENT OVER

On motion of Mr. CHABOT, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10:30 a.m. on Tuesday, November 20, 2018.

¶152.12 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 14, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 2615. An Act to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes.

H.R. 3359. An Act to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes.

¶152.13 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. STIVERS, for today.

And then,

¶152.14 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 12 o'clock and 1 minute p.m., the House adjourned until 10:30 a.m. on Tuesday, November 20, 2018.

¶152.15 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6665. A bill to amend the Outer Continental Shelf Lands Act to apply to territories of the United States, to establish offshore wind lease sale requirements, to provide dedicated funding for coral reef conservation, and for other purposes (Rept. 115-1029). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3133. A bill to amend the Marine Mammal Protection Act of 1972 to reduce unnecessary permitting delays by clarifying associated procedures to increase economic development and support coastal restoration programs, and for other purposes (Rept. 115-1030). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 553. A bill to redesignate Gravelly Point Park, located along the George Washington Memorial Parkway in Arlington County, Virginia, as the Nancy Reagan Memorial Park, and for other purposes (Rept. 115-1031). Referred to the House Calendar.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1349. A bill to amend the Wilderness Act to ensure that the use of bicycles, wheelchairs, strollers, and game carts is not prohibited in Wilderness Areas, and for other purposes; with an amendment (Rept. 115-1032). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 1662. A bill to amend title 38, United States Code, to prohibit smoking in any facility of the Veterans Health Administration, and for other purposes (Rept. 115-1033). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 6066. A bill to amend title 38, United States Code, to improve the productivity of the management of Department of Veterans Affairs health care, and for other purposes; with an amendment (Rept. 115-1034). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1675. A bill to establish a national program to identify and reduce losses from landslide hazards, to establish a national 3D Elevation Program, and for other purposes; with an amendment (Rept. 115-1035, Pt. 1). Ordered to be printed.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. H.R. 4243. A bill to establish a commission for the purpose of making recommendations regarding the modernization or realignment of facilities of the Veterans Health Administration, to improve construction and management leases of the Department of Veterans Affairs, to amend and appropriate funds for the Veterans Choice Program, and for other purposes; with an amendment (Rept. 115-1036, Pt. 1). Ordered to be printed.

¶152.16 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 1675. Referral to the Committee on Science, Space, and Technology extended for a period ending not later than December 28, 2018.

H.R. 3857. Referral to the Committees on Ways and Means and Education and the Workforce extended for a period ending not later than December 28, 2018.

H.R. 4243. Referral to the Committees on Rules and Appropriations extended for a period ending not later than December 28, 2018.

¶152.17 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. GOHMERT:

H.R. 7139. A bill to amend the Immigration and Nationality Act to provide that an alien may only apply for asylum at a designated port of arrival, and for other purposes; to the Committee on the Judiciary.

By Ms. JAYAPAL (for herself, Mr. SARBANES, Mr. RASKIN, Ms. CLARKE of New York, Ms. LEE, Ms. BASS, Ms. NORTON, Ms. SCHAKOWSKY, and Mr. POCAN):

H.R. 7140. A bill to improve the anti-corruption and public integrity laws, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Oversight and Government Reform, House Administration, Ways and Means, Financial Services, Intelligence (Permanent Select), Rules, Foreign Affairs, Armed Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COURTNEY (for himself, Ms. BONAMICI, Mr. BRADY of Pennsylvania, Ms. DELAURO, Ms. NORTON, Ms. JACKSON LEE, Mr. KHANNA, Ms. SCHAKOWSKY, Mr. SCOTT of Virginia, Mr. TAKANO, Ms. WILSON of Florida, Ms. SHEA-PORTER, Mr. SIREN, Mr. DESAULNIER, Mr. LARSON of Connecticut, Mr. PAYNE, Mr. HIMES, Mr. POCAN, Mr. CICILLINE, Ms. ESTY of Connecticut, Mr. NORCROSS, and Mr. ESPAILLAT):

H.R. 7141. A bill to direct the Secretary of Labor to issue an occupational safety and health standard that requires covered employers within the health care and social service industries to develop and implement a comprehensive workplace violence prevention plan, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Energy and Commerce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MOORE (for herself, Mr. CARSON of Indiana, Mr. COHEN, Mrs. WATSON COLEMAN, Ms. JAYAPAL, Ms. JACKSON LEE, Ms. NORTON, Ms. WILSON of Florida, Mr. KHANNA, Mr. JOHNSON of Georgia, and Ms. FUDGE):

H.R. 7142. A bill to help train individuals in effective and evidence-based de-escalation techniques to ensure that individuals at diverse levels of society have and retain greater skills to resolve conflicts, manage anger, and control implicit bias without the use of physical or other force, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SAM JOHNSON of Texas:
H.R. 7143. A bill to amend title II of the Social Security Act to modernize social security account numbers, and for other purposes; to the Committee on Ways and Means.

By Mr. DELANEY (for himself, Mr. TROTT, Mr. RYAN of Ohio, Mr. COFFMAN, Mr. SEAN PATRICK MALONEY of New York, Mrs. DINGELL, Mr. FOSTER, Mr. RASKIN, Mr. KILMER, and Mr. JOHNSON of Georgia):

H.R. 7144. A bill to amend title 38, United States Code, to improve the processing of veterans benefits by the Department of Veterans Affairs, to limit the authority of the Secretary of Veterans Affairs to recover overpayments made by the Department and other amounts owed by veterans to the United States, to improve the due process accorded veterans with respect to such recovery, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. KHANNA (for himself, Ms. GABBARD, Ms. CLARKE of New York, Ms. SCHAKOWSKY, and Mr. RASKIN):

H.R. 7145. A bill to prohibit certain large business entities from purchasing the securities of those entities on national securities exchanges, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. MOORE:

H.R. 7146. A bill to amend title VII of the Social Security Act to establish a procedure to close or reduce access to field offices, and for other purposes; to the Committee on Ways and Means.

By Mr. ABRAHAM:

H.R. 7147. A bill to direct the Secretary of Agriculture to treat certain planted soybean crops as harvested commodity crops under the Market Facilitation Program; to the Committee on Agriculture.

By Mr. CARTWRIGHT:

H.R. 7148. A bill to provide for USA Retirement Funds, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. DINGELL (for herself and Mr. UPTON):

H.R. 7149. A bill to amend title XIX of the Social Security Act to remove an institutional bias by making permanent the protection for recipients of home and community-based services against spousal impoverishment; to the Committee on Energy and Commerce.

By Ms. ESHOO (for herself and Ms. LOFGREN):

H.R. 7150. A bill to direct the Secretary of Homeland Security to continue to apply the rule entitled "Allowing Certain H-4 Dependent Spouses to Apply for Employment Authorization", and for other purposes; to the Committee on the Judiciary.

By Mr. KRISHNAMOORTHY:

H.R. 7151. A bill to amend the Communications Act of 1934 to provide for measures to reduce the number of unlawful robocalls and unlawful spoofed calls received by consumers, and for other purposes; to the Committee on Energy and Commerce.

By Ms. MICHELLE LUJAN GRISHAM of New Mexico:

H.R. 7152. A bill to authorize the Secretary of the Interior to convey to the San Felipe Pueblo certain Federal land in Sandoval County, New Mexico, and for other purposes; to the Committee on Natural Resources.

By Mr. MCCAUL (for himself and Mr. SCHWEIKERT):

H.R. 7153. A bill to foster commercial relations with foreign countries and support American business interests abroad in the conduct of foreign policy, and for other purposes; to the Committee on Foreign Affairs.

By Ms. MENG:

H.R. 7154. A bill to replace drinking water fountains in playgrounds and parks under the Reducing Lead in Drinking Water Grant Program; to the Committee on Energy and Commerce.

By Ms. MENG:

H.R. 7155. A bill to reauthorize appropriations for the creation and analysis of national drinking water standards; to the Committee on Energy and Commerce.

By Ms. NORTON (for herself and Mr. BEYER):

H.R. 7156. A bill to require uniformed Federal police officers to wear body cameras and have dashboard cameras in marked vehicles; to the Committee on the Judiciary.

By Mr. PAULSEN:

H.R. 7157. A bill to amend title XVIII of the Social Security Act to provide Medicare coverage for all physicians' services furnished by doctors of chiropractic within the scope of their license, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss RICE of New York (for herself, Ms. WASSERMAN SCHULTZ, Mrs. BUSTOS, Mr. CORREA, Ms. JACKSON LEE, Ms. ESTY of Connecticut, Ms. ROYBAL-ALLARD, Mr. MOULTON, and Mr. MAST):

H.R. 7158. A bill to amend title 38, United States Code, to establish a mission statement of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Mr. FRANCIS ROONEY of Florida (for himself and Mr. ROKITA):

H.R. 7159. A bill to clarify the rights of not-for-profit religious employers under the National Labor Relations Act; to the Committee on Education and the Workforce.

By Mr. TONKO:

H.R. 7160. A bill to prohibit the circumvention of control measures used by Internet retailers to ensure equitable consumer access to products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WELCH:

H.R. 7161. A bill to amend the Richard B. Russell National School Lunch Act to make a permanent program for the procurement of unprocessed fruits and vegetables to provide healthier school meals, and for other purposes; to the Committee on Education and the Workforce.

By Mr. ROYCE of California:

H. Res. 1149. A resolution recognizing that the United States-Republic of Korea alliance serves as a linchpin of regional stability and bilateral security, and exemplifies the broad and deep military, diplomatic, economic, and cultural ties shared between the United States and the Republic of Korea; to the Committee on Foreign Affairs.

By Mr. GOMEZ (for himself, Mr. LOWENTHAL, Ms. MENG, Mrs. NAPOLITANO, Mr. JOHNSON of Georgia, Mr. GRIJALVA, Ms. LOFGREN, and Ms. LEE):

H. Res. 1150. A resolution commending Korean and Korean-American veterans for their service to the United States during the Vietnam conflict; to the Committee on Veterans' Affairs, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as

fall within the jurisdiction of the committee concerned.

By Mr. YARMUTH (for himself, Mr. ROE of Tennessee, Mr. SAM JOHNSON of Texas, and Ms. TITUS):

H. Res. 1151. A resolution expressing support for designation of the week of November 18 through 24, 2018, as National Family Service Learning Week; to the Committee on Education and the Workforce.

By Mr. ADERHOLT (for himself, Mrs.

LAWRENCE, Mr. JOHNSON of Louisiana, Mr. MULLIN, Mr. LANGEVIN, Mrs. COMSTOCK, Mr. COMER, Mr. PALLONE, Mr. HUFFMAN, Ms. NORTON, Mr. HUIZENGA, Mr. LAMBORN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. COOPER, Mr. KING of New York, Mr. LIPINSKI, Mr. BRADY of Texas, Mr. SMITH of Washington, Ms. GRANGER, Mr. KELLY of Pennsylvania, Ms. BASS, Mr. SMITH of New Jersey, Mr. MITCHELL, Mrs. HARTZLER, Mr. GALLAGHER, Mr. WITTMAN, Mr. MOOLENAAR, and Mr. LONG):

H. Res. 1152. A resolution expressing support for the goals of National Adoption Day and National Adoption Month by promoting national awareness of adoption and the children awaiting families, celebrating children and families involved in adoption, and encouraging the people of the United States to secure safety, permanency, and well-being for all children; to the Committee on Education and the Workforce.

By Mr. KING of New York (for himself, Mr. SUOZZI, and Mr. ENGEL):

H. Res. 1153. A resolution honoring Jacob Anthony deGrom, starting pitcher for the New York Mets, for winning the 2018 National League Cy Young Award; to the Committee on Oversight and Government Reform.

By Mr. LANCE (for himself, Mr. BUTTERFIELD, and Ms. ESHOO):

H. Res. 1154. A resolution affirming the importance of the Orphan Drug Act, applauding its lifesaving contributions over its 35-year history, and recognizing the need to continue supporting research and development for rare diseases; to the Committee on Energy and Commerce.

By Mr. NEAL (for himself, Mr. MCGOVERN, Mr. CAPUANO, Mr. LYNCH, Ms. TSONGAS, Mr. KEATING, Mr. KENNEDY, Ms. CLARK of Massachusetts, and Mr. MOULTON):

H. Res. 1155. A resolution congratulating the Boston Red Sox on winning the 2018 World Series; to the Committee on Oversight and Government Reform.

152.18 PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. NOLAN introduced a bill (H.R. 7162) for the relief of David Beasley; which was referred to the Committee on Veterans' Affairs.

152.19 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 97: Mr. CORREA.
H.R. 786: Mr. COHEN.
H.R. 866: Mr. KHANNA and Ms. DELBENE.
H.R. 1156: Mr. CLOUD.
H.R. 1291: Ms. DELBENE.
H.R. 1377: Mr. KATKO.
H.R. 1419: Mr. ZELDIN.
H.R. 1734: Mr. DELANEY.
H.R. 1881: Mr. CURTIS.
H.R. 2106: Mr. FERGUSON.
H.R. 2130: Mr. KIND.
H.R. 2295: Mr. COHEN.
H.R. 2315: Mr. LONG, Mr. HUIZENGA, Mr. HARRIS, Mr. PRICE of North Carolina, Mrs. LESKO, Mr. WOODALL, and Mr. BIGGS.

H.R. 2327: Ms. BASS.

H.R. 2358: Mr. COLLINS of New York, Mr. FERGUSON, Mr. KELLY of Mississippi, Mr. SERRANO, Mr. ZELDIN, Mr. VEASEY, Mr. SARBANES, Mr. JOHNSON of Ohio, Mr. DUFFY, and Mr. MEEKS.

H.R. 2479: Ms. KELLY of Illinois.

H.R. 2500: Mr. DESAULNIER.

H.R. 4065: Ms. CLARKE of New York and Mr. DESAULNIER.

H.R. 4107: Mr. BARR, Mr. JOHNSON of Ohio, Mr. HOLDING, Mr. PETERS, Mr. CALVERT, Ms. CLARK of Massachusetts, and Mr. CLOUD.

H.R. 4198: Mr. DESAULNIER and Mr. THOMPSON of Mississippi.

H.R. 4444: Mr. HUIZENGA and Mr. SCHRADER.

H.R. 4638: Mrs. BEATTY.

H.R. 4732: Mr. WALBERG and Mr. ZELDIN.

H.R. 4734: Mr. MEEKS and Mr. KHANNA.

H.R. 4912: Mrs. NAPOLITANO.

H.R. 4953: Mr. CLAY.

H.R. 4972: Mr. DESAULNIER.

H.R. 5011: Mr. QUIGLEY.

H.R. 5306: Mr. YODER.

H.R. 5339: Ms. MENG.

H.R. 5476: Mr. KIND.

H.R. 5499: Mr. SWALWELL of California, Mr. BILIRAKIS, Mr. JEFFRIES, Ms. ROYBAL-ALLARD, Ms. FUDGE, Mr. CLAY, Mr. SESSIONS, Mr. THOMPSON of Mississippi, Mr. GAETZ, Mr. ESPAILLAT, Mr. LIPINSKI, Mr. NORMAN, Ms. JACKSON LEE, Mr. GONZALEZ of Texas, Mr. GUTHRIE, Mr. BYRNE, and Mr. COSTELLO of Pennsylvania.

H.R. 5911: Mr. KENNEDY and Mr. CLAY.

H.R. 5924: Mr. KUSTOFF of Tennessee.

H.R. 5945: Mr. ROYCE of California.

H.R. 6016: Ms. SCHAKOWSKY.

H.R. 6114: Mr. DESAULNIER.

H.R. 6272: Mr. GRAVES of Louisiana and Mr. VEASEY.

H.R. 6363: Mr. AGUILAR.

H.R. 6507: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 6510: Mr. JOHNSON of Georgia, Mr. BUDD, and Ms. PLASKETT.

H.R. 6544: Mr. LOUDERMILK.

H.R. 6629: Ms. SCHAKOWSKY.

H.R. 6692: Mr. DESAULNIER.

H.R. 6775: Mr. SWALWELL of California.

H.R. 6795: Mr. COSTA, Ms. WASSERMAN SCHULTZ, Ms. DELBENE, Mr. CORREA, Ms. JAYAPAL, Mr. BISHOP of Georgia, Ms. NORTON, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Georgia, Mr. VEASEY, Mrs. COMSTOCK, Mr. SOTO, Mr. GRIJALVA, Mrs. BUSTOS, Mr. CRIST, Mr. BEYER, Mr. KILMER, Mr. COHEN, Mr. SCOTT of Virginia, Ms. TITUS, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. VELA, Mr. MEEKS, and Mr. HASTINGS.

H.R. 6813: Mr. BACON.

H.R. 6854: Ms. FOXX.

H.R. 6869: Mr. POCAN.

H.R. 6980: Ms. LOFGREN.

H.R. 7030: Mr. ESPAILLAT and Mr. KHANNA.

H.R. 7042: Mr. MCCLINTOCK.

H.R. 7059: Mr. ARRINGTON.

H.R. 7073: Mr. GOHMERT.

H.R. 7086: Ms. MENG and Mr. CRIST.

H.R. 7124: Mr. LARSON of Connecticut.

H.R. 7127: Ms. SHEA-PORTER.

H. Res. 757: Mr. KIND.

H. Res. 867: Mr. DELANEY.

H. Res. 1006: Mr. KIND.

H. Res. 1033: Mrs. LESKO.

H. Res. 1034: Mr. NORMAN, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. FLEISCHMANN, Mr. MCKINLEY, Mr. SENSENBRENNER, Mrs. HANDEL, Mr. GONZALEZ of Texas, Mr. WEBSTER of Florida, Mr. STEWART, Mr. ROTHFUS, and Mr. CALVERT.

H. Res. 1057: Mr. BANKS of Indiana.

H. Res. 1144: Mrs. MURPHY of Florida, Mr. TAKANO, Mr. GRAVES of Missouri, Mr. GOODLATTE, Mr. LAMBORN, Mr. CÁRDENAS, Mr. CLAY, Ms. MENG, Mr. COURTNEY, Mr. LATTA, and Mr. SERRANO.

H. Res. 1146: Ms. LEE.

TUESDAY, NOVEMBER 20, 2018 (153)

¶153.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MCHENRY, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

November 20, 2018.

I hereby appoint the Honorable PATRICK T. MCHENRY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶153.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MCHENRY, announced that, pursuant to section 2(a) of House Resolution 1142, the Journal of the proceedings of Friday, November 16, 2018, was approved.

¶153.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6876. A letter from the Assistant Secretary of Defense, Homeland Defense and Global Security, Department of Defense, transmitting a letter reporting on the preparedness of the Department's support to non-contiguous States and territories in response to disasters, threats, and emergencies, pursuant to Public Law 115-232; to the Committee on Armed Services.

6877. A letter from the Chair of the Board, and Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's FY 2018 Annual Report, pursuant to 29 U.S.C. 1308; Public Law 93-406, Sec. 4008 (as amended by Public Law 109-280, Sec. 412); (120 Stat. 936); to the Committee on Education and the Workforce.

6878. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report on the Developmental Disabilities Programs for Fiscal Years 2013-14, pursuant to 42 U.S.C. 15005; Public Law 106-402, Sec. 105; (114 Stat. 1690); to the Committee on Energy and Commerce.

6879. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled, "Rural Community Hospital Demonstration", pursuant to Sec. 15003 of the 21st Century Cures Act of 2016 (Public Law 114-255); to the Committee on Energy and Commerce.

6880. A letter from the Chief, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Comprehensive Review of the Part 32 Uniform System of Accounts [WC Docket No.: 14-130]; Jurisdictional Separations and Referral to the Federal-State Joint Board [CC Docket No.: 80-286] received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6881. A letter from the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Creation of Interstitial 12.5 Kilo-hertz Channels in the 800MHz Band Between 809-817/854-862 [WP Docket No.: 15-32] (RM-11572); Amendment of Part 90 of the Commission's Rules to Improve Access to Private Land Mobile Radio Spectrum [WP Docket

No.: 16-261]; Land Mobile Communications Council Petition for Rulemaking Regarding Interim Eligibility for 800 MHz Expansion Band and Guard Band Frequencies (RM-11719); Petition for Rulemaking Regarding Conditional Licensing Authority Above 470 MHz (RM-11722) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6882. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to the Central African Republic that was declared in Executive Order 13667 of May 12, 2014, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6883. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6884. A communication from the President of the United States, transmitting notification that the national emergency with respect to Burundi, declared in Executive Order 13712 of November 22, 2015, is to continue in effect beyond November 22, 2018, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115—171); to the Committee on Foreign Affairs and ordered to be printed.

6885. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

6886. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-040, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6887. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-049, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6888. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-018, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6889. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting the Department's Fiscal Year 2018 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Foreign Affairs.

6890. A letter from the Associate General Counsel for General Law, FEMA, Department of Homeland Security, transmitting a notification of a nomination, an action on nomination, and a discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

6891. A letter from the Archivist of the United States, National Archives and Records Administration, transmitting the Administration's Annual Agency Financial Report for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6892. A letter from the Director, Office of Financial Management, United States Capitol Police, transmitting the Statement of Disbursements for the United States Capitol Police for the period of April 1, 2018 through September 30, 2018, pursuant to 2 U.S.C. 1910(a); Public Law 109-55, Sec. 1005; (119 Stat. 575) (H. Doc. No. 115—172); to the Committee on House Administration and ordered to be printed.

6893. A letter from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the fourth quarterly report of FY 2018 on the Uniformed Services Employment and Reemployment Rights Act of 1994, pursuant to 38 U.S.C. 4332(b)(2); Public Law 103-353, Sec. 2(a) (as added by Public Law 110-389, Sec. 312(c)); (122 Stat. 4165); to the Committee on the Judiciary.

6894. A letter from the Chair, Acting Committee Management Officer, Women's Suffrage Centennial Commission, transmitting a copy of the establishment charter for the Women's Suffrage Centennial Commission, pursuant to the Federal Advisory Committee Act of 1972, as amended (5 U.S.C. Appendix); to the Committee on the Judiciary.

6895. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0161; Product Identifier 2017-NM-088-AD; Amendment 39-19450; AD 2018-20-16] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6896. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0586; Product Identifier 2017-NM-151-AD; Amendment 39-19445; AD 2018-20-11] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6897. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0553; Product Identifier 2017-NM-138-AD; Amendment 39-19446; AD 2018-20-12] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6898. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule— Airworthiness Directives; Bell Helicopter Textron Canada Limited Helicopters [Docket No.: FAA-2018-0254; Product Identifier 2017-SW-116-AD; Amendment 39-19473; AD 2018-21-15] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6899. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Direc-

tives; Honda Aircraft Company LLC [Docket No.: FAA-2018-0513; Product Identifier 2018-CE-013-AD; Amendment 39-19471; AD 2018-21-13] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6900. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0160; Product Identifier 2017-NM-139-AD; Amendment 39-19476; AD 2018-22-03] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6901. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Glasflügel Gliders [Docket No.: FAA-2018-0891; Product Identifier 2018-CE-038-AD; Amendment 39-19462; AD 2018-21-04] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6902. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0078; Product Identifier 2017-NM-107-AD; Amendment 39-19477; AD 2018-22-04] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6903. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Viking Air Limited Airplanes [Docket No.: FAA-2018-0189; Product Identifier 2017-CE-022-AD; Amendment 39-19460; AD 2018-21-02] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6904. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Prohibition Against Certain Flights in the Baghdad Flight Information Region (FIR) (ORBB) [Docket No.: FAA-2018-0927; Amdt. No.: 91-353] (RIN: 2120-AL06) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6905. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Austro Engine GmbH Engines [Docket No.: FAA-2017-1138; Product Identifier 2017-NE-41-AD; Amendment 39-19381; AD 2018-18-02] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6906. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2018-0898; Product Identifier 2018-NE-29-AD; Amendment 39-19456; AD 2018-20-22] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6907. A letter from the Impact Analyst, Office of Regulation Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Schedule for Rating Disabilities: The Hematologic and Lymphatic Systems (RIN: 2900-AO19) received November 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

153.4 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. MCHENRY, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 16, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 16, 2018, at 3:09 p.m.:

That the Senate agreed to Relative to the death of the Honorable Walter "Dee" Hudleston, former United States Senator for the State of Kentucky S. Res. 700.

That the Senate agrees to the House of Representatives amendment to the bill S. 2152.

That the Senate agreed to S. Con. Res. 51.

That the Senate passed S. 3209.

That the Senate passed S. 3237.

That the Senate passed S. 3321.

That the Senate passed S. 3414.

That the Senate passed S. 3442.

That the Senate passed with amendments H.R. 4407.

That the Senate passed without an amendment H.R. 606.

That the Senate passed without an amendment H.R. 1209.

That the Senate passed without an amendment H.R. 2979.

That the Senate passed without an amendment H.R. 3230.

That the Senate passed without an amendment H.R. 4890.

That the Senate passed without an amendment H.R. 4913.

That the Senate passed without an amendment H.R. 4946.

That the Senate passed without an amendment H.R. 4960.

That the Senate passed without an amendment H.R. 5349.

That the Senate passed without an amendment H.R. 5504.

That the Senate passed without an amendment H.R. 5737.

That the Senate passed without an amendment H.R. 5784.

That the Senate passed without an amendment H.R. 5868.

That the Senate passed without an amendment H.R. 5935.

That the Senate passed without an amendment H.R. 6116.

Appointments:

United States-China Economic and Security Review Commission

National Security Commission on Artificial Intelligence

Cyberspace Solarium Commission

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

153.5 SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's

table and, under the rule, referred as follows:

S. 3209. An Act to designate the facility of the United States Postal Service located at 413 Washington Avenue in Belleville, New Jersey, as the “Private Henry Svehla Post Office Building”; to the Committee on Oversight and Government Reform.

S. 3237. An Act to designate the facility of the United States Postal Service located at 120 12th Street Lobby in Columbus, Georgia, as the “Richard W. Williams, Jr., Chapter of the Triple Nickles (555th P.I.A.) Post Office”; to the Committee on Oversight and Government Reform.

S. 3321. An Act to award Congressional Gold Medals to Katherine Johnson and Dr. Christine Darden, to post-humously award Congressional Gold Medals to Dorothy Vaughan and Mary Jackson, and to award a Congressional Gold Medal to honor all of the women who contributed to the success of the National Aeronautics and Space Administration during the Space Race; to the Committee on Financial Services; in addition, to the Committee on House Administration for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

S. 3414. An Act to designate the facility of the United States Postal Service located at 20 Ferry Road in Saunderstown, Rhode Island, as the “Captain Matthew J. August Post Office”; to the Committee on Oversight and Government Reform.

S. 3442. An Act to designate the facility of the United States Postal Service located at 105 Duff Street in Macon, Missouri, as the “Arla W. Harrell Post Office”; to the Committee on Oversight and Government Reform.

¶153.6 SENATE ENROLLED BILL SIGNED

The Speaker pro tempore, Mr. MCHENRY, announced his signature to an enrolled bill of the Senate of the following title:

S. 2152. An Act to amend title 18, United States Code, to provide for assistance for victims of child pornography, and for other purposes.

And then,

¶153.7 ADJOURNMENT

The SPEAKER pro tempore, Mr. MCHENRY, pursuant to section 2(b) of House Resolution 1142, at 10 o'clock and 35 minutes a.m., declared the House adjourned until 9:30 a.m. on Friday, November 23, 2018.

¶153.8 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2085. A bill to approve an agreement between the United States and the Republic of Palau, and for other purposes (Rept. 115-1039, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 237. A bill to reauthorize the Integrated Coastal and Ocean Observation System Act of 2009, and for other purposes; with an amendment (Rept. 115-1038, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2085. A bill to approve an agreement between the United States and the Republic of Palau, and for other purposes (Rept. 115-1039, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6108. A bill to provide for partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance the visitor experience at nationally significant battlefields of the American Revolution, War of 1812, and Civil War, and for other purposes (Rept. 115-1040). Referred to the Committee of the Whole House on the state of the Union.

Mrs. BROOKS of Indiana: Committee on Ethics. In the Matter of Allegations Relating to Representative Ruben Kihuen (Rept. 115-1041). Referred to the House Calendar.

Mrs. BROOKS of Indiana: Committee on Ethics. In the Matter of Allegations Relating to Representative Mark Meadows (Rept. 115-1042). Referred to the House Calendar.

¶153.9 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 237. Referral to the Committee on Science, Space, and Technology extended for a period ending not later than December 28, 2018.

H.R. 2085. Referral to the Committee on Foreign Affairs extended for a period ending not later than December 28, 2018.

¶153.10 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BISHOP of Utah:

H.R. 7163. A bill to designate the outstation of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation; to the Committee on Veterans' Affairs.

By Mr. SENSENBRENNER (for himself and Mr. NEAL):

H.R. 7164. A bill to add Ireland to the E-3 nonimmigrant visa program; to the Committee on the Judiciary.

By Mr. CONNOLLY (for himself, Ms. NORTON, Mr. RASKIN, and Mr. BEYER):

H.R. 7165. A bill to amend title 5, United States Code, to achieve parity between the cost of living adjustment with respect to an annuity under the Federal Employees Retirement System and an annuity under the Civil Service Retirement System, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. DUNN (for himself and Mr. LAWSON of Florida):

H.R. 7166. A bill to provide tax relief for the victims of Hurricane Michael, and for other purposes; to the Committee on Ways and Means.

By Mr. TED LIEU of California (for himself, Mr. CICILLINE, Ms. ESHOO, Mr. GALLEGGO, and Ms. SANCHEZ):

H.R. 7167. A bill to strengthen transparency and accountability within the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIPINSKI:

H.R. 7168. A bill to direct the Administrator of the Environmental Protection

Agency, as required by section 112(d)(6) of the Clean Air Act (42 U.S.C. 7412(d)(6)), to review and revise as necessary the emissions standards for sources of ethylene oxides, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BANKS of Indiana:

H. Res. 1156. A resolution expressing concern about the threat posed to democracy and the democratic process by theocratic groups operating in Bangladesh; to the Committee on Foreign Affairs.

By Ms. BORDALLO:

H. Res. 1157. A resolution reaffirming the strong commitment of the United States to the countries and territories of the Pacific Islands region; to the Committee on Foreign Affairs, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Miss RICE of New York (for herself, Mrs. DAVIS of California, Mr. FITZPATRICK, Mr. JOHNSON of Ohio, Mr. LANGEVIN, Mr. BROWN of Maryland, Mr. PALLONE, Ms. BONAMICI, Mr. POCAN, and Mr. CLEAVER):

H. Res. 1158. A resolution supporting the designation of the week beginning November 12, 2018, as “National Apprenticeship Week”; to the Committee on Education and the Workforce.

¶153.11 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 398: Mr. MAST and Ms. STEFANIK.

H.R. 795: Mr. LAHOOD.

H.R. 816: Ms. CASTOR of Florida.

H.R. 919: Ms. SCHAKOWSKY and Mr. DUNN.

H.R. 1102: Mr. BEYER.

H.R. 1439: Mr. BEYER.

H.R. 1957: Ms. FUDGE.

H.R. 2315: Mr. GOODLATTE, Mr. NEWHOUSE, and Mr. LAMBORN.

H.R. 2472: Ms. STEFANIK.

H.R. 2858: Mr. COHEN.

H.R. 3034: Mrs. LESKO, Mrs. ROBY, Mr. BILLIRAKIS, Mr. SOTO, Ms. BASS, Mr. DIAZ-BALART, Mr. LYNCH, and Ms. WASSERMAN SCHULTZ.

H.R. 3733: Mr. COURTNEY.

H.R. 4256: Mr. LOUDERMILK and Mr. LOEBACK.

H.R. 4485: Ms. MICHELLE LUJAN GRISHAM of New Mexico.

H.R. 4608: Mr. KILDEE.

H.R. 4732: Mr. BRADY of Pennsylvania, Mr. MARSHALL, and Mr. QUIGLEY.

H.R. 4816: Mr. COHEN.

H.R. 4843: Mr. CRAWFORD, Mr. WOMACK, Mr. DELANEY, Mr. BISHOP of Georgia, Mr. COMER, and Mr. JOHNSON of Georgia.

H.R. 5306: Mr. CONNOLLY and Mr. BRENDAN F. BOYLE of Pennsylvania.

H.R. 5318: Mr. LOWENTHAL.

H.R. 5671: Ms. CLARK of Massachusetts.

H.R. 5782: Ms. JACKSON LEE.

H.R. 6016: Mr. MCEACHIN.

H.R. 6081: Ms. STEFANIK.

H.R. 6358: Mr. CRIST.

H.R. 6390: Mr. DELANEY.

H.R. 6543: Ms. JAYAPAL.

H.R. 6635: Mr. KIND, Mr. MITCHELL, and Ms. STEFANIK.

H.R. 6840: Ms. BONAMICI.

H.R. 6992: Mr. RODNEY DAVIS of Illinois.

H.R. 7015: Mr. RUTHERFORD.

H.R. 7082: Ms. LOFGREN.

H.R. 7140: Mr. CICILLINE.

H. Con. Res. 13: Mr. FERGUSON.

H. Con. Res. 138: Mrs. TORRES and Ms. JUDY CHU of California.

H. Res. 1087: Ms. ROS-LEHTINEN.

H. Res. 1121: Mr. AGUILAR.

H. Res. 1144: Mr. RUPPERSBERGER, Mrs. LOWEY, Mr. CASTRO of Texas, Ms. HERRERA BEUTLER, Mr. LAHOOD, Mr. LIPINSKI, and Mrs. LESKO.

H. Res. 1150: Ms. JACKSON LEE and Mr. CONNOLLY.

H. Res. 1153: Mr. ZELDIN.

FRIDAY, NOVEMBER 23, 2018 (154)

¶154.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MESSER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

November 23, 2018.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶154.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to section 2(a) of House Resolution 1142, the Journal of the proceedings of Tuesday, November 20, 2018, was approved.

¶154.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6908. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the Semiannual Report to Congress prepared by the Office of Inspector General for the Board and the Consumer Financial Protection Bureau, pursuant to the Inspector General Act of 1978; to the Committee on Financial Services.

6909. A letter from the Director, National Gallery of Art, transmitting the Gallery's Inspector General Act report for FY 2018 in narrative format, pursuant to the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

6910. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2018-0406; Product Identifier 2013-NE-30-AD; Amendment 39-19457; AD 2018-20-23] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6911. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Turbofan Engines [Docket No.: FAA-2017-1206; Product Identifier 2017-NE-42-AD; Amendment 39-19479; AD 2018-22-06] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6912. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Division (PW) Turbofan Engines [Docket No.: FAA-2018-0368; Product Identifier 2018-NE-12-AD; Amendment 39-19469; AD 2018-21-11] (RIN: 2120-AA64) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec.

251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6913. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of the Prohibition Against Certain Flights in Specified Areas of the Simferopol and Dnipropetrovsk Flight Information Regions (FIRs) (UKFV and UKDV) [Docket No.: FAA-2014-0225; Amdt. No.: 91-331E] (RIN: 2120-AL39) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6914. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Air Traffic Service (ATS) Routes in the Vicinity of Chicago, IL [Docket No.: FAA-2018-0230; Airspace Docket No.: 17-AGL-26] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6915. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Atwater, CA [Docket No.: FAA-2017-1091; Airspace Docket No.: 17-AWP-26] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6916. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Merced, CA [Docket No.: FAA-2017-1092; Airspace Docket No.: 17-AWP-27] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6917. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of V-97 and V-422 in the Vicinity of Chicago, IL [Docket No.: FAA-2018-0464; Airspace Docket No.: 18-AGL-12] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6918. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31218; Amdt. No.: 3822] received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6919. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Aurora, OR [Docket No.: FAA-2017-1034; Airspace Docket No.: 17-ANM-23] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6920. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31217; Amdt. No.: 3821] received November 9, 2018,

pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6921. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, Gustavus, AK [Docket No.: FAA-2018-0127; Airspace Docket No.: 18-AAL-7] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6922. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Cambridge, MD [Docket No.: FAA-2018-0468; Airspace Docket No.: 18-AEA-13] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6923. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace, Augusta, GA, and Establishment of Class E Airspace, Waynesboro, GA [Docket No.: FAA-2018-0369; Airspace Docket No.: 18-ASO-8] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6924. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Tulsa, OK [Docket No.: FAA-2018-0094; Airspace Docket No.: 18-ASW-4] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6925. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31216; Amdt. No.: 3820] received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6926. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31215; Amdt. No.: 3819] received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6927. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Crystal Springs, MS [Docket No.: FAA-2016-9442; Airspace Docket No.: 16-ASO-15] (RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6928. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Hoonah, AK [Docket No.: FAA-2018-0126; Airspace Docket No.: 18-AAL-6]

(RIN: 2120-AA66) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

¶154.4 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker pro tempore, Mr. MESSER:

H.R. 606. An Act to designate the facility of the United States Postal Service located at 1025 Nevlin Avenue in Richmond, California, as the "Harold D. McCraw, Sr., Post Office Building".

H.R. 1209. An Act to designate the facility of the United States Postal Service located at 901 N. Francisco Avenue, Mission, Texas, as the "Mission Veterans Post Office Building".

H.R. 2979. An Act to designate the facility of the United States Postal Service located at 390 West 5th Street in San Bernardino, California, as the "Jack H. Brown Post Office Building".

H.R. 3230. An Act to designate the facility of the United States Postal Service located at 915 Center Avenue in Payette, Idaho, as the "Harmon Killebrew Post Office Building".

H.R. 4890. An Act to designate the facility of the United States Postal Service located at 9801 Apollo Drive in Upper Marlboro, Maryland, as the "Wayne K. Curry Post Office Building".

H.R. 4913. An Act to designate the facility of the United States Postal Service located at 816 East Salisbury Parkway in Salisbury, Maryland, as the "Sgt. Maj. Wardell B. Turner Post Office Building".

H.R. 4946. An Act to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the "Specialist Trevor A. Win'E Post Office".

H.R. 4960. An Act to designate the facility of the United States Postal Service located at 511 East Walnut Street in Columbia, Missouri, as the "Spec. Sterling William Wyatt Post Office Building".

H.R. 5349. An Act to designate the facility of the United States Postal Service located at 1325 Autumn Avenue in Memphis, Tennessee, as the "Judge Russell B. Sugarmon Post Office Building".

H.R. 5504. An Act to designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the "Sergeant Dietrich Schmieman Post Office Building".

H.R. 5737. An Act to designate the facility of the United States Postal Service located at 108 West D Street in Alpha, Illinois, as the "Captain Joshua E. Steele Post Office".

H.R. 5868. An Act to designate the facility of the United States Postal Service located at 530 Claremont Avenue in Ashland, Ohio, as the "Bill Harris Post Office".

H.R. 5935. An Act to designate the facility of the United States Postal Service located at 1355 North Meridian Road in Harristown, Illinois, as the "Logan S. Palmer Post Office".

H.R. 6116. An Act to designate the facility of the United States Postal Service located at 362 North Ross Street in Beaverton, Michigan, as the "Colonel Alfred Asch Post Office".

And then,

¶154.5 ADJOURNMENT

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 2(b) of

House Resolution 1142, at 9 o'clock and 32 minutes a.m., declared the House adjourned until noon on Tuesday, November 27, 2018.

¶154.6 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1205: Mr. QUIGLEY.
H.R. 4399: Mr. CICILLINE.
H.R. 4485: Mr. GALLEG0.
H.R. 6637: Mr. THOMPSON of California.
H.R. 7086: Mr. RUPPERSBERGER, Mr. MCNERNEY, Mr. NORCROSS, and Mr. GARAMENDI.
H.R. 7137: Ms. JACKSON LEE, Ms. LEE, and Mr. LEWIS of Georgia.
H.R. 7142: Mr. RYAN of Ohio and Mr. HASTINGS.
H.R. 7146: Mr. THOMPSON of Mississippi and Ms. NORTON.
H. Con. Res. 138: Ms. PELOSI.
H. Res. 745: Mr. MULLIN.

TUESDAY, NOVEMBER 27, 2018 (155)

¶155.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. MITCHELL, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

November 27, 2018.

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

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶155.2 RECESS—12:18 P.M.

The SPEAKER pro tempore, Mr. MITCHELL, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 18 minutes p.m., until 2 p.m.

¶155.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. WILLIAMS, called the House to order.

¶155.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WILLIAMS, announced he had examined and approved the Journal of the proceedings of Friday, November 23, 2018.

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

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. WILLIAMS, announced that the ayes had it.

Mr. POE of Texas, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. WILLIAMS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶155.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6929. A letter from the Deputy Secretary, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, transmitting the Commission's final rule — De Minimis Exception to the Swap Dealer Definition (RIN: 3038-AE68) received November 15, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6930. A letter from the Chairman and CEO, Farm Credit Administration, transmitting the Administration's final rule — Margin and Capital Requirements for Covered Swap Entities (RIN: 3052-AD28) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6931. A letter from the Chairman and Chief Executive Officer, Office of Secondary Market, Farm Credit Administration, transmitting the Administration's final rule — Organization; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Farmer Mac Investment Eligibility (RIN: 3052-AC86) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

6932. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's Major final rule — Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act (RIN: 1210-AB84) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6933. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's Major final rule — Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act (RIN: 1210-AB83) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6934. A letter from the Assistant General Counsel for Regulatory Affairs, Consumer Product Safety Commission, transmitting the Commission's direct final rule — Revisions to Safety Standard for Portable Hook-On Chairs [Docket No.: CPSC-2015-0016] received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6935. A letter from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rules — Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act [CMS-9940-F2] (RIN: 0938-AT54) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6936. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Anacostia River, Washington, DC [Docket No.: USCG-2018-0473] (RIN: 1625-

AA09) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6937. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to Testing Regulations for Air Emission Sources [EPA-HQ-OAR-2016-0510; FRL-9986-42-OAR] (RIN: 2060-AS95) received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6938. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final action — Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Aggregation; Reconsideration [EPA-HQ-OAR-2003-0064; FRL-9986-47-OAR] (RIN: 2060-AP80) received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6939. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Outer Continental Shelf Air Regulations; Consistency Update for Massachusetts [EPA-R01-OAR-2018-0011; FRL-9983-52-Region 1] received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6940. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Azoxystrobin; Pesticide Tolerances [EPA-HQ-OPP-2017-0744; FRL-9985-45] received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6941. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Arizona Air Plan; Hayden Lead Nonattainment Area Plan for the 2008 Lead Standard [EPA-R09-OAR-2018-0222; FRL-9986-31-Region 9] received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6942. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards: Petroleum Refinery Sector Amendments [EPA-HQ-OAR-2010-0682; FRL-9986-68-OAR] (RIN: 2060-AT50) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6943. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Implementation of the 2015 National Ambient Air Quality Standards for Ozone: Nonattainment Area State Implementation Plan Requirements [EPA-HQ-OAR-2016-0202; FRL-9986-53-OAR] (RIN: 2060-AS82) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6944. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Connecticut; Volatile Organic Compound Emissions From Consumer Products and Architectural and Industrial Maintenance Coatings [EPA-R01-OAR-2018-0099; A-1-FRL-9983-32-Region 1] received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-

121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6945. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Bacillus amyloliquefaciens* strain ENV503; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0460; FRL-9985-98] received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6946. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Air Plan Approval; AK: Fine Particulate Matter Infrastructure Requirements [EPA-R10-OAR-2017-0597; FRL-9986-49-Region 10] received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6947. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.3613 of the Commission's Rules Regarding Filing of Contracts [MB Docket No.: 18-4]; Modernization of Media Regulation Initiative [MB Docket No.: 17-105] received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6948. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Supply Chain Risk Management Reliability Standards [Docket No.: RM17-13-000] received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6949. A letter from the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Promoting Investment in the 3550-3700 MHz Band [GN Docket No.: 17-258] received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6950. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Yemen that was declared in Executive Order 13611 of May 16, 2012, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

6951. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 18-44, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6952. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 18-45, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6953. A letter from the Director, Defense Security Cooperation Agency, transmitting Transmittal No. 18-39, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

6954. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-058, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

6955. A letter from the Acting Chair, Equal Employment Opportunity Commission,

transmitting the Commission's Inspector General's Semiannual Report to Congress for the period ending September 30, 2018, pursuant to Sec. 5(b) of the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

6956. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's semiannual Inspector General's report for the period of April 1, 2018 through September 30, 2018, pursuant to Sec. 5 of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

6957. A letter from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's Performance and Accountability Report for Fiscal Year 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6958. A letter from the Board Chairman and Chairman, Audit Committee, Farm Credit System Insurance Corporation, transmitting the Corporation's consolidated report, pursuant to the Federal Managers' Financial Integrity Act and the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

6959. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's Fiscal Year 2018 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6960. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's Fiscal Year 2018 Agency Financial Report, pursuant to the Office of Management and Budget Circular A-136, Financial Reporting Requirements, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6961. A letter from the Regulations Coordinator, Office of Strategic Operations and Regulatory Affairs, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rules — Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act [CMS-9925-F] (RIN: 0938-AT46) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6962. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Hornblower Fireworks Display; San Francisco Bay; San Francisco, CA [Docket No.: USCG-2018-0847] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6963. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Delaware River; Penn's Landing; Philadelphia, PA; Fireworks Display [Docket No.: USCG-2018-0711] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6964. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Blue

Angels Air Show; St. Johns River, Jacksonville, FL [Docket No.: USCG-2018-0232] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6965. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Special Local Regulation; San Diego Bay, San Diego, CA [Docket No.: USCG-2018-0869] (RIN: 1625-AA08) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6966. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Fox River, Brown County Fireworks, Green Bay, WI [Docket No.: USCG-2018-0910] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6967. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Columbia River, Cascade Locks, OR [Docket Number: USCG-2018-0998] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6968. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Tankers-Automatic Pilot Systems [Docket No.: USCG-2015-0926] (RIN: 1625-AC27) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6969. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Tchefuncta River, Madisonville, LA [Docket No.: USCG-2016-0963] (RIN: 1625-AA09) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6970. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Harmonization of Fire Protection Equipment Standards for Towing Vessels [Docket No. USCG-2017-1060] (RIN: 1625-AC43) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6971. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Allegheny River, miles 0.25 to 0.7, Pittsburgh, PA [Docket Number USCG-2018-0986] (RIN: 1625-AA00) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6972. A letter from the Attorney-Advisor, FHWA, Department of Transportation, transmitting the Department's final rule — Design Standards for Highways [Docket No.: FHWA-2017-0001] (RIN: 2125-AF72) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6973. A letter from the Senior Attorney-Advisor, Federal Highway Administration, Department of Transportation, transmitting the Department's final rule — Environmental Impacts and Related Procedures

[Docket No.: FHWA-2015-0011] (RIN: 2125-AF60; 2130-AC64; 2132-AB26) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6974. A letter from the Paralegal Specialist, Federal Transit Administration, Department of Transportation, transmitting the Department's final rule — Environmental Impacts and Related Procedures [Docket No.: FHWA-2015-0011] (RIN: 2125-AF60; 2130-AC64; 2132-AB26) received November 9, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6975. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Drawbridge Operation Regulation; Hackensack River, Jersey City, NJ [Docket No.: USCG-2018-0110] (RIN: 1625-AA09) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6976. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Duluth Ship Canal, Duluth-Superior Harbor, MN [Docket No.: USCG-2018-0181] (RIN: 1625-AA09) received November 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

6977. A letter from the Impact Analyst, Office of Regulation Policy and Management, Office of the Secretary (OOREG), Department of Veterans Affairs, transmitting the Department's final rule — Presumption of Herbicide Exposure and Presumption of Disability During Service for Reservists Presumed Exposed to Herbicides (RIN: 2900-AP43) received October 29, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

6978. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Adjusted Applicable Dollar Amount for Fee Imposed by Secs. 4375 and 4376 [Notice 2018-85] received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

6979. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Income-Related Monthly Adjustment Amounts for Medicare Part B and Prescription Drug Coverage Premiums [Docket No.: SSA-2018-0041] (RIN: 0960-AI37) received November 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

¶155.6 RECESS—2:07 P.M.

The SPEAKER pro tempore, Mr. WILLIAMS, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 7 minutes p.m., until approximately 4:10 p.m.

¶155.7 AFTER RECESS—4:10 P.M.

The SPEAKER pro tempore, Mr. BYRNE, called the House to order.

¶155.8 MESSAGE FROM THE PRESIDENT

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

¶155.9 AMENDMENT OF THE SENATE TO H.R. 4254

Mr. SMITH of Texas, moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 4254) to amend the National Science Foundation Authorization Act of 2002 to strengthen the aerospace workforce pipeline by the promotion of Robert Noyce Teacher Scholarship Program and National Aeronautics and Space Administration internship and fellowship opportunities to women, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

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

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

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

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

(2) in section 10A(c)(4)—

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

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

(C) by adding at the end the following:

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

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

SEC. 3. NASA INTERNSHIP AND FELLOWSHIP OPPORTUNITIES.

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

The SPEAKER pro tempore, Mr. BYRNE, recognized Mr. SMITH of Texas, and Mr. VEASEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. BYRNE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶155.10 NATIONAL EARTHQUAKE HAZARDS REDUCTION PROGRAM

Mr. ROHRBACHER moved to suspend the rules and pass the bill of the

Senate (S. 1768) to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes.

The SPEAKER pro tempore, Mr. BYRNE, recognized Mr. ROHR-ABACHER and Mr. VEASEY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BYRNE, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶155.11 KATHERINE JOHNSON
INDEPENDENT VERIFICATION AND
VALIDATION FACILITY

On motion of Mr. SMITH of Texas, by unanimous consent, the Committee on Science, Space, and Technology was discharged from further consideration of the bill of the Senate (S. 3389) to redesignate a facility of the National Aeronautics and Space Administration.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶155.12 GLOBAL FRAGILITY AND
VIOLENCE REDUCTION

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

The SPEAKER pro tempore, Mr. BYRNE, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BYRNE, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROYCE of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BYRNE, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶155.13 UNITED STATES-MEXICO
ECONOMIC PARTNERSHIP

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

The SPEAKER pro tempore, Mr. BYRNE, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶155.14 PREVENTING IRANIAN
DESTABILIZATION OF IRAQ

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

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶155.15 DEMOCRATIC REPUBLIC OF THE
CONGO DEMOCRACY AND
ACCOUNTABILITY

Mr. ROYCE of California, moved to suspend the rules and pass the bill (H.R. 6207) to support democracy and accountability in the Democratic Republic of the Congo, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of New Jersey, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶155.16 AMENDMENTS OF THE SENATE TO
H.R. 390

Mr. SMITH of New Jersey, moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 390) to provide emergency relief for victims of genocide, crimes against humanity, and war crimes in Iraq and Syria, for accountability for perpetrators of these crimes, and for other purposes:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Iraq and Syria Genocide Relief and Accountability Act of 2018”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) *The Secretary of State declared on March 17, 2016, and on August 15, 2017, that Daesh (also known as the Islamic State of Iraq and Syria or ISIS) is responsible for genocide, crimes against humanity, and other atrocity crimes against religious and ethnic minority groups in Iraq and Syria, including Christians, Yezidis, and Shia, among other religious and ethnic groups.*

(2) *According to the Department of State’s annual reports on international religious freedom—*

(A) *the number of Christians living in Iraq has dropped from an estimated 800,000 to 1,400,000 in 2002 to fewer than 250,000 in 2017; and*

(B) *the number of Yezidis living in Iraq has fluctuated from 500,000 in 2013, to between 350,000 and 400,000 in 2016, and between 600,000 and 750,000 in 2017.*

(3) *The annual reports on international religious freedom further suggest that—*

(A) *Christian communities living in Syria, which had accounted for between 8 and 10 percent of Syria’s total population in 2010, are now “considerably” smaller as a result of the civil war, and*

(B) *there was a population of approximately 80,000 Yezidis before the commencement of the conflict in Syria.*

(4) *Local communities and entities have sought to mitigate the impact of violence directed against religious and ethnic minorities in Iraq and Syria, including the Chaldean Catholic Archdiocese of Erbil (Kurdistan Region of Iraq), which has used predominantly private funds to provide assistance to internally displaced Christians, Yezidis, and Muslims throughout the greater Erbil region, while significant needs and diminishing resources have made it increasingly difficult to continue these efforts.*

SEC. 3. DEFINITIONS.

In this Act:

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

(A) *the Committee on Foreign Relations of the Senate;*

(B) the Committee on the Judiciary of the Senate;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Appropriations of the Senate;

(E) the Select Committee on Intelligence of the Senate;

(F) the Committee on Foreign Affairs of the House of Representatives;

(G) the Committee on the Judiciary of the House of Representatives;

(H) the Committee on Homeland Security of the House of Representatives;

(I) the Committee on Appropriations of the House of Representatives; and

(J) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **FOREIGN TERRORIST ORGANIZATION.**—The term “foreign terrorist organization” mean an organization designated by the Secretary of State as a foreign terrorist organization pursuant to section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(3) **HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS.**—The term “humanitarian, stabilization, and recovery needs”, with respect to an individual, includes water, sanitation, hygiene, food security and nutrition, shelter and housing, reconstruction, medical, education, psychosocial needs, and other assistance to address basic human needs, including stabilization assistance (as defined by the Stabilization Assistance Review in “A Framework for Maximizing the Effectiveness of U.S. Government Efforts to Stabilize Conflict-Affected Areas, 2018).

(4) **HYBRID COURT.**—The term “hybrid court” means a court with a combination of domestic and international lawyers, judges, and personnel.

(5) **INTERNATIONALIZED DOMESTIC COURT.**—The term “internationalized domestic court” means a domestic court with the support of international advisers.

SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States to ensure that assistance for humanitarian, stabilization, and recovery needs of individuals who are or were nationals and residents of Iraq or Syria, and of communities in and from those countries, is directed toward those individuals and communities with the greatest need, including those individuals from communities of religious and ethnic minorities, and communities of religious and ethnic minorities, that the Secretary of State declared were targeted for genocide, crimes against humanity, or war crimes, and have been identified as being at risk of persecution, forced migration, genocide, crimes against humanity, or war crimes.

SEC. 5. ACTIONS TO PROMOTE ACCOUNTABILITY IN IRAQ FOR GENOCIDE, CRIMES AGAINST HUMANITY, AND WAR CRIMES.

(a) **ASSISTANCE.**—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance, as necessary and appropriate, to support the efforts of entities, including nongovernmental organizations with expertise in international criminal investigations and law, to address genocide, crimes against humanity, or war crimes, and their constituent crimes by ISIS in Iraq by—

(1) conducting criminal investigations;

(2) developing indigenous investigative and judicial skills, including by partnering, directly mentoring, and providing necessary equipment and infrastructure to effectively adjudicating cases consistent with due process and respect for the rule of law; and

(3) collecting and preserving evidence and the chain of evidence, including for use in prosecutions in domestic courts, hybrid courts, and internationalized domestic courts, consistent with the activities described in subsection (b).

(b) **ACTIONS BY FOREIGN GOVERNMENTS.**—The Secretary of State, in consultation with the At-

torney General, the Secretary of Homeland Security, the Director of National Intelligence, and the Director of the Federal Bureau of Investigation, shall encourage governments of foreign countries—

(1) to include information in appropriate security databases and security screening procedures of such countries to identify suspected ISIS members for whom credible evidence exists of having committed genocide, crimes against humanity, or war crimes, and their constituent crimes, in Iraq; and

(2) to apprehend and prosecute such ISIS members for genocide, crimes against humanity, or war crimes, as appropriate.

(c) **CONSULTATION.**—In carrying out subsection (a), the Secretary of State shall consult with and consider credible information from entities described in such subsection.

SEC. 6. IDENTIFICATION OF AND ASSISTANCE TO ADDRESS HUMANITARIAN, STABILIZATION, AND RECOVERY NEEDS OF CERTAIN PERSONS IN IRAQ AND SYRIA.

(a) **IDENTIFICATION.**—The Secretary of State, in consultation with the Secretary of Defense, the Administrator of the United States Agency for International Development, and Director of National Intelligence, shall seek to identify—

(1) threats of persecution and other early-warning indicators of genocide, crimes against humanity, and war crimes against individuals who are or were nationals and residents of Iraq or Syria, are members of religious or ethnic minority groups in such countries, and against whom the Secretary of State has determined ISIS has committed genocide, crimes against humanity, or war crimes;

(2) the religious and ethnic minority groups in Iraq or Syria identified pursuant to paragraph (1) that are at risk of forced migration, within or across the borders of Iraq, Syria, or a country of first asylum, and the primary reasons for such risk;

(3)(A) the humanitarian, stabilization, and recovery needs of individuals described in paragraphs (1) and (2), including the assistance provided by the United States and by the United Nations, respectively—

(i) to address the humanitarian, stabilization, and recovery needs of such individuals; and

(ii) to mitigate the risks of forced migration of such individuals; and

(B) assistance provided through the Funding Facility for Immediate Stabilization and Funding Facility for Expanded Stabilization; and

(4) to the extent practicable and appropriate—

(A) the entities, including faith-based entities, that are providing assistance to address the humanitarian, stabilization, and recovery needs of individuals described in paragraphs (1) and (2); and

(B) the extent to which the United States is providing assistance to or through the entities referred to in subparagraph (A).

(b) **ADDITIONAL CONSULTATION.**—In carrying out subsection (a), the Secretary of State shall consult with, and consider credible information from—

(1) individuals described in paragraphs (1) and (2) of such subsection; and

(2) the entities described in paragraph (4)(A) of such subsection.

(c) **ASSISTANCE.**—The Secretary of State and the Administrator of the United States Agency for International Development are authorized to provide assistance, including financial and technical assistance as necessary and appropriate, to support the entities described in subsection (a)(4)(A).

SEC. 7. REPORT.

(a) **IMPLEMENTATION REPORT.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall submit a report to the appropriate congressional committees that includes—

(1) a detailed description of the efforts taken, and efforts proposed to be taken, to implement the provisions of this Act;

(2) an assessment of—

(A) the feasibility and advisability of prosecuting ISIS members for whom credible evidence exists of having committed genocide, crimes against humanity, or war crimes in Iraq, including in domestic courts in Iraq, hybrid courts, and internationalized domestic courts; and

(B) the measures needed—

(i) to ensure effective criminal investigations of such individuals; and

(ii) to effectively collect and preserve evidence, and preserve the chain of evidence, for prosecution; and

(3) recommendations for legislative remedies and administrative actions to facilitate the implementation of this Act.

(b) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form, but may contain a classified annex, if necessary.

Amend the title so as to read: “An Act to provide relief for victims of genocide, crimes against humanity, and war crimes who are members of religious and ethnic minority groups in Iraq and Syria, for accountability for perpetrators of these crimes, and for other purposes.”.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. SMITH of New Jersey, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments of the Senate?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶155.17 AMENDMENT OF THE SENATE TO THE HOUSE AMENDMENT TO S. 140

Mr. SHUSTER moved to suspend the rules and agree to the following amendment of the Senate to the House amendment to the bill of the Senate (S. 140) to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Frank LoBiondo Coast Guard Authorization Act of 2018”.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—REORGANIZATION OF TITLE 14, UNITED STATES CODE

Sec. 101. Initial matter.

Sec. 102. Subtitle 1.

Sec. 103. Chapter 1.

Sec. 104. Chapter 3.

Sec. 105. Chapter 5.

- Sec. 106. Chapter 7.
 Sec. 107. Chapter 9.
 Sec. 108. Chapter 11.
 Sec. 109. Subtitle II.
 Sec. 110. Chapter 19.
 Sec. 111. Part II.
 Sec. 112. Chapter 21.
 Sec. 113. Chapter 23.
 Sec. 114. Chapter 25.
 Sec. 115. Part III.
 Sec. 116. Chapter 27.
 Sec. 117. Chapter 29.
 Sec. 118. Subtitle III and chapter 37.
 Sec. 119. Chapter 39.
 Sec. 120. Chapter 41.
 Sec. 121. Subtitle IV and chapter 49.
 Sec. 122. Chapter 51.
 Sec. 123. References.
 Sec. 124. Rule of construction.

TITLE II—AUTHORIZATIONS

- Sec. 201. Amendments to title 14, United States Code, as amended by title I of this Act.
 Sec. 202. Authorizations of appropriations.
 Sec. 203. Authorized levels of military strength and training.
 Sec. 204. Authorization of amounts for Fast Response Cutters.
 Sec. 205. Authorization of amounts for shore-side infrastructure.
 Sec. 206. Authorization of amounts for aircraft improvements.

TITLE III—COAST GUARD

- Sec. 301. Amendments to title 14, United States Code, as amended by title I of this Act.
 Sec. 302. Primary duties.
 Sec. 303. National Coast Guard Museum.
 Sec. 304. Unmanned aircraft.
 Sec. 305. Coast Guard health-care professionals; licensure portability.
 Sec. 306. Training; emergency response providers.
 Sec. 307. Incentive contracts for Coast Guard yard and industrial establishments.
 Sec. 308. Confidential investigative expenses.
 Sec. 309. Regular captains; retirement.
 Sec. 310. Conversion, alteration, and repair projects.
 Sec. 311. Contracting for major acquisitions programs.
 Sec. 312. Officer promotion zones.
 Sec. 313. Cross reference.
 Sec. 314. Commissioned service retirement.
 Sec. 315. Leave for birth or adoption of child.
 Sec. 316. Clothing at time of discharge.
 Sec. 317. Unfunded priorities list.
 Sec. 318. Safety of vessels of the Armed Forces.
 Sec. 319. Air facilities.

TITLE IV—PORTS AND WATERWAYS SAFETY

- Sec. 401. Codification of Ports and Waterways Safety Act.
 Sec. 402. Conforming amendments.
 Sec. 403. Transitional and savings provisions.
 Sec. 404. Rule of construction.
 Sec. 405. Advisory committee: repeal.
 Sec. 406. Regattas and marine parades.
 Sec. 407. Regulation of vessels in territorial waters of United States.
 Sec. 408. Port, harbor, and coastal facility security.

TITLE V—MARITIME TRANSPORTATION SAFETY

- Sec. 501. Consistency in marine inspections.
 Sec. 502. Uninspected passenger vessels in St. Louis County, Minnesota.
 Sec. 503. Engine cut-off switch requirements.
 Sec. 504. Exception from survival craft requirements.
 Sec. 505. Safety standards.
 Sec. 506. Fishing safety grants.
 Sec. 507. Fishing, fish tender, and fish processing vessel certification.
 Sec. 508. Deadline for compliance with alternate safety compliance program.

- Sec. 509. Termination of unsafe operations; technical correction.
 Sec. 510. Technical corrections: Licenses, certificates of registry, and merchant mariner documents.
 Sec. 511. Clarification of logbook entries.
 Sec. 512. Certificates of documentation for recreational vessels.
 Sec. 513. Numbering for undocumented barges.
 Sec. 514. Backup national timing system.
 Sec. 515. Scientific personnel.
 Sec. 516. Transparency.

TITLE VI—ADVISORY COMMITTEES

- Sec. 601. National maritime transportation advisory committees.
 Sec. 602. Maritime Security Advisory Committees.

TITLE VII—FEDERAL MARITIME COMMISSION

- Sec. 701. Short title.
 Sec. 702. Authorization of appropriations.
 Sec. 703. Reporting on impact of alliances on competition.
 Sec. 704. Definition of certain covered services.
 Sec. 705. Reports filed with the Commission.
 Sec. 706. Public participation.
 Sec. 707. Ocean transportation intermediaries.
 Sec. 708. Common carriers.
 Sec. 709. Negotiations.
 Sec. 710. Injunctive relief sought by the Commission.

- Sec. 711. Discussions.
 Sec. 712. Transparency.
 Sec. 713. Study of bankruptcy preparation and response.
 Sec. 714. Agreements unaffected.

TITLE VIII—MISCELLANEOUS

- Sec. 801. Repeal of obsolete reporting requirement.
 Sec. 802. Corrections to provisions enacted by Coast Guard Authorization Acts.
 Sec. 803. Officer evaluation report.
 Sec. 804. Extension of authority.
 Sec. 805. Coast Guard ROTC program.
 Sec. 806. Currency detection canine team program.
 Sec. 807. Center of expertise for Great Lakes oil spill search and response.
 Sec. 808. Public safety answering points and maritime search and rescue coordination.
 Sec. 809. Ship shoal lighthouse transfer: repeal.
 Sec. 810. Land exchange, Ayakulik Island, Alaska.
 Sec. 811. Use of Tract 43.
 Sec. 812. Coast Guard maritime domain awareness.
 Sec. 813. Monitoring.
 Sec. 814. Reimbursements for non-Federal construction costs of certain aids to navigation.
 Sec. 815. Towing safety management system fees.
 Sec. 816. Oil spill disbursements auditing and report.
 Sec. 817. Fleet requirements assessment and strategy.
 Sec. 818. National Security Cutter.
 Sec. 819. Acquisition plan for inland waterway and river tenders and bay-class icebreakers.
 Sec. 820. Great Lakes icebreaker acquisition.
 Sec. 821. Polar icebreakers.
 Sec. 822. Strategic assets in the Arctic.
 Sec. 823. Arctic planning criteria.
 Sec. 824. Vessel response plan audit.
 Sec. 825. Waters deemed not navigable waters of the United States for certain purposes.
 Sec. 826. Documentation of recreational vessels.
 Sec. 827. Equipment requirements; exemption from throwable personal flotation devices requirement.
 Sec. 828. Visual distress signals and alternative use.
 Sec. 829. Radar refresher training.
 Sec. 830. Commercial fishing vessel safety national communications plan.

- Sec. 831. Atlantic Coast port access route study recommendations.
 Sec. 832. Drawbridges.
 Sec. 833. Waiver.
 Sec. 834. Fire-retardant materials.
 Sec. 835. Vessel waiver.
 Sec. 836. Temporary limitations.
 Sec. 837. Transfer of Coast Guard property in Jupiter Island, Florida, for inclusion in Hobe Sound National Wildlife Refuge.
 Sec. 838. Emergency response.
 Sec. 839. Drawbridges consultation.

TITLE IX—VESSEL INCIDENTAL DISCHARGE ACT

- Sec. 901. Short title.
 Sec. 902. Purposes; findings.
 Sec. 903. Standards for discharges incidental to normal operation of vessels.

TITLE X—HYDROGRAPHIC SERVICES AND OTHER MATTERS

- Sec. 1001. Reauthorization of Hydrographic Services Improvement Act of 1998.
 Sec. 1002. System for tracking and reporting all-inclusive cost of hydrographic surveys.
 Sec. 1003. Homeport of certain research vessels.

TITLE I—REORGANIZATION OF TITLE 14, UNITED STATES CODE

SEC. 101. INITIAL MATTER.

Title 14, United States Code, is amended by striking the title designation, the title heading, and the table of parts at the beginning and inserting the following:

“TITLE 14—COAST GUARD

“Subtitle	Sec.
“I. Establishment, Powers, Duties, and Administration	101
“II. Personnel	1901
“III. Coast Guard Reserve and Auxiliary	3701
“IV. Coast Guard Authorizations and Reports to Congress	4901”.

SEC. 102. SUBTITLE I.

Part I of title 14, United States Code, is amended by striking the part designation, the part heading, and the table of chapters at the beginning and inserting the following:

“Subtitle I—Establishment, Powers, Duties, and Administration

“Chap.	Sec.
“1. Establishment and Duties	101
“3. Composition and Organization	301
“5. Functions and Powers	501
“7. Cooperation	701
“9. Administration	901
“11. Acquisitions	1101”.

SEC. 103. CHAPTER 1.

(a) INITIAL MATTER.—Chapter 1 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 1—ESTABLISHMENT AND DUTIES

“Sec.
 “101. Establishment of Coast Guard.
 “102. Primary duties.
 “103. Department in which the Coast Guard operates.
 “104. Removing restrictions.
 “105. Secretary defined.
 “106. Commandant defined.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 1 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
1	Establishment of Coast Guard	101
2	Primary duties	102
3	Department in which the Coast Guard operates	103
652	Removing restrictions	104
4	Secretary defined	105
5	Commandant defined	106

SEC. 104. CHAPTER 3.

(a) INITIAL MATTER.—Chapter 3 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 3—COMPOSITION AND ORGANIZATION

“Sec.

“301. Grades and ratings.

“302. Commandant; appointment.

“303. Retirement of Commandant or Vice Commandant.

“304. Vice Commandant; appointment.

“305. Vice admirals.

“306. Retirement.

“307. Vice admirals and admiral, continuity of grade.

“308. Chief Acquisition Officer.

“309. Office of the Coast Guard Reserve; Director.

“310. Chief of Staff to President: appointment.

“311. Captains of the port.

“312. Prevention and response workforces.

“313. Centers of expertise for Coast Guard prevention and response.

“314. Marine industry training program.

“315. Training course on workings of Congress.

“316. National Coast Guard Museum.

“317. United States Coast Guard Band; composition; director.

“318. Environmental Compliance and Restoration Program.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 3 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
41	Grades and ratings	301
44	Commandant; appointment	302
46	Retirement of Commandant or Vice Commandant	303
47	Vice Commandant; appointment	304

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
50	Vice admirals	305
51	Retirement	306
52	Vice admirals and admiral, continuity of grade	307
56	Chief Acquisition Officer	308
53	Office of the Coast Guard Reserve; Director	309
54	Chief of Staff to President: appointment	310
57	Prevention and response workforces	312
58	Centers of expertise for Coast Guard prevention and response	313
59	Marine industry training program	314
60	Training course on workings of Congress	315
98	National Coast Guard Museum	316
336	United States Coast Guard Band; composition; director	317

(c) ADDITIONAL CHANGES.—

(1) IN GENERAL.—Chapter 3 of title 14, United States Code, is further amended—

(A) by inserting after section 310 (as so redesignated and transferred under subsection (b)) the following:

“§311. Captains of the port

“Any officer, including any petty officer, may be designated by the Commandant as captain of the port or ports or adjacent high seas or waters over which the United States has jurisdiction, as the Commandant deems necessary to facilitate execution of Coast Guard duties.”; and

(B) by inserting after section 317 (as so redesignated and transferred under subsection (b)) the following:

“§318. Environmental Compliance and Restoration Program

“(a) DEFINITIONS.—For the purposes of this section—

“(1) ‘environment’, ‘facility’, ‘person’, ‘release’, ‘removal’, ‘remedial’, and ‘response’ have the same meaning they have in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601);

“(2) ‘hazardous substance’ has the same meaning it has in section 101 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9601), except that it also includes the meaning given ‘oil’ in section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321); and

“(3) ‘pollutant’ has the same meaning it has in section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362).

“(b) PROGRAM.—

“(1) The Secretary shall carry out a program of environmental compliance and restoration at current and former Coast Guard facilities.

“(2) Program goals include:

“(A) Identifying, investigating, and cleaning up contamination from hazardous substances and pollutants.

“(B) Correcting other environmental damage that poses an imminent and substantial danger to the public health or welfare or to the environment.

“(C) Demolishing and removing unsafe buildings and structures, including buildings and structures at former Coast Guard facilities.

“(D) Preventing contamination from hazardous substances and pollutants at current Coast Guard facilities.

“(3)(A) The Secretary shall respond to releases of hazardous substances and pollutants—

“(i) at each Coast Guard facility the United States owns, leases, or otherwise possesses;

“(ii) at each Coast Guard facility the United States owned, leased, or otherwise possessed when the actions leading to contamination from hazardous substances or pollutants occurred; and

“(iii) on each vessel the Coast Guard owns or operates.

“(B) Subparagraph (A) of this paragraph does not apply to a removal or remedial action when a potentially responsible person responds under section 122 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9622).

“(C) The Secretary shall pay a fee or charge imposed by a State authority for permit services for disposing of hazardous substances or pollutants from Coast Guard facilities to the same extent that nongovernmental entities are required to pay for permit services. This subparagraph does not apply to a payment that is the responsibility of a lessee, contractor, or other private person.

“(4) The Secretary may agree with another Federal agency for that agency to assist in carrying out the Secretary’s responsibilities under this section. The Secretary may enter into contracts, cooperative agreements, and grant agreements with State and local governments to assist in carrying out the Secretary’s responsibilities under this section. Services that may be obtained under this paragraph include identifying, investigating, and cleaning up off-site contamination that may have resulted from the release of a hazardous substance or pollutant at a Coast Guard facility.

“(5) Section 119 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9619) applies to response action contractors that carry out response actions under this section. The Coast Guard shall indemnify response action contractors to the extent that adequate insurance is not generally available at a fair price at the time the contractor enters into the contract to cover the contractor’s reasonable, potential, long-term liability.

“(c) AMOUNTS RECOVERED FOR RESPONSE ACTIONS.—

“(1) All sums appropriated to carry out the Coast Guard’s environmental compliance and restoration functions under this section or another law shall be credited or transferred to an appropriate Coast Guard account, as determined by the Commandant and remain available until expended.

“(2) Funds may be obligated or expended from such account to carry out the Coast Guard’s environmental compliance and restoration functions under this section or another law.

“(3) In proposing the budget for any fiscal year under section 1105 of title 31, the President shall set forth separately the amount requested for the Coast Guard’s environmental compliance and restoration activities under this section or another law.

“(4) Amounts recovered under section 107 of the Comprehensive Environmental Response, Compensation, and Liability Act (42 U.S.C. 9607) for the Secretary’s response actions at current and former Coast Guard facilities shall be credited to an appropriate Coast Guard account, as determined by the Commandant.

“(d) ANNUAL LIST OF PROJECTS TO CONGRESS.—The Commandant shall submit to the Committee on Transportation and Infrastruc-

ture of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a prioritized list of projects eligible for environmental compliance and restoration funding for each fiscal year concurrent with the President's budget submission for that fiscal year."

(2) CONFORMING REPEALS.—Sections 634, 690, 691, 692, and 693 of title 14, United States Code, are repealed.

SEC. 105. CHAPTER 5.

(a) INITIAL MATTER.—Chapter 5 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

"CHAPTER 5—FUNCTIONS AND POWERS

"SUBCHAPTER I—GENERAL POWERS

"Sec.

"501. Secretary; general powers.

"502. Delegation of powers by the Secretary.

"503. Regulations.

"504. Commandant; general powers.

"505. Functions and powers vested in the Commandant.

"506. Prospective payment of funds necessary to provide medical care.

"507. Appointment of judges.

"SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES

"521. Saving life and property.

"522. Law enforcement.

"523. Enforcement authority.

"524. Enforcement of coastwise trade laws.

"525. Special agents of the Coast Guard Investigative Service law enforcement authority.

"526. Stopping vessels; indemnity for firing at or into vessel.

"527. Safety of naval vessels.

"528. Protecting against unmanned aircraft.

"SUBCHAPTER III—AIDS TO NAVIGATION

"541. Aids to navigation authorized.

"542. Unauthorized aids to maritime navigation; penalty.

"543. Interference with aids to navigation; penalty.

"544. Aids to maritime navigation; penalty.

"545. Marking of obstructions.

"546. Deposit of damage payments.

"547. Rewards for apprehension of persons interfering with aids to navigation.

"SUBCHAPTER IV—MISCELLANEOUS

"561. Icebreaking in polar regions.

"562. Appeals and waivers.

"563. Notification of certain determinations."

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 7 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
92	Secretary; general powers	501
631	Delegation of powers by the Secretary	502
633	Regulations	503
93	Commandant; general powers	504

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
632	Functions and powers vested in the Commandant	505
520	Prospective payment of funds necessary to provide medical care	506
153	Appointment of judges	507
88	Saving life and property	521
89	Law enforcement	522
99	Enforcement authority	523
100	Enforcement of coastwise trade laws	524
95	Special agents of the Coast Guard Investigative Service law enforcement authority	525
637	Stopping vessels; indemnity for firing at or into vessel	526
91	Safety of naval vessels	527
104	Protecting against unmanned aircraft	528
81	Aids to navigation authorized	541
83	Unauthorized aids to maritime navigation; penalty	542
84	Interference with aids to navigation; penalty	543
85	Aids to maritime navigation; penalty	544
86	Marking of obstructions	545
642	Deposit of damage payments	546
643	Rewards for apprehension of persons interfering with aids to navigation	547
87	Icebreaking in polar regions	561
101	Appeals and waivers	562
103	Notification of certain determinations	563

(c) ADDITIONAL CHANGES.—Chapter 5 of title 14, United States Code, is further amended—

(1) by inserting before section 501 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER I—GENERAL POWERS";

(2) by inserting before section 521 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER II—LIFE SAVING AND LAW ENFORCEMENT AUTHORITIES";

(3) by inserting before section 541 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER III—AIDS TO NAVIGATION"; and

(4) by inserting before section 561 (as so redesignated and transferred under subsection (b)) the following:

"SUBCHAPTER IV—MISCELLANEOUS".

SEC. 106. CHAPTER 7.

(a) INITIAL MATTER.—Chapter 7 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

"CHAPTER 7—COOPERATION

"Sec.

"701. Cooperation with other agencies, States, territories, and political subdivisions.

"702. State Department.

"703. Treasury Department.

"704. Department of the Army and Department of the Air Force.

"705. Navy Department.

"706. United States Postal Service.

"707. Department of Commerce.

"708. Department of Health and Human Services.

"709. Maritime instruction.

"710. Assistance to foreign governments and maritime authorities.

"711. Coast Guard officers as attachés to missions.

"712. Contracts with Government-owned establishments for work and material.

"713. Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services.

"714. Arctic maritime domain awareness.

"715. Oceanographic research.

"716. Arctic maritime transportation.

"717. Agreements."

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 7 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
141	Cooperation with other agencies, States, territories, and political subdivisions	701
142	State Department	702
143	Treasury Department	703
144	Department of the Army and Department of the Air Force	704
145	Navy Department	705
146	United States Postal Service	706

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
147	Department of Commerce	707
147a	Department of Health and Human Services	708
148	Maritime instruction	709
149	Assistance to foreign governments and maritime authorities	710
150	Coast Guard officers as attachés to missions	711
151	Contracts with Government-owned establishments for work and material	712
152	Nonappropriated fund instrumentalities: contracts with other agencies and instrumentalities to provide or obtain goods and services	713
154	Arctic maritime domain awareness	714
94	Oceanographic research	715
90	Arctic maritime transportation	716
102	Agreements	717

SEC. 107. CHAPTER 9.

(a) INITIAL MATTER.—Chapter 9 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 9—ADMINISTRATION**“SUBCHAPTER I—REAL AND PERSONAL PROPERTY**

“Sec.

“901. Disposal of certain material.

“902. Employment of draftsmen and engineers.

“903. Use of certain appropriated funds.

“904. Local hire.

“905. Procurement authority for family housing.

“906. Air Station Cape Cod Improvements.

“907. Long-term lease of special purpose facilities.

“908. Long-term lease authority for lighthouse property.

“909. Small boat station rescue capability.

“910. Small boat station closures.

“911. Search and rescue center standards.

“912. Air facility closures.

“913. Turnkey selection procedures.

“914. Disposition of infrastructure related to E-LORAN.

“SUBCHAPTER II—MISCELLANEOUS

“931. Oaths required for boards.

“932. Administration of oaths.

“933. Coast Guard ensigns and pennants.

“934. Penalty for unauthorized use of words ‘Coast Guard’.

“935. Coast Guard band recordings for commercial sale.

“936. Confidentiality of medical quality assurance records; qualified immunity for participants.

“937. Admiralty claims against the United States.

“938. Claims for damage to property of the United States.

“939. Accounting for industrial work.

“940. Supplies and equipment from stock.

“941. Coast Guard Supply Fund.

“942. Public and commercial vessels and other watercraft; sale of fuel, supplies, and services.

“943. Arms and ammunition; immunity from taxation.

“944. Confidential investigative expenses.

“945. Assistance to film producers.

“946. User fees.

“947. Vessel construction bonding requirements.

“948. Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care.

“949. Telephone installation and charges.

“950. Designation, powers, and accountability of deputy disbursing officials.

“951. Aircraft accident investigations.”.

(b) REDESIGNATIONS AND TRANSFERS.—
(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 9 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
641	Disposal of certain material	901
653	Employment of draftsmen and engineers	902
656	Use of certain appropriated funds	903
666	Local hire	904
670	Procurement authority for family housing	905
671	Air Station Cape Cod Improvements	906
672	Long-term lease of special purpose facilities	907
672a	Long-term lease authority for light-house property	908
674	Small boat station rescue capability	909
675	Small boat station closures	910
676	Search and rescue center standards	911
676a	Air facility closures	912
677	Turnkey selection procedures	913
681	Disposition of infrastructure related to E-LORAN	914
635	Oaths required for boards	931
636	Administration of oaths	932

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
638	Coast Guard ensigns and pennants	933
639	Penalty for unauthorized use of words ‘Coast Guard’	934
640	Coast Guard band recordings for commercial sale	935
645	Confidentiality of medical quality assurance records; qualified immunity for participants	936
646	Admiralty claims against the United States	937
647	Claims for damage to property of the United States	938
648	Accounting for industrial work	939
649	Supplies and equipment from stock	940
650	Coast Guard Supply Fund	941
654	Public and commercial vessels and other watercraft; sale of fuel, supplies, and services	942
655	Arms and ammunition; immunity from taxation	943
658	Confidential investigative expenses	944
659	Assistance to film producers	945
664	User fees	946
667	Vessel construction bonding requirements	947
668	Contracts for medical care for retirees, dependents, and survivors: alternative delivery of health care	948
669	Telephone installation and charges	949
673	Designation, powers, and accountability of deputy disbursing officials	950
678	Aircraft accident investigations	951

(c) ADDITIONAL CHANGES.—Chapter 9 of title 14, United States Code, is further amended—

(1) by inserting before section 901 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—REAL AND PERSONAL PROPERTY”;

and

(2) by inserting before section 931 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—MISCELLANEOUS”.

SEC. 108. CHAPTER 11.

(a) INITIAL MATTER.—Chapter 11 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 11—ACQUISITIONS

“SUBCHAPTER I—GENERAL PROVISIONS

“Sec.

“1101. Acquisition directorate.

“1102. Improvements in Coast Guard acquisition management.

“1103. Role of Vice Commandant in major acquisition programs.

“1104. Recognition of Coast Guard personnel for excellence in acquisition.

“1105. Prohibition on use of lead systems integrators.

“1106. Required contract terms.

“1107. Extension of major acquisition program contracts.

“1108. Department of Defense consultation.

“1109. Undefined contractual actions.

“1110. Mission need statement.

“SUBCHAPTER II—IMPROVED ACQUISITION
PROCESS AND PROCEDURES

“1131. Identification of major system acquisitions.

“1132. Acquisition.

“1133. Preliminary development and demonstration.

“1134. Acquisition, production, deployment, and support.

“1135. Acquisition program baseline breach.

“1136. Acquisition approval authority.

“SUBCHAPTER III—PROCUREMENT

“1151. Restriction on construction of vessels in foreign shipyards.

“1152. Advance procurement funding.

“1153. Prohibition on overhaul, repair, and maintenance of Coast Guard vessels in foreign shipyards.

“1154. Procurement of buoy chain.

“1155. Contract termination.

“SUBCHAPTER IV—DEFINITIONS

“1171. Definitions.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 11 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re- designa- tion	Section heading (provided for identi- fication purposes only-not amended)	Title 14 section number after re- designa- tion
561	Acquisition direc- torate	1101
562	Improvements in Coast Guard acqui- sition management	1102
578	Role of Vice Com- mandant in major acquisition programs	1103
563	Recognition of Coast Guard personnel for excellence in acqui- sition	1104

Title 14 section number before re- designa- tion	Section heading (provided for identi- fication purposes only-not amended)	Title 14 section number after re- designa- tion
564	Prohibition on use of lead systems integra- tors	1105
565	Required contract terms	1106
579	Extension of major acquisition program contracts	1107
566	Department of De- fense consultation	1108
567	Undefined con- tractual actions	1109
569	Mission need state- ment	1110
571	Identification of major system acqui- sitions	1131
572	Acquisition	1132
573	Preliminary develop- ment and demonstra- tion	1133
574	Acquisition, produc- tion, deployment, and support	1134
575	Acquisition program baseline breach	1135
576	Acquisition approval authority	1136
665	Restriction on con- struction of vessels in foreign shipyards	1151
577	Advance procure- ment funding	1152
96	Prohibition on over- haul, repair, and maintenance of Coast Guard vessels in foreign shipyards	1153
97	Procurement of buoy chain	1154
657	Contract termination	1155
581	Definitions	1171

(c) ADDITIONAL CHANGES.—Chapter 11 of title 14, United States Code, is further amended—

(1) by striking all subdivision designations and headings in such chapter, except for—

(A) the chapter designation and heading added by subsection (a);

(B) the subchapter designations and headings added by this subsection; and

(C) any designation or heading of a section or a subdivision of a section;

(2) by inserting before section 1101 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—GENERAL PROVISIONS”;

(3) by inserting before section 1131 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—IMPROVED ACQUI-
SITION PROCESS AND PROCEDURES”;

(4) by inserting before section 1151 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—PROCUREMENT”;

and

(5) by inserting before section 1171 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER IV—DEFINITIONS”.

SEC. 109. SUBTITLE II.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by inserting after chapter 11 (as amended by section 108) the following:

“Subtitle II—Personnel

“Chap.

“19. Coast Guard Academy 1901

“21. Personnel; Officers 2101

“23. Personnel; Enlisted 2301

“25. Personnel; General Provisions 2501

“27. Pay, Allowances, Awards, and
Other Rights and Benefits 2701

“29. Coast Guard Family Support,
Child Care, and Housing 2901”.

(b) RESERVED CHAPTER NUMBERS.—

(1) CHAPTER 13.—Chapter 13 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning.

(2) CHAPTER 14.—Chapter 14 of title 14, United States Code, is amended—

(A) by striking the chapter designation, the chapter heading, and the table of sections at the beginning; and

(B) by striking the subchapter designation and the subchapter heading for each of the subchapters of such chapter.

(3) CHAPTER 15.—Chapter 15 of title 14, United States Code, is amended—

(A) by striking the chapter designation, the chapter heading, and the table of sections at the beginning; and

(B) by striking the subchapter designation and the subchapter heading for each of the subchapters of such chapter.

(4) CHAPTER 17.—Chapter 17 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning.

(5) CHAPTER 18.—Chapter 18 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning.

SEC. 110. CHAPTER 19.

(a) INITIAL MATTER.—Chapter 19 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 19—COAST GUARD ACADEMY

“SUBCHAPTER I—ADMINISTRATION

“Sec.

“1901. Administration of Academy.

“1902. Policy on sexual harassment and sexual violence.

“1903. Annual Board of Visitors.

“1904. Participation in Federal, State, or other educational research grants.

“SUBCHAPTER II—CADETS

“1921. Corps of Cadets authorized strength.

“1922. Appointments.

“1923. Admission of foreign nationals for instruction; restrictions; conditions.

“1924. Conduct.

“1925. Agreement.

“1926. Cadet applicants; preappointment travel to Academy.

“1927. Cadets; initial clothing allowance.

“1928. Cadets; degree of bachelor of science.

“1929. Cadets; appointment as ensign.

“1930. Cadets; charges and fees for attendance; limitation.

“SUBCHAPTER III—FACULTY

“1941. Civilian teaching staff.

“1942. Permanent commissioned teaching staff; composition.

“1943. Appointment of permanent commissioned teaching staff.

“1944. Grade of permanent commissioned teaching staff.

“1945. Retirement of permanent commissioned teaching staff.

“1946. Credit for service as member of civilian teaching staff.

“1947. Assignment of personnel as instructors.

“1948. Marine safety curriculum.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 19 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
181	Administration of Academy	1901
200	Policy on sexual harassment and sexual violence	1902
194	Annual Board of Visitors	1903
196	Participation in Federal, State, or other educational research grants	1904
195	Admission of foreign nationals for instruction; restrictions; conditions	1923
181a	Cadet applicants; preappointment travel to Academy	1926
183	Cadets; initial clothing allowance	1927
184	Cadets; degree of bachelor of science	1928
185	Cadets; appointment as ensign	1929
197	Cadets: charges and fees for attendance; limitation	1930
186	Civilian teaching staff	1941
187	Permanent commissioned teaching staff; composition	1942
188	Appointment of permanent commissioned teaching staff	1943
189	Grade of permanent commissioned teaching staff	1944
190	Retirement of permanent commissioned teaching staff	1945
191	Credit for service as member of civilian teaching staff	1946

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
192	Assignment of personnel as instructors	1947
199	Marine safety curriculum	1948

(c) ADDITIONAL CHANGES.—

(1) IN GENERAL.—Chapter 19 of title 14, United States Code, is further amended—

(A) by inserting before section 1901 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—ADMINISTRATION”;

(B) by inserting before section 1923 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—CADETS

“§ 1921. Corps of Cadets authorized strength

“The number of cadets appointed annually to the Academy shall be as determined by the Secretary but the number appointed in any one year shall not exceed six hundred.

“§ 1922. Appointments

“Appointments to cadetships shall be made under regulations prescribed by the Secretary, who shall determine age limits, methods of selection of applicants, term of service as a cadet before graduation, and all other matters affecting such appointments. In the administration of this section, the Secretary shall take such action as may be necessary and appropriate to insure that female individuals shall be eligible for appointment and admission to the Coast Guard Academy, and that the relevant standards required for appointment, admission, training, graduation, and commissioning of female individuals shall be the same as those required for male individuals, except for those minimum essential adjustments in such standards required because of physiological differences between male and female individuals.”;

(C) by inserting before section 1926 (as so redesignated and transferred under subsection (b)) the following:

“§ 1924. Conduct

“The Secretary may summarily dismiss from the Coast Guard any cadet who, during his cadetship, is found unsatisfactory in either studies or conduct, or may be deemed not adapted for a career in the Coast Guard. Cadets shall be subject to rules governing discipline prescribed by the Commandant.

“§ 1925. Agreement

“(a) Each cadet shall sign an agreement with respect to the cadet’s length of service in the Coast Guard. The agreement shall provide that the cadet agrees to the following:

“(1) That the cadet will complete the course of instruction at the Coast Guard Academy.

“(2) That upon graduation from the Coast Guard Academy the cadet—

“(A) will accept an appointment, if tendered, as a commissioned officer of the Coast Guard; and

“(B) will serve on active duty for at least five years immediately after such appointment.

“(3) That if an appointment described in paragraph (2) is not tendered or if the cadet is permitted to resign as a regular officer before the completion of the commissioned service obligation of the cadet, the cadet—

“(A) will accept an appointment as a commissioned officer in the Coast Guard Reserve; and

“(B) will remain in that reserve component until completion of the commissioned service obligation of the cadet.

“(b)(1) The Secretary may transfer to the Coast Guard Reserve, and may order to active duty for such period of time as the Secretary

prescribes (but not to exceed four years), a cadet who breaches an agreement under subsection (a). The period of time for which a cadet is ordered to active duty under this paragraph may be determined without regard to section 651(a) of title 10.

“(2) A cadet who is transferred to the Coast Guard Reserve under paragraph (1) shall be transferred in an appropriate enlisted grade or rating, as determined by the Secretary.

“(3) For the purposes of paragraph (1), a cadet shall be considered to have breached an agreement under subsection (a) if the cadet is separated from the Coast Guard Academy under circumstances which the Secretary determines constitute a breach by the cadet of the cadet’s agreement to complete the course of instruction at the Coast Guard Academy and accept an appointment as a commissioned officer upon graduation from the Coast Guard Academy.

“(c) The Secretary shall prescribe regulations to carry out this section. Those regulations shall include—

“(1) standards for determining what constitutes, for the purpose of subsection (b), a breach of an agreement under subsection (a);

“(2) procedures for determining whether such a breach has occurred; and

“(3) standards for determining the period of time for which a person may be ordered to serve on active duty under subsection (b).

“(d) In this section, ‘commissioned service obligation’, with respect to an officer who is a graduate of the Academy, means the period beginning on the date of the officer’s appointment as a commissioned officer and ending on the sixth anniversary of such appointment or, at the discretion of the Secretary, any later date up to the eighth anniversary of such appointment.

“(e)(1) This section does not apply to a cadet who is not a citizen or national of the United States.

“(2) In the case of a cadet who is a minor and who has parents or a guardian, the cadet may sign the agreement required by subsection (a) only with the consent of the parent or guardian.

“(f) A cadet or former cadet who does not fulfill the terms of the obligation to serve as specified under section (a), or the alternative obligation imposed under subsection (b), shall be subject to the repayment provisions of section 303a(e) of title 37.”; and

(D) by inserting before section 1941 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—FACULTY”.

(2) CONFORMING REPEAL.—Section 182 of title 14, United States Code, is repealed.

SEC. 111. PART II.

Part II of title 14, United States Code, is amended by striking the part designation, the part heading, and the table of chapters at the beginning.

SEC. 112. CHAPTER 21.

(a) INITIAL MATTER.—Chapter 21 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 21—PERSONNEL; OFFICERS

“SUBCHAPTER I—APPOINTMENT AND PROMOTION

“Sec.

“2101. Original appointment of permanent commissioned officers.

“2102. Active duty promotion list.

“2103. Number and distribution of commissioned officers on active duty promotion list.

“2104. Appointment of temporary officers.

“2105. Rank of warrant officers.

“2106. Selection boards; convening of boards.

“2107. Selection boards; composition of boards.

“2108. Selection boards; notice of convening; communication with board.

“2109. Selection boards; oath of members.

“2110. Number of officers to be selected for promotion.

- “2111. Promotion zones.
 “2112. Promotion year; defined.
 “2113. Eligibility of officers for consideration for promotion.
 “2114. United States Deputy Marshals in Alaska.
 “2115. Selection boards; information to be furnished boards.
 “2116. Officers to be recommended for promotion.
 “2117. Selection boards; reports.
 “2118. Selection boards; submission of reports.
 “2119. Failure of selection for promotion.
 “2120. Special selection boards; correction of errors.
 “2121. Promotions; appointments.
 “2122. Removal of officer from list of selectees for promotion.
 “2123. Promotions; acceptance; oath of office.
 “2124. Promotions; pay and allowances.
 “2125. Wartime temporary service promotions.
 “2126. Promotion of officers not included on active duty promotion list.
 “2127. Recall to active duty during war or national emergency.
 “2128. Recall to active duty with consent of officer.
 “2129. Aviation cadets; appointment as Reserve officers.
 “SUBCHAPTER II—DISCHARGES; RETIREMENTS; REVOCATION OF COMMISSIONS; SEPARATION FOR CAUSE
 “2141. Revocation of commissions during first five years of commissioned service.
 “2142. Regular lieutenants (junior grade); separation for failure of selection for promotion.
 “2143. Regular lieutenants; separation for failure of selection for promotion; continuation.
 “2144. Regular Coast Guard; officers serving under temporary appointments.
 “2145. Regular lieutenant commanders and commanders; retirement for failure of selection for promotion.
 “2146. Discharge in lieu of retirement; separation pay.
 “2147. Regular warrant officers; separation pay.
 “2148. Separation for failure of selection for promotion or continuation; time of.
 “2149. Regular captains; retirement.
 “2150. Captains; continuation on active duty; involuntary retirement.
 “2151. Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement.
 “2152. Voluntary retirement after twenty years' service.
 “2153. Voluntary retirement after thirty years' service.
 “2154. Compulsory retirement.
 “2155. Retirement for physical disability after selection for promotion; grade in which retired.
 “2156. Deferment of retirement or separation for medical reasons.
 “2157. Flag officers.
 “2158. Review of records of officers.
 “2159. Boards of inquiry.
 “2160. Boards of review.
 “2161. Composition of boards.
 “2162. Rights and procedures.
 “2163. Removal of officer from active duty; action by Secretary.
 “2164. Officers considered for removal; retirement or discharge; separation benefits.
 “2165. Relief of retired officer promoted while on active duty.

“SUBCHAPTER III—GENERAL PROVISIONS

- “2181. Physical fitness of officers.
 “2182. Multirater assessment of certain personnel.”.
 (b) REDESIGNATIONS AND TRANSFERS.—
 (1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—
 (A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 21 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
211	Original appointment of permanent commissioned officers	2101
41a	Active duty promotion list	2102
42	Number and distribution of commissioned officers on active duty promotion list	2103
214	Appointment of temporary officers	2104
215	Rank of warrant officers	2105
251	Selection boards; convening of boards	2106
252	Selection boards; composition of boards	2107
253	Selection boards; notice of convening; communication with board	2108
254	Selection boards; oath of members	2109
255	Number of officers to be selected for promotion	2110
256	Promotion zones	2111
256a	Promotion year; defined	2112
257	Eligibility of officers for consideration for promotion	2113
258	Selection boards; information to be furnished boards	2115
259	Officers to be recommended for promotion	2116
260	Selection boards; reports	2117
261	Selection boards; submission of reports	2118
262	Failure of selection for promotion	2119
263	Special selection boards; correction of errors	2120
271	Promotions; appointments	2121
272	Removal of officer from list of selectees for promotion	2122

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
273	Promotions; acceptance; oath of office	2123
274	Promotions; pay and allowances	2124
275	Wartime temporary service promotions	2125
276	Promotion of officers not included on active duty promotion list	2126
331	Recall to active duty during war or national emergency	2127
332	Recall to active duty with consent of officer	2128
373	Aviation cadets; appointment as Reserve officers	2129
281	Revocation of commissions during first five years of commissioned service	2141
282	Regular lieutenants (junior grade); separation for failure of selection for promotion	2142
283	Regular lieutenants; separation for failure of selection for promotion; continuation	2143
284	Regular Coast Guard; officers serving under temporary appointments	2144
285	Regular lieutenant commanders and commanders; retirement for failure of selection for promotion	2145
286	Discharge in lieu of retirement; separation pay	2146
286a	Regular warrant officers; separation pay	2147
287	Separation for failure of selection for promotion or continuation; time of	2148
288	Regular captains; retirement	2149
289	Captains; continuation on active duty; involuntary retirement	2150
290	Rear admirals and rear admirals (lower half); continuation on active duty; involuntary retirement	2151

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
291	Voluntary retirement after twenty years' service	2152
292	Voluntary retirement after thirty years' service	2153
293	Compulsory retirement	2154
294	Retirement for physical disability after selection for promotion; grade in which retired	2155
295	Deferment of retirement or separation for medical reasons	2156
296	Flag officers	2157
321	Review of records of officers	2158
322	Boards of inquiry	2159
323	Boards of review	2160
324	Composition of boards	2161
325	Rights and procedures	2162
326	Removal of officer from active duty; action by Secretary	2163
327	Officers considered for removal; retirement or discharge; separation benefits	2164
333	Relief of retired officer promoted while on active duty	2165
335	Physical fitness of officers	2181
429	Multirater assessment of certain personnel	2182

(c) **ADDITIONAL CHANGES.**—Chapter 21 of title 14, United States Code, is further amended—

(1) by striking all subchapter designations and headings in such chapter, except for the subchapter designations and headings added by this subsection;

(2) by inserting before section 2101 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—APPOINTMENT AND PROMOTION”;

(3) by inserting before section 2115 (as so redesignated and transferred under subsection (b)) the following:

“§2114. United States Deputy Marshals in Alaska

“Commissioned officers may be appointed as United States Deputy Marshals in Alaska.”;

(4) by inserting before section 2141 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—DISCHARGES; RETIREMENTS; REVOCATION OF COMMISSIONS; SEPARATION FOR CAUSE”;

and

(5) by inserting before section 2181 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER III—GENERAL PROVISIONS”.

SEC. 113. CHAPTER 23.

(a) **INITIAL MATTER.**—Chapter 23 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 23—PERSONNEL; ENLISTED

“Sec.

“2301. Recruiting campaigns.

“2302. Enlistments; term, grade.

“2303. Promotion.

“2304. Compulsory retirement at age of sixty-two.

“2305. Voluntary retirement after thirty years' service.

“2306. Voluntary retirement after twenty years' service.

“2307. Retirement of enlisted members: increase in retired pay.

“2308. Recall to active duty during war or national emergency.

“2309. Recall to active duty with consent of member.

“2310. Relief of retired enlisted member promoted while on active duty.

“2311. Retirement in cases where higher grade or rating has been held.

“2312. Extension of enlistments.

“2313. Retention beyond term of enlistment in case of disability.

“2314. Detention beyond term of enlistment.

“2315. Inclusion of certain conditions in enlistment contract.

“2316. Discharge within three months before expiration of enlistment.

“2317. Aviation cadets; procurement; transfer.

“2318. Aviation cadets; benefits.

“2319. Critical skill training bonus.”.

(b) **REDESIGNATIONS AND TRANSFERS.**—

(1) **REQUIREMENT.**—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 23 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) **TABLE.**—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
350	Recruiting campaigns	2301
351	Enlistments; term, grade	2302
352	Promotion	2303
353	Compulsory retirement at age of sixty-two	2304
354	Voluntary retirement after thirty years' service	2305
355	Voluntary retirement after twenty years' service	2306
357	Retirement of enlisted members: increase in retired pay	2307

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
359	Recall to active duty during war or national emergency	2308
360	Recall to active duty with consent of member	2309
361	Relief of retired enlisted member promoted while on active duty	2310
362	Retirement in cases where higher grade or rating has been held	2311
365	Extension of enlistments	2312
366	Retention beyond term of enlistment in case of disability	2313
367	Detention beyond term of enlistment	2314
369	Inclusion of certain conditions in enlistment contract	2315
370	Discharge within three months before expiration of enlistment	2316
371	Aviation cadets; procurement; transfer	2317
372	Aviation cadets; benefits	2318
374	Critical skill training bonus	2319

SEC. 114. CHAPTER 25.

(a) **INITIAL MATTER.**—Chapter 25 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 25—PERSONNEL; GENERAL PROVISIONS

“SUBCHAPTER I—GENERAL PROVISIONS

“Sec.

“2501. Grade on retirement.

“2502. Retirement.

“2503. Status of recalled personnel.

“2504. Computation of retired pay.

“2505. Limitations on retirement and retired pay.

“2506. Suspension of payment of retired pay of members who are absent from the United States to avoid prosecution.

“2507. Board for Correction of Military Records deadline.

“2508. Emergency leave retention authority.

“2509. Prohibition of certain involuntary administrative separations.

“2510. Sea service letters.

“2511. Investigations of flag officers and Senior Executive Service employees.

“2512. Leave policies for the Coast Guard.

“2513. Computation of length of service.

“SUBCHAPTER II—LIGHTHOUSE SERVICE

“2531. Personnel of former Lighthouse Service.”.

(b) **REDESIGNATIONS AND TRANSFERS.**—

(1) **REQUIREMENT.**—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 25 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
334	Grade on retirement	2501
421	Retirement	2502
422	Status of recalled personnel	2503
423	Computation of retired pay	2504
424	Limitations on retirement and retired pay	2505
424a	Suspension of payment of retired pay of members who are absent from the United States to avoid prosecution	2506
425	Board for Correction of Military Records deadline	2507
426	Emergency leave retention authority	2508
427	Prohibition of certain involuntary administrative separations	2509
428	Sea service letters	2510
430	Investigations of flag officers and Senior Executive Service employees	2511
431	Leave policies for the Coast Guard	2512
467	Computation of length of service	2513
432	Personnel of former Lighthouse Service	2531

(c) ADDITIONAL CHANGES.—Chapter 25 of title 14, United States Code, is further amended—

(1) by inserting before section 2501 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—GENERAL PROVISIONS”;

and

(2) by inserting before section 2531 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—LIGHTHOUSE SERVICE”.

SEC. 115. PART III.

Part III of title 14, United States Code, is amended by striking the part designation, the part heading, and the table of chapters at the beginning.

SEC. 116. CHAPTER 27.

(a) INITIAL MATTER.—Chapter 27 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 27—PAY, ALLOWANCES, AWARDS, AND OTHER RIGHTS AND BENEFITS

“SUBCHAPTER I—PERSONNEL RIGHTS AND BENEFITS

“Sec.

“2701. Procurement of personnel.

“2702. Training.

“2703. Contingent expenses.

“2704. Equipment to prevent accidents.

“2705. Clothing at time of discharge for good of service.

“2706. Right to wear uniform.

“2707. Protection of uniform.

“2708. Clothing for officers and enlisted personnel.

“2709. Procurement and sale of stores to members and civilian employees.

“2710. Disposition of effects of decedents.

“2711. Deserters; payment of expenses incident to apprehension and delivery; penalties.

“2712. Payment for the apprehension of stragglers.

“SUBCHAPTER II—AWARDS

“2731. Delegation of powers to make awards; rules and regulations.

“2732. Medal of honor.

“2733. Medal of honor: duplicate medal.

“2734. Medal of honor: presentation of Medal of Honor Flag.

“2735. Coast Guard cross.

“2736. Distinguished service medal.

“2737. Silver star medal.

“2738. Distinguished flying cross.

“2739. Coast Guard medal.

“2740. Insignia for additional awards.

“2741. Time limit on award; report concerning deed.

“2742. Honorable subsequent service as condition to award.

“2743. Posthumous awards.

“2744. Life-saving medals.

“2745. Replacement of medals.

“2746. Award of other medals.

“2747. Awards and insignia for excellence in service or conduct.

“2748. Presentation of United States flag upon retirement.

“SUBCHAPTER III—PAYMENTS

“2761. Persons discharged as result of court-martial; allowances to.

“2762. Shore patrol duty; payment of expenses.

“2763. Compensatory absence from duty for military personnel at isolated duty stations.

“2764. Monetary allowance for transportation of household effects.

“2765. Retroactive payment of pay and allowances delayed by administrative error or oversight.

“2766. Travel card management.

“2767. Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States.

“2768. Annual audit of pay and allowances of members undergoing permanent change of station.

“2769. Remission of indebtedness.

“2770. Special instruction at universities.

“2771. Attendance at professional meetings.

“2772. Education loan repayment program.

“2773. Rations or commutation therefor in money.

“2774. Sales of ration supplies to messes.

“2775. Flight rations.

“2776. Payments at time of discharge for good of service.

“2777. Clothing for destitute shipwrecked persons.

“2778. Advancement of public funds to personnel.

“2779. Transportation to and from certain places of employment.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 27 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only—not amended)	Title 14 section number after redesignation
468	Procurement of personnel	2701
469	Training	2702
476	Contingent expenses	2703
477	Equipment to prevent accidents	2704
482	Clothing at time of discharge for good of service	2705
483	Right to wear uniform	2706
484	Protection of uniform	2707
485	Clothing for officers and enlisted personnel	2708
487	Procurement and sale of stores to members and civilian employees	2709
507	Disposition of effects of decedents	2710
508	Deserters; payment of expenses incident to apprehension and delivery; penalties	2711
644	Payment for the apprehension of stragglers	2712
499	Delegation of powers to make awards; rules and regulations	2731
491	Medal of honor	2732
504	Medal of honor: duplicate medal	2733
505	Medal of honor: presentation of Medal of Honor Flag	2734
491a	Coast Guard cross	2735
492	Distinguished service medal	2736
492a	Silver star medal	2737
492b	Distinguished flying cross	2738
493	Coast Guard medal	2739
494	Insignia for additional awards	2740
496	Time limit on award; report concerning deed	2741

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
497	Honorable subsequent service as condition to award	2742
498	Posthumous awards	2743
500	Life-saving medals	2744
501	Replacement of medals	2745
502	Award of other medals	2746
503	Awards and insignia for excellence in service or conduct	2747
516	Presentation of United States flag upon retirement	2748
509	Persons discharged as result of court-martial; allowances to	2761
510	Shore patrol duty; payment of expenses	2762
511	Compensatory absence from duty for military personnel at isolated duty stations	2763
512	Monetary allowance for transportation of household effects	2764
513	Retroactive payment of pay and allowances delayed by administrative error or oversight	2765
517	Travel card management	2766
518	Reimbursement for medical-related travel expenses for certain persons residing on islands in the continental United States	2767
519	Annual audit of pay and allowances of members undergoing permanent change of station	2768
461	Remission of indebtedness	2769
470	Special instruction at universities	2770
471	Attendance at professional meetings	2771
472	Education loan repayment program	2772
478	Rations or commutation therefor in money	2773
479	Sales of ration supplies to messes	2774

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
480	Flight rations	2775
481	Payments at time of discharge for good of service	2776
486	Clothing for destitute shipwrecked persons	2777
488	Advancement of public funds to personnel	2778
660	Transportation to and from certain places of employment	2779

(c) **ADDITIONAL CHANGES.**—Chapter 27 of title 14, United States Code, is further amended—
(1) by inserting before section 2701 (as so redesignated and transferred under subsection (b)) the following:

“**SUBCHAPTER I—PERSONNEL RIGHTS AND BENEFITS**”;

(2) by inserting before section 2731 (as so redesignated and transferred under subsection (b)) the following:

“**SUBCHAPTER II—AWARDS**”;

and

(3) by inserting before section 2761 (as so redesignated and transferred under subsection (b)) the following:

“**SUBCHAPTER III—PAYMENTS**”.

SEC. 117. CHAPTER 29.

(a) **INITIAL MATTER.**—Chapter 29 of title 14, United States Code, is amended by striking the chapter designation, the chapter heading, and the table of sections at the beginning and inserting the following:

“CHAPTER 29—COAST GUARD FAMILY SUPPORT, CHILD CARE, AND HOUSING

“**SUBCHAPTER I—COAST GUARD FAMILIES**

“Sec.

“2901. Work-life policies and programs.

“2902. Surveys of Coast Guard families.

“2903. Reimbursement for adoption expenses.

“2904. Education and training opportunities for Coast Guard spouses.

“2905. Youth sponsorship initiatives.

“2906. Dependent school children.

“**SUBCHAPTER II—COAST GUARD CHILD CARE**

“2921. Definitions.

“2922. Child development services.

“2923. Child development center standards and inspections.

“2924. Child development center employees.

“2925. Parent partnerships with child development centers.

“**SUBCHAPTER III—HOUSING**

“2941. Definitions.

“2942. General authority.

“2943. Leasing and hiring of quarters; rental of inadequate housing.

“2944. Retired service members and dependents serving on advisory committees.

“2945. Conveyance of real property.

“2946. Coast Guard Housing Fund.

“2947. Reports.”.

(b) **REDESIGNATIONS AND TRANSFERS.**—

(1) **REQUIREMENT.**—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 29 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) **TABLE.**—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
531	Work-life policies and programs	2901
532	Surveys of Coast Guard families	2902
541	Reimbursement for adoption expenses	2903
542	Education and training opportunities for Coast Guard spouses	2904
543	Youth sponsorship initiatives	2905
544	Dependent school children	2906
551	Definitions	2921
552	Child development services	2922
553	Child development center standards and inspections	2923
554	Child development center employees	2924
555	Parent partnerships with child development centers	2925
680	Definitions	2941
681	General authority	2942
475	Leasing and hiring of quarters; rental of inadequate housing	2943
680	Retired service members and dependents serving on advisory committees	2944
685	Conveyance of real property	2945
687	Coast Guard Housing Fund	2946
688	Reports	2947

(c) **ADDITIONAL CHANGES.**—Chapter 29 of title 14, United States Code, is further amended—

(1) by inserting before section 2901 (as so redesignated and transferred under subsection (b)) the following:

“**SUBCHAPTER I—COAST GUARD FAMILIES**”;

(2) by inserting before section 2921 (as so redesignated and transferred under subsection (b)) the following:

“**SUBCHAPTER II—COAST GUARD CHILD CARE**”;

and

(3) by inserting before section 2941 (as so redesignated and transferred under subsection (b)) the following:

“**SUBCHAPTER III—HOUSING**”.

SEC. 118. SUBTITLE III AND CHAPTER 37.

(a) **INITIAL MATTER.**—Title 14, United States Code, is further amended by adding after chapter 29 (as amended by section 117) the following:

“Subtitle III—Coast Guard Reserve and Auxiliary

“Chap.	Sec.
“37. Coast Guard Reserve	3701
“39. Coast Guard Auxiliary	3901
“41. General Provisions for Coast Guard Reserve and Auxiliary	4101

“CHAPTER 1—COAST GUARD RESERVE

“SUBCHAPTER I—ADMINISTRATION

“Sec.
“3701. Organization.
“3702. Authorized strength.
“3703. Coast Guard Reserve Boards.
“3704. Grades and ratings; military authority.
“3705. Benefits.
“3706. Temporary members of the Reserve; eligibility and compensation.
“3707. Temporary members of the Reserve; disability or death benefits.
“3708. Temporary members of the Reserve; certificate of honorable service.
“3709. Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade.
“3710. Reserve student pre-commissioning assistance program.
“3711. Appointment or wartime promotion; retention of grade upon release from active duty.
“3712. Exclusiveness of service.
“3713. Active duty for emergency augmentation of regular forces.
“3714. Enlistment of members engaged in schooling.

“SUBCHAPTER II—PERSONNEL

“3731. Definitions.
“3732. Applicability of this subchapter.
“3733. Suspension of this subchapter in time of war or national emergency.
“3734. Effect of this subchapter on retirement and retired pay.
“3735. Authorized number of officers.
“3736. Precedence.
“3737. Running mates.
“3738. Constructive credit upon initial appointment.
“3739. Promotion of Reserve officers on active duty.
“3740. Promotion; recommendations of selection boards.
“3741. Selection boards; appointment.
“3742. Establishment of promotion zones under running mate system.
“3743. Eligibility for promotion.
“3744. Recommendation for promotion of an officer previously removed from an active status.
“3745. Qualifications for promotion.
“3746. Promotion; acceptance; oath of office.
“3747. Date of rank upon promotion; entitlement to pay.
“3748. Type of promotion; temporary.
“3749. Effect of removal by the President or failure of consent of the Senate.
“3750. Failure of selection for promotion.
“3751. Failure of selection and removal from an active status.
“3752. Retention boards; removal from an active status to provide a flow of promotion.
“3753. Maximum ages for retention in an active status.
“3754. Rear admiral and rear admiral (lower half); maximum service in grade.
“3755. Appointment of a former Navy or Coast Guard officer.
“3756. Grade on entry upon active duty.
“3757. Recall of a retired officer; grade upon release.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sec-

tions for chapter 37 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
701	Organization	3701
702	Authorized strength	3702
703	Coast Guard Reserve Boards	3703
704	Grades and ratings; military authority	3704
705	Benefits	3705
706	Temporary members of the Reserve; eligibility and compensation	3706
707	Temporary members of the Reserve; disability or death benefits	3707
708	Temporary members of the Reserve; certificate of honorable service	3708
709	Reserve student aviation pilots; Reserve aviation pilots; appointments in commissioned grade	3709
709a	Reserve student pre-commissioning assistance program	3710
710	Appointment or wartime promotion; retention of grade upon release from active duty	3711
711	Exclusiveness of service	3712
712	Active duty for emergency augmentation of regular forces	3713
713	Enlistment of members engaged in schooling	3714
720	Definitions	3731
721	Applicability of this subchapter	3732
722	Suspension of this subchapter in time of war or national emergency	3733
723	Effect of this subchapter on retirement and retired pay	3734
724	Authorized number of officers	3735
725	Precedence	3736
726	Running mates	3737

Title 14 section number before re-designation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after re-designation
727	Constructive credit upon initial appointment	3738
728	Promotion of Reserve officers on active duty	3739
729	Promotion; recommendations of selection boards	3740
730	Selection boards; appointment	3741
731	Establishment of promotion zones under running mate system	3742
732	Eligibility for promotion	3743
733	Recommendation for promotion of an officer previously removed from an active status	3744
734	Qualifications for promotion	3745
735	Promotion; acceptance; oath of office	3746
736	Date of rank upon promotion; entitlement to pay	3747
737	Type of promotion; temporary	3748
738	Effect of removal by the President or failure of consent of the Senate	3749
739	Failure of selection for promotion	3750
740	Failure of selection and removal from an active status	3751
741	Retention boards; removal from an active status to provide a flow of promotion	3752
742	Maximum ages for retention in an active status	3753
743	Rear admiral and rear admiral (lower half); maximum service in grade	3754
744	Appointment of a former Navy or Coast Guard officer	3755
745	Grade on entry upon active duty	3756
746	Recall of a retired officer; grade upon release	3757

(c) ADDITIONAL CHANGES.—Chapter 37 of title 14, United States Code, is further amended—

(1) by inserting before section 3701 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER I—ADMINISTRATION”;

and

(2) by inserting before section 3731 (as so redesignated and transferred under subsection (b)) the following:

“SUBCHAPTER II—PERSONNEL”.

SEC. 119. CHAPTER 39.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by adding after chapter 37 (as added by section 118) the following:

“CHAPTER 39—COAST GUARD AUXILIARY

“Sec.

“3901. Administration of the Coast Guard Auxiliary.

“3902. Purpose of the Coast Guard Auxiliary.

“3903. Eligibility; enrollments.

“3904. Members of the Auxiliary; status.

“3905. Disenrollment.

“3906. Membership in other organizations.

“3907. Use of member’s facilities.

“3908. Vessel deemed public vessel.

“3909. Aircraft deemed public aircraft.

“3910. Radio station deemed government station.

“3911. Availability of appropriations.

“3912. Assignment and performance of duties.

“3913. Injury or death in line of duty.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 39 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
821	Administration of the Coast Guard Auxiliary	3901
822	Purpose of the Coast Guard Auxiliary	3902
823	Eligibility; enrollments	3903
823a	Members of the Auxiliary; status	3904
824	Disenrollment	3905
825	Membership in other organizations	3906
826	Use of member’s facilities	3907
827	Vessel deemed public vessel	3908
828	Aircraft deemed public aircraft	3909
829	Radio station deemed government station	3910
830	Availability of appropriations	3911
831	Assignment and performance of duties	3912
832	Injury or death in line of duty	3913

SEC. 120. CHAPTER 41.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by adding after chapter 39 (as added by section 119) the following:

“CHAPTER 41—GENERAL PROVISIONS FOR COAST GUARD RESERVE AND AUXILIARY

“Sec.

“4101. Flags; pennants; uniforms and insignia.

“4102. Penalty.

“4103. Limitation on rights of members of the Auxiliary and temporary members of the Reserve.

“4104. Availability of facilities and appropriations.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 41 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
891	Flags; pennants; uniforms and insignia	4101
892	Penalty	4102
893	Limitation on rights of members of the Auxiliary and temporary members of the Reserve	4103
894	Availability of facilities and appropriations	4104

SEC. 121. SUBTITLE IV AND CHAPTER 49.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by adding after chapter 41 (as added by section 120) the following:

“Subtitle IV—Coast Guard Authorizations and Reports to Congress

“Chap. Sec.

“49. Authorizations 4901

“51. Reports 5101

“CHAPTER 49—AUTHORIZATIONS

“Sec.

“4901. Requirement for prior authorization of appropriations.

“4902. Authorization of appropriations.

“4903. Authorization of personnel end strengths.

“4904. Authorized levels of military strength and training.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 49 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
2701	Requirement for prior authorization of appropriations	4901
2702	Authorization of appropriations	4902
2703	Authorization of personnel end strengths	4903
2704	Authorized levels of military strength and training	4904

SEC. 122. CHAPTER 51.

(a) INITIAL MATTER.—Title 14, United States Code, is further amended by adding after chapter 49 (as added by section 121) the following:

“CHAPTER 51—REPORTS

“Sec.

“5101. Transmission of annual Coast Guard authorization request.

“5102. Capital investment plan.

“5103. Major acquisitions.

“5104. Manpower requirements plan.

“5105. Inventory of real property.

“5106. Annual performance report.

“5107. Major acquisition risk assessment.”.

(b) REDESIGNATIONS AND TRANSFERS.—

(1) REQUIREMENT.—The sections of title 14, United States Code, identified in the table provided in paragraph (2) are amended—

(A) by redesignating the sections as described in the table; and

(B) by transferring the sections, as necessary, so that the sections appear after the table of sections for chapter 51 of such title (as added by subsection (a)), in the order in which the sections are presented in the table.

(2) TABLE.—The table referred to in paragraph (1) is the following:

Title 14 section number before redesignation	Section heading (provided for identification purposes only-not amended)	Title 14 section number after redesignation
2901	Transmission of annual Coast Guard authorization request	5101
2902	Capital investment plan	5102
2903	Major acquisitions	5103
2904	Manpower requirements plan	5104
679	Inventory of real property	5105
2905	Annual performance report	5106
2906	Major acquisition risk assessment	5107

SEC. 123. REFERENCES.

(a) DEFINITIONS.—In this section, the following definitions apply:

(1) REDESIGNATED SECTION.—The term “redesignated section” means a section of title 14, United States Code, that is redesignated by this title, as that section is so redesignated.

(2) SOURCE SECTION.—The term “source section” means a section of title 14, United States Code, that is redesignated by this title, as that section was in effect before the redesignation.

(b) REFERENCE TO SOURCE SECTION.—

(1) TREATMENT OF REFERENCE.—A reference to a source section, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding redesignated section.

(2) TITLE 14.—In title 14, United States Code, each reference in the text of such title to a source section is amended by striking such reference and inserting a reference to the appropriate, as determined using the tables located in this title, redesignated section.

(c) OTHER CONFORMING AMENDMENTS.—

(1) REFERENCE TO SECTION 182.—Section 1923(c) of title 14, United States Code, as so redesignated by this title, is further amended by striking “section 182” and inserting “section 1922”.

(2) REFERENCES TO CHAPTER 11.—Title 14, United States Code, is further amended—

(A) in section 2146(d), as so redesignated by this title, by striking “chapter 11 of this title” and inserting “this chapter”; and

(B) in section 3739, as so redesignated by this title, by striking “chapter 11” each place that it appears and inserting “chapter 21”.

(3) REFERENCE TO CHAPTER 13.—Section 3705(b) of title 14, United States Code, as so redesignated by this title, is further amended by striking “chapter 13” and inserting “chapter 27”.

(4) REFERENCE TO CHAPTER 15.—Section 308(b)(3) of title 14, United States Code, as so redesignated by this title, is further amended by striking “chapter 15” and inserting “chapter 11”.

(5) REFERENCES TO CHAPTER 19.—Title 14, United States Code, is further amended—

(A) in section 4901(4), as so redesignated by this title, by striking “chapter 19” and inserting “section 318”; and

(B) in section 4902(4), as so redesignated by this title, by striking “chapter 19” and inserting “section 318”.

(6) REFERENCE TO CHAPTER 23.—Section 701(a) of title 14, United States Code, as so redesignated by this title, is further amended by striking “chapter 23” and inserting “chapter 39”.

SEC. 124. RULE OF CONSTRUCTION.

This title, including the amendments made by this title, is intended only to reorganize title 14, United States Code, and may not be construed to alter—

(1) the effect of a provision of title 14, United States Code, including any authority or requirement therein;

(2) a department or agency interpretation with respect to title 14, United States Code; or

(3) a judicial interpretation with respect to title 14, United States Code.

TITLE II—AUTHORIZATIONS

SEC. 201. AMENDMENTS TO TITLE 14, UNITED STATES CODE, AS AMENDED BY TITLE I OF THIS ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision of title 14, United States Code, the reference shall be considered to be made to title 14, United States Code, as amended by title I of this Act.

SEC. 202. AUTHORIZATIONS OF APPROPRIATIONS.

(a) IN GENERAL.—Section 4902 of title 14, United States Code, is amended to read as follows:

“§ 4902. Authorizations of appropriations

“(a) FISCAL YEAR 2018.—Funds are authorized to be appropriated for fiscal year 2018 for necessary expenses of the Coast Guard as follows:

“(1) For the operation and maintenance of the Coast Guard, not otherwise provided for, \$7,210,313,000 for fiscal year 2018.

“(2) For the acquisition, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, aircraft, and systems, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, \$2,694,745,000 for fiscal year 2018.

“(3) For the Coast Guard Reserve program, including operations and maintenance of the program, personnel and training costs, equipment, and services, \$114,875,000 for fiscal year 2018.

“(4) For the environmental compliance and restoration functions of the Coast Guard under chapter 3 of this title, \$13,397,000 for fiscal year 2018.

“(5) To the Commandant for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, \$29,141,000 for fiscal year 2018.

“(b) FISCAL YEAR 2019.—Funds are authorized to be appropriated for fiscal year 2019 for necessary expenses of the Coast Guard as follows:

“(1)(A) For the operation and maintenance of the Coast Guard, not otherwise provided for, \$7,914,195,000 for fiscal year 2019.

“(B) Of the amount authorized under subparagraph (A)—

“(i) \$16,701,000 shall be for environmental compliance and restoration; and

“(ii) \$199,360,000 shall be for the Coast Guard’s Medicare-eligible retiree health care fund contribution to the Department of Defense.

“(2) For the procurement, construction, renovation, and improvement of aids to navigation, shore facilities, vessels, aircraft, and systems, including equipment related thereto, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, \$2,694,745,000 for fiscal year 2019.

“(3) To the Commandant for research, development, test, and evaluation of technologies, materials, and human factors directly related to improving the performance of the Coast Guard’s mission with respect to search and rescue, aids to navigation, marine safety, marine environmental protection, enforcement of laws and treaties, ice operations, oceanographic research, and defense readiness, and for maintenance, rehabilitation, lease, and operation of facilities and equipment, \$29,141,000 for fiscal year 2019.”

(b) REPEAL.—On October 1, 2018—

(1) section 4902(a) of title 14, United States Code, as amended by subsection (a), shall be repealed; and

(2) subsection 4902(b) of title 14, United States Code, as amended by subsection (a), shall be amended by striking “(b) FISCAL YEAR 2019.—”.

SEC. 203. AUTHORIZED LEVELS OF MILITARY STRENGTH AND TRAINING.

Section 4904 of title 14, United States Code, is amended—

(1) in subsection (a), by striking “for each of fiscal years 2016 and 2017” and inserting “for fiscal year 2018 and 44,500 for fiscal year 2019”; and

(2) in subsection (b), by striking “fiscal years 2016 and 2017” and inserting “fiscal years 2018 and 2019”.

SEC. 204. AUTHORIZATION OF AMOUNTS FOR FAST RESPONSE CUTTERS.

(a) IN GENERAL.—Of the amounts authorized under section 4902 of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 up to \$167,500,000 is authorized for the acquisition of 3 Fast Response Cutters.

(b) TREATMENT OF ACQUIRED CUTTERS.—Any cutters acquired pursuant to subsection (a) shall be in addition to the 58 cutters approved under the existing acquisition baseline.

SEC. 205. AUTHORIZATION OF AMOUNTS FOR SHORESIDE INFRASTRUCTURE.

Of the amounts authorized under section 4902 of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 up to \$167,500,000 is authorized for the Secretary of the department in which the Coast Guard is operating to fund the acquisition, construction,

rebuilding, or improvement of Coast Guard shoreside infrastructure and facilities necessary to support Coast Guard operations and readiness.

SEC. 206. AUTHORIZATION OF AMOUNTS FOR AIRCRAFT IMPROVEMENTS.

Of the amounts authorized under section 4902 of title 14, United States Code, as amended by this Act, for each of fiscal years 2018 and 2019 up to \$3,500,000 is authorized for the Secretary of the department in which the Coast Guard is operating to fund analysis and program development for improvements to or the replacement of rotary-wing aircraft.

TITLE III—COAST GUARD

SEC. 301. AMENDMENTS TO TITLE 14, UNITED STATES CODE, AS AMENDED BY TITLE I OF THIS ACT.

Except as otherwise expressly provided, whenever in this title an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision of title 14, United States Code, the reference shall be considered to be made to title 14, United States Code, as amended by title I of this Act.

SEC. 302. PRIMARY DUTIES.

Section 102(7) of title 14, United States Code, is amended to read as follows:

“(7) maintain a state of readiness to assist in the defense of the United States, including when functioning as a specialized service in the Navy pursuant to section 103.”.

SEC. 303. NATIONAL COAST GUARD MUSEUM.

Section 316 of title 14, United States Code, is amended to read as follows:

“§316. National Coast Guard Museum

“(a) ESTABLISHMENT.—The Commandant may establish a National Coast Guard Museum, on lands which will be federally owned and administered by the Coast Guard, and are located in New London, Connecticut, at, or in close proximity to, the Coast Guard Academy.

“(b) LIMITATION ON EXPENDITURES.—

“(1) The Secretary shall not expend any funds appropriated to the Coast Guard on the construction of any museum established under this section.

“(2) The Secretary shall fund the National Coast Guard Museum with nonappropriated and non-Federal funds to the maximum extent practicable. The priority use of Federal funds should be to preserve and protect historic Coast Guard artifacts, including the design, fabrication, and installation of exhibits or displays in which such artifacts are included.

“(3) The Secretary may expend funds appropriated to the Coast Guard on the engineering and design of a National Coast Guard Museum.

“(c) FUNDING PLAN.—Before the date on which the Commandant establishes a National Coast Guard Museum under subsection (a), the Commandant shall provide to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan for constructing, operating, and maintaining such a museum, including—

“(1) estimated planning, engineering, design, construction, operation, and maintenance costs;

“(2) the extent to which appropriated, non-appropriated, and non-Federal funds will be used for such purposes, including the extent to which there is any shortfall in funding for engineering, design, or construction; and

“(3) a certification by the Inspector General of the department in which the Coast Guard is operating that the estimates provided pursuant to paragraphs (1) and (2) are reasonable and realistic.

“(d) AUTHORITY.—The Commandant may not establish a National Coast Guard museum except as set forth in this section.”.

SEC. 304. UNMANNED AIRCRAFT.

(a) LAND-BASED UNMANNED AIRCRAFT SYSTEM PROGRAM.—Chapter 3 of title 14, United States Code, is amended by adding at the end the following:

“§319. Land-based unmanned aircraft system program

“(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary shall establish a land-based unmanned aircraft system program under the control of the Commandant.

“(b) UNMANNED AIRCRAFT SYSTEM DEFINED.—In this section, the term ‘unmanned aircraft system’ has the meaning given that term in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).”.

(b) LIMITATION ON UNMANNED AIRCRAFT SYSTEMS.—Chapter 11 of title 14, United States Code, is amended by inserting after section 1155 the following:

“§1156. Limitation on unmanned aircraft systems

“(a) IN GENERAL.—During any fiscal year for which funds are appropriated for the design or construction of an Offshore Patrol Cutter, the Commandant—

“(1) may not award a contract for design of an unmanned aircraft system for use by the Coast Guard; and

“(2) may lease, acquire, or acquire the services of an unmanned aircraft system only if such system—

“(A) has been part of a program of record of, procured by, or used by a Federal entity (or funds for research, development, test, and evaluation have been received from a Federal entity with regard to such system) before the date on which the Commandant leases, acquires, or acquires the services of the system; and

“(B) is leased, acquired, or utilized by the Commandant through an agreement with a Federal entity, unless such an agreement is not practicable or would be less cost-effective than an independent contract action by the Coast Guard.

“(b) SMALL UNMANNED AIRCRAFT EXEMPTION.—Subsection (a)(2) does not apply to small unmanned aircraft.

“(c) DEFINITIONS.—In this section, the terms ‘small unmanned aircraft’ and ‘unmanned aircraft system’ have the meanings given those terms in section 331 of the FAA Modernization and Reform Act of 2012 (49 U.S.C. 40101 note).”.

(c) CLERICAL AMENDMENTS.—

(1) CHAPTER 3.—The analysis for chapter 3 of title 14, United States Code, is amended by adding at the end the following:

“319. Land-based unmanned aircraft system program.”.

(2) CHAPTER 11.—The analysis for chapter 11 of title 14, United States Code, is amended by inserting after the item relating to section 1155 the following:

“1156. Limitation on unmanned aircraft systems.”.

(d) CONFORMING AMENDMENT.—Subsection (c) of section 1105 of title 14, United States Code, is repealed.

SEC. 305. COAST GUARD HEALTH-CARE PROFESSIONALS; LICENSURE PORTABILITY.

(a) IN GENERAL.—Chapter 5 of title 14, United States Code, is amended by inserting after section 507 the following:

“§508. Coast Guard health-care professionals; licensure portability

“(a) IN GENERAL.—Notwithstanding any other provision of law regarding the licensure of health-care providers, a health-care professional described in subsection (b) may practice the health profession or professions of the health-care professional at any location in any State, the District of Columbia, or a Commonwealth, territory, or possession of the United States, regardless of where such health-care professional or the patient is located, if the practice is within the scope of the authorized Federal duties of such health-care professional.

“(b) DESCRIBED INDIVIDUALS.—A health-care professional described in this subsection is an individual—

“(1) who is—

“(A) a member of the Coast Guard;

“(B) a civilian employee of the Coast Guard; or

“(D) any other health-care professional credentialed and privileged at a Federal health-care institution or location specially designated by the Secretary; and

“(2) who—

“(A) has a current license to practice medicine, osteopathic medicine, dentistry, or another health profession; and

“(B) is performing authorized duties for the Coast Guard.

“(c) DEFINITIONS.—In this section, the terms ‘license’ and ‘health-care professional’ have the meanings given those terms in section 1094(e) of title 10.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 5 of title 14, United States Code, is amended by inserting after the item relating to section 507 the following:

“508. Coast Guard health-care professionals; licensure portability.”.

(c) ELECTRONIC HEALTH RECORDS.—

(1) SYSTEM.—The Commandant of the Coast Guard is authorized to procure for the Coast Guard an electronic health record system that—

(A) has been competitively awarded by the Department of Defense; and

(B) ensures full integration with the Department of Defense electronic health record systems.

(2) SUPPORT SERVICES.—

(A) IN GENERAL.—The Commandant is authorized to procure support services for the electronic health record system procured under paragraph (1) necessary to ensure full integration with the Department of Defense electronic health record systems.

(B) SCOPE.—Support services procured pursuant to this paragraph may include services for the following:

(i) System integration support.

(ii) Hosting support.

(iii) Training, testing, technical, and data migration support.

(iv) Hardware support.

(v) Any other support the Commandant considers appropriate.

(3) AUTHORIZED PROCUREMENT ACTIONS.—The Commandant is authorized to procure an electronic health record system under this subsection through the following:

(A) A task order under the Department of Defense electronic health record contract.

(B) A sole source contract award.

(C) An agreement made pursuant to sections 1535 and 1536 of title 31, United States Code.

(D) A contract or other procurement vehicle otherwise authorized.

(4) COMPETITION IN CONTRACTING; EXEMPTION.—Procurement of an electronic health record system and support services pursuant to this subsection shall be exempt from the competition requirements of section 2304 of title 10, United States Code.

SEC. 306. TRAINING; EMERGENCY RESPONSE PROVIDERS.

(a) IN GENERAL.—Chapter 7 of title 14, United States Code, is amended by adding at the end the following:

“§718. Training; emergency response providers

“(a) IN GENERAL.—The Commandant may, on a reimbursable or a non-reimbursable basis, make a training available to emergency response providers whenever the Commandant determines that—

“(1) a member of the Coast Guard, who is scheduled to participate in such training, is unable or unavailable to participate in such training;

“(2) no other member of the Coast Guard, who is assigned to the unit to which the member of the Coast Guard who is unable or unavailable to participate in such training is assigned, is able or available to participate in such training; and

“(3) such training, if made available to such emergency response providers, would further the goal of interoperability among Federal agencies, non-Federal governmental agencies, or both.

“(b) EMERGENCY RESPONSE PROVIDERS DEFINED.—In this section, the term ‘emergency response providers’ has the meaning given that term in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

“(c) TREATMENT OF REIMBURSEMENT.—Any reimbursements for a training that the Coast Guard receives under this section shall be credited to the appropriation used to pay the costs for such training.

“(d) STATUS; LIMITATION ON LIABILITY.—

(1) STATUS.—Any individual to whom, as an emergency response provider, training is made available under this section, who is not otherwise a Federal employee, shall not, because of that training, be considered a Federal employee for any purpose (including the purposes of chapter 81 of title 5 (relating to compensation for injury) and sections 2671 through 2680 of title 28 (relating to tort claims)).

(2) LIMITATION ON LIABILITY.—The United States shall not be liable for actions taken by an individual in the course of training made available under this section.”.

(b) CLERICAL AMENDMENT.—The analysis for chapter 7 of title 14, United States Code, is amended by adding at the end the following:

“718. Training; emergency response providers.”.

SEC. 307. INCENTIVE CONTRACTS FOR COAST GUARD YARD AND INDUSTRIAL ESTABLISHMENTS.

Section 939 of title 14, United States Code, is amended—

(1) by inserting before “The Secretary may” the following: “(a) IN GENERAL.—”;

(2) in subsection (a), as so designated by paragraph (1) of this section, by striking the period at the end of the last sentence and inserting “or in accordance with subsection (b).”;

(3) by adding at the end the following:

“(b) INCENTIVE CONTRACTS.—

(1) The parties to an order for industrial work to be performed by the Coast Guard Yard or a Coast Guard industrial establishment designated under subsection (a) may enter into an order or a cost-plus-incentive-fee order in accordance with this subsection.

(2) If such parties enter into such an order or a cost-plus-incentive-fee order, an agreed-upon amount of any adjustment described in subsection (a) may be distributed as an incentive to the wage-grade industrial employees who complete the order.

(3) Before entering into such an order or cost-plus-incentive-fee order such parties must agree that the wage-grade employees of the Coast Guard Yard or Coast Guard industrial establishment will take action to improve the delivery schedule or technical performance agreed to in the order for industrial work to which such parties initially agreed.

(4) Notwithstanding any other provision of law, if the industrial workforce of the Coast Guard Yard or Coast Guard industrial establishment satisfies the performance target established in such an order or cost-plus-incentive-fee order—

“(A) the adjustment to be made pursuant to subsection (a) shall be reduced by an agreed-upon amount and distributed to such wage-grade industrial employees; and

“(B) the remainder of the adjustment shall be credited to the appropriation for such order current at that time.”.

SEC. 308. CONFIDENTIAL INVESTIGATIVE EXPENSES.

Section 944 of title 14, United States Code, is amended by striking “\$45,000” and inserting “\$250,000”.

SEC. 309. REGULAR CAPTAINS; RETIREMENT.

Section 2149(a) of title 14, United States Code, is amended—

(1) by striking “zone is” and inserting “zone, or from being placed at the top of the list of se-

lectees promulgated by the Secretary under section 2121(a) of this title, is"; and

(2) by striking the period at the end and inserting "or placed at the top of the list of selectees, as applicable.".

SEC. 310. CONVERSION, ALTERATION, AND REPAIR PROJECTS.

(a) *IN GENERAL.*—Chapter 9 of title 14, United States Code, as amended by this Act, is further amended by inserting after section 951 the following:

"§952. Construction of Coast Guard vessels and assignment of vessel projects

"The assignment of Coast Guard vessel conversion, alteration, and repair projects shall be based on economic and military considerations and may not be restricted by a requirement that certain parts of Coast Guard shipwork be assigned to a particular type of shipyard or geographical area or by a similar requirement."

(b) *CLERICAL AMENDMENT.*—The analysis for chapter 9 of title 14, United States Code, is amended by inserting after the item relating to section 951 the following:

"952. Construction of Coast Guard vessels and assignment of vessel projects."

SEC. 311. CONTRACTING FOR MAJOR ACQUISITIONS PROGRAMS.

(a) *GENERAL ACQUISITION AUTHORITY.*—Section 501(d) of title 14, United States Code, is amended by inserting "aircraft, and systems," after "vessels,".

(b) *CONTRACTING AUTHORITY.*—Chapter 11 of title 14, United States Code, as amended by this Act, is further amended by inserting after section 1136 the following:

"§1137. Contracting for major acquisitions programs

"(a) *IN GENERAL.*—In carrying out authorities provided to the Secretary to design, construct, accept, or otherwise acquire assets and systems under section 501(d), the Secretary, acting through the Commandant or the head of an integrated program office established for a major acquisition program, may enter into contracts for a major acquisition program.

"(b) *AUTHORIZED METHODS.*—Contracts entered into under subsection (a)—

"(1) may be block buy contracts;

"(2) may be incrementally funded;

"(3) may include combined purchases, also known as economic order quantity purchases, of—

"(A) materials and components; and

"(B) long lead time materials; and

"(4) as provided in section 2306b of title 10, may be multiyear contracts.

"(c) *SUBJECT TO APPROPRIATIONS.*—Any contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of amounts specifically provided in advance for that purpose in subsequent appropriations Acts."

(c) *CLERICAL AMENDMENT.*—The analysis for chapter 11 of title 14, United States Code, as amended by this Act, is further amended by inserting after the item relating to section 1136 the following:

"1137. Contracting for major acquisitions programs."

(d) *CONFORMING AMENDMENTS.*—The following provisions are repealed:

(1) Section 223 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (14 U.S.C. 1152 note), and the item relating to that section in the table of contents in section 2 of such Act.

(2) Section 221(a) of the Coast Guard and Maritime Transportation Act of 2012 (14 U.S.C. 1133 note).

(3) Section 207(a) of the Coast Guard Authorization Act of 2016 (14 U.S.C. 561 note).

(e) *INTERNAL REGULATIONS AND POLICY.*—Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall estab-

lish the internal regulations and policies necessary to exercise the authorities provided under this section, including the amendments made in this section.

(f) *MULTIYEAR CONTRACTS.*—The Secretary of the department in which the Coast Guard is operating is authorized to enter into a multiyear contract for the procurement of a tenth, eleventh, and twelfth National Security Cutter and associated government-furnished equipment.

SEC. 312. OFFICER PROMOTION ZONES.

Section 2111(a) of title 14, United States Code, is amended by striking "six-tenths." and inserting "one-half."

SEC. 313. CROSS REFERENCE.

Section 2129(a) of title 14, United States Code, is amended by inserting "designated under section 2317" after "cadet".

SEC. 314. COMMISSIONED SERVICE RETIREMENT.

For Coast Guard officers who retire in fiscal year 2018 or 2019, the President may reduce the period of active commissioned service required under section 2152 of title 14, United States Code, to a period of not less than 8 years.

SEC. 315. LEAVE FOR BIRTH OR ADOPTION OF CHILD.

(a) *POLICY.*—Section 2512 of title 14, United States Code, is amended—

(1) by striking "Not later than 1 year" and inserting the following:

"(a) *IN GENERAL.*—Except as provided in subsection (b), not later than 1 year"; and

(2) by adding at the end the following:

"(b) *LEAVE ASSOCIATED WITH BIRTH OR ADOPTION OF CHILD.*—Notwithstanding subsection (a), sections 701 and 704 of title 10, or any other provision of law, all officers and enlisted members of the Coast Guard shall be authorized leave associated with the birth or adoption of a child during the 1-year period immediately following such birth or adoption and, at the discretion of the Commanding Officer, such officer or enlisted member shall be permitted—

"(1) to take such leave in increments; and

"(2) to use flexible work schedules (pursuant to a program established by the Secretary in accordance with chapter 61 of title 5).".

(b) *FLEXIBLE WORK SCHEDULES.*—Not later than 180 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall ensure that a flexible work schedule program under chapter 61 of title 5, United States Code, is in place for officers and enlisted members of the Coast Guard.

SEC. 316. CLOTHING AT TIME OF DISCHARGE.

Section 2705 of title 14, United States Code, and the item relating to that section in the analysis for chapter 27 of that title, are repealed.

SEC. 317. UNFUNDED PRIORITIES LIST.

(a) *IN GENERAL.*—Section 5102 of title 14, United States Code, is amended—

(1) by striking subsection (a) and inserting the following:

"(a) *IN GENERAL.*—Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a capital investment plan for the Coast Guard that identifies for each capital asset for which appropriations are proposed in that budget—

"(1) the proposed appropriations included in the budget;

"(2) the total estimated cost of completion based on the proposed appropriations included in the budget;

"(3) projected funding levels for each fiscal year for the next 5 fiscal years or until project completion, whichever is earlier;

"(4) an estimated completion date based on the proposed appropriations included in the budget;

"(5) an acquisition program baseline, as applicable; and

"(6) projected commissioning and decommissioning dates for each asset.";

(2) by striking subsection (c) and inserting the following:

"(c) *DEFINITIONS.*—In this section, the term 'new capital asset' means—

"(1) an acquisition program that does not have an approved acquisition program baseline; or

"(2) the acquisition of a capital asset in excess of the number included in the approved acquisition program baseline."

(b) *UNFUNDED PRIORITIES.*—Chapter 51 of title 14, United States Code, is amended by adding at the end the following:

"§5108. Unfunded priorities list

"(a) *IN GENERAL.*—Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a list of each unfunded priority for the Coast Guard.

"(b) *PRIORITIZATION.*—The list required under subsection (a) shall present the unfunded priorities in order from the highest priority to the lowest, as determined by the Commandant.

"(c) *UNFUNDED PRIORITY DEFINED.*—In this section, the term 'unfunded priority' means a program or mission requirement that—

"(1) has not been selected for funding in the applicable proposed budget;

"(2) is necessary to fulfill a requirement associated with an operational need; and

"(3) the Commandant would have recommended for inclusion in the applicable proposed budget had additional resources been available or had the requirement emerged before the budget was submitted."

"(6) projected commissioning and decommissioning dates for each asset.";

(2) by striking subsection (c) and inserting the following:

"(c) *DEFINITIONS.*—In this section, the term 'new capital asset' means—

"(1) an acquisition program that does not have an approved acquisition program baseline; or

"(2) the acquisition of a capital asset in excess of the number included in the approved acquisition program baseline."

(b) *UNFUNDED PRIORITIES.*—Chapter 51 of title 14, United States Code, is amended by adding at the end the following:

"§5108. Unfunded priorities list

"(a) *IN GENERAL.*—Not later than 60 days after the date on which the President submits to Congress a budget pursuant to section 1105 of title 31, the Commandant shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a list of each unfunded priority for the Coast Guard.

"(b) *PRIORITIZATION.*—The list required under subsection (a) shall present the unfunded priorities in order from the highest priority to the lowest, as determined by the Commandant.

"(c) *UNFUNDED PRIORITY DEFINED.*—In this section, the term 'unfunded priority' means a program or mission requirement that—

"(1) has not been selected for funding in the applicable proposed budget;

"(2) is necessary to fulfill a requirement associated with an operational need; and

"(3) the Commandant would have recommended for inclusion in the applicable proposed budget had additional resources been available or had the requirement emerged before the budget was submitted."

(c) *CLERICAL AMENDMENT.*—The analysis for chapter 51 of title 14, United States Code, is amended by adding at the end the following:

"5108. Unfunded priorities list."

SEC. 318. SAFETY OF VESSELS OF THE ARMED FORCES.

(a) *IN GENERAL.*—Section 527 of title 14, United States Code, is amended—

(1) in the heading, by striking "naval vessels" and inserting "vessels of the Armed Forces";

(2) in subsection (a), by striking "United States naval vessel" and inserting "vessel of the Armed Forces";

(3) in subsection (b)—

(A) by striking "senior naval officer present in command" and inserting "senior officer present in command"; and

(B) by striking "United States naval vessel" and inserting "vessel of the Armed Forces"; and

(4) by adding at the end the following:

"(e) For purposes of this title, the term 'vessel of the Armed Forces' means—

"(1) any vessel owned or operated by the Department of Defense or the Coast Guard, other than a time- or voyage-chartered vessel; and

"(2) any vessel owned and operated by the Department of Transportation that is designated by the Secretary of the department in which the Coast Guard is operating as a vessel equivalent to a vessel described in paragraph (1)."

(b) *CLERICAL AMENDMENT.*—The analysis for chapter 5 of title 14, United States Code, is further amended by striking the item relating to section 527 and inserting the following:

"527. Safety of vessels of the Armed Forces."

(c) *CONFORMING AMENDMENTS.*—Section 2510(a)(1) of title 14, United States Code, is amended—

(1) by striking "armed forces" and inserting "Armed Forces"; and

(2) by striking "section 101(a) of title 10" and inserting "section 527(e)".

SEC. 319. AIR FACILITIES.

Section 912 of title 14, United States Code, is amended—

(1) by striking "armed forces" and inserting "Armed Forces"; and

(2) by striking "section 101(a) of title 10" and inserting "section 527(e)".

SEC. 319. AIR FACILITIES.

Section 912 of title 14, United States Code, is amended—

(1) by striking "armed forces" and inserting "Armed Forces"; and

(2) by striking "section 101(a) of title 10" and inserting "section 527(e)".

SEC. 319. AIR FACILITIES.

Section 912 of title 14, United States Code, is amended—

(1) by striking "armed forces" and inserting "Armed Forces"; and

(2) by striking "section 101(a) of title 10" and inserting "section 527(e)".

SEC. 319. AIR FACILITIES.

Section 912 of title 14, United States Code, is amended—

(1) by striking "armed forces" and inserting "Armed Forces"; and

(2) by striking "section 101(a) of title 10" and inserting "section 527(e)".

(1) by striking subsection (a);
 (2) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively;
 (3) in subsection (a) as redesignated—
 (A) by amending paragraph (3) to read as follows:

“(3) PUBLIC NOTICE AND COMMENT.—

“(A) IN GENERAL.—Prior to closing an air facility, the Secretary shall provide opportunities for public comment, including the convening of public meetings in communities in the area of responsibility of the air facility with regard to the proposed closure or cessation of operations at the air facility.

“(B) PUBLIC MEETINGS.—Prior to convening a public meeting under subparagraph (A), the Secretary shall notify each congressional office representing any portion of the area of responsibility of the air station that is the subject to such public meeting of the schedule and location of such public meeting.”;

(B) in paragraph (4)—

(i) in the matter preceding subparagraph (A) by striking “2015” and inserting “2017”; and

(ii) by amending subparagraph (A) to read as follows:

“(A) submit to the Congress a proposal for such closure, cessation, or reduction in operations along with the budget of the President submitted to Congress under section 1105(a) of title 31 that includes—

“(i) a discussion of the determination made by the Secretary pursuant to paragraph (2); and

“(ii) a report summarizing the public comments received by the Secretary under paragraph (3)”;

(C) by adding at the end the following:

“(5) CONGRESSIONAL REVIEW.—The Secretary may not close, cease operations, or significantly reduce personnel and use of a Coast Guard air facility for which a written notice is provided under paragraph (4)(A) until a period of 18 months beginning on the date on which such notice is provided has elapsed.”.

TITLE IV—PORTS AND WATERWAYS SAFETY

SEC. 401. CODIFICATION OF PORTS AND WATERWAYS SAFETY ACT.

(a) CODIFICATION.—Subtitle VII of title 46, United States Code, is amended by inserting before chapter 701 the following:

“CHAPTER 700—PORTS AND WATERWAYS SAFETY

“SUBCHAPTER A—VESSEL OPERATIONS

“70001. Vessel traffic services.

“70002. Special powers.

“70003. Port access routes.

“70004. Considerations by Secretary.

“70005. International agreements.

“SUBCHAPTER B—PORTS AND WATERWAYS SAFETY

“70011. Waterfront safety.

“70012. Navigational hazards.

“70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States.

“SUBCHAPTER C—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES

“70021. Conditions for entry to ports in the united states.

“SUBCHAPTER D—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICATION

“70031. Definitions.

“70032. Saint Lawrence Seaway.

“70033. Limitation on application to foreign vessels.

“70034. Regulations.

“70035. Investigatory powers.

“70036. Enforcement.

“SUBCHAPTER I—VESSEL OPERATIONS

“§ 70001. Vessel traffic services

“(a) Subject to the requirements of section 70004, the Secretary—

“(1) in any port or place under the jurisdiction of the United States, in the navigable

waters of the United States, or in any area covered by an international agreement negotiated pursuant to section 70005, may construct, operate, maintain, improve, or expand vessel traffic services, that consist of measures for controlling or supervising vessel traffic or for protecting navigation and the marine environment and that may include one or more of reporting and operating requirements, surveillance and communications systems, routing systems, and fairways;

“(2) shall require appropriate vessels that operate in an area of a vessel traffic service to utilize or comply with that service;

“(3)(A) may require vessels to install and use specified navigation equipment, communications equipment, electronic relative motion analyzer equipment, or any electronic or other device necessary to comply with a vessel traffic service or that is necessary in the interests of vessel safety.

“(B) Notwithstanding subparagraph (A), the Secretary shall not require fishing vessels under 300 gross tons as measured under section 14502, or an alternate tonnage measured under section 14302 as prescribed by the Secretary under section 14104, or recreational vessels 65 feet or less to possess or use the equipment or devices required by this subsection solely under the authority of this chapter;

“(4) may control vessel traffic in areas subject to the jurisdiction of the United States that the Secretary determines to be hazardous, or under conditions of reduced visibility, adverse weather, vessel congestion, or other hazardous circumstances, by—

“(A) specifying times of entry, movement, or departure;

“(B) establishing vessel traffic routing schemes;

“(C) establishing vessel size, speed, or draft limitations and vessel operating conditions; and

“(D) restricting operation, in any hazardous area or under hazardous conditions, to vessels that have particular operating characteristics or capabilities that the Secretary considers necessary for safe operation under the circumstances;

“(5) may require the receipt of prearrival messages from any vessel, destined for a port or place subject to the jurisdiction of the United States, in sufficient time to permit advance vessel traffic planning before port entry, which shall include any information that is not already a matter of record and that the Secretary determines necessary for the control of the vessel and the safety of the port or the marine environment; and

“(6) may prohibit the use on vessels of electronic or other devices that interfere with communication and navigation equipment, except that such authority shall not apply to electronic or other devices certified to transmit in the maritime services by the Federal Communications Commission and used within the frequency bands 157.1875–157.4375 MHz and 161.7875–162.0375 MHz.

“(b) COOPERATIVE AGREEMENTS.—

“(1) IN GENERAL.—The Secretary may enter into cooperative agreements with public or private agencies, authorities, associations, institutions, corporations, organizations, or other persons to carry out the functions under subsection (a)(1).

“(2) LIMITATION.—

“(A) A nongovernmental entity may not under this subsection carry out an inherently governmental function.

“(B) As used in this paragraph, the term ‘inherently governmental function’ means any activity that is so intimately related to the public interest as to mandate performance by an officer or employee of the Federal Government, including an activity that requires either the exercise of discretion in applying the authority of the Government or the use of judgment in making a decision for the Government.

“(c) LIMITATION OF LIABILITY FOR COAST GUARD VESSEL TRAFFIC SERVICE PILOTS AND NON-FEDERAL VESSEL TRAFFIC SERVICE OPERATORS.—

“(1) COAST GUARD VESSEL TRAFFIC SERVICE PILOTS.—Any pilot, acting in the course and scope of his or her duties while at a Coast Guard Vessel Traffic Service, who provides information, advice, or communication assistance while under the supervision of a Coast Guard officer, member, or employee shall not be liable for damages caused by or related to such assistance unless the acts or omissions of such pilot constitute gross negligence or willful misconduct.

“(2) NON-FEDERAL VESSEL TRAFFIC SERVICE OPERATORS.—An entity operating a non-Federal vessel traffic information service or advisory service pursuant to a duly executed written agreement with the Coast Guard, and any pilot acting on behalf of such entity, is not liable for damages caused by or related to information, advice, or communication assistance provided by such entity or pilot while so operating or acting unless the acts or omissions of such entity or pilot constitute gross negligence or willful misconduct.

“§ 70002. Special powers

“The Secretary may order any vessel, in a port or place subject to the jurisdiction of the United States or in the navigable waters of the United States, to operate or anchor in a manner the Secretary directs if—

“(1) the Secretary has reasonable cause to believe such vessel does not comply with any regulation issued under section 70034 or any other applicable law or treaty;

“(2) the Secretary determines such vessel does not satisfy the conditions for port entry set forth in section 70021 of this title; or

“(3) by reason of weather, visibility, sea conditions, port congestion, other hazardous circumstances, or the condition of such vessel, the Secretary is satisfied such direction is justified in the interest of safety.

“§ 70003. Port access routes

“(a) AUTHORITY TO DESIGNATE.—Except as provided in subsection (b) and subject to the requirements of subsection (c), in order to provide safe access routes for the movement of vessel traffic proceeding to or from ports or places subject to the jurisdiction of the United States, the Secretary shall designate necessary fairways and traffic separation schemes for vessels operating in the territorial sea of the United States and in high seas approaches, outside the territorial sea, to such ports or places. Such a designation shall recognize, within the designated area, the paramount right of navigation over all other uses.

“(b) LIMITATION.—

“(1) IN GENERAL.—No designation may be made by the Secretary under this section if—

“(A) the Secretary determines such a designation, as implemented, would deprive any person of the effective exercise of a right granted by a lease or permit executed or issued under other applicable provisions of law; and

“(B) such right has become vested before the time of publication of the notice required by paragraph (1) of subsection (c).

“(2) CONSULTATION REQUIRED.—The Secretary shall make the determination under paragraph (1)(A) after consultation with the head of the agency responsible for executing the lease or issuing the permit.

“(c) CONSIDERATION OF OTHER USES.—Before making a designation under subsection (a), and in accordance with the requirements of section 70004, the Secretary shall—

“(1) undertake a study of the potential traffic density and the need for safe access routes for vessels in any area for which fairways or traffic separation schemes are proposed or that may otherwise be considered and publish notice of such undertaking in the Federal Register;

“(2) in consultation with the Secretary of State, the Secretary of the Interior, the Secretary of Commerce, the Secretary of the Army, and the Governors of affected States, as their responsibilities may require, take into account all other uses of the area under consideration, including, as appropriate, the exploration for, or

exploitation of, oil, gas, or other mineral resources, the construction or operation of deep-water ports or other structures on or above the seabed or subsoil of the submerged lands or the Outer Continental Shelf of the United States, the establishment or operation of marine or estuarine sanctuaries, and activities involving recreational or commercial fishing; and

“(3) to the extent practicable, reconcile the need for safe access routes with the needs of all other reasonable uses of the area involved.

“(d) **STUDY.**—In carrying out the Secretary’s responsibilities under subsection (c), the Secretary shall—

“(1) proceed expeditiously to complete any study undertaken; and

“(2) after completion of such a study, promptly—

“(A) issue a notice of proposed rulemaking for the designation contemplated; or

“(B) publish in the Federal Register a notice that no designation is contemplated as a result of the study and the reason for such determination.

“(e) **IMPLEMENTATION OF DESIGNATION.**—In connection with a designation made under this section, the Secretary—

“(1) shall issue reasonable rules and regulations governing the use of such designated areas, including rules and regulations regarding the applicability of rules 9 and 10 of the International Regulations for Preventing Collisions at Sea, 1972, relating to narrow channels and traffic separation schemes, respectively, in waters where such regulations apply;

“(2) to the extent that the Secretary finds reasonable and necessary to effectuate the purposes of the designation, make the use of designated fairways and traffic separation schemes mandatory for specific types and sizes of vessels, foreign and domestic, operating in the territorial sea of the United States and for specific types and sizes of vessels of the United States operating on the high seas beyond the territorial sea of the United States;

“(3) may, from time to time, as necessary, adjust the location or limits of designated fairways or traffic separation schemes in order to accommodate the needs of other uses that cannot be reasonably accommodated otherwise, except that such an adjustment may not, in the judgment of the Secretary, unacceptably adversely affect the purpose for which the existing designation was made and the need for which continues; and

“(4) shall, through appropriate channels—

“(A) notify cognizant international organizations of any designation, or adjustment thereof; and

“(B) take action to seek the cooperation of foreign States in making it mandatory for vessels under their control to use, to the same extent as required by the Secretary for vessels of the United States, any fairway or traffic separation scheme designated under this section in any area of the high seas.

“§ 70004. Considerations by Secretary

“In carrying out the duties of the Secretary under sections 70001, 70002, and 70003, the Secretary shall—

“(1) take into account all relevant factors concerning navigation and vessel safety, protection of the marine environment, and the safety and security of United States ports and waterways, including—

“(A) the scope and degree of the risk or hazard involved;

“(B) vessel traffic characteristics and trends, including traffic volume, the sizes and types of vessels involved, potential interference with the flow of commercial traffic, the presence of any unusual cargoes, and other similar factors;

“(C) port and waterway configurations and variations in local conditions of geography, climate, and other similar factors;

“(D) the need for granting exemptions for the installation and use of equipment or devices for use with vessel traffic services for certain classes of small vessels, such as self-propelled fishing vessels and recreational vessels;

“(E) the proximity of fishing grounds, oil and gas drilling and production operations, or any other potential or actual conflicting activity;

“(F) environmental factors;

“(G) economic impact and effects;

“(H) existing vessel traffic services; and

“(I) local practices and customs, including voluntary arrangements and agreements within the maritime community; and

“(2) at the earliest possible time, consult with and receive and consider the views of representatives of the maritime community, ports and harbor authorities or associations, environmental groups, and other persons who may be affected by the proposed actions.

“§ 70005. International agreements

“(a) **TRANSMITTAL OF REGULATIONS.**—The Secretary shall transmit, via the Secretary of State, to appropriate international bodies or forums, any regulations issued under this subchapter, for consideration as international standards.

“(b) **AGREEMENTS.**—The President is authorized and encouraged to—

“(1) enter into negotiations and conclude and execute agreements with neighboring nations, to establish compatible vessel standards and vessel traffic services, and to establish, operate, and maintain international vessel traffic services, in areas and under circumstances of mutual concern; and

“(2) enter into negotiations, through appropriate international bodies, and conclude and execute agreements to establish vessel traffic services in appropriate areas of the high seas.

“(c) **OPERATIONS.**—The Secretary, pursuant to any agreement negotiated under subsection (b) that is binding upon the United States in accordance with constitutional requirements, may—

“(1) require vessels operating in an area of a vessel traffic service to utilize or to comply with the vessel traffic service, including the carrying or installation of equipment and devices as necessary for the use of the service; and

“(2) waive, by order or regulation, the application of any United States law or regulation concerning the design, construction, operation, equipment, personnel qualifications, and manning standards for vessels operating in waters over which the United States exercises jurisdiction if such vessel is not en route to or from a United States port or place, and if vessels en route to or from a United States port or place are accorded equivalent waivers of laws and regulations of the neighboring nation, when operating in waters over which that nation exercises jurisdiction.

“(d) **SHIP REPORTING SYSTEMS.**—The Secretary, in cooperation with the International Maritime Organization, may implement and enforce two mandatory ship reporting systems, consistent with international law, with respect to vessels subject to such reporting systems entering the following areas of the Atlantic Ocean:

“(1) Cape Cod Bay, Massachusetts Bay, and Great South Channel (in the area generally bounded by a line starting from a point on Cape Ann, Massachusetts at 42 deg. 39’ N., 70 deg. 37’ W; then northeast to 42 deg. 45’ N., 70 deg. 13’ W; then southeast to 42 deg. 10’ N., 68 deg. 31’ W; then south to 41 deg. 00’ N., 68 deg. 31’ W; then west to 41 deg. 00’ N., 69 deg. 17’ W; then northeast to 42 deg. 05’ N., 70 deg. 02’ W; then west to 42 deg. 04’ N., 70 deg. 10’ W; and then along the Massachusetts shoreline of Cape Cod Bay and Massachusetts Bay back to the point on Cape Ann at 42 deg. 39’ N., 70 deg. 37’ W).

“(2) In the coastal waters of the Southeastern United States within about 25 nm along a 90 nm stretch of the Atlantic seaboard (in an area generally extending from the shoreline east to longitude 80 deg. 51.6’ W with the southern and northern boundary at latitudes 30 deg. 00’ N., 31 deg. 27’ N., respectively).

“SUBCHAPTER II—PORTS AND WATERWAYS SAFETY

“§ 70011. Waterfront safety

“(a) **IN GENERAL.**—The Secretary may take such action as is necessary to—

“(1) prevent damage to, or the destruction of, any bridge or other structure on or in the navigable waters of the United States, or any land structure or shore area immediately adjacent to such waters; and

“(2) protect the navigable waters and the resources therein from harm resulting from vessel or structure damage, destruction, or loss.

“(b) **ACTIONS AUTHORIZED.**—Actions authorized by subsection (a) include—

“(1) establishing procedures, measures, and standards for the handling, loading, unloading, storage, stowage, and movement on a structure (including the emergency removal, control, and disposition) of explosives or other dangerous articles and substances, including oil or hazardous material as those terms are defined in section 2101;

“(2) prescribing minimum safety equipment requirements for a structure to assure adequate protection from fire, explosion, natural disaster, and other serious accidents or casualties;

“(3) establishing water or waterfront safety zones, or other measures, for limited, controlled, or conditional access and activity when necessary for the protection of any vessel, structure, waters, or shore area; and

“(4) establishing procedures for examination to assure compliance with the requirements prescribed under this section.

“(c) **STATE LAW.**—Nothing in this section, with respect to structures, prohibits a State or political subdivision thereof from prescribing higher safety equipment requirements or safety standards than those that may be prescribed by regulations under this section.

“§ 70012. Navigational hazards

“(a) **REPORTING PROCEDURE.**—The Secretary shall establish a program to encourage fishermen and other vessel operators to report potential or existing navigational hazards involving pipelines to the Secretary through Coast Guard field offices.

“(b) **SECRETARY’S RESPONSE.**—

“(1) **NOTIFICATION BY THE OPERATOR OF A PIPELINE.**—Upon notification by the operator of a pipeline of a hazard to navigation with respect to that pipeline, the Secretary shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, and vessel owners and operators in the pipeline’s vicinity.

“(2) **NOTIFICATION BY OTHER PERSONS.**—Upon notification by any other person of a hazard or potential hazard to navigation with respect to a pipeline, the Secretary shall promptly determine whether a hazard exists, and if so shall immediately notify Coast Guard headquarters, the Pipeline and Hazardous Materials Safety Administration, other affected Federal and State agencies, vessel owners and operators in the pipeline’s vicinity, and the owner and operator of the pipeline.

“(c) **PIPELINE DEFINED.**—For purposes of this section, the term ‘pipeline’ has the meaning given the term ‘pipeline facility’ in section 60101(a)(18) of title 49.

“§ 70013. Requirement to notify Coast Guard of release of objects into the navigable waters of the United States

“(a) **REQUIREMENT.**—As soon as a person has knowledge of any release from a vessel or facility into the navigable waters of the United States of any object that creates an obstruction prohibited under section 10 of the Act of March 3, 1899, popularly known as the Rivers and Harbors Appropriations Act of 1899 (33 U.S.C. 403), such person shall notify the Secretary and the Secretary of the Army of such release.

“(b) **RESTRICTION ON USE OF NOTIFICATION.**—Any notification provided by an individual in

accordance with subsection (a) may not be used against such individual in any criminal case, except a prosecution for perjury or for giving a false statement.

"SUBCHAPTER III—CONDITION FOR ENTRY INTO PORTS IN THE UNITED STATES"

"§70021. Conditions for entry to ports in the United States"

"(a) IN GENERAL.—No vessel that is subject to chapter 37 shall operate in the navigable waters of the United States or transfer cargo or residue in any port or place under the jurisdiction of the United States, if such vessel—

"(1) has a history of accidents, pollution incidents, or serious repair problems that, as determined by the Secretary, creates reason to believe that such vessel may be unsafe or may create a threat to the marine environment;

"(2) fails to comply with any applicable regulation issued under section 70034, chapter 37, or any other applicable law or treaty;

"(3) discharges oil or hazardous material in violation of any law of the United States or in a manner or quantities inconsistent with any treaty to which the United States is a party;

"(4) does not comply with any applicable vessel traffic service requirements;

"(5) is manned by one or more officers who are licensed by a certificating State that the Secretary has determined, pursuant to section 9101 of title 46, does not have standards for licensing and certification of seafarers that are comparable to or more stringent than United States standards or international standards that are accepted by the United States;

"(6) is not manned in compliance with manning levels as determined by the Secretary to be necessary to insure the safe navigation of the vessel; or

"(7) while underway, does not have at least one licensed deck officer on the navigation bridge who is capable of clearly understanding English.

"(b) EXCEPTIONS.—"

"(1) IN GENERAL.—The Secretary may allow provisional entry of a vessel that is not in compliance with subsection (a), if the owner or operator of such vessel proves, to the satisfaction of the Secretary, that such vessel is not unsafe or a threat to the marine environment, and if such entry is necessary for the safety of the vessel or persons aboard.

"(2) PROVISIONS NOT APPLICABLE.—Paragraphs (1), (2), (3), and (4) of subsection (a) of this section shall not apply to a vessel allowed provisional entry under paragraph (1) if the owner or operator of such vessel proves, to the satisfaction of the Secretary, that such vessel is no longer unsafe or a threat to the marine environment, and is no longer in violation of any applicable law, treaty, regulation, or condition, as appropriate.

"SUBCHAPTER IV—DEFINITIONS, REGULATIONS, ENFORCEMENT, INVESTIGATORY POWERS, APPLICABILITY"

"§70031. Definitions"

"As used in subchapters A through C and this subchapter, unless the context otherwise requires:

"(1) The term 'marine environment' means—

"(A) the navigable waters of the United States and the land and resources therein and thereunder;

"(B) the waters and fishery resources of any area over which the United States asserts exclusive fishery management authority;

"(C) the seabed and subsoil of the Outer Continental Shelf of the United States, the resources thereof, and the waters superjacent thereto; and

"(D) the recreational, economic, and scenic values of such waters and resources.

"(2) The term 'Secretary' means the Secretary of the department in which the Coast Guard is operating, except that such term means the Secretary of Transportation with respect to the application of this chapter to the Saint Lawrence Seaway.

"(3) The term 'navigable waters of the United States' includes all waters of the territorial sea of the United States as described in Presidential Proclamation No. 5928 of December 27, 1988.

"§70032. Saint Lawrence Seaway"

"The authority granted to the Secretary under sections 70001, 70002, 70003, 70004, and 70011 may not be delegated with respect to the Saint Lawrence Seaway to any agency other than the Saint Lawrence Seaway Development Corporation. Any other authority granted the Secretary under subchapters A through C and this subchapter shall be delegated by the Secretary to the Saint Lawrence Seaway Development Corporation to the extent the Secretary determines such delegation is necessary for the proper operation of the Saint Lawrence Seaway.

"§70033. Limitation on application to foreign vessels"

"Except pursuant to international treaty, convention, or agreement, to which the United States is a party, subchapters A through C and this subchapter shall not apply to any foreign vessel that is not destined for, or departing from, a port or place subject to the jurisdiction of the United States and that is in—

"(1) innocent passage through the territorial sea of the United States; or

"(2) transit through the navigable waters of the United States that form a part of an international strait.

"§70034. Regulations"

"(a) IN GENERAL.—In accordance with section 553 of title 5, the Secretary shall issue, and may from time to time amend or repeal, regulations necessary to implement subchapters A through C and this subchapter.

"(b) CONSULTATION.—In the exercise of the regulatory authority under subchapters A through C and this subchapter, the Secretary shall consult with, and receive and consider the views of all interested persons, including—

"(1) interested Federal departments and agencies;

"(2) officials of State and local governments;

"(3) representatives of the maritime community;

"(4) representatives of port and harbor authorities or associations;

"(5) representatives of environmental groups;

"(6) any other interested persons who are knowledgeable or experienced in dealing with problems involving vessel safety, port and waterways safety, and protection of the marine environment; and

"(7) advisory committees consisting of all interested segments of the public when the establishment of such committees is considered necessary because the issues involved are highly complex or controversial.

"§70035. Investigatory powers"

"(a) SECRETARY.—The Secretary may investigate any incident, accident, or act involving the loss or destruction of, or damage to, any structure subject to subchapters A through C and this subchapter, or that affects or may affect the safety or environmental quality of the ports, harbors, or navigable waters of the United States.

"(b) POWERS.—In an investigation under this section, the Secretary may issue subpoenas to require the attendance of witnesses and the production of documents or other evidence relating to such incident, accident, or act. If any person refuses to obey a subpoena, the Secretary may request the Attorney General to invoke the aid of the appropriate district court of the United States to compel compliance with the subpoena. Any district court of the United States may, in the case of refusal to obey a subpoena, issue an order requiring compliance with the subpoena, and failure to obey the order may be punished by the court as contempt. Witnesses may be paid fees for travel and attendance at rates not exceeding those allowed in a district court of the United States.

"§70036. Enforcement"

"(a) CIVIL PENALTY.—

"(1) IN GENERAL.—Any person who is found by the Secretary, after notice and an opportunity for a hearing, to have violated subchapters A through C or this subchapter or a regulation issued under subchapters A through C or this subchapter shall be liable to the United States for a civil penalty, not to exceed \$25,000 for each violation. Each day of a continuing violation shall constitute a separate violation. The amount of such civil penalty shall be assessed by the Secretary, or the Secretary's designee, by written notice. In determining the amount of such penalty, the Secretary shall take into account the nature, circumstances, extent, and gravity of the prohibited acts committed and, with respect to the violator, the degree of culpability, any history of prior offenses, ability to pay, and such other matters as justice may require.

"(2) COMPROMISE, MODIFICATION, OR REMISSION.—The Secretary may compromise, modify, or remit, with or without conditions, any civil penalty that is subject to imposition or that has been imposed under this section.

"(3) FAILURE TO PAY PENALTY.—If any person fails to pay an assessment of a civil penalty after it has become final, the Secretary may refer the matter to the Attorney General of the United States, for collection in any appropriate district court of the United States.

"(b) CRIMINAL PENALTY.—"

"(1) CLASS D FELONY.—Any person who willfully and knowingly violates subchapters A through C or this subchapter or any regulation issued thereunder commits a class D felony.

"(2) CLASS C FELONY.—Any person who, in the willful and knowing violation of subchapters A through C or this subchapter or of any regulation issued thereunder, uses a dangerous weapon, or engages in conduct that causes bodily injury or fear of imminent bodily injury to any officer authorized to enforce the provisions of such a subchapter or the regulations issued under such subchapter, commits a class C felony.

"(c) IN REM LIABILITY.—Any vessel that is used in violation of subchapters A, B, or C or this subchapter, or any regulations issued under such subchapter, shall be liable in rem for any civil penalty assessed pursuant to subsection (a) and may be proceeded against in the United States district court for any district in which such vessel may be found.

"(d) INJUNCTION.—The United States district courts shall have jurisdiction to restrain violations of subchapter A, B, or C or this subchapter or of regulations issued under such subchapter, for cause shown.

"(e) DENIAL OF ENTRY.—Except as provided in section 70021, the Secretary may, subject to recognized principles of international law, deny entry by any vessel that is not in compliance with subchapter A, B, or C or this subchapter or the regulations issued under such subchapter—

"(1) into the navigable waters of the United States; or

"(2) to any port or place under the jurisdiction of the United States.

"(f) WITHHOLDING OF CLEARANCE.—"

"(1) IN GENERAL.—If any owner, operator, or individual in charge of a vessel is liable for a penalty or fine under this section, or if reasonable cause exists to believe that the owner, operator, or individual in charge may be subject to a penalty or fine under this section, the Secretary of the Treasury, upon the request of the Secretary, shall with respect to such vessel refuse or revoke any clearance required by section 60105 of title 46.

"(2) GRANTING CLEARANCE REFUSED OR REVOKED.—Clearance refused or revoked under this subsection may be granted upon filing of a bond or other surety satisfactory to the Secretary."

"(b) CLERICAL AMENDMENT.—The analysis at the beginning of such subtitle is amended by inserting before the item relating to chapter 701 the following:

"700. Ports and Waterways Safety 70001."

SEC. 402. CONFORMING AMENDMENTS.**(a) ELECTRONIC CHARTS.—**

(1) **TRANSFER OF PROVISION.**—Section 4A of the Ports and Waterways Safety Act (33 U.S.C. 1223a)—

(A) is redesignated as section 3105 of title 46, United States Code, and transferred to appear after section 3104 of that title; and

(B) is amended by striking subsection (b) and inserting the following:

“(b) **LIMITATION ON APPLICATION.**—Except pursuant to an international treaty, convention, or agreement, to which the United States is a party, this section shall not apply to any foreign vessel that is not destined for, or departing from, a port or place subject to the jurisdiction of the United States and that is in—

“(1) innocent passage through the territorial sea of the United States; or

“(2) transit through the navigable waters of the United States that form a part of an international strait.”.

(2) **CLERICAL AMENDMENT.**—The analysis at the beginning of chapter 31 of such title is amended by adding at the end the following:

“3105. Electronic charts.”.

(b) **PORT, HARBOR, AND COASTAL FACILITY SECURITY.**—

(1) **TRANSFER OF PROVISIONS.**—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70116 of title 46, United States Code, and transferred to section 70116 of that title.

(2) **DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.**—Section 70116 of title 46, United States Code, as amended by paragraph (1) of this subsection, is amended by adding at the end the following:

“(c) **DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.**—This section shall be treated as part of chapter 700 for purposes of sections 70031, 70032, 70034, 70035, and 70036.”.

(3) **CLERICAL AMENDMENT.**—The analysis at the beginning of chapter 701 of such title is amended by striking the item relating to section 70116 and inserting the following:

“70116. Port, harbor, and coastal facility security.”.

(c) **NONDISCLOSURE OF PORT SECURITY PLANS.**—Subsection (c) of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226), as so designated before the application of subsection (b)(1) of this section—

(1) is redesignated as subsection (f) of section 70103 of title 46, United States Code, and transferred so as to appear after subsection (e) of such section; and

(2) is amended by striking “this Act” and inserting “this chapter”.

(d) **REPEAL.**—Section 2307 of title 46, United States Code, and the item relating to that section in the analysis at the beginning of chapter 23 of that title, are repealed.

(e) **REPEAL.**—The Ports and Waterways Safety Act (33 U.S.C. 1221–1231, 1232–1232b), as amended by this Act, is repealed.

SEC. 403. TRANSITIONAL AND SAVINGS PROVISIONS.**(a) DEFINITIONS.**—In this section:

(1) **SOURCE PROVISION.**—The term “source provision” means a provision of law that is replaced by a title 46 provision under this title.

(2) **TITLE 46 PROVISION.**—The term “title 46 provision” means a provision of title 46, United States Code, that is enacted by section 402.

(b) **CUTOFF DATE.**—The title 46 provisions replace certain provisions of law enacted before the date of the enactment of this Act. If a law enacted after that date amends or repeals a source provision, that law is deemed to amend or repeal, as the case may be, the corresponding title 46 provision. If a law enacted after that date is otherwise inconsistent with a title 46 provision or a provision of this title, that law supersedes the title 46 provision or provision of this title to the extent of the inconsistency.

(c) **ORIGINAL DATE OF ENACTMENT UNCHANGED.**—For purposes of determining whether

one provision of law supersedes another based on enactment later in time, a title 46 provision is deemed to have been enacted on the date of enactment of the source provision that the title 46 provision replaces.

(d) **REFERENCES TO TITLE 46 PROVISIONS.**—A reference to a title 46 provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding source provision.

(e) **REFERENCES TO SOURCE PROVISIONS.**—A reference to a source provision, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding title 46 provision.

(f) **REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.**—A regulation, order, or other administrative action in effect under a source provision continues in effect under the corresponding title 46 provision.

(g) **ACTIONS TAKEN AND OFFENSES COMMITTED.**—An action taken or an offense committed under a source provision is deemed to have been taken or committed under the corresponding title 46 provision.

SEC. 404. RULE OF CONSTRUCTION.

This title, including the amendments made by this title, is intended only to transfer provisions of the Ports and Waterways Safety Act to title 46, United States Code, and may not be construed to alter—

(1) the effect of a provision of the Ports and Waterways Safety Act, including any authority or requirement therein;

(2) a department or agency interpretation with respect to the Ports and Waterways Safety Act; or

(3) a judicial interpretation with respect to the Ports and Waterways Safety Act.

SEC. 405. ADVISORY COMMITTEE: REPEAL.

Section 18 of the Coast Guard Authorization Act of 1991 (Public Law 102–241; 105 Stat. 2213) is repealed.

SEC. 406. REGATTAS AND MARINE PARADES.

(a) **IN GENERAL.**—Chapter 700 of title 46, United States Code, as established by section 401 of this Act, is amended by adding at the end the following:

“SUBCHAPTER V—REGATTAS AND MARINE PARADES

“§ 70041. Regattas and marine parades

“(a) **IN GENERAL.**—The Commandant of the Coast Guard may issue regulations to promote the safety of life on navigable waters during regattas or marine parades.

“(b) **DETAIL AND USE OF VESSELS.**—To enforce regulations issued under this section—

“(1) the Commandant may detail any public vessel in the service of the Coast Guard and make use of any private vessel tendered gratuitously for that purpose; and

“(2) upon the request of the Commandant, the head of any other Federal department or agency may enforce the regulations by means of any public vessel of such department and any private vessel tendered gratuitously for that purpose.

“(c) **TRANSFER OF AUTHORITY.**—The authority of the Commandant under this section may be transferred by the President for any special occasion to the head of another Federal department or agency whenever in the President’s judgment such transfer is desirable.

“(d) **PENALTIES.**—

“(1) **IN GENERAL.**—For any violation of regulations issued pursuant to this section the following penalties shall be incurred:

“(A) A licensed officer shall be liable to suspension or revocation of license in the manner prescribed by law for incompetency or misconduct.

“(B) Any person in charge of the navigation of a vessel other than a licensed officer shall be liable to a penalty of \$5,000.

“(C) The owner of a vessel (including any corporate officer of a corporation owning the vessel) actually on board shall be liable to a pen-

alty of \$5,000, unless the violation of regulations occurred without the owner’s knowledge.

“(D) Any other person shall be liable to a penalty of \$2,500.

“(2) **MITIGATION OR REMISSION.**—The Commandant may mitigate or remit any penalty provided for in this subsection in the manner prescribed by law for the mitigation or remission of penalties for violation of the navigation laws.”.

(b) **CLERICAL AMENDMENT.**—The analysis for chapter 700 of title 46, United States Code, as established by section 401 of this Act, is amended by adding at the end the following:

“SUBCHAPTER E—REGATTAS AND MARINE PARADES

“70041. Regattas and marine parades.”.

(c) **REPEAL.**—The Act of April 28, 1908 (35 Stat. 69, chapter 151; 33 U.S.C. 1233 et seq.), is repealed.

SEC. 407. REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES.

(a) **ESTABLISHMENT OF SUBCHAPTER F.**—Chapter 700 of title 46, United States Code, as established by section 401 of this Act, is amended by adding at the end the following:

“SUBCHAPTER VI—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

“§ 70054. Definitions

“In this subchapter:

“(1) **UNITED STATES.**—The term ‘United States’ includes all territory and waters, continental or insular, subject to the jurisdiction of the United States.

“(2) **TERRITORIAL WATERS.**—The term ‘territorial waters of the United States’ includes all waters of the territorial sea of the United States as described in Presidential Proclamation 5928 of December 27, 1988.”.

(b) **REGULATION OF ANCHORAGE AND MOVEMENT OF VESSELS DURING NATIONAL EMERGENCY.**—Section 1 of title II of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 191), is amended—

(1) by striking the section designation and all that follows before “by proclamation” and inserting the following:

“§ 70051. Regulation of anchorage and movement of vessels during national emergency

“Whenever the President”;

(2) by striking “of the Treasury”;

(3) by striking “of the department in which the Coast Guard is operating”;

(4) by striking “this title” and inserting “this subchapter”;

(5) by transferring the section so that the section appears before section 70054 of title 46, United States Code (as added by subsection (a) of this section).

(c) **SEIZURE AND FORFEITURE OF VESSEL; FINE AND IMPRISONMENT.**—Section 2 of title II of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 192), is amended—

(1) by striking the section designation and all that follows before “agent,” and inserting the following:

“§ 70052. Seizure and forfeiture of vessel; fine and imprisonment

“(a) **IN GENERAL.**—If any owner,”;

(2) by striking “this title” each place it appears and inserting “this subchapter”;

(3) by transferring the section so that the section appears after section 70051 of title 46, United States Code (as transferred by subsection (b) of this section).

(d) **ENFORCEMENT PROVISIONS.**—Section 4 of title II of the Act of June 15, 1917 (40 Stat. 220, chapter 30; 50 U.S.C. 194), is amended—

(1) by striking all before “may employ” and inserting the following:

“§ 70053. Enforcement provisions

“The President”;

(2) by striking “the purpose of this title” and inserting “this subchapter”;

(3) by transferring the section so that the section appears after section 70052 of title 46,

United States Code (as transferred by subsection (c) of this section).

(e) **CLERICAL AMENDMENT.**—The analysis for chapter 700 of title 46, United States Code, as established by section 401 of this Act, is amended by adding at the end the following:

“SUBCHAPTER F—REGULATION OF VESSELS IN TERRITORIAL WATERS OF UNITED STATES

“70051. Regulation of anchorage and movement of vessels during national emergency.

“70052. Seizure and forfeiture of vessel; fine and imprisonment.

“70053. Enforcement provisions.

“70054. Definitions.”.

SEC. 408. PORT, HARBOR, AND COASTAL FACILITY SECURITY.

(a) **TRANSFER OF PROVISIONS.**—So much of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226) as precedes subsection (c) of that section is redesignated as section 70102a of title 46, United States Code, and transferred so as to appear after section 70102 of that title.

(b) **DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.**—Section 70102a of title 46, United States Code, as amended by paragraph (1) of this subsection, is amended by adding at the end the following:

“(c) **DEFINITIONS, ADMINISTRATION, AND ENFORCEMENT.**—This section shall be treated as part of chapter 700 for purposes of sections 70031, 70032, 70034, 70035, and 70036.”.

(c) **CLERICAL AMENDMENT.**—The analysis at the beginning of chapter 701 of such title is amended by inserting after the item relating to section 70102 the following:

“70102a. Port, harbor, and coastal facility security.”.

(d) **NONDISCLOSURE OF PORT SECURITY PLANS.**—Subsection (c) of section 7 of the Ports and Waterways Safety Act (33 U.S.C. 1226), as so designated before the application of subsection (b)(1) of this section—

(1) is redesignated as subsection (f) of section 70103 of title 46, United States Code, and transferred so as to appear after subsection (e) of such section; and

(2) is amended by striking “this Act” and inserting “this chapter”.

TITLE V—MARITIME TRANSPORTATION SAFETY

SEC. 501. CONSISTENCY IN MARINE INSPECTIONS.

(a) **IN GENERAL.**—Section 3305 of title 46, United States Code, is amended by adding at the end the following:

“(d)(1) The Commandant of the Coast Guard shall ensure that Officers in Charge, Marine Inspections consistently interpret regulations and standards under this subtitle and chapter 700 to avoid disruption and undue expense to industry.

“(2)(A) Subject to subparagraph (B), in the event of a disagreement regarding the condition of a vessel or the interpretation of a regulation or standard referred to in subsection (a) between a local Officer in Charge, Marine Inspection conducting an inspection of the vessel and the Officer in Charge, Marine Inspection that issued the most recent certificate of inspection for the vessel, such Officers shall seek to resolve such disagreement.

“(B) If a disagreement described in subparagraph (A) involves vessel design or plan review, the Coast Guard marine safety center shall be included in all efforts to resolve such disagreement.

“(C) If a disagreement described in subparagraph (A) or (B) cannot be resolved, the local Officer in Charge, Marine Inspection shall submit to the Commandant of the Coast Guard, through the cognizant Coast Guard district commander, a request for a final agency determination of the matter in disagreement.

“(3) The Commandant of the Coast Guard shall—

“(A) provide to each person affected by a decision or action by an Officer in Charge, Marine

Inspection or by the Coast Guard marine safety center all information necessary for such person to exercise any right to appeal such decision or action; and

“(B) if such an appeal is filed, process such appeal under parts 1 through 4 of title 46, Code of Federal Regulations, as in effect on the date of enactment of the Coast Guard Authorization Act of 2017.

“(4) In this section, the term ‘Officer in Charge, Marine Inspection’ means any person from the civilian or military branch of the Coast Guard who—

“(A) is designated as such by the Commandant; and

“(B) under the superintendence and direction of the cognizant Coast Guard district commander, is in charge of an inspection zone for the performance of duties with respect to the inspections under, and enforcement and administration of, subtitle II, chapter 700, and regulations under such laws.”.

(b) **REPORT ON MARINE INSPECTOR TRAINING.**—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the training, experience, and qualifications required for assignment as a marine inspector under section 312 of title 14, United States Code, including—

(1) a description of any continuing education requirement, including a specific list of the required courses;

(2) a description of the training, including a specific list of the included courses, offered to a journeyman or an advanced journeyman marine inspector to advance inspection expertise;

(3) a description of any training that was offered in the 15-year period before the date of the enactment of this Act, but is no longer required or offered, including a specific list of the included courses, including the senior marine inspector course and any plan review courses;

(4) a justification for why a course described in paragraph (3) is no longer required or offered; and

(5) a list of the course content the Commandant considers necessary to promote consistency among marine inspectors in an environment of increasingly complex vessels and vessel systems.

SEC. 502. UNINSPECTED PASSENGER VESSELS IN ST. LOUIS COUNTY, MINNESOTA.

Section 4105 of title 46, United States Code, amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) In applying this title with respect to an uninspected vessel of less than 25 feet overall in length that carries passengers on Crane Lake or waters contiguous to such lake in St. Louis County, Minnesota, the Secretary shall substitute ‘12 passengers’ for ‘6 passengers’ each place it appears in section 2101(51).”.

SEC. 503. ENGINE CUT-OFF SWITCH REQUIREMENTS.

(a) **IN GENERAL.**—Chapter 43 of title 46, United States Code, is amended by adding at the end the following:

“§4312. Engine cut-off switches

“(a) **INSTALLATION REQUIREMENT.**—A manufacturer, distributor, or dealer that installs propulsion machinery and associated starting controls on a covered recreational vessel shall equip such vessel with an engine cut-off switch and engine cut-off switch link that meet American Boat and Yacht Council Standard A-33, as in effect on the date of the enactment of the Coast Guard Authorization Act of 2017.

“(b) **EDUCATION ON CUT-OFF SWITCHES.**—The Commandant of the Coast Guard, through the National Boating Safety Advisory Committee established under section 15105, may initiate a

boating safety program on the use and benefits of cut-off switches for recreational vessels.

“(c) **AVAILABILITY OF STANDARD FOR INSPECTION.**—

“(1) **IN GENERAL.**—Not later than 90 days after the date of the enactment of this section, the Commandant shall transmit American Boat and Yacht Council Standard A-33, as in effect on the date of enactment of the Coast Guard Authorization Act of 2017, to—

“(A) the Committee on Transportation and Infrastructure of the House of Representatives;

“(B) the Committee on Commerce, Science, and Transportation of the Senate; and

“(C) the Coast Guard Office of Design and Engineering Standards; and

“(D) the National Archives and Records Administration.

“(2) **AVAILABILITY.**—The standard submitted under paragraph (1) shall be kept on file and available for public inspection at such Coast Guard office and the National Archives and Records Administration.

“(d) **DEFINITIONS.**—In this section:

“(1) **COVERED RECREATIONAL VESSEL.**—The term ‘covered recreational vessel’ means a recreational vessel that is—

“(A) less than 26 feet overall in length; and

“(B) capable of developing 115 pounds or more of static thrust.

“(2) **DEALER.**—The term ‘dealer’ means any person who is engaged in the sale and distribution of recreational vessels or associated equipment to purchasers whom the seller in good faith believes to be purchasing any such vessel or associated equipment for purposes other than resale.

“(3) **DISTRIBUTOR.**—The term ‘distributor’ means any person engaged in the sale and distribution of recreational vessels and associated equipment for the purposes of resale.

“(4) **MANUFACTURER.**—The term ‘equipment manufacturer’ means any person engaged in the manufacture, construction, or assembly of recreational vessels or associated equipment, or the importation of recreational vessels into the United States for subsequent sale.

“(5) **PROPULSION MACHINERY.**—The term ‘propulsion machinery’ means a self-contained propulsion system, and includes, but is not limited to, inboard engines, outboard motors, and sterndrive engines.

“(6) **STATIC THRUST.**—The term ‘static thrust’ means the forward or backwards thrust developed by propulsion machinery while stationary.”.

(b) **CLERICAL AMENDMENT.**—The analysis at the beginning of such chapter is amended by adding at the end the following:

“4312. Engine cut-off switches.”.

(c) **EFFECTIVE DATE.**—Section 4312 of title 46, United States Code, as amended by this section, shall take effect one year after the date of the enactment of this Act.

SEC. 504. EXCEPTION FROM SURVIVAL CRAFT REQUIREMENTS.

Section 4502(b) of title 46, United States Code, is amended—

(1) in paragraph (2)(B), by striking “a survival craft” and inserting “subject to paragraph (3), a survival craft”;

(2) by adding at the end the following:

“(3) Except for a nonapplicable vessel, an auxiliary craft shall satisfy the equipment requirement under paragraph (2)(B) if such craft is—

“(A) necessary for normal fishing operations;

“(B) readily accessible during an emergency; and

“(C) capable, in accordance with the Coast Guard capacity rating, when applicable, of safely holding all individuals on board the vessel to which the craft functions as an auxiliary.”; and (3) by adding at the end the following:

“(k) For the purposes of this section, the term ‘auxiliary craft’ means a vessel that is carried onboard a fishing vessel and is normally used to support fishing operations.”.

SEC. 505. SAFETY STANDARDS.

Section 4502(f) of title 46, United States Code, is amended by striking paragraphs (2) and (3) and inserting the following:

“(2) shall examine at dockside a vessel described in subsection (b) at least once every 5 years, but may require an exam at dockside every 2 years for certain vessels described in subsection (b) if requested by the owner or operator; and

“(3) shall issue a certificate of compliance to a vessel meeting the requirements of this chapter and satisfying the requirements in paragraph (2).”.

SEC. 506. FISHING SAFETY GRANTS.

Section 4502 of title 46, United States Code, is amended—

(1) in subsections (i) and (j), by striking “Secretary” each place it appears and inserting “Secretary of Health and Human Services”;

(2) in subsection (i)(2), as amended by paragraph (1), by inserting “, in consultation with and based on criteria established by the Commandant of the Coast Guard” after “Health and Human Services”;

(3) in subsection (i)(3), by striking “75” and inserting “50”;

(4) in subsection (i)(4), by striking “\$3,000,000 for each of fiscal years 2015 through 2017” and inserting “\$3,000,000 for each of fiscal years 2018 through 2019”;

(5) in subsection (j)(2), as amended by paragraph (1), by inserting “, in consultation with and based on criteria established by the Commandant of the Coast Guard,” after “Health and Human Services”;

(6) in subsection (j)(3), by striking “75” and inserting “50”;

(7) in subsection (j)(4), by striking “\$3,000,000 for each fiscal years 2015 through 2017” and inserting “\$3,000,000 for each of fiscal years 2018 through 2019”.

SEC. 507. FISHING, FISH TENDER, AND FISH PROCESSING VESSEL CERTIFICATION.

(a) **NONAPPLICATION.**—Section 4503(c)(2)(A) of title 46, United States Code, is amended by striking “79” and inserting “180”.

(b) **DETERMINING WHEN KEEL IS LAID.**—Section 4503(f) of title 46, United States Code, as redesignated by section 508 of this Act, is further amended to read as follows:

“(f)(1) For purposes of this section and section 4503a, the term ‘built’ means, with respect to a vessel, that the vessel’s construction has reached any of the following stages:

“(A) The vessel’s keel is laid.

“(B) Construction identifiable with the vessel has begun and assembly of that vessel has commenced comprising of at least 50 metric tons or one percent of the estimated mass of all structural material, whichever is less.

“(2) In the case of a vessel greater than 79 feet overall in length, for purposes of paragraph (1)(A) a keel is deemed to be laid when a marine surveyor affirms that a structure adequate for serving as a keel for such vessel is in place and identified for use in the construction of such vessel.”.

SEC. 508. DEADLINE FOR COMPLIANCE WITH ALTERNATE SAFETY COMPLIANCE PROGRAM.

(a) **IN GENERAL.**—Section 4503(d) of title 46, United States Code, is redesignated as section 4503a and transferred to appear after section 4503 of such title.

(b) **FISHING, FISH TENDER, AND FISH PROCESSING VESSEL CERTIFICATION.**—Section 4503 of title 46, United States Code, is amended—

(1) by redesignating subsections (e), (f), and (g) as subsections (d), (e), and (f), respectively;

(2) in subsection (b), by striking “subsection (d)” and inserting “section 4503a”;

(3) in subsection (c)(2)(B)(ii)(I), by striking “subsection (e)” and inserting “subsection (d)”;

(4) in subsection (c)(2)(B)(ii)(II), by striking “subsection (f)” and inserting “subsection (e)”;

(5) in subsection (e)(1), as amended by paragraph (1) of this subsection, by striking “sub-

section (e)” each place it appears and inserting “subsection (d)”;

(6) in subsection (e)(2), as amended by paragraph (1) of this subsection, by striking “subsection (e)” each place it appears and inserting “subsection (d)”;

(c) **ALTERNATE SAFETY COMPLIANCE PROGRAM.**—Section 4503a of title 46, United States Code, as redesignated and transferred by subsection (a) of this section, is amended—

(1) by redesignating paragraphs (1), (2), (3), (4), and (5) as subsections (a), (b), (c), (d), and (e), respectively;

(2) by inserting before subsection (a), as so redesignated, the following:

“**§4503a. Alternate safety compliance program**”;

(3) in subsection (a), as redesignated by paragraph (1) of this subsection, by striking “After January 1, 2020,” and all that follows through “the Secretary, if” and inserting “Subject to subsection (c), beginning on the date that is 3 years after the date that the Secretary prescribes an alternate safety compliance program, a fishing vessel, fish processing vessel, or fish tender vessel to which section 4502(b) of this title applies shall comply with such an alternate safety compliance program, if”;

(4) in subsection (a), as so redesignated, by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively;

(5) in subsection (b), as so redesignated, by striking “establishes standards for an alternate safety compliance program, shall comply with such an alternative safety compliance program that is developed in cooperation with the commercial fishing industry and prescribed by the Secretary” and inserting “prescribes an alternate safety compliance program under subsection (a), shall comply with such an alternate safety compliance program”;

(6) by amending subsection (c), as so redesignated, to read as follows:

“(c) For purposes of subsection (a), a separate alternate safety compliance program may be developed for a specific region or specific fishery.”;

(7) in subsection (d), as so redesignated—

(A) by striking “paragraph (1)” and inserting “subsection (a)”;

(B) by striking “that paragraph” each place it appears and inserting “that subsection”;

(8) in subsection (e), as so redesignated, by—

(A) inserting “is not eligible to participate in an alternative safety compliance program prescribed under subsection (a) and” after “July 1, 2012”;

(B) redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(9) by adding at the end the following:

“(f) For the purposes of this section, the term ‘built’ has the meaning given that term in section 4503(f).”.

(d) **CLERICAL AMENDMENT.**—The analysis at the beginning of chapter 45 of such title is amended by inserting after the item relating to section 4503 the following

“4503a. Alternate safety compliance program.”.

(e) **CONFORMING AMENDMENT.**—Section 3104 of title 46, United States Code, is amended by striking “section 4503(e)” and inserting “section 4503(d)”.

(f) **FINAL RULE.**—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall issue a final rule implementing the requirements enumerated in section 4503(d) of title 46, as amended by subsection (b)(1) of this section.

(g) **ALTERNATE SAFETY COMPLIANCE PROGRAM STATUS REPORT.**—

(1) **IN GENERAL.**—Not later than January 1, 2020, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the status of the

development of the alternate safety compliance program directed by section 4503a of title 46, United States Code, as redesignated by subsection (c).

(2) **CONTENTS.**—The report required under paragraph (1) shall include discussion of—

(A) steps taken in the rulemaking process to establish the alternate safety compliance program;

(B) communication and collaboration between the Coast Guard, the department in which the Coast Guard is operating, and the commercial fishing vessel industry regarding the development of the alternate safety compliance program;

(C) consideration given to developing alternate safety compliance programs for specific regions and fisheries, as authorized in section 4503a(c) of such title, as redesignated by subsection (c);

(D) any identified legislative changes necessary to implement an effective alternate safety compliance program; and

(E) the timeline and planned actions that will be taken to implement regulations necessary to fully establish an alternate safety compliance program before January 1, 2020.

SEC. 509. TERMINATION OF UNSAFE OPERATIONS; TECHNICAL CORRECTION.

Section 4505(2) of title 46, United States Code, is amended—

(1) by striking “4503(1)” and inserting “4503(a)(2)”;

(2) by inserting before the period the following: “, except that this paragraph shall not apply with respect to a vessel to which section 4503a applies”.

SEC. 510. TECHNICAL CORRECTIONS: LICENSES, CERTIFICATES OF REGISTRY, AND MERCHANT MARINER DOCUMENTS.

Title 46, United States Code, is amended—

(1) in section 7106(b), by striking “merchant mariner’s document,” and inserting “license,”;

(2) in section 7107(b), by striking “merchant mariner’s document,” and inserting “certificate of registry,”;

(3) in section 7507(b)(1), by striking “licenses or certificates of registry” and inserting “merchant mariner documents”;

(4) in section 7507(b)(2) by striking “merchant mariner’s document.” and inserting “license or certificate of registry.”.

SEC. 511. CLARIFICATION OF LOGBOOK ENTRIES.

(a) **IN GENERAL.**—Section 11304 of title 46, United States Code, is amended—

(1) in subsection (a), by striking “an official logbook, which” and inserting “a logbook, which may be in any form, including electronic, and”;

(2) in subsection (b), by amending paragraph (3) to read as follows:

“(3) Each illness of, and injury to, a seaman of the vessel, the nature of the illness or injury, and the medical treatment provided for the injury or illness.”.

(b) **TECHNICAL AMENDMENT.**—Section 11304(b) is amended by striking “log book” and inserting “logbook”.

SEC. 512. CERTIFICATES OF DOCUMENTATION FOR RECREATIONAL VESSELS.

Section 12105 of title 46, United States Code, is amended by adding at the end the following:

“(e) **EFFECTIVE PERIOD.**—

“(1) **IN GENERAL.**—Except as provided in paragraphs (2) and (3), a certificate of documentation issued under this part is valid for a 1-year period and may be renewed for additional 1-year periods.

“(2) **RECREATIONAL VESSELS.**—

“(A) **IN GENERAL.**—A certificate of documentation for a recreational vessel and the renewal of such a certificate shall be effective for a 5-year period.

“(B) **PHASE-IN PERIOD.**—During the period beginning January 1, 2019, and ending December 31, 2021, the owner or operator of a recreational vessel may choose a period of effectiveness of between 1 and 5 years for such a certificate of doc-

umentation for such vessel or the renewal thereof.

“(C) FEES.—

“(i) REQUIREMENT.—The Secretary shall assess and collect a fee—

“(I) for the issuance of a certificate of documentation for a recreational vessel that is equivalent to the fee established for the issuance of a certificate of documentation under section 2110; and

“(II) for the renewal of a certificate of documentation for a recreational vessel that is equivalent to the number of years of effectiveness of the certificate of documentation multiplied by the fee established for the renewal of a certificate of documentation under section 2110.

“(ii) TREATMENT.—Fees collected under this subsection—

“(I) shall be credited to the account from which the costs of such issuance or renewal were paid; and

“(II) may remain available until expended.

“(3) NOTICE OF CHANGE IN INFORMATION.—

“(A) REQUIREMENT.—The owner of a vessel shall notify the Coast Guard of each change in the information on which the issuance of the certificate of documentation for the vessel is based that occurs before the expiration of the certificate under this subsection, by not later than 30 days after such change.

“(B) TERMINATION OF CERTIFICATE.—The certificate of documentation for a vessel shall terminate upon the expiration of such 30-day period if the owner has not notified the Coast Guard of such change before the end of such period.

“(4) STATE AND LOCAL AUTHORITY TO REMOVE ABANDONED AND DERELICT VESSELS.—Nothing in this section shall be construed to limit the authority of a State or local authority from taking action to remove an abandoned or derelict vessel.”.

SEC. 513. NUMBERING FOR UNDOCUMENTED BARGES.

Section 12301(b) of title 46, United States Code, is amended—

(1) by striking “shall” and inserting “may”; and

(2) by inserting “of” after “barge”.

SEC. 514. BACKUP NATIONAL TIMING SYSTEM.

(a) SHORT TITLE.—This section may be cited as the “National Timing Resilience and Security Act of 2018”.

(b) IN GENERAL.—Chapter 30 of title 49, United States Code, is amended by adding at the end the following:

“§312. Alternative timing system

“(a) IN GENERAL.—Subject to the availability of appropriations, the Secretary of Transportation shall provide for the establishment, sustainment, and operation of a land-based, resilient, and reliable alternative timing system—

“(1) to reduce critical dependencies and provide a complement to and backup for the timing component of the Global Positioning System (referred to in this section as ‘GPS’); and

“(2) to ensure the availability of uncorrupted and non-degraded timing signals for military and civilian users in the event that GPS timing signals are corrupted, degraded, unreliable, or otherwise unavailable.

“(b) ESTABLISHMENT OF REQUIREMENTS.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of the National Timing Resilience and Security Act of 2018, the Secretary of Transportation shall establish requirements for the procurement of the system required by subsection (a) as a complement to and backup for the timing component of GPS in accordance with the timing requirements study required by section 1618 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2595).

“(2) REQUIREMENTS.—The Secretary of Transportation shall ensure, to the maximum extent practicable, that the system established under subsection (a) will—

“(A) be wireless;

“(B) be terrestrial;

“(C) provide wide-area coverage;

“(D) be synchronized with coordinated universal time;

“(E) be resilient and extremely difficult to disrupt or degrade;

“(F) be able to penetrate underground and inside buildings;

“(G) be capable of deployment to remote locations;

“(H) be developed, constructed, and operated incorporating applicable private sector expertise;

“(I) work in concert with and complement any other similar positioning, navigation, and timing systems, including enhanced long-range navigation systems and Nationwide Differential GPS systems;

“(J) be available for use by Federal and non-Federal government agencies for public purposes at no net cost to the Federal Government within 10 years of initiation of operation;

“(K) be capable of adaptation and expansion to provide position and navigation capabilities;

“(L) incorporate the recommendations from any GPS back-up demonstration program initiated and completed by the Secretary, in coordination with other Federal agencies, before the date specified in subsection (c)(1); and

“(M) incorporate such other elements as the Secretary considers appropriate.

“(c) IMPLEMENTATION PLAN.—

“(1) PLAN REQUIRED.—Not later than 180 days after the date of enactment of the National Timing Resilience and Security Act of 2018, the Secretary of Transportation shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report setting forth the following:

“(A) A plan to develop, construct, and operate the system required by subsection (a).

“(B) A description and assessment of the advantages of a system to provide a follow-on complementary and backup positioning and navigation capability to the timing component of GPS.

“(2) DEADLINE FOR COMMENCEMENT OF OPERATION.—The system required by subsection (a) shall be in operation by not later than 2 years after the date of enactment of the National Timing Resilience and Security Act of 2018.

“(3) MINIMUM DURATION OF OPERATIONAL CAPABILITY.—The system required by subsection (a) shall be designed to be fully operational for not less than 20 years.

“(d) LORAN FACILITIES.—

“(1) IN GENERAL.—If the Secretary of Transportation determines that any LORAN infrastructure, including the underlying real property and any spectrum associated with LORAN, in the possession of the Coast Guard is required by the Department of Transportation for the purpose of establishing the system required by subsection (a), the Commandant shall transfer such property, spectrum, and equipment to the Secretary.

“(2) CERCLA NOT AFFECTED.—This subsection shall not be construed to limit the application of or otherwise affect section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) with respect to the Federal Government facilities described in paragraph (1).

“(e) COOPERATIVE AGREEMENT.—

“(1) IN GENERAL.—The Secretary of Transportation may enter into a cooperative agreement (as that term is described in section 6305 of title 31) with an entity upon such terms and conditions as the Secretary of Transportation determines will fulfill the purpose and requirements of this section and be in the public interest.

“(2) REQUIREMENTS.—The cooperative agreement under paragraph (1) shall, at a minimum, require the Secretary of Transportation to—

“(A) authorize the entity to sell timing and other services to commercial and non-commercial third parties, subject to any national security requirements determined by the Secretary, in consultation with the Secretary of Defense;

“(B) require the entity to develop, construct, and operate at private expense the backup timing system in accordance with this section;

“(C) allow the entity to make any investments in technologies necessary over the life of such agreement to meet future requirements for advanced timing resilience and technologies;

“(D) require the entity to share 25 percent of the gross proceeds received by the entity from the sale of timing services to third parties with the Secretary for at least 10 years after the date upon which the Secretary enters into the cooperative agreement;

“(E) require the entity—

“(i) to assume all financial risk for the completion and operational capability of the system, after the Secretary provides any LORAN facilities necessary for the system under subsection (d), if required for the alternative timing system; and

“(ii) to furnish performance and payment bonds in connection with the system in a reasonable amount as determined by the Secretary; and

“(F) require the entity to make any investments in technologies necessary over the life of the agreement to meet future requirements for advanced timing resiliency.

“(3) COMPETITION REQUIRED.—The Secretary shall use competitive procedures similar to those authorized under section 2667 of title 10 in selecting an entity to enter into a cooperative agreement pursuant to this subsection.

“(4) AUTHORIZATION TO PURCHASE SERVICES.—The Secretary may not purchase timing system services from the entity for use by the Department of Transportation or for provision to other Federal and non-Federal governmental agencies until the system achieves operational status, and then only if the necessary funds for such purchases are provided for in subsequent yearly appropriations acts made available to the Secretary for each and every year in which such purchases are made.

“(5) DETERMINATION REQUIREMENT.—The Secretary may not enter into a cooperative agreement under this subsection unless the Secretary determines that the cooperative agreement is in the best financial interest of the Federal Government. The Secretary shall notify the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives of such determination not later than 30 days after the date of the determination.

“(6) DEFINITION.—In this subsection the term ‘entity’ means a non-Federal entity with the demonstrated technical expertise and requisite administrative and financial resources to meet any terms and conditions established by the Secretary for purposes of this subsection.”.

(c) TABLE OF CONTENTS.—The table of contents for chapter 3 of title 49, United States Code, is amended by adding at the end the following:

“312. Alternative timing system.”.

SEC. 515. SCIENTIFIC PERSONNEL.

Section 2101(41) of title 46, United States Code, is amended—

(1) by inserting “(A) Subject to subparagraph (B),” before the text; and

(2) by adding at the end the following:

“(B)(i) Such term includes an individual who is on board an oceanographic research vessel only to—

“(I) engage in scientific research;

“(II) instruct in oceanography or limnology; or

“(III) receive instruction in oceanography or limnology.

“(ii) For purposes of clause (i), the age of an individual may not be considered in determining whether the individual is described in such clause.”.

SEC. 516. TRANSPARENCY.

(a) IN GENERAL.—The Commandant of the Coast Guard shall publish any letter of deter-

mination issued by the Coast Guard National Vessel Documentation Center after the date of the enactment of this Act on the National Vessel Documentation Center website not later than 30 days after the date of issuance of such letter of determination.

(b) AUDIT.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct an audit, the results of which shall be made publicly available, of—

(A) the method or process by which the Coast Guard National Vessel Documentation Center develops policy for and documents compliance with the requirements of section 67.97 of title 46, Code of Federal Regulations, for the purpose of issuing endorsements under section 12112 and 12113 of title 46, United States Code;

(B) the coordination between the Coast Guard and U.S. Customs and Border Protection with respect to the enforcement of such requirements; and

(C) the extent to which the Secretary of the department in which the Coast Guard is operating and the Secretary of Transportation, through the Maritime Administration, have published and disseminated information to promote compliance with applicable vessel construction requirements.

(2) REPORT.—Not later than 90 days after the audit under paragraph (1) is complete, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report regarding the results of and recommendations made pursuant to such audit.

(c) OUTLINE.—Not later than 180 days after the date of the submission of the Comptroller General of the United States report required under subsection (b), the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives an outline of plans—

(1) to enhance the transparency of the documentation process, and communications with the maritime industry regarding such process over the next 5 years; and

(2) to implement the recommendations made by the Comptroller General of the United States in the report required under subsection (b)(2).

TITLE VI—ADVISORY COMMITTEES

SEC. 601. NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES.

(a) IN GENERAL.—Subtitle II of title 46, United States Code, is amended by adding at the end the following:

“PART K—NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES

“CHAPTER 151—NATIONAL MARITIME TRANSPORTATION ADVISORY COMMITTEES

“Sec.

“15101. National Chemical Transportation Safety Advisory Committee.

“15102. National Commercial Fishing Safety Advisory Committee.

“15103. National Merchant Marine Personnel Advisory Committee.

“15104. National Merchant Mariner Medical Advisory Committee.

“15105. National Boating Safety Advisory Committee.

“15106. National Offshore Safety Advisory Committee.

“15107. National Navigation Safety Advisory Committee.

“15108. National Towing Safety Advisory Committee.

“15109. Administration.

“§15101. National Chemical Transportation Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Chemical Transportation Safety Advi-

sory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to the safe and secure marine transportation of hazardous materials.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of not more than 25 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Each member of the Committee shall represent 1 of the following:

“(A) Chemical manufacturing entities.

“(B) Entities related to marine handling or transportation of chemicals.

“(C) Vessel design and construction entities.

“(D) Marine safety or security entities.

“(E) Marine environmental protection entities.

“(4) DISTRIBUTION.—The Secretary shall, based on the needs of the Coast Guard, determine the number of members of the Committee who represent each entity specified in paragraph (3). Neither this paragraph nor any other provision of law shall be construed to require an equal distribution of members representing each entity specified in paragraph (3).

“§15102. National Commercial Fishing Safety Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Commercial Fishing Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall—

“(1) advise the Secretary on matters relating to the safe operation of vessels to which chapter 45 of this title applies, including the matters of—

“(A) navigation safety;

“(B) safety equipment and procedures;

“(C) marine insurance;

“(D) vessel design, construction, maintenance, and operation; and

“(E) personnel qualifications and training; and

“(2) review regulations proposed under chapter 45 of this title (during preparation of the regulations).

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of 18 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 10 members shall represent the commercial fishing industry and—

“(i) as a group, shall together reflect a regional and representational balance; and

“(ii) as individuals, shall each have experience—

“(I) in the operation of vessels to which chapter 45 of this title applies; or

“(II) as a crew member or processing line worker on a fish processing vessel.

“(B) 1 member shall represent naval architects and marine engineers.

“(C) 1 member shall represent manufacturers of equipment for vessels to which chapter 45 of this title applies.

“(D) 1 member shall represent education and training professionals related to fishing vessel, fish processing vessel, and fish tender vessel safety and personnel qualifications.

“(E) 1 member shall represent underwriters that insure vessels to which chapter 45 of this title applies.

“(F) 1 member shall represent owners of vessels to which chapter 45 of this title applies.

“(G) 3 members shall represent the general public and, to the extent possible, shall include—

“(i) an independent expert or consultant in maritime safety;

“(ii) a marine surveyor who provides services to vessels to which chapter 45 of this title applies; and

“(iii) a person familiar with issues affecting fishing communities and the families of fishermen.

“§15103. National Merchant Marine Personnel Advisory Committee

“(a) ESTABLISHMENT.—There is established a National Merchant Marine Personnel Advisory Committee (in this section referred to as the ‘Committee’).

“(b) FUNCTION.—The Committee shall advise the Secretary on matters relating to personnel in the United States merchant marine, including the training, qualifications, certification, documentation, and fitness of mariners.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Committee shall consist of 19 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

“(A) 9 members shall represent mariners and, of the 9—

“(i) each shall—

“(I) be a citizen of the United States; and

“(II) hold an active license or certificate issued under chapter 71 of this title or a merchant mariner document issued under chapter 73 of this title;

“(ii) 3 shall be deck officers who represent merchant marine deck officers and, of the 3—

“(I) 2 shall be licensed for oceans any gross tons;

“(II) 1 shall be licensed for inland river route with a limited or unlimited tonnage;

“(III) 2 shall have a master's license or a master of towing vessels license;

“(IV) 1 shall have significant tanker experience; and

“(V) to the extent practicable—

“(aa) 1 shall represent labor; and

“(bb) 1 shall represent management;

“(iii) 3 shall be engineering officers who represent merchant marine engineering officers and, of the 3—

“(I) 2 shall be licensed as chief engineer any horsepower;

“(II) 1 shall be licensed as either a limited chief engineer or a designated duty engineer; and

“(III) to the extent practicable—

“(aa) 1 shall represent labor; and

“(bb) 1 shall represent management;

“(iv) 2 shall be unlicensed seamen who represent merchant marine unlicensed seaman and, of the 2—

“(I) 1 shall represent able-bodied seamen; and

“(II) 1 shall represent qualified members of the engine department; and

“(v) 1 shall be a pilot who represents merchant marine pilots.

“(B) 6 members shall represent marine educators and, of the 6—

“(i) 3 shall be marine educators who represent maritime academies and, of the 3—

“(I) 2 shall represent State maritime academies (and are jointly recommended by such academies); and

“(II) 1 shall represent either State maritime academies or the United States Merchant Marine Academy; and

“(ii) 3 shall be marine educators who represent other maritime training institutions and, of the 3, 1 shall represent the small vessel industry.

“(C) 2 members shall represent shipping companies employed in ship operation management.

“(D) 2 members shall represent the general public.

“§15104. National Merchant Mariner Medical Advisory Committee

“(a) **ESTABLISHMENT.**—There is established a National Merchant Mariner Medical Advisory Committee (in this section referred to as the ‘Committee’).

“(b) **FUNCTION.**—The Committee shall advise the Secretary on matters relating to—

“(1) medical certification determinations for the issuance of licenses, certification of registry, and merchant mariners’ documents with respect to merchant mariners;

“(2) medical standards and guidelines for the physical qualifications of operators of commercial vessels;

“(3) medical examiner education; and

“(4) medical research.

“(c) **MEMBERSHIP.**—

“(1) **IN GENERAL.**—The Committee shall consist of 14 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) **EXPERTISE.**—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) **REPRESENTATION.**—Members of the Committee shall be appointed as follows:

“(A) 9 shall represent health-care professionals and have particular expertise, knowledge, and experience regarding the medical examinations of merchant mariners or occupational medicine.

“(B) 5 shall represent professional mariners and have particular expertise, knowledge, and experience in occupational requirements for mariners.

“§15105. National Boating Safety Advisory Committee

“(a) **ESTABLISHMENT.**—There is established a National Boating Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) **FUNCTION.**—The Committee shall advise the Secretary on matters relating to national boating safety.

“(c) **MEMBERSHIP.**—

“(1) **IN GENERAL.**—The Committee shall consist of 21 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) **EXPERTISE.**—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) **REPRESENTATION.**—Members of the Committee shall be appointed as follows:

“(A) 7 members shall represent State officials responsible for State boating safety programs.

“(B) 7 members shall represent recreational vessel and associated equipment manufacturers.

“(C) 7 members shall represent the general public or national recreational boating organizations and, of the 7, at least 5 shall represent national recreational boating organizations.

“§15106. National Offshore Safety Advisory Committee

“(a) **ESTABLISHMENT.**—There is established a National Offshore Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) **FUNCTION.**—The Committee shall advise the Secretary on matters relating to activities directly involved with, or in support of, the exploration of offshore mineral and energy resources, to the extent that such matters are within the jurisdiction of the Coast Guard.

“(c) **MEMBERSHIP.**—

“(1) **IN GENERAL.**—The Committee shall consist of 15 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) **EXPERTISE.**—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) **REPRESENTATION.**—Members of the Committee shall be appointed as follows:

“(A) 2 members shall represent entities engaged in the production of petroleum.

“(B) 2 members shall represent entities engaged in offshore drilling.

“(C) 2 members shall represent entities engaged in the support, by offshore supply vessels or other vessels, of offshore mineral and oil operations, including geophysical services.

“(D) 1 member shall represent entities engaged in the construction of offshore exploration and recovery facilities.

“(E) 1 member shall represent entities engaged in diving services related to offshore construction, inspection, and maintenance.

“(F) 1 member shall represent entities engaged in safety and training services related to offshore exploration and construction.

“(G) 1 member shall represent entities engaged in pipelaying services related to offshore construction.

“(H) 2 members shall represent individuals employed in offshore operations and, of the 2, 1 shall have recent practical experience on a vessel or offshore unit involved in the offshore mineral and energy industry.

“(I) 1 member shall represent national environmental entities.

“(J) 1 member shall represent deepwater ports.

“(K) 1 member shall represent the general public (but not a specific environmental group).

“§15107. National Navigation Safety Advisory Committee

“(a) **ESTABLISHMENT.**—There is established a National Navigation Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) **FUNCTION.**—The Committee shall advise the Secretary on matters relating to maritime collisions, ramblings, and groundings, Inland Rules of the Road, International Rules of the Road, navigation regulations and equipment, routing measures, marine information, and aids to navigation systems.

“(c) **MEMBERSHIP.**—

“(1) **IN GENERAL.**—The Committee shall consist of not more than 21 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) **EXPERTISE.**—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) **REPRESENTATION.**—Each member of the Committee shall represent 1 of the following:

“(A) Commercial vessel owners or operators.

“(B) Professional mariners.

“(C) Recreational boaters.

“(D) The recreational boating industry.

“(E) State agencies responsible for vessel or port safety.

“(F) The Maritime Law Association.

“(4) **DISTRIBUTION.**—The Secretary shall, based on the needs of the Coast Guard, determine the number of members of the Committee who represent each entity specified in paragraph (3). Neither this paragraph nor any other provision of law shall be construed to require an equal distribution of members representing each entity specified in paragraph (3).

“§15108. National Towing Safety Advisory Committee

“(a) **ESTABLISHMENT.**—There is established a National Towing Safety Advisory Committee (in this section referred to as the ‘Committee’).

“(b) **FUNCTION.**—The Committee shall advise the Secretary on matters relating to shallow-draft inland navigation, coastal waterway navigation, and towing safety.

“(c) **MEMBERSHIP.**—

“(1) **IN GENERAL.**—The Committee shall consist of 18 members appointed by the Secretary in accordance with this section and section 15109 of this chapter.

“(2) **EXPERTISE.**—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(3) **REPRESENTATION.**—Members of the Committee shall be appointed as follows:

“(A) 7 members shall represent the barge and towing industry, reflecting a regional geographic balance.

“(B) 1 member shall represent the offshore mineral and oil supply vessel industry.

“(C) 1 member shall represent masters and pilots of towing vessels who hold active licenses and have experience on the Western Rivers and the Gulf Intracoastal Waterway.

“(D) 1 member shall represent masters of towing vessels in offshore service who hold active licenses.

“(E) 1 member shall represent masters of active ship-docking or harbor towing vessels.

“(F) 1 member shall represent licensed and unlicensed towing vessel engineers with formal training and experience.

“(G) 2 members shall represent port districts, authorities, or terminal operators.

“(H) 2 members shall represent shippers and, of the 2, 1 shall be engaged in the shipment of oil or hazardous materials by barge.

“(I) 2 members shall represent the general public.

“§15109. Administration

“(a) **MEETINGS.**—Each committee established under this chapter shall, at least once each year, meet at the call of the Secretary or a majority of the members of the committee.

“(b) **EMPLOYEE STATUS.**—A member of a committee established under this chapter shall not be considered an employee of the Federal Government by reason of service on such committee, except for the purposes of the following:

“(1) Chapter 81 of title 5.

“(2) Chapter 171 of title 28 and any other Federal law relating to tort liability.

“(c) **COMPENSATION.**—Notwithstanding subsection (b), a member of a committee established under this chapter, when actually engaged in the performance of the duties of such committee, may—

“(1) receive compensation at a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5; or

“(2) if not compensated in accordance with paragraph (1)—

“(A) be reimbursed for actual and reasonable expenses incurred in the performance of such duties; or

“(B) be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5.

“(d) **ACCEPTANCE OF VOLUNTEER SERVICES.**—A member of a committee established under this chapter may serve on such committee on a voluntary basis without pay without regard to section 1342 of title 31 or any other law.

“(e) **STATUS OF MEMBERS.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), with respect to a member of a committee established under this chapter whom the Secretary appoints to represent an entity or group—

“(A) the member is authorized to represent the interests of the applicable entity or group; and

“(B) requirements under Federal law that would interfere with such representation and that apply to a special Government employee (as defined in section 202(a) of title 18), including requirements relating to employee conduct, political activities, ethics, conflicts of interest, and corruption, do not apply to the member.

“(2) **EXCEPTION.**—Notwithstanding subsection (b), a member of a committee established under this chapter shall be treated as a special Government employee for purposes of the committee service of the member if—

“(A) the Secretary appointed the member to represent the general public; or

“(B) the member, without regard to service on the committee, is a special Government employee.

“(f) **SERVICE ON COMMITTEE.**—

“(1) **SOLICITATION OF NOMINATIONS.**—Before appointing an individual as a member of a committee established under this chapter, the Sec-

retary shall publish, in the Federal Register, a timely notice soliciting nominations for membership on such committee.

“(2) APPOINTMENTS.—

“(A) IN GENERAL.—After considering nominations received pursuant to a notice published under paragraph (1), the Secretary may, as necessary, appoint a member to the applicable committee established under this chapter.

“(B) PROHIBITION.—The Secretary shall not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to any committee established under this chapter.

“(3) SERVICE AT PLEASURE OF THE SECRETARY.—

“(A) IN GENERAL.—Each member of a committee established under this chapter shall serve at the pleasure of the Secretary.

“(B) EXCEPTION.—Notwithstanding subparagraph (A), a member of the committee established under section 15102 may only be removed prior to the end of the term of that member for just cause.

“(4) SECURITY BACKGROUND EXAMINATIONS.—The Secretary may require an individual to have passed an appropriate security background examination before appointment to a committee established under this chapter.

“(5) PROHIBITION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), a Federal employee may not be appointed as a member of a committee established under this chapter.

“(B) SPECIAL RULE FOR NATIONAL MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.—The Secretary may appoint a Federal employee to serve as a member of the National Merchant Marine Personnel Advisory Committee to represent the interests of the United States Merchant Marine Academy and, notwithstanding paragraphs (1) and (2), may do so without soliciting, receiving, or considering nominations for such appointment.

“(6) TERMS.—

“(A) IN GENERAL.—The term of each member of a committee established under this chapter shall expire on December 31 of the third full year after the effective date of the appointment.

“(B) CONTINUED SERVICE AFTER TERM.—When the term of a member of a committee established under this chapter ends, the member, for a period not to exceed 1 year, may continue to serve as a member until a successor is appointed.

“(7) VACANCIES.—A vacancy on a committee established under this chapter shall be filled in the same manner as the original appointment.

“(8) SPECIAL RULE FOR REAPPOINTMENTS.—Notwithstanding paragraphs (1) and (2), the Secretary may reappoint a member of a committee established under this chapter for any term, other than the first term of the member, without soliciting, receiving, or considering nominations for such appointment.

“(g) STAFF SERVICES.—The Secretary shall furnish to each committee established under this chapter any staff and services considered by the Secretary to be necessary for the conduct of the committee's functions.

“(h) CHAIRMAN; VICE CHAIRMAN.—

“(1) IN GENERAL.—Each committee established under this chapter shall elect a Chairman and Vice Chairman from among the committee's members.

“(2) VICE CHAIRMAN ACTING AS CHAIRMAN.—The Vice Chairman shall act as Chairman in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairman.

“(i) SUBCOMMITTEES AND WORKING GROUPS.—

“(1) IN GENERAL.—The Chairman of a committee established under this chapter may establish and disestablish subcommittees and working groups for any purpose consistent with the function of the committee.

“(2) PARTICIPANTS.—Subject to conditions imposed by the Chairman, members of a committee established under this chapter and additional persons drawn from entities or groups designated by this chapter to be represented on the

committee or the general public may be assigned to subcommittees and working groups established under paragraph (1).

“(3) CHAIR.—Only committee members may chair subcommittees and working groups established under paragraph (1).

“(j) CONSULTATION, ADVICE, REPORTS, AND RECOMMENDATIONS.—

“(1) CONSULTATION.—

“(A) IN GENERAL.—Before taking any significant action, the Secretary shall consult with, and consider the information, advice, and recommendations of, a committee established under this chapter if the function of the committee is to advise the Secretary on matters related to the significant action.

“(B) INCLUSION.—For purposes of this paragraph, regulations proposed under chapter 45 of this title are significant actions.

“(2) ADVICE, REPORTS, AND RECOMMENDATIONS.—Each committee established under this chapter shall submit, in writing, to the Secretary its advice, reports, and recommendations, in a form and at a frequency determined appropriate by the committee.

“(3) EXPLANATION OF ACTIONS TAKEN.—Not later than 60 days after the date on which the Secretary receives recommendations from a committee under paragraph (2), the Secretary shall—

“(A) publish the recommendations on a website accessible at no charge to the public;

“(B) if the recommendations are from the committee established under section 15102, establish a mechanism for the submission of public comments on the recommendations; and

“(C) respond, in writing, to the committee regarding the recommendations, including by providing an explanation of actions taken regarding the recommendations.

“(4) SUBMISSION TO CONGRESS.—

“(A) IN GENERAL.—The Secretary shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate the advice, reports, and recommendations received from committees under paragraph (2).

“(B) ADDITIONAL SUBMISSION.—With respect to a committee established under section 70112 and to which this section applies, the Secretary shall submit the advice, reports, and recommendations received from the committee under paragraph (2) to the Committee on Homeland Security of the House of Representatives in addition to the committees specified in subparagraph (A).

“(k) OBSERVERS.—Any Federal agency with matters under such agency's administrative jurisdiction related to the function of a committee established under this chapter may designate a representative to—

“(1) attend any meeting of such committee; and

“(2) participate as an observer at meetings of such committee that relate to such a matter.

“(l) TERMINATION.—Each committee established under this chapter shall terminate on September 30, 2027.”.

(b) CLERICAL AMENDMENT.—The analysis for subtitle II of title 46, United States Code, is amended by inserting after the item relating to chapter 147 the following:

“Part K—National Maritime Transportation Advisory Committees

“151. National Maritime Transportation Advisory Committees 15101”.

(c) CONFORMING AMENDMENTS.—

(1) COMMERCIAL FISHING SAFETY ADVISORY COMMITTEE.—Section 4508 of title 46, United States Code, and the item relating to that section in the analysis for chapter 45 of that title, are repealed.

(2) MERCHANT MARINER MEDICAL ADVISORY COMMITTEE.—Section 7115 of title 46, United States Code, and the item relating to that section in the analysis for chapter 71 of that title, are repealed.

(3) MERCHANT MARINE PERSONNEL ADVISORY COMMITTEE.—

(A) REPEAL.—Section 8108 of title 46, United States Code, and the item relating to that section in the analysis for chapter 81 of that title, are repealed.

(B) CONFORMING AMENDMENT.—Section 7510(c)(1)(C) of title 46, United States Code, is amended by inserting “National” before “Merchant Marine”.

(4) NATIONAL BOATING SAFETY ADVISORY COUNCIL.—

(A) REPEAL.—Section 13110 of title 46, United States Code, and the item relating to that section in the analysis for chapter 131 of that title, are repealed.

(B) CONFORMING AMENDMENTS.—

(i) REGULATIONS.—Section 4302(c)(4) of title 46, United States Code, is amended by striking “Council established under section 13110 of this title” and inserting “Committee established under section 15105 of this title”.

(ii) REPAIR AND REPLACEMENT OF DEFECTS.—Section 4310(f) of title 46, United States Code, is amended by striking “Advisory Council” and inserting “Advisory Committee”.

(5) NAVIGATION SAFETY ADVISORY COUNCIL.—Section 5 of the Inland Navigational Rules Act of 1980 (33 U.S.C. 2073) is repealed.

(6) TOWING SAFETY ADVISORY COMMITTEE.—

(A) REPEAL.—Public Law 96-380 (33 U.S.C. 1231a) is repealed.

(B) CONFORMING AMENDMENTS.—

(i) REDUCTION OF OIL SPILLS FROM SINGLE HULL NON-SELF-PROPELLED TANK VESSELS.—Section 3719 of title 46, United States Code, is amended by inserting “National” before “Towing Safety”.

(ii) SAFETY EQUIPMENT.—Section 4102(f)(1) of title 46, United States Code, is amended by inserting “National” before “Towing Safety”.

(d) TREATMENT OF EXISTING COUNCILS AND COMMITTEES.—Notwithstanding any other provision of law—

(1) an advisory council or committee substantially similar to an advisory committee established under chapter 151 of title 46, United States Code, as added by this Act, and that was in force or in effect on the day before the date of enactment of this section, including a council or committee the authority for which was repealed under subsection (c), may remain in force or in effect for a period of 2 years from the date of enactment of this section, including that the charter, membership, and other aspects of the council or committee may remain in force or in effect; and

(2) during the 2-year period referenced in paragraph (1)—

(A) requirements relating to the applicable advisory committee established under chapter 151 of title 46, United States Code, shall be treated as satisfied by the substantially similar advisory council or committee; and

(B) the enactment of this section, including the amendments made in this section, shall not be the basis—

(i) to deem, find, or declare such council or committee, including the charter, membership, and other aspects thereof, void, not in force, or not in effect;

(ii) to suspend the activities of such council or committee; or

(iii) to bar the members of such council or committee from meeting.

SEC. 602. MARITIME SECURITY ADVISORY COMMITTEES.

(a) IN GENERAL.—Section 70112 of title 46, United States Code, is amended to read as follows:

“§ 70112. Maritime Security Advisory Committees

“(a) NATIONAL MARITIME SECURITY ADVISORY COMMITTEE.—

“(1) ESTABLISHMENT.—There is established a National Maritime Security Advisory Committee (in this subsection referred to as the ‘Committee’).

“(2) **FUNCTION.**—The Committee shall advise the Secretary on matters relating to national maritime security, including on enhancing the sharing of information related to cybersecurity risks that may cause a transportation security incident, between relevant Federal agencies and—

- “(A) State, local, and tribal governments;
- “(B) relevant public safety and emergency response agencies;
- “(C) relevant law enforcement and security organizations;
- “(D) maritime industry;
- “(E) port owners and operators; and
- “(F) terminal owners and operators.

“(3) **MEMBERSHIP.**—

“(A) **IN GENERAL.**—The Committee shall consist of at least 8 members, but not more than 21 members, appointed by the Secretary in accordance with this subsection and section 15109 of this title.

“(B) **EXPERTISE.**—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

“(C) **REPRESENTATION.**—Each of the following shall be represented by at least 1 member of the Committee:

- “(i) Port authorities.
- “(ii) Facilities owners and operators.
- “(iii) Terminal owners and operators.
- “(iv) Vessel owners and operators.
- “(v) Maritime labor organizations.
- “(vi) The academic community.
- “(vii) State and local governments.
- “(viii) The maritime industry.

“(D) **DISTRIBUTION.**—If the Committee consists of at least 8 members who, together, satisfy the minimum representation requirements of subparagraph (C), the Secretary shall, based on the needs of the Coast Guard, determine the number of additional members of the Committee who represent each entity specified in that subparagraph. Neither this subparagraph nor any other provision of law shall be construed to require an equal distribution of members representing each entity specified in subparagraph (C).

“(4) **ADMINISTRATION.**—For purposes of section 15109 of this title, the Committee shall be treated as a committee established under chapter 151 of such title.

“(b) **AREA MARITIME SECURITY ADVISORY COMMITTEES.**—

“(1) **IN GENERAL.**—

“(A) **ESTABLISHMENT.**—The Secretary may—

“(i) establish an Area Maritime Security Advisory Committee for any port area of the United States; and

“(ii) request such a committee to review the proposed Area Maritime Transportation Security Plan developed under section 70103(b) and make recommendations to the Secretary that the committee considers appropriate.

“(B) **ADDITIONAL FUNCTIONS AND MEETINGS.**—A committee established under this subsection for an area—

“(i) may advise, consult with, report to, and make recommendations to the Secretary on matters relating to maritime security in that area;

“(ii) may make available to the Congress recommendations that the committee makes to the Secretary; and

“(iii) shall meet at the call of—

“(I) the Secretary, who shall call such a meeting at least once during each calendar year; or

“(II) a majority of the committee.

“(2) **MEMBERSHIP.**—

“(A) **IN GENERAL.**—Each committee established under this subsection shall consist of at least 7 members appointed by the Secretary, each of whom has at least 5 years practical experience in maritime security operations.

“(B) **TERMS.**—The term of each member of a committee established under this subsection shall be for a period of not more than 5 years, specified by the Secretary.

“(C) **NOTICE.**—Before appointing an individual to a position on a committee established under this subsection, the Secretary shall pub-

lish a notice in the Federal Register soliciting nominations for membership on the committee.

“(D) **BACKGROUND EXAMINATIONS.**—The Secretary may require an individual to have passed an appropriate security background examination before appointment to a committee established under this subsection.

“(E) **REPRESENTATION.**—Each committee established under this subsection shall be composed of individuals who represent the interests of the port industry, terminal operators, port labor organizations, and other users of the port areas.

“(3) **CHAIRPERSON AND VICE CHAIRPERSON.**—

“(A) **IN GENERAL.**—Each committee established under this subsection shall elect 1 of the committee's members as the Chairperson and 1 of the committee's members as the Vice Chairperson.

“(B) **VICE CHAIRPERSON ACTING AS CHAIRPERSON.**—The Vice Chairperson shall act as Chairperson in the absence or incapacity of the Chairperson, or in the event of a vacancy in the office of the Chairperson.

“(4) **OBSERVERS.**—

“(A) **IN GENERAL.**—The Secretary shall, and the head of any other interested Federal agency may, designate a representative to participate as an observer with a committee established under this subsection.

“(B) **ROLE.**—The Secretary's designated representative to a committee established under this subsection shall act as the executive secretary of the committee and shall perform the duties set forth in section 10(c) of the Federal Advisory Committee Act (5 U.S.C. App.).

“(5) **CONSIDERATION OF VIEWS.**—The Secretary shall consider the information, advice, and recommendations of each committee established under this subsection in formulating policy regarding matters affecting maritime security.

“(6) **COMPENSATION AND EXPENSES.**—

“(A) **IN GENERAL.**—A member of a committee established under this subsection, when attending meetings of the committee or when otherwise engaged in the business of the committee, is entitled to receive—

“(i) compensation at a rate fixed by the Secretary, not exceeding the daily equivalent of the current rate of basic pay in effect for GS-15 of the General Schedule under section 5332 of title 5 including travel time; and

“(ii) travel or transportation expenses under section 5703 of title 5.

“(B) **STATUS.**—A member of a committee established under this subsection shall not be considered to be an officer or employee of the United States for any purpose based on the receipt of any payment under this paragraph.

“(7) **FACA.**—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a committee established under this subsection.”

(b) **TREATMENT OF EXISTING COMMITTEE.**—Notwithstanding any other provision of law—

(1) an advisory committee substantially similar to the National Maritime Security Advisory Committee established under section 70112(a) of title 46, United States Code, as amended by this section, and that was in force or in effect on the day before the date of enactment of this section, may remain in force or in effect for a period of 2 years from the date of enactment of this section, including that the charter, membership, and other aspects of the committee may remain in force or in effect; and

(2) during the 2-year period referenced in paragraph (1)—

(A) requirements relating to the National Maritime Security Advisory Committee established under section 70112(a) of title 46, United States Code, as amended by this section, shall be treated as satisfied by the substantially similar advisory committee; and

(B) the enactment of this section, including the amendments made in this section, shall not be the basis—

(i) to deem, find, or declare such committee, including the charter, membership, and other aspects thereof, void, not in force, or not in effect;

(ii) to suspend the activities of such committee; or

(iii) to bar the members of such committee from meeting.

TITLE VII—FEDERAL MARITIME COMMISSION

SEC. 701. SHORT TITLE.

This title may be cited as the “Federal Maritime Commission Authorization Act of 2017”.

SEC. 702. AUTHORIZATION OF APPROPRIATIONS.

Section 308 of title 46, United States Code, is amended by striking “\$24,700,000 for each of fiscal years 2016 and 2017” and inserting “\$28,012,310 for fiscal year 2018 and \$28,544,543 for fiscal year 2019”.

SEC. 703. REPORTING ON IMPACT OF ALLIANCES ON COMPETITION.

Section 306 of title 46, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (4), by striking “; and” and inserting a semicolon;

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

(C) by adding at the end the following:

“(6) an analysis of the impacts on competition for the purchase of certain covered services by alliances of ocean common carriers acting pursuant to an agreement under this part between or among ocean common carriers, including a summary of actions, including corrective actions, taken by the Commission to promote such competition.”; and

(2) by adding at the end the following:

“(c) **DEFINITION OF CERTAIN COVERED SERVICES.**—In this section, the term ‘certain covered services’ has the meaning given the term in section 40102.”

SEC. 704. DEFINITION OF CERTAIN COVERED SERVICES.

Section 40102 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (5) through (25) as paragraphs (6) through (26), respectively; and

(2) by inserting after paragraph (4), the following:

“(5) **CERTAIN COVERED SERVICES.**—For purposes of sections 41105 and 41307, the term ‘certain covered services’ means, with respect to a vessel—

“(A) the berthing or bunkering of the vessel;

“(B) the loading or unloading of cargo to or from the vessel to or from a point on a wharf or terminal;

“(C) the positioning, removal, or replacement of buoys related to the movement of the vessel; and

“(D) with respect to injunctive relief under section 41307, towing vessel services provided to such a vessel.”

SEC. 705. REPORTS FILED WITH THE COMMISSION.

Section 40104(a) of title 46, United States Code, is amended to read as follows:

“(a) **REPORTS.**—

“(1) **IN GENERAL.**—The Federal Maritime Commission may require a common carrier or marine terminal operator, or an officer, receiver, trustee, lessee, agent, or employee of the common carrier or marine terminal operator to file with the Commission a periodical or special report, an account, record, rate, or charge, or a memorandum of facts and transactions related to the business of the common carrier or marine terminal operator, as applicable.

“(2) **REQUIREMENTS.**—Any report, account, record, rate, charge, or memorandum required to be filed under paragraph (1) shall—

“(A) be made under oath if the Commission requires; and

“(B) be filed in the form and within the time prescribed by the Commission.

“(3) **LIMITATION.**—The Commission shall—

“(A) limit the scope of any filing ordered under this section to fulfill the objective of the order; and

“(B) provide a reasonable period of time for respondents to respond based upon their capabilities and the scope of the order.”.

SEC. 706. PUBLIC PARTICIPATION.

(a) NOTICE OF FILING.—Section 40304(a) of title 46, United States Code, is amended to read as follows:

“(a) NOTICE OF FILING.—Not later than 7 days after the date an agreement is filed, the Federal Maritime Commission shall—

“(1) transmit a notice of the filing to the Federal Register for publication; and

“(2) request interested persons to submit relevant information and documents.”.

(b) REQUEST FOR INFORMATION AND DOCUMENTS.—Section 40304(d) of title 46, United States Code, is amended by striking “section” and inserting “part”.

(c) SAVING CLAUSE.—Nothing in this section, or the amendments made by this section, may be construed—

(1) to prevent the Federal Maritime Commission from requesting from a person, at any time, any additional information or documents the Commission considers necessary to carry out chapter 403 of title 46, United States Code;

(2) to prescribe a specific deadline for the submission of relevant information and documents in response to a request under section 40304(a)(2) of title 46, United States Code; or

(3) to limit the authority of the Commission to request information under section 40304(d) of title 46, United States Code.

SEC. 707. OCEAN TRANSPORTATION INTERMEDIARIES.

(a) LICENSE REQUIREMENT.—Section 40901(a) of title 46, United States Code, is amended by inserting “advertise, hold oneself out, or” after “may not”.

(b) APPLICABILITY.—Section 40901 of title 46, United States Code, is amended by adding at the end the following:

“(c) APPLICABILITY.—Subsection (a) and section 40902 do not apply to a person that performs ocean transportation intermediary services on behalf of an ocean transportation intermediary for which it is a disclosed agent.”.

(c) FINANCIAL RESPONSIBILITY.—Section 40902(a) of title 46, United States Code, is amended by inserting “advertise, hold oneself out, or” after “may not”.

SEC. 708. COMMON CARRIERS.

(a) Section 41104 of title 46, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting “(a) IN GENERAL.—” before “A common carrier”;

(2) in subsection (a), as designated—

(A) by amending paragraph (11) to read as follows:

“(11) knowingly and willfully accept cargo from or transport cargo for the account of a non-vessel-operating common carrier that does not have a tariff as required by section 40501 of this title, or an ocean transportation intermediary that does not have a bond, insurance, or other surety as required by section 40902 of this title;”;

(B) in paragraph (12), by striking the period at the end and inserting “; or”; and

(C) by adding at the end the following:

“(13) continue to participate simultaneously in a rate discussion agreement and an agreement to share vessels, in the same trade, if the interplay of the authorities exercised by the specified agreements is likely, by a reduction in competition, to produce an unreasonable reduction in transportation service or an unreasonable increase in transportation cost.”; and

(3) by adding at the end the following:

“(b) RULE OF CONSTRUCTION.—Notwithstanding any other provision of law, there is no private right of action to enforce the prohibition under subsection (a)(13).

“(c) AGREEMENT VIOLATION.—Participants in an agreement found by the Commission to violate subsection (a)(13) shall have 90 days from the date of such Commission finding to with-

draw from the agreement as necessary to comply with that subsection.”.

(b) APPLICATION.—Section 41104(a)(13) of title 46, United States Code, as amended, shall apply to any agreement filed or with an effective date before, on, or after the date of enactment of this Act.

SEC. 709. NEGOTIATIONS.

(a) CONCERTED ACTION.—Section 41105 of title 46, United States Code, is amended—

(1) by redesignating paragraphs (5) through (8) as paragraphs (7) through (10), respectively; and

(2) by inserting after paragraph (4) the following:

“(5) negotiate with a tug or towing vessel service provider on any matter relating to rates or services provided within the United States by those tugs or towing vessels;

“(6) with respect to a vessel operated by an ocean common carrier within the United States, negotiate for the purchase of certain covered services, unless the negotiations and any resulting agreements are not in violation of the antitrust laws and are consistent with the purposes of this part, except that this paragraph does not prohibit the setting and publishing of a joint through rate by a conference, joint venture, or association of ocean common carriers;”.

(b) AUTHORITY.—Chapter 411 of title 46, United States Code, is amended—

(1) by inserting after section 41105 the following:

“§41105A. Authority

“Nothing in section 41105, as amended by the Federal Maritime Commission Authorization Act of 2017, shall be construed to limit the authority of the Department of Justice regarding antitrust matters.”; and

(2) in the analysis at the beginning of chapter 411, by inserting after the item relating to section 41105 the following:

“41105A. Authority.”.

(c) EXEMPTION.—Section 40307(b)(1) of title 46, United States Code, is amended by inserting “tug operators,” after “motor carriers.”.

SEC. 710. INJUNCTIVE RELIEF SOUGHT BY THE COMMISSION.

(a) IN GENERAL.—Section 41307(b) of title 46, United States Code is amended—

(1) in paragraph (1) by inserting “or to substantially lessen competition in the purchasing of certain covered services” after “transportation cost”; and

(2) by adding at the end the following:

“(4) COMPETITION FACTORS.—In making a determination under this subsection regarding whether an agreement is likely to substantially lessen competition in the purchasing of certain covered services, the Commission may consider any relevant competition factors in affected markets, including, without limitation, the competitive effect of agreements other than the agreement under review.”.

(b) APPLICATION.—Section 41307(b) of title 46, United States Code, as amended, shall apply to any agreement filed or with an effective date before, on, or after the date of enactment of this Act.

SEC. 711. DISCUSSIONS.

(a) IN GENERAL.—Section 303 of title 46, United States Code, is amended to read as follows:

“§303. Meetings

“(a) IN GENERAL.—The Federal Maritime Commission shall be deemed to be an agency for purposes of section 552b of title 5.

“(b) RECORD.—The Commission, through its secretary, shall keep a record of its meetings and the votes taken on any action, order, contract, or financial transaction of the Commission.

“(c) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

“(1) IN GENERAL.—Notwithstanding section 552b of title 5, a majority of the Commissioners

may hold a meeting that is not open to public observation to discuss official agency business if—

“(A) no formal or informal vote or other official agency action is taken at the meeting;

“(B) each individual present at the meeting is a Commissioner or an employee of the Commission;

“(C) at least 1 Commissioner from each political party is present at the meeting, if applicable; and

“(D) the General Counsel of the Commission is present at the meeting.

“(2) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under paragraph (3), not later than 2 business days after the conclusion of a meeting under paragraph (1), the Commission shall make available to the public, in a place easily accessible to the public—

“(A) a list of the individuals present at the meeting; and

“(B) a summary of the matters discussed at the meeting, except for any matters the Commission properly determines may be withheld from the public under section 552b(c) of title 5.

“(3) EXCEPTION.—If the Commission properly determines matters may be withheld from the public under section 555b(c) of title 5, the Commission shall provide a summary with as much general information as possible on those matters withheld from the public.

“(4) ONGOING PROCEEDINGS.—If a meeting under paragraph (1) directly relates to an ongoing proceeding before the Commission, the Commission shall make the disclosure under paragraph (2) on the date of the final Commission decision.

“(5) PRESERVATION OF OPEN MEETINGS REQUIREMENTS FOR AGENCY ACTION.—Nothing in this subsection may be construed to limit the applicability of section 552b of title 5 with respect to a meeting of the Commissioners other than that described in this subsection.

“(6) STATUTORY CONSTRUCTION.—Nothing in this subsection may be construed—

“(A) to limit the applicability of section 552b of title 5 with respect to any information which is proposed to be withheld from the public under paragraph (2)(B) of this subsection; or

“(B) to authorize the Commission to withhold from any individual any record that is accessible to that individual under section 552a of title 5.”.

(b) TABLE OF CONTENTS.—The analysis at the beginning of chapter 3 of title 46, United States Code, is amended by amending the item relating to section 303 to read as follows:

“303. Meetings.”.

SEC. 712. TRANSPARENCY.

(a) IN GENERAL.—Beginning not later than 60 days after the date of enactment of this Act, the Federal Maritime Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives biannual reports that describe the Commission’s progress toward addressing the issues raised in each unfinished regulatory proceeding, regardless of whether the proceeding is subject to a statutory or regulatory deadline.

(b) FORMAT OF REPORTS.—Each report under subsection (a) shall, among other things, clearly identify for each unfinished regulatory proceeding—

- (1) the popular title;
- (2) the current stage of the proceeding;
- (3) an abstract of the proceeding;
- (4) what prompted the action in question;
- (5) any applicable statutory, regulatory, or judicial deadline;
- (6) the associated docket number;
- (7) the date the rulemaking was initiated;
- (8) a date for the next action; and
- (9) if a date for next action identified in the previous report is not met, the reason for the delay.

SEC. 713. STUDY OF BANKRUPTCY PREPARATION AND RESPONSE.

(a) **STUDY.**—The Comptroller General of the United States shall conduct a study that examines the immediate aftermath of a major ocean carrier bankruptcy and its impact through the supply chain. The study shall consider any financial mechanisms that could be used to mitigate the impact of any future bankruptcy events on the supply chain.

(b) **REPORT.**—No later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report containing the findings, conclusions, and recommendations, if any, from the study required under subsection (a).

SEC. 714. AGREEMENTS UNAFFECTED.

Nothing in this Act may be construed—

(1) to limit or amend the definition of “agreement” in section 40102(1) of title 46, United States Code, with respect to the exclusion of maritime labor agreements; or

(2) to apply to a maritime labor agreement (as defined in section 40102(15) of that title).

TITLE VIII—MISCELLANEOUS**SEC. 801. REPEAL OF OBSOLETE REPORTING REQUIREMENT.**

Subsection (h) of section 888 of the Homeland Security Act of 2002 (6 U.S.C. 468) is repealed.

SEC. 802. CORRECTIONS TO PROVISIONS ENACTED BY COAST GUARD AUTHORIZATION ACTS.

Section 604(b) of the Howard Coble Coast Guard and Maritime Transportation Act of 2014 (Public Law 113–281; 128 Stat. 3061) is amended by inserting “and fishery endorsement” after “endorsement”.

SEC. 803. OFFICER EVALUATION REPORT.

(a) **IN GENERAL.**—Not later than 3 years after the date of the enactment of this Act, the Commandant of the Coast Guard shall reduce lieutenant junior grade evaluation reports to the same length as an ensign or place lieutenant junior grade evaluations on an annual schedule.

(b) **SURVEYS.**—Not later than 1 year after the date of the enactment of this Act, the Commandant of the Coast Guard shall conduct surveys of—

(1) outgoing promotion board members and assignment officers to determine, at a minimum—

(A) which sections of the officer evaluation report were most useful;

(B) which sections of the officer evaluation report were least useful;

(C) how to better reflect high performers; and

(D) any recommendations for improving the officer evaluation report; and

(2) at least 10 percent of the officers from each grade of officers from O1 to O6 to determine how much time each member of the rating chain spends on that member's portion of the officer evaluation report.

(c) **REVISIONS.**—

(1) **IN GENERAL.**—Not later than 4 years after the date of the completion of the surveys required by subsection (b), the Commandant of the Coast Guard shall revise the officer evaluation report, and provide corresponding directions, taking into account the requirements under paragraph (2).

(2) **REQUIREMENTS.**—In revising the officer evaluation report under paragraph (1), the Commandant shall—

(A) consider the findings of the surveys under subsection (b);

(B) improve administrative efficiency;

(C) reduce and streamline performance dimensions and narrative text;

(D) eliminate redundancy with the officer specialty management system and any other record information systems that are used during the officer assignment or promotion process;

(E) provide for fairness and equity for Coast Guard officers with regard to promotion boards,

selection panels, and the assignment process; and

(F) ensure officer evaluation responsibilities can be accomplished within normal working hours—

(i) to minimize any impact to officer duties; and

(ii) to eliminate any need for an officer to take liberty or leave for administrative purposes.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 545 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the findings of the surveys under subsection (b).

(2) **FORMAT.**—The report under paragraph (1) shall be formatted by each rank, type of board, and position, as applicable.

SEC. 804. EXTENSION OF AUTHORITY.

Section 404 of the Coast Guard Authorization Act of 2010 (Public Law 111–281; 124 Stat. 2950) is amended—

(1) in subsection (a), in the text preceding paragraph (1), by striking “sections 3304, 5333, and 5753” and inserting “section 3304”; and

(2) by striking subsection (b), and redesignating subsection (c) as subsection (b).

SEC. 805. COAST GUARD ROTC PROGRAM.

Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the costs and benefits of creating a Coast Guard Reserve Officers' Training Corps Program based on the other Armed Forces programs.

SEC. 806. CURRENCY DETECTION CANINE TEAM PROGRAM.

(a) **DEFINITIONS.**—In this section:

(1) **CANINE CURRENCY DETECTION TEAM.**—The term “canine currency detection team” means a canine and a canine handler that are trained to detect currency.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating.

(b) **ESTABLISHMENT.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish a program to allow the use of canine currency detection teams for purposes of Coast Guard maritime law enforcement, including underway vessel boardings.

(c) **OPERATION.**—The Secretary may cooperate with, or enter into an agreement with, the head of another Federal agency to meet the requirements under subsection (b).

SEC. 807. CENTER OF EXPERTISE FOR GREAT LAKES OIL SPILL SEARCH AND RESPONSE.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard shall establish a Center of Expertise for Great Lakes Oil Spill Preparedness and Response (referred to in this section as the “Center of Expertise”) in accordance with section 313 of title 14, United States Code, as amended by this Act.

(b) **LOCATION.**—The Center of Expertise shall be located in close proximity to—

(1) critical crude oil transportation infrastructure on and connecting the Great Lakes, such as submerged pipelines and high-traffic navigation locks; and

(2) an institution of higher education with adequate aquatic research laboratory facilities and capabilities and expertise in Great Lakes aquatic ecology, environmental chemistry, fish and wildlife, and water resources.

(c) **FUNCTIONS.**—The Center of Expertise shall—

(1) monitor and assess, on an ongoing basis, the current state of knowledge regarding freshwater oil spill response technologies and the be-

havior and effects of oil spills in the Great Lakes;

(2) identify any significant gaps in Great Lakes oil spill research, including an assessment of major scientific or technological deficiencies in responses to past spills in the Great Lakes and other freshwater bodies, and seek to fill those gaps;

(3) conduct research, development, testing, and evaluation for freshwater oil spill response equipment, technologies, and techniques to mitigate and respond to oil spills in the Great Lakes;

(4) educate and train Federal, State, and local first responders located in Coast Guard District 9 in—

(A) the incident command system structure;

(B) Great Lakes oil spill response techniques and strategies; and

(C) public affairs; and

(5) work with academic and private sector response training centers to develop and standardize maritime oil spill response training and techniques for use on the Great Lakes.

(d) **DEFINITION.**—In this section, the term “Great Lakes” means Lake Superior, Lake Michigan, Lake Huron, Lake Erie, and Lake Ontario.

SEC. 808. PUBLIC SAFETY ANSWERING POINTS AND MARITIME SEARCH AND RESCUE COORDINATION.

Not later than 180 days after the date of the enactment of this Act—

(1) the Secretary of the department in which the Coast Guard is operating acting through the Commandant of the Coast Guard shall review Coast Guard policies and procedures for public safety answering points and search-and-rescue coordination with State and local law enforcement entities in order to—

(A) further minimize the possibility of maritime 911 calls being improperly routed; and

(B) assure the Coast Guard is able to effectively carry out the Coast Guard's maritime search and rescue mission; and

(2) the Commandant shall—

(A) formulate a national maritime public safety answering points policy; and

(B) submit a report to the Congress on such assessment and policy, which shall include an update to the report submitted in accordance with section 233 of the Howard Coble Coast Guard and Maritime Transportation Act of 2014.

SEC. 809. SHIP SHOAL LIGHTHOUSE TRANSFER: REPEAL.

Effective January 1, 2021, section 27 of the Coast Guard Authorization Act of 1991 (Public Law 102–241; 105 Stat. 2218) is repealed.

SEC. 810. LAND EXCHANGE, AYAKULIK ISLAND, ALASKA.

(a) **LAND EXCHANGE; AYAKULIK ISLAND, ALASKA.**—If the owner of Ayakulik Island, Alaska, offers to exchange the Island for the Tract—

(1) within 10 days after receiving such offer, the Secretary shall provide notice of the offer to the Commandant;

(2) within 90 days after receiving the notice under paragraph (1), the Commandant shall develop and transmit to the Secretary proposed operational restrictions on commercial activity conducted on the Tract, including the right of the Commandant to—

(A) order the immediate termination, for a period of up to 72 hours, of any activity occurring on or from the Tract that violates or threatens to violate one or more of such restrictions; or

(B) commence a civil action for appropriate relief, including a permanent or temporary injunction enjoining the activity that violates or threatens to violate such restrictions;

(3) within 90 days after receiving the proposed operational restrictions from the Commandant, the Secretary shall transmit such restrictions to the owner of Ayakulik Island; and

(4) within 30 days after transmitting the proposed operational restrictions to the owner of Ayakulik Island, and if the owner agrees to such restrictions, the Secretary shall convey all

right, title, and interest of the United States in and to the Tract to the owner, subject to an easement granted to the Commandant to enforce such restrictions, in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(b) **BOUNDARY REVISIONS.**—The Secretary may make technical and conforming revisions to the boundaries of the Tract before the date of the exchange.

(c) **PUBLIC LAND ORDER.**—Effective on the date of an exchange under subsection (a), Public Land Order 5550 shall have no force or effect with respect to submerged lands that are part of the Tract.

(d) **FAILURE TO TIMELY RESPOND TO NOTICE.**—If the Commandant does not transmit proposed operational restrictions to the Secretary within 30 days after receiving the notice under subsection (a)(1), the Secretary shall, by not later than 60 days after transmitting such notice, convey all right, title, and interest of the United States in and to the Tract to the owner of Ayakulik Island in exchange for all right, title, and interest of such owner in and to Ayakulik Island.

(e) **CERCLA NOT AFFECTED.**—This section and an exchange under this section shall not be construed to limit the application of or otherwise affect section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)).

(f) **DEFINITIONS.**—In this section:

(1) **COMMANDANT.**—The term “Commandant” means the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard.

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(3) **TRACT.**—The term “Tract” means the land (including submerged land) depicted as “PROPOSED PROPERTY EXCHANGE AREA” on the survey titled “PROPOSED PROPERTY EXCHANGE PARCEL” and dated 3/22/17.

SEC. 811. USE OF TRACT 43.

Section 524(e)(2) of the Pribilof Island Transition Completion Act of 2016 (Public Law 114–120), as amended by section 3533 of the Pribilof Island Transition Completion Amendments Act of 2016 (subtitle B of title XXXV of Public Law 114–328), is amended by—

(1) striking “each month” and inserting “each April and October”; and

(2) striking “previous month” and inserting “previous six months”.

SEC. 812. COAST GUARD MARITIME DOMAIN AWARENESS.

(a) **IN GENERAL.**—The Secretary of the department in which the Coast Guard is operating shall seek to enter into an arrangement with the National Academy of Sciences not later than 60 days after the date of the enactment of this Act under which the Academy shall prepare an assessment of available unmanned, autonomous, or remotely controlled maritime domain awareness technologies for use by the Coast Guard.

(b) **ASSESSMENT.**—The assessment shall—

(1) describe the potential limitations of current and emerging unmanned technologies used in the maritime domain for—

(A) ocean observation;

(B) vessel monitoring and identification;

(C) weather observation;

(D) to the extent practicable for consideration by the Academy, intelligence gathering, surveillance, and reconnaissance; and

(E) communications;

(2) examine how technologies described in paragraph (1) can help prioritize Federal investment by examining;

(A) affordability, including acquisition, operations, and maintenance;

(B) reliability;

(C) versatility;

(D) efficiency; and

(E) estimated service life and persistence of effort; and

(3) analyze whether the use of new and emerging maritime domain awareness technologies can be used to—

(A) carry out Coast Guard missions at lower costs;

(B) expand the scope and range of Coast Guard maritime domain awareness;

(C) allow the Coast Guard to more efficiently and effectively allocate Coast Guard vessels, aircraft, and personnel; and

(D) identify adjustments that would be necessary in Coast Guard policies, procedures, and protocols to incorporate unmanned technologies to enhance efficiency.

(c) **REPORT TO CONGRESS.**—Not later than 1 year after entering into an arrangement with the Secretary under subsection (a), the National Academy of Sciences shall submit the assessment prepared under this section to the Committees on Transportation and Infrastructure and Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(d) **USE OF INFORMATION.**—In formulating costs pursuant to subsection (b), the National Academy of Sciences may utilize information from other Coast Guard reports, assessments, or analyses regarding existing Coast Guard manpower requirements or other reports, assessments, or analyses for the acquisition of unmanned, autonomous, or remotely controlled technologies by the Federal Government.

SEC. 813. MONITORING.

(a) **IN GENERAL.**—The Secretary of the department in which the Coast Guard is operating shall conduct a 1-year pilot program to determine the impact of persistent use of different types of surveillance systems on illegal maritime activities, including illegal, unreported, and unregulated fishing, in the Western Pacific region.

(b) **REQUIREMENTS.**—The pilot program shall—

(1) consider the use of light aircraft-based detection systems that can identify potential illegal activity from high altitudes and produce enforcement-quality evidence at low altitudes; and

(2) be directed at detecting and deterring illegal maritime activities, including illegal, unreported, and unregulated fishing, and enhancing maritime domain awareness.

SEC. 814. REIMBURSEMENTS FOR NON-FEDERAL CONSTRUCTION COSTS OF CERTAIN AIDS TO NAVIGATION.

(a) **IN GENERAL.**—Subject to the availability of amounts specifically provided in advance in subsequent appropriations Acts and in accordance with this section, the Commandant of the Coast Guard may reimburse a non-Federal entity for costs incurred by the entity for a covered project.

(b) **CONDITIONS.**—The Commandant may not provide reimbursement under subsection (a) with respect to a covered project unless—

(1) the need for the project is a result of the completion of construction with respect to a federally authorized navigation channel;

(2) the Commandant determines, through an appropriate navigation safety analysis, that the project is necessary to ensure safe marine transportation;

(3) the Commandant approves the design of the project to ensure that it meets all applicable Coast Guard aids-to-navigation standards and requirements;

(4) the non-Federal entity agrees to transfer the project upon completion to the Coast Guard for operation and maintenance by the Coast Guard as a Federal aid to navigation;

(5) the non-Federal entity carries out the project in accordance with the same laws and regulations that would apply to the Coast Guard if the Coast Guard carried out the project, including obtaining all permits required for the project under Federal and State law; and

(6) the Commandant determines that the project satisfies such additional requirements as may be established by the Commandant.

(c) **LIMITATIONS.**—Reimbursements under subsection (a) may not exceed the following:

(1) For a single covered project, \$5,000,000.

(2) For all covered projects in a single fiscal year, \$5,000,000.

(d) **EXPIRATION.**—The authority granted under this section shall expire on the date that is 4 years after the date of enactment of this section.

(e) **COVERED PROJECT DEFINED.**—In this section, the term “covered project” means a project carried out—

(1) by a non-Federal entity to construct and establish an aid to navigation that facilitates safe and efficient marine transportation on a Federal navigation project authorized by title I of the Water Resources Development Act of 2007 (Public Law 110–114); and

(2) in an area that was affected by Hurricane Harvey.

SEC. 815. TOWING SAFETY MANAGEMENT SYSTEM FEES.

(a) **REVIEW.**—The Commandant of the Coast Guard shall—

(1) review and compare the costs to the Government of—

(A) towing vessel inspections performed by the Coast Guard; and

(B) such inspections performed by a third party; and

(2) based on such review and comparison, determine whether the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections performed by the Coast Guard.

(b) **REVISION OF FEES.**—If the Commandant determines under subsection (a) that the costs to the Government of such inspections performed by a third party are different than the costs to the Government of such inspections performed by the Coast Guard, then the Commandant shall revise the fee assessed by the Coast Guard for such inspections as necessary to conform to the requirements under section 9701 of title 31, United States Code, that such fee be based on the cost to the Government of such inspections and accurately reflect such costs.

SEC. 816. OIL SPILL DISBURSEMENTS AUDITING AND REPORT.

Section 1012 of the Oil Pollution Act of 1990 (33 U.S.C. 2712) is amended—

(1) by repealing subsection (g);

(2) in subsection (l)(1), by striking “Within one year after the date of enactment of the Coast Guard Authorization Act of 2010, and annually thereafter,” and inserting “Each year, on the date on which the President submits to Congress a budget under section 1105 of title 31, United States Code,”; and

(3) by amending subsection (l)(2) to read as follows:

“(2) **CONTENTS.**—The report shall include—

“(A) a list of each incident that—

“(i) occurred in the preceding fiscal year; and

“(ii) resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more;

“(B) a list of each incident that—

“(i) occurred in the fiscal year preceding the preceding fiscal year; and

“(ii) resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more; and

“(C) an accounting of any amounts reimbursed to the Fund in the preceding fiscal year that were recovered from a responsible party for an incident that resulted in disbursements from the Fund, for removal costs and damages, totaling \$500,000 or more.”.

SEC. 817. FLEET REQUIREMENTS ASSESSMENT AND STRATEGY.

(a) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating, in consultation with interested Federal and non-Federal stakeholders, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report including—

(1) an assessment of Coast Guard at-sea operational fleet requirements to support its statutory missions established in the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.); and

(2) a strategic plan for meeting the requirements identified under paragraph (1).

(b) **CONTENTS.**—The report under subsection (a) shall include—

(1) an assessment of—

(A) the extent to which the Coast Guard at-sea operational fleet requirements referred to in subsection (a)(1) are currently being met;

(B) the Coast Guard's current fleet, its operational lifespan, and how the anticipated changes in the age and distribution of vessels in the fleet will impact the ability to meet at-sea operational requirements;

(C) fleet operations and recommended improvements to minimize costs and extend operational vessel life spans; and

(D) the number of Fast Response Cutters, Offshore Patrol Cutters, and National Security Cutters needed to meet at-sea operational requirements as compared to planned acquisitions under the current programs of record;

(2) an analysis of—

(A) how the Coast Guard at-sea operational fleet requirements are currently met, including the use of the Coast Guard's current cutter fleet, agreements with partners, chartered vessels, and unmanned vehicle technology; and

(B) whether existing and planned cutter programs of record (including the Fast Response Cutter, Offshore Patrol Cutter, and National Security Cutter) will enable the Coast Guard to meet at-sea operational requirements; and

(3) a description of—

(A) planned manned and unmanned vessel acquisition; and

(B) how such acquisitions will change the extent to which the Coast Guard at-sea operational requirements are met.

(c) **CONSULTATION AND TRANSPARENCY.**—

(1) **CONSULTATION.**—In consulting with the Federal and non-Federal stakeholders under subsection (a), the Secretary of the department in which the Coast Guard is operating shall—

(A) provide the stakeholders with opportunities for input—

(i) prior to initially drafting the report, including the assessment and strategic plan; and

(ii) not later than 3 months prior to finalizing the report, including the assessment and strategic plan, for submission; and

(B) document the input and its disposition in the report.

(2) **TRANSPARENCY.**—All input provided under paragraph (1) shall be made available to the public.

(d) **ENSURING MARITIME COVERAGE.**—In order to meet Coast Guard mission requirements for search and rescue, ports, waterways, and coastal security, and maritime environmental response during recapitalization of Coast Guard vessels, the Coast Guard shall ensure continuity of the coverage, to the maximum extent practicable, in the locations that may lose assets.

SEC. 818. NATIONAL SECURITY CUTTER.

(a) **STANDARD METHOD FOR TRACKING.**—The Commandant of the Coast Guard may not certify an eighth National Security Cutter as Ready for Operations before the date on which the Commandant provides to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate—

(1) a notification of a new standard method for tracking operational employment of Coast Guard major cutters that does not include time during which such a cutter is away from its homeport for maintenance or repair; and

(2) a report analyzing cost and performance for different approaches to achieving varied levels of operational employment using the standard method required by paragraph (1) that, at a minimum—

(A) compares over a 30-year period the average annualized baseline cost and performances for a certified National Security Cutter that operated for 185 days away from homeport or an equivalent alternative measure of operational tempo—

(i) against the cost of a 15 percent increase in days away from homeport or an equivalent alternative measure of operational tempo for a National Security Cutter; and

(ii) against the cost of the acquisition and operation of an additional National Security Cutter; and

(B) examines the optimal level of operational employment of National Security Cutters to balance National Security Cutter cost and mission performance.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 221(b) of the Coast Guard and Maritime Transportation Act of 2012 (126 Stat. 1560) is repealed.

(2) Section 204(c)(1) of the Coast Guard Authorization Act of 2016 (130 Stat. 35) is repealed.

SEC. 819. ACQUISITION PLAN FOR INLAND WATERWAY AND RIVER TENDERS AND BAY-CLASS ICEBREAKERS.

(a) **ACQUISITION PLAN.**—Not later than 270 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a plan to replace or extend the life of the Coast Guard fleet of inland waterway and river tenders, and the Bay-class icebreakers.

(b) **CONTENTS.**—The plan under subsection (a) shall include—

(1) an analysis of the work required to extend the life of vessels described in subsection (a);

(2) recommendations for which, if any, such vessels it is cost effective to undertake a ship-life extension or enhanced maintenance program;

(3) an analysis of the aids to navigation program to determine if advances in navigation technology may reduce the needs for physical aids to navigation;

(4) recommendations for changes to physical aids to navigation and the distribution of such aids that reduce the need for the acquisition of vessels to replace the vessels described in subsection (a);

(5) a schedule for the acquisition of vessels to replace the vessels described in subsection (a), including the date on which the first vessel will be delivered;

(6) the date such acquisition will be complete;

(7) a description of the order and location of replacement vessels;

(8) an estimate of the cost per vessel and of the total cost of the acquisition program of record; and

(9) an analysis of whether existing vessels can be used.

SEC. 820. GREAT LAKES ICEBREAKER ACQUISITION.

(a) **ICEBREAKING ON THE GREAT LAKES.**—For fiscal years 2018 and 2019, the Commandant of the Coast Guard may use funds made available pursuant to section 4902 of title 14, United States Code, as amended by this Act, for the construction of an icebreaker that is at least as capable as the Coast Guard Cutter Mackinaw to enhance icebreaking capacity on the Great Lakes.

(b) **ACQUISITION PLAN.**—Not later than 45 days after the date of enactment of this Act, the Commandant shall submit a plan to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives for acquiring an icebreaker described in subsections (a) and (b). Such plan shall include—

(1) the details and schedule of the acquisition activities to be completed; and

(2) a description of how the funding for Coast Guard acquisition, construction, and improvements that was appropriated under the Consolidated Appropriations Act, 2017 (Public Law 115-31) will be allocated to support the acquisition activities referred to in paragraph (1).

SEC. 821. POLAR ICEBREAKERS.

(a) **ENHANCED MAINTENANCE PROGRAM FOR THE POLAR STAR.**—

(1) **IN GENERAL.**—Subject to the availability of appropriations, the Commandant of the Coast Guard shall conduct an enhanced maintenance program on Coast Guard Cutter Polar Star (WAGB-10) to extend the service life of such vessel until at least December 31, 2025.

(2) **REQUIREMENT FOR REPORT.**—Not later than 180 days after the date of the enactment of the Coast Guard Authorization Act of 2017, the Secretary of the department in which the Coast Guard is operating, in consultation with Naval Sea Systems Command, shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate and the Committee on Transportation and Infrastructure and the Committee on Armed Services of the House of Representatives a detailed report describing a plan to extend the service life of the Coast Guard Cutter Polar Star (WAGB-10) until at least December 31, 2025, through an enhanced maintenance program.

(3) **CONTENT.**—The report required by paragraph (2) shall include the following:

(A) An assessment and discussion of the enhanced maintenance program recommended by the National Academies of Sciences, Engineering, and Medicine's Committee on Polar Icebreaker Cost Assessment in the letter report "Acquisition and Operation of Polar Icebreakers: Fulfilling the Nation's Needs".

(B) An assessment and discussion of the Government Accountability Office's concerns and recommendations regarding service life extension work on Coast Guard Cutter Polar Star (WAGB-10) in the report "Status of the Coast Guard's Polar Icebreaking Fleet Capability and Recapitalization Plan".

(C) Based upon a materiel condition assessment of the Coast Guard Cutter Polar Star (WAGB-10)—

(i) a description of the service life extension needs of the vessel;

(ii) detailed information regarding planned shipyard work for each fiscal year to meet such needs; and

(iii) an estimate of the amount needed to be appropriated to complete the enhanced maintenance program.

(D) A plan to ensure the vessel will maintain seasonally operational status during the enhanced maintenance program.

(4) **AUTHORIZATION OF APPROPRIATIONS.**—The Commandant of the Coast Guard may use funds made available pursuant to section 4902 of title 14, United States Code, as amended by section 202 of this Act, for the enhanced maintenance program described in the report required by subsection (a).

(b) **COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2012; AMENDMENT.**—Section 222 of the Coast Guard and Maritime Transportation Act of 2012 (Public Law 112-213), as amended, is further amended as follows:

(1) by striking subsections (a) through (d);

(2) by redesignating subsections (e) through (g) as subsections (a) through (c), respectively;

(3) in subsection (a), as redesignated—

(A) in the matter preceding paragraph (1), by striking "Except as provided in subsection (c), the Commandant" and inserting "The Commandant";

(B) in paragraph (1) by striking "Polar Sea or";

(C) in paragraph (2) by striking "either of the vessels" and inserting "the Polar Star or the Polar Sea"; and

(D) in paragraph (3) by striking "either of the vessels" each place it appears and inserting "the Polar Star".

SEC. 822. STRATEGIC ASSETS IN THE ARCTIC.

(a) **DEFINITION OF ARCTIC.**—In this section, the term "Arctic" has the meaning given the term in section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

(b) **SENSE OF CONGRESS.**—It is the sense of Congress that—

(1) the Arctic continues to grow in significance to both the national security interests and

the economic prosperity of the United States; and

(2) the Coast Guard must ensure it is positioned to respond to any accident, incident, or threat with appropriate assets.

(c) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Commandant of the Coast Guard, in consultation with the Secretary of Defense and taking into consideration the Department of Defense 2016 Arctic Strategy, shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the progress toward implementing the strategic objectives described in the United States Coast Guard Arctic Strategy dated May 2013.

(d) **CONTENTS.**—The report under subsection (c) shall include—

(1) a description of the Coast Guard's progress toward each strategic objective identified in the United States Coast Guard Arctic Strategy dated May 2013;

(2) an assessment of the assets and infrastructure necessary to meet the strategic objectives identified in the United States Coast Guard Arctic Strategy dated May 2013 based on factors such as—

- (A) response time;
- (B) coverage area;
- (C) endurance on scene;
- (D) presence; and
- (E) deterrence;

(3) an analysis of the sufficiency of the distribution of National Security Cutters, Offshore Patrol Cutters, and Fast Response Cutters both stationed in various Alaskan ports and in other locations to meet the strategic objectives identified in the United States Coast Guard Arctic Strategy, dated May 2013;

(4) plans to provide communications throughout the entire Coastal Western Alaska Captain of the Port zone to improve waterway safety and mitigate close calls, collisions, and other dangerous interactions between the shipping industry and subsistence hunters;

(5) plans to prevent marine casualties, when possible, by ensuring vessels avoid environmentally sensitive areas and permanent security zones;

(6) an explanation of—

(A) whether it is feasible to establish a vessel traffic service, using existing resources or otherwise; and

(B) whether an Arctic Response Center of Expertise is necessary to address the gaps in experience, skills, equipment, resources, training, and doctrine to prepare, respond to, and recover spilled oil in the Arctic; and

(7) an assessment of whether sufficient agreements are in place to ensure the Coast Guard is receiving the information it needs to carry out its responsibilities.

SEC. 823. ARCTIC PLANNING CRITERIA.

(a) **ALTERNATIVE PLANNING CRITERIA.**—

(1) **IN GENERAL.**—For purposes of the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.), the Commandant of the Coast Guard may approve a vessel response plan under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321) for a vessel operating in any area covered by the Captain of the Port Zone (as established by the Commandant) that includes the Arctic, if the Commandant verifies that—

(A) equipment required to be available for response under the plan has been tested and proven capable of operating in the environmental conditions expected in the area in which it is intended to be operated; and

(B) the operators of such equipment have conducted training on the equipment within the area covered by such Captain of the Port Zone.

(2) **POST-APPROVAL REQUIREMENTS.**—In approving a vessel response plan under paragraph (1), the Commandant shall—

(A) require that the oil spill removal organization identified in the vessel response plan con-

duct regular exercises and drills using the response resources identified in the plan in the area covered by the Captain of the Port Zone that includes the Arctic; and

(B) allow such oil spill removal organization to take credit for a response to an actual spill or release in the area covered by such Captain of the Port Zone, instead of conducting an exercise or drill required under subparagraph (A), if the oil spill removal organization—

(i) documents which exercise or drill requirements were met during the response; and

(ii) submits a request for credit to, and receives approval from, the Commandant.

(b) **REPORT.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the oil spill prevention and response capabilities for the area covered by the Captain of the Port Zone (as established by the Commandant) that includes the Arctic.

(2) **CONTENTS.**—The report submitted under paragraph (1) shall include the following:

(A) A description of equipment and assets available for response under the vessel response plans approved for vessels operating in the area covered by the Captain of the Port Zone, including details on any providers of such equipment and assets.

(B) A description of the location of such equipment and assets, including an estimate of the time to deploy the equipment and assets.

(C) A determination of how effectively such equipment and assets are distributed throughout the area covered by the Captain of the Port Zone.

(D) A statement regarding whether the ability to maintain and deploy such equipment and assets is taken into account when measuring the equipment and assets available throughout the area covered by the Captain of the Port Zone.

(E) A validation of the port assessment visit process and response resource inventory for response under the vessel response plans approved for vessels operating in the area covered by the Captain of the Port Zone.

(F) A determination of the compliance rate with Federal vessel response plan regulations in the area covered by the Captain of the Port Zone during the previous 3 years.

(G) A description of the resources needed throughout the area covered by the Captain of the Port Zone to conduct port assessments, exercises, response plan reviews, and spill responses.

(c) **DEFINITION OF ARCTIC.**—In this section, the term "Arctic" has the meaning given the term under section 112 of the Arctic Research and Policy Act of 1984 (15 U.S.C. 4111).

SEC. 824. VESSEL RESPONSE PLAN AUDIT.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall complete and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a comprehensive review of the processes and resources used by the Coast Guard to implement vessel response plan requirements under section 311 of the Federal Water Pollution Control Act (33 U.S.C. 1321).

(b) **REQUIRED ELEMENTS OF REVIEW.**—The review required under subsection (a) shall, at a minimum, include—

(1) a study, or an audit if appropriate, of the processes the Coast Guard uses—

(A) to approve the vessel response plans referred to in subsection (a);

(B) to approve alternate planning criteria used in lieu of National Planning Criteria in approving such plans;

(C) to verify compliance with such plans; and

(D) to act in the event of a failure to comply with the requirements of such plans;

(2) an examination of all Federal and State agency resources used by the Coast Guard in carrying out the processes identified under paragraph (1), including—

(A) the current staffing model and organization;

(B) data, software, simulators, systems, or other technology, including those pertaining to weather, oil spill trajectory modeling, and risk management;

(C) the total amount of time per fiscal year expended by Coast Guard personnel to approve and verify compliance with vessel response plans; and

(D) the average amount of time expended by the Coast Guard for approval of, and verification of compliance with, a single vessel response plan;

(3) an analysis of how, including by what means or methods, the processes identified under paragraph (1)—

(A) ensure compliance with applicable law;

(B) are implemented by the Coast Guard, including at the district and sector levels;

(C) are informed by public comment and engagement with States, Indian Tribes, and other regional stakeholders;

(D) ensure availability and adequate operational capability and capacity of required assets and equipment, including in cases in which contractual obligations may limit the availability of such assets and equipment for response;

(E) provide for adequate asset and equipment mobilization time requirements, particularly with respect to—

(i) calculation and establishment of such requirements;

(ii) verifying compliance with such requirements; and

(iii) factoring in weather, including specific regional adverse weather as defined in section 155.1020 of title 33, Code of Federal Regulations, in calculating, establishing, and verifying compliance with such requirements;

(F) ensure response plan updates and vessel compliance when changes occur in response planning criteria, asset and equipment mobilization times, or regional response needs, such as trends in transportation of high gravity oils or changes in vessel traffic volume; and

(G) enable effective action by the Coast Guard in the event of a failure to comply with response plan requirements;

(4) a determination regarding whether asset and equipment mobilization time requirements under approved vessel response plans can be met by the vessels to which they apply; and

(5) recommendations for improving the processes identified under paragraph (1), including recommendations regarding the sufficiency of Coast Guard resources dedicated to those processes.

SEC. 825. WATERS DEEMED NOT NAVIGABLE WATERS OF THE UNITED STATES FOR CERTAIN PURPOSES.

For purposes of the application of subtitle II of title 46, United States Code, to the Volunteer (Hull Number CCA4108), the Illinois and Michigan Canal is deemed to not be navigable waters of the United States.

SEC. 826. DOCUMENTATION OF RECREATIONAL VESSELS.

Coast Guard personnel performing nonrecreational vessel documentation functions under subchapter II of chapter 121 of title 46, United States Code, may perform recreational vessel documentation under section 12114 of such title in any fiscal year in which—

(1) funds available for Coast Guard operating expenses may not be used for expenses incurred for recreational vessel documentation;

(2) fees collected from owners of yachts and credited to such use are insufficient to pay expenses of recreational vessel documentation; and

(3) there is a backlog of applications for recreational vessel documentation.

SEC. 827. EQUIPMENT REQUIREMENTS; EXEMPTION FROM THROWABLE PERSONAL FLotation DEVICES REQUIREMENT.

Not later than one year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall—

(1) prescribe regulations in part 160 of title 46, Code of Federal Regulations, that treat a marine throw bag, as that term is commonly used in the commercial whitewater rafting industry, as a type of lifesaving equipment; and

(2) revise section 175.17 of title 33, Code of Federal Regulations, to exempt rafts that are 16 feet or more overall in length from the requirement to carry an additional throwable personal flotation device when such a marine throw bag is onboard and accessible.

SEC. 828. VISUAL DISTRESS SIGNALS AND ALTERNATIVE USE.

(a) **IN GENERAL.**—The Secretary of the department in which the Coast Guard is operating shall develop a performance standard for the alternative use and possession of visual distress alerting and locating signals as mandated by carriage requirements for recreational boats in subpart C of part 175 of title 33, Code of Federal Regulations.

(b) **REGULATIONS.**—Not later than 180 days after the performance standard for alternative use and possession of visual distress alerting and locating signals is finalized, the Secretary shall revise part 175 of title 33, Code of Federal Regulations, to allow for carriage of such alternative signal devices.

SEC. 829. RADAR REFRESHER TRAINING.

Not later than 60 days after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall prescribe a final rule eliminating the requirement that a mariner actively using the mariner's credential complete an approved refresher or recertification course to maintain a radar observer endorsement. This rulemaking shall be exempt from chapters 5 and 6 of title 5, United States Code, and Executive Orders 12866 and 13563.

SEC. 830. COMMERCIAL FISHING VESSEL SAFETY NATIONAL COMMUNICATIONS PLAN.

(a) **REQUIREMENT FOR PLAN.**—Not later than 1 year after the date of enactment of this Act, the Secretary of the department in which the Coast Guard is operating shall develop and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a national communications plan for the purposes of—

(1) disseminating information to the commercial fishing vessel industry;

(2) conducting outreach with the commercial fishing vessel industry;

(3) facilitating interaction with the commercial fishing vessel industry; and

(4) releasing information collected under section 15102 of title 46, United States Code, as added by this Act, to the commercial fishing vessel industry.

(b) **CONTENT.**—The plan required by subsection (a), and each annual update, shall—

(1) identify staff, resources, and systems available to the Secretary to ensure the widest dissemination of information to the commercial fishing vessel industry;

(2) include a means to document all communication and outreach conducted with the commercial fishing vessel industry; and

(3) include a mechanism to measure effectiveness of such plan.

(c) **IMPLEMENTATION.**—Not later than one year after submission of the initial plan, the Secretary of the department in which the Coast Guard is operating shall implement the plan and shall at a minimum—

(1) leverage Coast Guard staff, resources, and systems available;

(2) monitor implementation nationwide to ensure adherence to plan contents;

(3) allow each Captain of the Port to adopt the most effective strategy and means to communicate with commercial fishing vessel industry in that Captain of the Port Zone;

(4) document communication and outreach; and

(5) solicit feedback from the commercial fishing vessel industry.

(d) **REPORT AND UPDATES.**—The Secretary of the department in which the Coast Guard is operating shall—

(1) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives a report on the effectiveness of the plan to date and any updates to ensure maximum impact of the plan one year after the date of enactment of this Act, and every 4 years thereafter; and

(2) include in such report input from individual Captains of the Port and any feedback received from the commercial fishing vessel industry.

SEC. 831. ATLANTIC COAST PORT ACCESS ROUTE STUDY RECOMMENDATIONS.

Not later than 30 days after the date of the enactment of the Act, the Commandant of the Coast Guard shall notify the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate of action taken to carry out the recommendations contained in the final report issued by the Atlantic Coast Port Access Route Study (ACPARS) workgroup for which notice of availability was published March 14, 2016 (81 Fed. Reg. 13307).

SEC. 832. DRAWBRIDGES.

Section 5 of the Act entitled “An Act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes”, approved August 18, 1894 (33 U.S.C. 499), is amended by adding at the end the following:

“(d) **TEMPORARY CHANGES TO DRAWBRIDGE OPERATING SCHEDULES.**—Notwithstanding section 553 of title 5, United States Code, whenever a temporary change to the operating schedule of a drawbridge, lasting 180 days or less—

“(1) is approved—

“(A) the Secretary of the department in which the Coast Guard is operating shall—

“(i) issue a deviation approval letter to the bridge owner; and

“(ii) announce the temporary change in—

“(I) the Local Notice to Mariners;

“(II) a broadcast notice to mariners and through radio stations; or

“(III) such other local media as the Secretary considers appropriate; and

“(B) the bridge owner, except a railroad bridge owner, shall notify—

“(i) the public by publishing notice of the temporary change in a newspaper of general circulation published in the place where the bridge is located;

“(ii) the department, agency, or office of transportation with jurisdiction over the roadway that abuts the approaches to the bridge; and

“(iii) the law enforcement organization with jurisdiction over the roadway that abuts the approaches to the bridge; or

“(2) is denied, the Secretary of the department in which the Coast Guard is operating shall—

“(A) not later than 10 days after the date of receipt of the request, provide the bridge owner in writing the reasons for the denial, including any supporting data and evidence used to make the determination; and

“(B) provide the bridge owner a reasonable opportunity to address each reason for the denial and resubmit the request.

“(e) **DRAWBRIDGE MOVEMENTS.**—The Secretary of the department in which the Coast Guard is operating—

“(1) shall require a drawbridge operator to record each movement of the drawbridge in a logbook;

“(2) may inspect the logbook to ensure drawbridge movement is in accordance with the posted operating schedule;

“(3) shall review whether deviations from the posted operating schedule are impairing vehicular and pedestrian traffic; and

“(4) may determine if the operating schedule should be adjusted for efficiency of maritime or vehicular and pedestrian traffic.

“(f) **REQUIREMENTS.**—

“(1) **LOGBOOKS.**—An operator of a drawbridge built across a navigable river or other water of the United States—

“(A) that opens the draw of such bridge for the passage of a vessel, shall record in a logbook—

“(i) the bridge identification and date of each opening;

“(ii) the bridge tender or operator for each opening;

“(iii) each time it is opened for navigation;

“(iv) each time it is closed for navigation;

“(v) the number and direction of vessels passing through during each opening;

“(vi) the types of vessels passing through during each opening;

“(vii) an estimated or known size (height, length, and beam) of the largest vessel passing through during each opening;

“(viii) for each vessel, the vessel name and registration number if easily observable; and

“(ix) all maintenance openings, malfunctions, or other comments; and

“(B) that remains open to navigation but closes to allow for trains to cross, shall record in a logbook—

“(i) the bridge identification and date of each opening and closing;

“(ii) the bridge tender or operator;

“(iii) each time it is opened to navigation;

“(iv) each time it is closed to navigation; and

“(v) all maintenance openings, closings, malfunctions, or other comments.

“(2) **MAINTENANCE OF LOGBOOKS.**—A drawbridge operator shall maintain logbooks required under paragraph (1) for not less than 5 years.

“(3) **SUBMISSION OF LOGBOOKS.**—At the request of the Secretary of the department in which the Coast Guard is operating, a drawbridge operator shall submit to the Secretary the logbook required under paragraph (1) as the Secretary considers necessary to carry out this section.

“(4) **EXEMPTION.**—The requirements under paragraph (1) shall be exempt from sections 3501 to 3521 of title 44, United States Code.”.

SEC. 833. WAIVER.

Section 8902 of title 46, United States Code, shall not apply to the chain ferry DIANE (United States official number CG002692) when such vessel is operating on the Kalamazoo River in Saugatuck, Michigan.

SEC. 834. FIRE-RETARDANT MATERIALS.

Section 3503 of title 46, United States Code, is amended to read as follows:

“§3503. Fire-retardant materials

“(a)(1) A passenger vessel of the United States having berth or stateroom accommodations for at least 50 passengers shall be granted a certificate of inspection only if—

“(A) the vessel is constructed of fire-retardant materials; and

“(B) the vessel—

“(i) is operating engines, boilers, main electrical distribution panels, fuel tanks, oil tanks, and generators that meet current Coast Guard regulations; and

“(ii) is operating boilers and main electrical generators that are contained within non-combustible enclosures equipped with fire suppression systems.

“(2) Before December 1, 2028, this subsection does not apply to any vessel in operation before January 1, 1968, and operating only within the Boundary Line.

“(b)(1) The owner or managing operator of an exempted vessel described in subsection (a)(2) shall—

“(A) notify in writing prospective passengers, prior to purchase, and each crew member that the vessel does not comply with applicable fire safety standards due primarily to the wooden construction of passenger berthing areas;

“(B) display in clearly legible font prominently throughout the vessel, including in each state room the following: ‘THIS VESSEL FAILS TO COMPLY WITH SAFETY RULES AND REGULATIONS OF THE U.S. COAST GUARD.’;

“(C) acquire prior to the vessel entering service, and maintain, liability insurance in an amount to be prescribed by the Federal Maritime Commission;

“(D) make annual structural alteration to not less than 10 percent of the areas of the vessel that are not constructed of fire retardant materials;

“(E) prioritize alterations in galleys, engineering areas of the vessel, including all spaces and compartments containing, or adjacent to spaces and compartments containing, engines, boilers, main electrical distribution panels, fuel tanks, oil tanks, and generators;

“(F) ensure, to the satisfaction of the Secretary, that the combustible fire-load has been reduced pursuant to subparagraph (D) during each annual inspection for certification;

“(G) ensure the vessel has multiple forms of egress off the vessel’s bow and stern;

“(H) provide advance notice to the Coast Guard regarding the structural alterations made pursuant to subparagraph (D) and comply with any noncombustible material requirements prescribed by the Coast Guard;

“(I) annually notify all ports of call and State emergency management offices of jurisdiction that the vessel does not comply with the requirement under subsection (a)(1);

“(J) provide crewmembers manning such vessel shipboard training that—

“(i) is specialized for exempted vessels;

“(ii) exceeds requirements related to standards for firefighting training under chapter 1 of title 46, Code of Federal Regulations, as in effect on October 1, 2017; and

“(iii) is approved by the Coast Guard; and

“(K) to the extent practicable, take all steps to retain previously trained crew knowledgeable of such vessel or to hire crew trained in operations aboard exempted vessels.

“(2) The owner or managing operator of an exempted vessel described in subsection (a)(2) may not disclaim liability to a passenger or crew member of such vessel for death, injury, or any other loss caused by fire due to the negligence of the owner or managing operator.

“(3) The Secretary shall—

“(A) conduct an annual audit and inspection of each exempted vessel described in subsection (a)(2);

“(B) in implementing subparagraph (b)(1)(F), consider, to the extent practicable, the goal of preservation of the historic integrity of such vessel in areas carrying or accessible to passengers or generally visible to the public; and

“(C) prescribe regulations to carry out this section, including to prescribe the manner in which prospective passengers are to be notified under paragraph (1)(A).

“(4) The penalties provided in section 3504(c) of this title shall apply to a violation of this subsection.

“(c) In addition to otherwise applicable penalties, the Secretary may immediately withdraw a certificate of inspection for an exempted vessel described in subsection (a)(2) that does not comply with any requirement under subsection (b).”.

SEC. 835. VESSEL WAIVER.

(a) IN GENERAL.—Upon the date of enactment of this Act and notwithstanding sections 12112(a)(2)(A) and 12113(a)(2) of title 46, United States Code, the Secretary shall issue a certificate of documentation with coastwise and fishery endorsements to the certificated vessel.

(b) REPLACEMENT VESSEL.—The certificated vessel shall qualify as a replacement vessel for

the vessel “AMERICA NO.1” (United States official number 610654) and not be precluded from operating as an Amendment 80 replacement vessel under the provisions of part 679 of title 50, Code of Federal Regulations.

(c) COAST GUARD REVIEW AND DETERMINATION.—

(1) REVIEW.—Not later than 30 days after the date of enactment of this Act, the Secretary shall conduct a review of the use of certain foreign fabricated steel components in the hull or superstructure of the certificated vessel.

(2) DETERMINATION.—Based on the review conducted under paragraph (1), the Secretary shall determine whether the shipyard that constructed the certificated vessel or the purchaser of the certificated vessel knew before such components were procured or installed that the use of such components would violate requirements under sections 12112(a)(2)(A) and 12113(a)(2) of title 46, United States Code.

(3) REVOCATION.—If the Secretary determines under paragraph (2) that the shipyard that constructed the certificated vessel or the purchaser of the certificated vessel knew before such components were procured or installed that the use of such components would violate requirements under sections 12112(a)(2)(A) and 12113(a)(2) of title 46, United States Code, the Secretary shall immediately revoke the certificate of documentation issued under subsection (a).

(4) USE OF DOCUMENTS.—In conducting the review required under paragraph (1), the Secretary may request and review any information, correspondence, or documents related to the construction of the certificated vessel, including from the shipyard that constructed the certificated vessel and the purchaser of the certificated vessel.

(d) TERMINATION.—If the contract for purchase of the certificated vessel that is in effect on the date of enactment of this Act is terminated, the purchasing party to that contract shall be prohibited from entering into a subsequent contract or agreement for purchase of such vessel.

(e) DEFINITIONS.—In this section:

(1) CERTIFICATED VESSEL.—The term “certificated vessel” means the vessel America’s Finest (United States official number 1276760).

(2) SECRETARY.—The term “Secretary” means the Secretary of the department in which the Coast Guard is operating, acting through the Commandant of the Coast Guard.

SEC. 836. TEMPORARY LIMITATIONS.

(a) LIMITATIONS.—

(1) IN GENERAL.—Upon the Coast Guard issuing a certificate of documentation with coastwise and fishery endorsements for the vessel “AMERICA’S FINEST” (United States official number 1276760) and during any period such certificate is in effect, and subject to subsection (b), the total amount of groundfish harvested with respect to subparagraph (A) or the total amount of deliveries processed from other vessels with respect to subparagraph (B) by the vessels described in paragraph (2) shall not collectively exceed—

(A) the percentage of the harvest available in any Gulf of Alaska groundfish fisheries (other than fisheries subject to a limited access privilege program created by the North Pacific Fishery Management Council) that is equivalent to the total harvest by the vessels described in paragraph (2) in those fisheries in the calendar years that a vessel described in paragraph (2) had harvest from 2012 through 2017 relative to the total allowable catch available to such vessels in the calendar years 2012 through 2017; or

(B) the percentage of processing of deliveries from other vessels in any Bering Sea, Aleutian Islands, and Gulf of Alaska groundfish fisheries (including fisheries subject to a limited access privilege program created by the North Pacific Fishery Management Council, or community development quotas as described in section 305(i) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1855(i))) that is

equivalent to the total processing of such deliveries by the vessels described in paragraph (2) in those fisheries in the calendar years 2012 through 2017 relative to the total allowable catch available in the calendar years 2012 through 2017.

(2) APPLICABLE VESSELS.—The limitations described in paragraph (1) shall apply, in the aggregate, to—

(A) the vessel AMERICA’S FINEST (United States official number 1276760);

(B) the vessel US INTREPID (United States official number 604439);

(C) the vessel AMERICAN NO. 1 (United States official number 610654);

(D) any replacement of a vessel described in subparagraph (A), (B), or (C); and

(E) any vessel assigned license number LLG3217 under the license limitation program under part 679 of title 50, Code of Federal Regulations.

(b) EXPIRATION.—The limitations described in subsection (a) shall apply to a groundfish species in Bering Sea, Aleutian Islands, and Gulf of Alaska only until the earlier of—

(1) the end of the 6-year period beginning on the date of enactment of this Act; or

(2) the date on which the Secretary of Commerce issues a final rule, based on recommendations developed by the North Pacific Fishery Management Council consistent with the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.), that limits processing deliveries of that groundfish species from other vessels in any Bering Sea, Aleutian Islands, and Gulf of Alaska groundfish fisheries that are not subject to conservation and management measures under section 206 of the American Fisheries Act (16 U.S.C. 1851 note).

(c) EXISTING AUTHORITY.—Except for the measures required by this section, nothing in this title shall be construed to limit the authority of the North Pacific Fishery Management Council or the Secretary of Commerce under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.).

SEC. 837. TRANSFER OF COAST GUARD PROPERTY IN JUPITER ISLAND, FLORIDA, FOR INCLUSION IN HOBE SOUND NATIONAL WILDLIFE REFUGE.

(a) TRANSFER.—Administrative jurisdiction over the property described in subsection (b) is transferred to the Secretary of the Interior.

(b) PROPERTY DESCRIBED.—The property described in this subsection is real property administered by the Coast Guard in the Town of Jupiter Island, Florida, comprising Parcel #35-38-42-004-000-02590-6 (Bon Air Beach lots 259 and 260 located at 83 North Beach Road) and Parcel #35-38-42-004-000-02610-2 (Bon Air Beach lots 261 to 267), including any improvements thereon that are not authorized or required by another provision of law to be conveyed to another person.

(c) ADMINISTRATION.—The property described in subsection (b) is included in Hobe Sound National Wildlife Refuge, and shall be administered by the Secretary of the Interior acting through the United States Fish and Wildlife Service.

SEC. 838. EMERGENCY RESPONSE.

Not later than 90 days after the date of enactment of this Act, the Commandant of the Coast Guard shall request the National Offshore Safety Advisory Committee to examine whether there are unnecessary regulatory barriers to the use of small passenger vessels, crewboats, and offshore supply vessels in disaster response and provide recommendations, as appropriate, to reduce such barriers.

SEC. 839. DRAWBRIDGES CONSULTATION.

(a) CONSULTATION.—In addition and subsequent to any rulemaking conducted under section 117.8 of title 33, Code of Federal Regulations, related to permanent changes to drawbridge openings that result from Amtrak service between New Orleans, Louisiana and Orlando, Florida, the Commandant shall consult with

owners or operators of rail lines used for Amtrak passenger service between New Orleans, Louisiana and Orlando, Florida and affected waterway users on changes to drawbridge operating schedules necessary to facilitate the On Time Performance of passenger trains. These changes to schedules shall not impact Coast Guard response times to operational missions.

(b) **TIMING.**—Consultation in subsection (a) shall occur after commencement of Amtrak passenger service on the rail lines between New Orleans, Louisiana and Orlando, Florida at the following intervals:

(1) Not less than 3 months following the commencement of Amtrak passenger service.

(2) Not less than 6 months following the commencement of Amtrak passenger service.

(c) **REPORT.**—If after conducting the consultations required by subsection (b)(2), the Commandant finds that permanent changes to drawbridge operations are necessary to mitigate delays in the movement of trains described in subsection (a) and that those changes do not unreasonably obstruct the navigability of the affected waterways, then the Commandant shall submit those findings to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Transportation and Infrastructure of the House of Representatives.

TITLE IX—VESSEL INCIDENTAL DISCHARGE ACT

SEC. 901. SHORT TITLE.

This title may be cited as the “Vessel Incidental Discharge Act of 2018”.

SEC. 902. PURPOSES; FINDINGS.

(a) **PURPOSES.**—The purposes of this title are—

(1) to provide for the establishment of uniform, environmentally sound standards and requirements for the management of discharges incidental to the normal operation of a vessel;

(2) to charge the Environmental Protection Agency with primary responsibility for establishing standards relating to the discharge of pollutants from vessels;

(3) to charge the Coast Guard with primary responsibility for prescribing, administering, and enforcing regulations, consistent with the discharge standards established by the Environmental Protection Agency, for the design, construction, installation, and operation of the equipment and management practices required onboard vessels; and

(4) to preserve the flexibility of States, political subdivisions, and certain regions with respect to the administration and enforcement of standards relating to the discharge of pollutants from vessels engaged in maritime commerce and transportation.

(b) **FINDINGS.**—Congress finds that—

(1) the Environmental Protection Agency is the principal Federal authority charged under the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) with regulating through the issuance of permits for the discharge of pollutants into the navigable waters of the United States;

(2) the Coast Guard is the principal Federal authority charged with administering, enforcing, and prescribing regulations relating to the discharge of pollutants from vessels; and

(3) during the period of 1973 to 2010—

(A) the Environmental Protection Agency promulgated regulations exempting certain discharges incidental to the normal operation of vessels from otherwise applicable permitting requirements of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.); and

(B) Congress enacted laws on numerous occasions governing the regulation of discharges incidental to the normal operation of vessels, including—

(i) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.);

(ii) the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.);

(iii) the National Invasive Species Act of 1996 (16 U.S.C. 4701 note; Public Law 104–332);

(iv) section 415 of the Coast Guard Authorization Act of 1998 (Public Law 105–383; 112 Stat. 3434) and section 623 of the Coast Guard and Maritime Transportation Act of 2004 (33 U.S.C. 1901 note; Public Law 108–293), which established interim and permanent requirements, respectively, for the regulation of vessel discharges of certain bulk cargo residue;

(v) title XIV of division B of Appendix D of the Consolidated Appropriations Act, 2001 (Public Law 106–554; 114 Stat. 2763A–315), which prohibited or limited certain vessel discharges in certain areas of Alaska;

(vi) section 204 of the Maritime Transportation Security Act of 2002 (33 U.S.C. 1902a), which established requirements for the regulation of vessel discharges of agricultural cargo residue material in the form of hold washings; and

(vii) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.), which provided for the implementation of the International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001.

SEC. 903. STANDARDS FOR DISCHARGES INCIDENTAL TO NORMAL OPERATION OF VESSELS.

(a) **UNIFORM NATIONAL STANDARDS.**—

(1) **IN GENERAL.**—Section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322) is amended by adding at the end the following:

“(p) **UNIFORM NATIONAL STANDARDS FOR DISCHARGES INCIDENTAL TO NORMAL OPERATION OF VESSELS.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **AQUATIC NUISANCE SPECIES.**—The term ‘aquatic nuisance species’ means a nonindigenous species that threatens—

“(i) the diversity or abundance of a native species;

“(ii) the ecological stability of—

“(I) waters of the United States; or

“(II) waters of the contiguous zone; or

“(iii) a commercial, agricultural, aquacultural, or recreational activity that is dependent on—

“(I) waters of the United States; or

“(II) waters of the contiguous zone.

“(B) **BALLAST WATER.**—

“(i) **IN GENERAL.**—The term ‘ballast water’ means any water, suspended matter, and other materials taken onboard a vessel—

“(I) to control or maintain trim, draught, stability, or stresses of the vessel, regardless of the means by which any such water or suspended matter is carried; or

“(II) during the cleaning, maintenance, or other operation of a ballast tank or ballast water management system of the vessel.

“(ii) **EXCLUSION.**—The term ‘ballast water’ does not include any substance that is added to the water described in clause (i) that is directly related to the operation of a properly functioning ballast water management system.

“(C) **BALLAST WATER DISCHARGE STANDARD.**—The term ‘ballast water discharge standard’ means—

“(i) the numerical ballast water discharge standard established by section 151.1511 or 151.2030 of title 33, Code of Federal Regulations (or successor regulations); or

“(ii) if a standard referred to in clause (i) is superseded by a numerical standard of performance under this subsection, that superseding standard.

“(D) **BALLAST WATER EXCHANGE.**—The term ‘ballast water exchange’ means the replacement of water in a ballast water tank using 1 of the following methods:

“(i) **Flow-through exchange,** in which ballast water is flushed out by pumping in midocean water at the bottom of the tank if practicable, and continuously overflowing the tank from the top, until 3 full volumes of water have been changed to minimize the number of original organisms remaining in the tank.

“(ii) **Empty and refill exchange,** in which ballast water taken on in ports, estuarine waters, or territorial waters is pumped out until the

pump loses suction, after which the ballast tank is refilled with midocean water.

“(E) **BALLAST WATER MANAGEMENT SYSTEM.**—The term ‘ballast water management system’ means any marine pollution control device (including all ballast water treatment equipment, ballast tanks, pipes, pumps, and all associated control and monitoring equipment) that processes ballast water—

“(i) to kill, render nonviable, or remove organisms; or

“(ii) to avoid the uptake or discharge of organisms.

“(F) **BEST AVAILABLE TECHNOLOGY ECONOMICALLY ACHIEVABLE.**—The term ‘best available technology economically achievable’ means—

“(i) best available technology economically achievable (within the meaning of section 301(b)(2)(A));

“(ii) best available technology (within the meaning of section 304(b)(2)(B)); and

“(iii) best available technology, as determined in accordance with section 125.3(d)(3) of title 40, Code of Federal Regulations (or successor regulations).

“(G) **BEST CONVENTIONAL POLLUTANT CONTROL TECHNOLOGY.**—The term ‘best conventional pollutant control technology’ means—

“(i) best conventional pollutant control technology (within the meaning of section 301(b)(2)(E));

“(ii) best conventional pollutant control technology (within the meaning of section 304(b)(4)); and

“(iii) best conventional pollutant control technology, as determined in accordance with section 125.3(d)(2) of title 40, Code of Federal Regulations (or successor regulations).

“(H) **BEST MANAGEMENT PRACTICE.**—

“(i) **IN GENERAL.**—The term ‘best management practice’ means a schedule of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of—

“(I) the waters of the United States; or

“(II) the waters of the contiguous zone.

“(ii) **INCLUSIONS.**—The term ‘best management practice’ includes any treatment requirement, operating procedure, or practice to control—

“(I) vessel runoff;

“(II) spillage or leaks;

“(III) sludge or waste disposal; or

“(IV) drainage from raw material storage.

“(I) **BEST PRACTICABLE CONTROL TECHNOLOGY CURRENTLY AVAILABLE.**—The term ‘best practicable control technology currently available’ means—

“(i) best practicable control technology currently available (within the meaning of section 301(b)(1)(A));

“(ii) best practicable control technology currently available (within the meaning of section 304(b)(1)); and

“(iii) best practicable control technology currently available, as determined in accordance with section 125.3(d)(1) of title 40, Code of Federal Regulations (or successor regulations).

“(J) **CAPTAIN OF THE PORT ZONE.**—The term ‘Captain of the Port Zone’ means a Captain of the Port Zone established by the Secretary pursuant to sections 92, 93, and 633 of title 14, United States Code.

“(K) **EMPTY BALLAST TANK.**—The term ‘empty ballast tank’ means a tank that—

“(i) has previously held ballast water that has been drained to the limit of the functional or operational capabilities of the tank (such as loss of suction);

“(ii) is recorded as empty on a vessel log; and

“(iii) contains unpumpable residual ballast water and sediment.

“(L) **GREAT LAKES COMMISSION.**—The term ‘Great Lakes Commission’ means the Great Lakes Commission established by article IV A of the Great Lakes Compact to which Congress granted consent in the Act of July 24, 1968 (Public Law 90–419; 82 Stat. 414).

“(M) **GREAT LAKES STATE.**—The term ‘Great Lakes State’ means any of the States of—

“(i) Illinois;
 “(ii) Indiana;
 “(iii) Michigan;
 “(iv) Minnesota;
 “(v) New York;
 “(vi) Ohio;
 “(vii) Pennsylvania; and
 “(viii) Wisconsin.
 “(N) GREAT LAKES SYSTEM.—The term ‘Great Lakes System’ has the meaning given the term in section 118(a)(3).
 “(O) INTERNAL WATERS.—The term ‘internal waters’ has the meaning given the term in section 2.24 of title 33, Code of Federal Regulations (or a successor regulation).
 “(P) MARINE POLLUTION CONTROL DEVICE.—The term ‘marine pollution control device’ means any equipment or management practice (or combination of equipment and a management practice), for installation or use onboard a vessel, that is—
 “(i) designed to receive, retain, treat, control, or discharge a discharge incidental to the normal operation of a vessel; and
 “(ii) determined by the Administrator and the Secretary to be the most effective equipment or management practice (or combination of equipment and a management practice) to reduce the environmental impacts of the discharge, consistent with the factors for consideration described in paragraphs (4) and (5).
 “(Q) NONINDIGENOUS SPECIES.—The term ‘nonindigenous species’ means an organism of a species that enters an ecosystem beyond the historic range of the species.
 “(R) ORGANISM.—The term ‘organism’ includes—
 “(i) an animal, including fish and fish eggs and larvae;
 “(ii) a plant;
 “(iii) a pathogen;
 “(iv) a microbe;
 “(v) a virus;
 “(vi) a prokaryote (including any archean or bacterium);
 “(vii) a fungus; and
 “(viii) a protist.
 “(S) PACIFIC REGION.—
 “(i) IN GENERAL.—The term ‘Pacific Region’ means any Federal or State water—
 “(I) adjacent to the State of Alaska, California, Hawaii, Oregon, or Washington; and
 “(II) extending from shore.
 “(ii) INCLUSION.—The term ‘Pacific Region’ includes the entire exclusive economic zone (as defined in section 1001 of the Oil Pollution Act of 1990 (33 U.S.C. 2701)) adjacent to each State described in clause (i)(I).
 “(T) PORT OR PLACE OF DESTINATION.—The term ‘port or place of destination’ means a port or place to which a vessel is bound to anchor or moor.
 “(U) RENDER NONVIALE.—The term ‘render nonviable’, with respect to an organism in ballast water, means the action of a ballast water management system that renders the organism permanently incapable of reproduction following treatment.
 “(V) SALTWATER FLUSH.—
 “(i) IN GENERAL.—The term ‘saltwater flush’ means—
 “(I)(aa) the addition of as much midocean water into each empty ballast tank of a vessel as is safe for the vessel and crew; and
 “(bb) the mixing of the flushwater with residual ballast water and sediment through the motion of the vessel; and
 “(II) the discharge of that mixed water, such that the resultant residual water remaining in the tank—
 “(aa) has the highest salinity possible; and
 “(bb) is at least 30 parts per thousand.
 “(ii) MULTIPLE SEQUENCES.—For purposes of clause (i), a saltwater flush may require more than 1 fill-mix-empty sequence, particularly if only small quantities of water can be safely taken onboard a vessel at 1 time.
 “(W) SECRETARY.—The term ‘Secretary’ means the Secretary of the department in which the Coast Guard is operating.

“(X) SMALL VESSEL GENERAL PERMIT.—The term ‘Small Vessel General Permit’ means the permit that is the subject of the notice of final permit issuance entitled ‘Final National Pollutant Discharge Elimination System (NPDES) Small Vessel General Permit for Discharges Incidental to the Normal Operation of Vessels Less Than 79 Feet’ (79 Fed. Reg. 53702 (September 10, 2014)).
 “(Y) SMALL VESSEL OR FISHING VESSEL.—The term ‘small vessel or fishing vessel’ means a vessel that is—
 “(i) less than 79 feet in length; or
 “(ii) a fishing vessel, fish processing vessel, or fish tender vessel (as those terms are defined in section 2101 of title 46, United States Code), regardless of the length of the vessel.
 “(Z) VESSEL GENERAL PERMIT.—The term ‘Vessel General Permit’ means the permit that is the subject of the notice of final permit issuance entitled ‘Final National Pollutant Discharge Elimination System (NPDES) General Permit for Discharges Incidental to the Normal Operation of a Vessel’ (78 Fed. Reg. 21938 (April 12, 2013)).
 “(2) APPLICABILITY.—
 “(A) IN GENERAL.—Except as provided in subparagraph (B), this subsection applies to—
 “(i) any discharge incidental to the normal operation of a vessel; and
 “(ii) any discharge incidental to the normal operation of a vessel (such as most graywater) that is commingled with sewage, subject to the conditions that—
 “(I) nothing in this subsection prevents a State from regulating sewage discharges; and
 “(II) any such commingled discharge shall comply with all applicable requirements of—
 “(aa) this subsection; and
 “(bb) any law applicable to discharges of sewage.
 “(B) EXCLUSION.—This subsection does not apply to any discharge incidental to the normal operation of a vessel—
 “(i) from—
 “(I) a vessel of the Armed Forces subject to subsection (n);
 “(II) a recreational vessel subject to subsection (o);
 “(III) a small vessel or fishing vessel, except that this subsection shall apply to any discharge of ballast water from a small vessel or fishing vessel; or
 “(IV) a floating craft that is permanently moored to a pier, including a ‘floating’ casino, hotel, restaurant, or bar;
 “(ii) of ballast water from a vessel—
 “(I) that continuously takes on and discharges ballast water in a flow-through system, if the Administrator determines that system cannot materially contribute to the spread or introduction of an aquatic nuisance species into waters of the United States;
 “(II) in the National Defense Reserve Fleet that is scheduled for disposal, if the vessel does not have an operable ballast water management system;
 “(III) that discharges ballast water consisting solely of water taken onboard from a public or commercial source that, at the time the water is taken onboard, meets the applicable requirements or permit requirements of the Safe Drinking Water Act (42 U.S.C. 300f et seq.);
 “(IV) that carries all permanent ballast water in sealed tanks that are not subject to discharge; or
 “(V) that only discharges ballast water into a reception facility; or
 “(iii) that results from, or contains material derived from, an activity other than the normal operation of the vessel, such as material resulting from an industrial or manufacturing process onboard the vessel.
 “(3) CONTINUATION IN EFFECT OF EXISTING REQUIREMENTS.—
 “(A) VESSEL GENERAL PERMIT.—Notwithstanding the expiration date of the Vessel General Permit or any other provision of law, all provisions of the Vessel General Permit shall remain in force and effect, and shall not be modified,

until the applicable date described in subparagraph (C).
 “(B) NONINDIGENOUS AQUATIC NUISANCE PREVENTION AND CONTROL ACT REGULATIONS.—Notwithstanding section 903(a)(2)(A) of the Vessel Incidental Discharge Act of 2018, all regulations promulgated by the Secretary pursuant to section 1101 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4711) (as in effect on the day before the date of enactment of this subsection), including the regulations contained in subparts C and D of part 151 of title 33, Code of Federal Regulations, and subpart 162.060 of part 162 of title 46, Code of Federal Regulations (as in effect on the day before that date of enactment), shall remain in force and effect until the applicable date described in subparagraph (C).
 “(C) REPEAL ON EXISTENCE OF FINAL, EFFECTIVE, AND ENFORCEABLE REQUIREMENTS.—Effective beginning on the date on which the requirements promulgated by the Secretary under subparagraphs (A), (B), and (C) of paragraph (5) with respect to every discharge incidental to the normal operation of a vessel that is subject to regulation under this subsection are final, effective, and enforceable, the requirements of the Vessel General Permit and the regulations described in subparagraph (B) shall have no force or effect.
 “(4) NATIONAL STANDARDS OF PERFORMANCE FOR MARINE POLLUTION CONTROL DEVICES AND WATER QUALITY ORDERS.—
 “(A) ESTABLISHMENT.—
 “(i) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, the Administrator, in concurrence with the Secretary (subject to clause (ii)), and in consultation with interested Governors (subject to clause (iii)), shall promulgate Federal standards of performance for marine pollution control devices for each type of discharge incidental to the normal operation of a vessel that is subject to regulation under this subsection.
 “(ii) CONCURRENCE WITH SECRETARY.—
 “(I) REQUEST.—The Administrator shall submit to the Secretary a request for written concurrence with respect to a proposed standard of performance under clause (i).
 “(II) EFFECT OF FAILURE TO CONCUR.—A failure by the Secretary to concur with the Administrator under clause (i) by the date that is 60 days after the date on which the Administrator submits a request for concurrence under subclause (I) shall not prevent the Administrator from promulgating the relevant standard of performance in accordance with the deadline under clause (i), subject to the condition that the Administrator shall include in the administrative record of the promulgation—
 “(aa) documentation of the request submitted under subclause (I); and
 “(bb) the response of the Administrator to any written objections received from the Secretary relating to the proposed standard of performance during the 60-day period beginning on the date of submission of the request.
 “(iii) CONSULTATION WITH GOVERNORS.—
 “(I) IN GENERAL.—The Administrator, in promulgating a standard of performance under clause (i), shall develop the standard of performance—
 “(aa) in consultation with interested Governors; and
 “(bb) in accordance with the deadlines under that clause.
 “(II) PROCESS.—The Administrator shall develop a process for soliciting input from interested Governors, including information sharing relevant to such process, to allow interested Governors to inform the development of standards of performance under clause (i).
 “(III) OBJECTION BY GOVERNORS.—
 “(aa) SUBMISSION.—An interested Governor that objects to a proposed standard of performance under clause (i) may submit to the Administrator in writing a detailed objection to the proposed standard of performance, describing the scientific, technical, or operational factors that form the basis of the objection.

“(bb) RESPONSE.—Before finalizing a standard of performance under clause (i) that is subject to an objection under item (aa) from 1 or more interested Governors, the Administrator shall provide a written response to each interested Governor that submitted an objection under that item that details the scientific, technical, or operational factors that form the basis for that standard of performance.

“(cc) JUDICIAL REVIEW.—A response of the Administrator under item (bb) shall not be subject to judicial review.

“(iv) PROCEDURE.—The Administrator shall promulgate the standards of performance under this subparagraph in accordance with—

“(I) this paragraph; and

“(II) section 553 of title 5, United States Code.

“(B) STRINGENCY.—

“(i) IN GENERAL.—Subject to clause (iii), the standards of performance promulgated under this paragraph shall require—

“(I) with respect to conventional pollutants, toxic pollutants, and nonconventional pollutants (including aquatic nuisance species), the application of the best practicable control technology currently available;

“(II) with respect to conventional pollutants, the application of the best conventional pollutant control technology; and

“(III) with respect to toxic pollutants and nonconventional pollutants (including aquatic nuisance species), the application of the best available technology economically achievable for categories and classes of vessels, which shall result in reasonable progress toward the national goal of eliminating discharges of all pollutants.

“(ii) BEST MANAGEMENT PRACTICES.—The Administrator shall require the use of best management practices to control or abate any discharge incidental to the normal operation of a vessel if—

“(I) numeric standards of performance are infeasible under clause (i); or

“(II) the best management practices are reasonably necessary—

“(aa) to achieve the standards of performance; or

“(bb) to carry out the purpose and intent of this subsection.

“(iii) MINIMUM REQUIREMENTS.—Subject to subparagraph (D)(ii)(II), the combination of any equipment or best management practice comprising a marine pollution control device shall not be less stringent than the following provisions of the Vessel General Permit:

“(I) All requirements contained in parts 2.1 and 2.2 (relating to effluent limits and related requirements), including with respect to waters subject to Federal protection, in whole or in part, for conservation purposes.

“(II) All requirements contained in part 5 (relating to vessel class-specific requirements) that concern effluent limits and authorized discharges (within the meaning of that part), including with respect to waters subject to Federal protection, in whole or in part, for conservation purposes.

“(C) CLASSES, TYPES, AND SIZES OF VESSELS.—The standards promulgated under this paragraph may distinguish—

“(i) among classes, types, and sizes of vessels; and

“(ii) between new vessels and existing vessels.

“(D) REVIEW AND REVISION.—

“(i) IN GENERAL.—Not less frequently than once every 5 years, the Administrator, in consultation with the Secretary, shall—

“(I) review the standards of performance in effect under this paragraph; and

“(II) if appropriate, revise those standards of performance—

“(aa) in accordance with subparagraphs (A) through (C); and

“(bb) as necessary to establish requirements for any discharge that is subject to regulation under this subsection.

“(ii) MAINTAINING PROTECTIVENESS.—

“(I) IN GENERAL.—Except as provided in subclause (II), the Administrator shall not revise a

standard of performance under this subsection to be less stringent than an applicable existing requirement.

“(II) EXCEPTIONS.—The Administrator may revise a standard of performance to be less stringent than an applicable existing requirement—

“(aa) if information becomes available that—

“(AA) was not reasonably available when the Administrator promulgated the initial standard of performance or comparable requirement of the Vessel General Permit, as applicable (including the subsequent scarcity or unavailability of materials used to control the relevant discharge); and

“(BB) would have justified the application of a less-stringent standard of performance at the time of promulgation; or

“(bb) if the Administrator determines that a material technical mistake or misinterpretation of law occurred when promulgating the existing standard of performance or comparable requirement of the Vessel General Permit, as applicable.

“(E) BEST MANAGEMENT PRACTICES FOR AQUATIC NUISANCE SPECIES EMERGENCIES AND FURTHER PROTECTION OF WATER QUALITY.—

“(i) IN GENERAL.—Notwithstanding any other provision of this subsection, the Administrator, in concurrence with the Secretary (subject to clause (ii)), and in consultation with States, may require, by order, the use of an emergency best management practice for any region or category of vessels in any case in which the Administrator determines that such a best management practice—

“(I) is necessary to reduce the reasonably foreseeable risk of introduction or establishment of an aquatic nuisance species; or

“(II) will mitigate the adverse effects of a discharge that contributes to a violation of a water quality requirement under section 303, other than a requirement based on the presence of an aquatic nuisance species.

“(ii) CONCURRENCE WITH SECRETARY.—

“(I) REQUEST.—The Administrator shall submit to the Secretary a request for written concurrence with respect to an order under clause (i).

“(II) EFFECT OF FAILURE TO CONCUR.—A failure by the Secretary to concur with the Administrator under clause (i) by the date that is 60 days after the date on which the Administrator submits a request for concurrence under subclause (I) shall not prevent the Administrator from issuing the relevant order, subject to the condition that the Administrator shall include in the administrative record of the issuance—

“(aa) documentation of the request submitted under subclause (I); and

“(bb) the response of the Administrator to any written objections received from the Secretary relating to the proposed order during the 60-day period beginning on the date of submission of the request.

“(iii) DURATION.—An order issued by the Administrator under clause (i) shall expire not later than the date that is 4 years after the date of issuance.

“(iv) EXTENSIONS.—The Administrator may reissue an order under clause (i) for such subsequent periods of not longer than 4 years as the Administrator determines to be appropriate.

“(5) IMPLEMENTATION, COMPLIANCE, AND ENFORCEMENT REQUIREMENTS.—

“(A) ESTABLISHMENT.—

“(i) IN GENERAL.—As soon as practicable, but not later than 2 years, after the date on which the Administrator promulgates any new or revised standard of performance under paragraph (4) with respect to a discharge, the Secretary, in consultation with States, shall promulgate the regulations required under this paragraph with respect to that discharge.

“(ii) MINIMUM REQUIREMENTS.—Subject to subparagraph (C)(ii)(II), the regulations promulgated under this paragraph shall not be less stringent with respect to ensuring, monitoring, and enforcing compliance than—

“(I) the requirements contained in part 3 of the Vessel General Permit (relating to corrective actions);

“(II) the requirements contained in part 4 of the Vessel General Permit (relating to inspections, monitoring, reporting, and record-keeping), including with respect to waters subject to Federal protection, in whole or in part, for conservation purposes;

“(III) the requirements contained in part 5 of the Vessel General Permit (relating to vessel class-specific requirements) regarding monitoring, inspection, and educational and training requirements (within the meaning of that part), including with respect to waters subject to Federal protection, in whole or in part, for conservation purposes; and

“(IV) any comparable, existing requirements promulgated under the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) (including section 1101 of that Act (16 U.S.C. 4711) (as in effect on the day before the date of enactment of this subsection)) applicable to that discharge.

“(iii) COORDINATION WITH STATES.—The Secretary, in coordination with the Governors of the States, shall develop, publish, and periodically update inspection, monitoring, data management, and enforcement procedures for the enforcement by States of Federal standards and requirements under this subsection.

“(iv) EFFECTIVE DATE.—In determining the effective date of a regulation promulgated under this paragraph, the Secretary shall take into consideration the period of time necessary—

“(I) to communicate to affected persons the applicability of the regulation; and

“(II) for affected persons reasonably to comply with the regulation.

“(v) PROCEDURE.—The Secretary shall promulgate the regulations under this subparagraph in accordance with—

“(I) this paragraph; and

“(II) section 553 of title 5, United States Code.

“(B) IMPLEMENTATION REGULATIONS FOR MARINE POLLUTION CONTROL DEVICES.—The Secretary shall promulgate such regulations governing the design, construction, testing, approval, installation, and use of marine pollution control devices as are necessary to ensure compliance with the standards of performance promulgated under paragraph (4).

“(C) COMPLIANCE ASSURANCE.—

“(i) IN GENERAL.—The Secretary shall promulgate requirements (including requirements for vessel owners and operators with respect to inspections, monitoring, reporting, sampling, and recordkeeping) to ensure, monitor, and enforce compliance with—

“(I) the standards of performance promulgated by the Administrator under paragraph (4); and

“(II) the implementation regulations promulgated by the Secretary under subparagraph (B).

“(ii) MAINTAINING PROTECTIVENESS.—

“(I) IN GENERAL.—Except as provided in subclause (II), the Secretary shall not revise a requirement under this subparagraph or subparagraph (B) to be less stringent with respect to ensuring, monitoring, or enforcing compliance than an applicable existing requirement.

“(II) EXCEPTIONS.—The Secretary may revise a requirement under this subparagraph or subparagraph (B) to be less stringent than an applicable existing requirement—

“(aa) in accordance with this subparagraph or subparagraph (B), as applicable;

“(bb) if information becomes available that—

“(AA) the Administrator determines was not reasonably available when the Administrator promulgated the existing requirement of the Vessel General Permit, or that the Secretary determines was not reasonably available when the Secretary promulgated the existing requirement under the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) or the applicable existing requirement under this subparagraph, as applicable (including subsequent scarcity or unavailability of materials used to control the relevant discharge); and

“(BB) would have justified the application of a less-stringent requirement at the time of promulgation; or

“(cc) if the Administrator determines that a material technical mistake or misinterpretation of law occurred when promulgating an existing requirement of the Vessel General Permit, or if the Secretary determines that a material mistake or misinterpretation of law occurred when promulgating an existing requirement under the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4701 et seq.) or this subsection.

“(D) DATA AVAILABILITY.—Beginning not later than 1 year after the date of enactment of this subsection, the Secretary shall provide to the Governor of a State, on request by the Governor, access to Automated Identification System arrival data for inbound vessels to specific ports or places of destination in the State.

“(6) ADDITIONAL PROVISIONS REGARDING BALLAST WATER.—

“(A) IN GENERAL.—In addition to the other applicable requirements of this subsection, the requirements of this paragraph shall apply with respect to any discharge incidental to the normal operation of a vessel that is a discharge of ballast water.

“(B) EMPTY BALLAST TANKS.—

“(i) REQUIREMENTS.—Except as provided in clause (ii), the owner or operator of a vessel with empty ballast tanks bound for a port or place of destination subject to the jurisdiction of the United States shall, prior to arriving at that port or place of destination, conduct a ballast water exchange or saltwater flush—

“(I) not less than 200 nautical miles from any shore for a voyage originating outside the United States or Canadian exclusive economic zone; or

“(II) not less than 50 nautical miles from any shore for a voyage originating within the United States or Canadian exclusive economic zone.

“(ii) EXCEPTIONS.—Clause (i) shall not apply—

“(I) if the unpumpable residual waters and sediments of an empty ballast tank were subject to treatment, in compliance with applicable requirements, through a type-approved ballast water management system approved by the Secretary;

“(II) except as otherwise required under this subsection, if the unpumpable residual waters and sediments of an empty ballast tank were sourced within—

“(aa) the same port or place of destination; or

“(bb) contiguous portions of a single Captain of the Port Zone;

“(III) if complying with an applicable requirement of clause (i)—

“(aa) would compromise the safety of the vessel; or

“(bb) is otherwise prohibited by any Federal, Canadian, or international law (including regulations) pertaining to vessel safety;

“(IV) if design limitations of the vessel prevent a ballast water exchange or saltwater flush from being conducted in accordance with clause (i); or

“(V) if the vessel is operating exclusively within the internal waters of the United States or Canada.

“(C) PERIOD OF USE OF INSTALLED BALLAST WATER MANAGEMENT SYSTEMS.—

“(i) IN GENERAL.—Except as provided in clause (ii), a vessel shall be deemed to be in compliance with a standard of performance for a marine pollution control device that is a ballast water management system if the ballast water management system—

“(I) is maintained in proper working condition, as determined by the Secretary;

“(II) is maintained and used in accordance with manufacturer specifications;

“(III) continues to meet the ballast water discharge standard applicable to the vessel at the time of installation, as determined by the Secretary; and

“(IV) has in effect a valid type-approval certificate issued by the Secretary.

“(ii) LIMITATION.—Clause (i) shall cease to apply with respect to any vessel on, as applicable—

“(I) the expiration of the service life, as determined by the Secretary, of—

“(aa) the ballast water management system; or

“(bb) the vessel;

“(II) the completion of a major conversion (as defined in section 2101 of title 46, United States Code) of the vessel; or

“(III) a determination by the Secretary that there are other type-approved systems for the vessel or category of vessels, with respect to the use of which the environmental, health, and economic benefits would exceed the costs.

“(D) REVIEW OF BALLAST WATER MANAGEMENT SYSTEM TYPE-APPROVAL TESTING METHODS.—

“(i) DEFINITION OF LIVE; LIVING.—Notwithstanding any other provision of law (including regulations), for purposes of section 151.1511 of title 33, and part 162 of title 46, Code of Federal Regulations (or successor regulations), the terms ‘live’ and ‘living’ shall not—

“(I) include an organism that has been rendered nonviable; or

“(II) preclude the consideration of any method of measuring the concentration of organisms in ballast water that are capable of reproduction.

“(ii) DRAFT POLICY.—Not later than 180 days after the date of enactment of this subsection, the Secretary, in coordination with the Administrator, shall publish a draft policy letter, based on the best available science, describing type-approval testing methods and protocols for ballast water management systems, if any, that—

“(I) render nonviable organisms in ballast water; and

“(II) may be used in addition to the methods established under subpart 162.060 of title 46, Code of Federal Regulations (or successor regulations)—

“(aa) to measure the concentration of organisms in ballast water that are capable of reproduction;

“(bb) to certify the performance of each ballast water management system under this subsection; and

“(cc) to certify laboratories to evaluate applicable treatment technologies.

“(iii) PUBLIC COMMENT.—The Secretary shall provide a period of not more than 60 days for public comment regarding the draft policy letter published under clause (ii).

“(iv) FINAL POLICY.—

“(I) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary, in coordination with the Administrator, shall publish a final policy letter describing type-approval testing methods, if any, for ballast water management systems that render nonviable organisms in ballast water.

“(II) METHOD OF EVALUATION.—The ballast water management systems under subclause (I) shall be evaluated by measuring the concentration of organisms in ballast water that are capable of reproduction based on the best available science that may be used in addition to the methods established under subpart 162.060 of title 46, Code of Federal Regulations (or successor regulations).

“(III) REVISIONS.—The Secretary shall revise the final policy letter under subclause (I) in any case in which the Secretary, in coordination with the Administrator, determines that additional testing methods are capable of measuring the concentration of organisms in ballast water that have not been rendered nonviable.

“(v) FACTORS FOR CONSIDERATION.—In developing a policy letter under this subparagraph, the Secretary, in coordination with the Administrator—

“(I) shall take into consideration a testing method that uses organism grow-out and most probable number statistical analysis to determine the concentration of organisms in ballast water that are capable of reproduction; and

“(II) shall not take into consideration a testing method that relies on a staining method that measures the concentration of—

“(aa) organisms greater than or equal to 10 micrometers; and

“(bb) organisms less than or equal to 50 micrometers.

“(E) INTERGOVERNMENTAL RESPONSE FRAMEWORK.—

“(i) IN GENERAL.—The Secretary, in consultation with the Administrator and acting in coordination with, or through, the Aquatic Nuisance Species Task Force established by section 1201(a) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4721(a)), shall establish a framework for Federal and intergovernmental response to aquatic nuisance species risks from discharges from vessels subject to ballast water and incidental discharge compliance requirements under this subsection, including the introduction, spread, and establishment of aquatic nuisance species populations.

“(ii) BALLAST DISCHARGE RISK RESPONSE.—The Administrator, in coordination with the Secretary and taking into consideration information from the National Ballast Information Clearinghouse developed under section 1102(f) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4712(f)), shall establish a risk assessment and response framework using ballast water discharge data and aquatic nuisance species monitoring data for the purposes of—

“(I) identifying and tracking populations of aquatic invasive species;

“(II) evaluating the risk of any aquatic nuisance species population tracked under subclause (I) establishing and spreading in waters of the United States or waters of the contiguous zone; and

“(III) establishing emergency best management practices that may be deployed rapidly, in a local or regional manner, to respond to emerging aquatic nuisance species threats.

“(7) PETITIONS BY GOVERNORS FOR REVIEW.—

“(A) IN GENERAL.—The Governor of a State (or a designee) may submit to the Administrator or the Secretary a petition—

“(i) to issue an order under paragraph (4)(E); or

“(ii) to review any standard of performance, regulation, or policy promulgated under paragraph (4), (5), or (6), respectively, if there exists new information that could reasonably result in a change to—

“(I) the standard of performance, regulation, or policy; or

“(II) a determination on which the standard of performance, regulation, or policy was based.

“(B) INCLUSION.—A petition under subparagraph (A) shall include a description of any applicable scientific or technical information that forms the basis of the petition.

“(C) DETERMINATION.—

“(i) TIMING.—The Administrator or the Secretary, as applicable, shall grant or deny—

“(I) a petition under subparagraph (A)(i) by not later than the date that is 180 days after the date on which the petition is submitted; and

“(II) a petition under subparagraph (A)(ii) by not later than the date that is 1 year after the date on which the petition is submitted.

“(ii) EFFECT OF GRANT.—If the Administrator or the Secretary determines under clause (i) to grant a petition—

“(I) in the case of a petition under subparagraph (A)(i), the Administrator shall immediately issue the relevant order under paragraph (4)(E); or

“(II) in the case of a petition under subparagraph (A)(ii), the Administrator or Secretary shall publish in the Federal Register, by not later than 30 days after the date of that determination, a notice of proposed rulemaking to revise the relevant standard, requirement, regulation, or policy under paragraph (4), (5), or (6), as applicable.

“(iii) NOTICE OF DENIAL.—If the Administrator or the Secretary determines under clause (i) to deny a petition, the Administrator or Secretary shall publish in the Federal Register, by not later than 30 days after the date of that determination, a detailed explanation of the sci-

entific, technical, or operational factors that form the basis of the determination.

“(iv) REVIEW.—A determination by the Administrator or the Secretary under clause (i) to deny a petition shall be—

“(I) considered to be a final agency action; and

“(II) subject to judicial review in accordance with section 509, subject to clause (v).

“(v) EXCEPTIONS.—

“(I) VENUE.—Notwithstanding section 509(b), a petition for review of a determination by the Administrator or the Secretary under clause (i) to deny a petition submitted by the Governor of a State under subparagraph (A) may be filed in any United States district court of competent jurisdiction.

“(II) DEADLINE FOR FILING.—Notwithstanding section 509(b), a petition for review of a determination by the Administrator or the Secretary under clause (i) shall be filed by not later than 180 days after the date on which the justification for the determination is published in the Federal Register under clause (iii).

“(8) PROHIBITION.—

“(A) IN GENERAL.—It shall be unlawful for any person to violate—

“(i) a provision of the Vessel General Permit in force and effect under paragraph (3)(A);

“(ii) a regulation promulgated pursuant to section 1101 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4711) (as in effect on the day before the date of enactment of this subsection) in force and effect under paragraph (3)(B); or

“(iii) an applicable requirement or regulation under this subsection.

“(B) COMPLIANCE WITH REGULATIONS.—Effective beginning on the effective date of a regulation promulgated under paragraph (4), (5), (6), or (10), as applicable, it shall be unlawful for the owner or operator of a vessel subject to the regulation—

“(i) to discharge any discharge incidental to the normal operation of the vessel into waters of the United States or waters of the contiguous zone, except in compliance with the regulation; or

“(ii) to operate in waters of the United States or waters of the contiguous zone, if the vessel is not equipped with a required marine pollution control device that complies with the requirements established under this subsection, unless—

“(I) the owner or operator of the vessel denotes in an entry in the official logbook of the vessel that the equipment was not operational; and

“(II) either—

“(aa) the applicable discharge was avoided; or

“(bb) an alternate compliance option approved by the Secretary as meeting the applicable standard was employed.

“(C) AFFIRMATIVE DEFENSE.—No person shall be found to be in violation of this paragraph if—

“(i) the violation was in the interest of ensuring the safety of life at sea, as determined by the Secretary; and

“(ii) the applicable emergency circumstance was not the result of negligence or malfeasance on the part of—

“(I) the owner or operator of the vessel;

“(II) the master of the vessel; or

“(III) the person in charge of the vessel.

“(D) TREATMENT.—Each day of continuing violation of an applicable requirement of this subsection shall constitute a separate offense.

“(E) IN REM LIABILITY.—A vessel operated in violation of this subsection is liable in rem for any civil penalty assessed for the violation.

“(F) REVOCATION OF CLEARANCE.—The Secretary shall withhold or revoke the clearance of a vessel required under section 60105 of title 46, United States Code, if the owner or operator of the vessel is in violation of this subsection.

“(9) EFFECT ON OTHER LAWS.—

“(A) STATE AUTHORITY.—

“(i) IN GENERAL.—Except as provided in clauses (ii) through (v) and paragraph (10), ef-

fective beginning on the date on which the requirements promulgated by the Secretary under subparagraphs (A), (B), and (C) of paragraph (5) with respect to every discharge incidental to the normal operation of a vessel that is subject to regulation under this subsection are final, effective, and enforceable, no State, political subdivision of a State, or interstate agency may adopt or enforce any law, regulation, or other requirement of the State, political subdivision, or interstate agency with respect to any such discharge.

“(ii) IDENTICAL OR LESSER STATE LAWS.—Clause (i) shall not apply to any law, regulation, or other requirement of a State, political subdivision of a State, or interstate agency in effect on or after the date of enactment of this subsection—

“(I) that is identical to a Federal requirement under this subsection applicable to the relevant discharge; or

“(II) compliance with which would be achieved concurrently in achieving compliance with a Federal requirement under this subsection applicable to the relevant discharge.

“(iii) STATE ENFORCEMENT OF FEDERAL REQUIREMENTS.—A State may enforce any standard of performance or other Federal requirement of this subsection in accordance with subsection (k) or other applicable Federal authority.

“(iv) EXCEPTION FOR CERTAIN FEES.—

“(I) IN GENERAL.—Subject to subclauses (II) and (III), a State that assesses any fee pursuant to any State or Federal law relating to the regulation of a discharge incidental to the normal operation of a vessel before the date of enactment of this subsection may assess or retain a fee to cover the costs of administration, inspection, monitoring, and enforcement activities by the State to achieve compliance with the applicable requirements of this subsection.

“(II) MAXIMUM AMOUNT.—

“(aa) IN GENERAL.—Except as provided in item (bb), a State may assess a fee for activities under this clause equal to not more than \$1,000 against the owner or operator of a vessel that—

“(AA) has operated outside of that State; and

“(BB) arrives at a port or place of destination in the State (excluding movement entirely within a single port or place of destination).

“(bb) VESSELS ENGAGED IN COASTWISE TRADE.—A State may assess against the owner or operator of a vessel registered in accordance with applicable Federal law and lawfully engaged in the coastwise trade not more than \$5,000 in fees under this clause per vessel during a calendar year.

“(III) ADJUSTMENT FOR INFLATION.—

“(aa) IN GENERAL.—A State may adjust the amount of a fee authorized under this clause not more frequently than once every 5 years to reflect the percentage by which the Consumer Price Index for All Urban Consumers published by the Department of Labor for the month of October immediately preceding the date of adjustment exceeds the Consumer Price Index for All Urban Consumers published by the Department of Labor for the month of October that immediately precedes the date that is 5 years before the date of adjustment.

“(bb) EFFECT OF SUBCLAUSE.—Nothing in this subclause prevents a State from adjusting a fee in effect before the date of enactment of this subsection to the applicable maximum amount under subclause (II).

“(cc) APPLICABILITY.—This subclause applies only to increases in fees to amounts greater than the applicable maximum amount under subclause (II).

“(v) ALASKA GRAYWATER.—Clause (i) shall not apply with respect to any discharge of graywater (as defined in section 1414 of the Consolidated Appropriations Act, 2001 (Public Law 106-554; 114 Stat. 2763A-323)) from a passenger vessel (as defined in section 2101 of title 46, United States Code) in the State of Alaska (including all waters in the Alexander Archipelago) carrying 50 or more passengers.

“(vi) PRESERVATION OF AUTHORITY.—Nothing in this subsection preempts any State law, pub-

lic initiative, referendum, regulation, requirement, or other State action, except as expressly provided in this subsection.

“(B) ESTABLISHED REGIMES.—Except as expressly provided in this subsection, nothing in this subsection affects the applicability to a vessel of any other provision of Federal law, including—

“(i) this section;

“(ii) section 311;

“(iii) the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.); and

“(iv) title X of the Coast Guard Authorization Act of 2010 (33 U.S.C. 3801 et seq.).

“(C) PERMITTING.—Effective beginning on the date of enactment of this subsection—

“(i) the Small Vessel General Permit is repealed; and

“(ii) the Administrator, or a State in the case of a permit program approved under section 402, shall not require, or in any way modify, a permit under that section for—

“(I) any discharge that is subject to regulation under this subsection;

“(II) any discharge incidental to the normal operation of a vessel from a small vessel or fishing vessel, regardless of whether that discharge is subject to regulation under this subsection; or

“(III) any discharge described in paragraph (2)(B)(ii).

“(D) NO EFFECT ON CIVIL OR CRIMINAL ACTIONS.—Nothing in this subsection, or any standard, regulation, or requirement established under this subsection, modifies or otherwise affects, preempts, or displaces—

“(i) any cause of action; or

“(ii) any provision of Federal or State law establishing a remedy for civil relief or criminal penalty.

“(E) NO EFFECT ON CERTAIN SECRETARIAL AUTHORITY.—Nothing in this subsection affects the authority of the Secretary of Commerce or the Secretary of the Interior to administer any land or waters under the administrative control of the Secretary of Commerce or the Secretary of the Interior, respectively.

“(F) NO LIMITATION ON STATE INSPECTION AUTHORITY.—Nothing in this subsection limits the authority of a State to inspect a vessel pursuant to paragraph (5)(A)(iii) in order to monitor compliance with an applicable requirement of this section.

“(10) ADDITIONAL REGIONAL REQUIREMENTS.—

“(A) MINIMUM GREAT LAKES SYSTEM REQUIREMENTS.—

“(i) IN GENERAL.—Except as provided in clause (ii), the owner or operator of a vessel entering the St. Lawrence Seaway through the mouth of the St. Lawrence River shall conduct a complete ballast water exchange or saltwater flush—

“(I) not less than 200 nautical miles from any shore for a voyage originating outside the United States or Canadian exclusive economic zone; or

“(II) not less than 50 nautical miles from any shore for a voyage originating within the United States or Canadian exclusive economic zone.

“(ii) EXCEPTIONS.—Clause (i) shall not apply to a vessel if—

“(I) complying with an applicable requirement of clause (i)—

“(aa) would compromise the safety of the vessel; or

“(bb) is otherwise prohibited by any Federal, Canadian, or international law (including regulations) pertaining to vessel safety;

“(II) design limitations of the vessel prevent a ballast water exchange from being conducted in accordance with an applicable requirement of clause (i);

“(III) the vessel—

“(aa) is certified by the Secretary as having no residual ballast water or sediments onboard; or

“(bb) retains all ballast water while in waters subject to the requirement; or

“(IV) empty ballast tanks on the vessel are sealed and certified by the Secretary in a manner that ensures that—

“(aa) no discharge or uptake occurs; and
“(bb) any subsequent discharge of ballast water is subject to the requirement.”

“(B) ENHANCED GREAT LAKES SYSTEM REQUIREMENTS.—

“(i) PETITIONS BY GOVERNORS FOR PROPOSED ENHANCED STANDARDS AND REQUIREMENTS.—

“(I) IN GENERAL.—The Governor of a Great Lakes State (or a State employee designee) may submit a petition in accordance with subclause (II) to propose that other Governors of Great Lakes States endorse an enhanced standard of performance or other requirement with respect to any discharge that—

“(aa) is subject to regulation under this subsection; and

“(bb) occurs within the Great Lakes System.

“(II) SUBMISSION.—A Governor shall submit a petition under subclause (I), in writing, to—

“(aa) the Executive Director of the Great Lakes Commission, in such manner as may be prescribed by the Great Lakes Commission;

“(bb) the Governor of each other Great Lakes State; and

“(cc) the Director of the Great Lakes National Program Office established by section 118(b).

“(III) PRELIMINARY ASSESSMENT BY GREAT LAKES COMMISSION.—

“(aa) IN GENERAL.—After the date of receipt of a petition under subclause (II)(aa), the Great Lakes Commission (acting through the Great Lakes Panel on Aquatic Nuisance Species, to the maximum extent practicable) may develop a preliminary assessment regarding each enhanced standard of performance or other requirement described in the petition.

“(bb) PROVISIONS.—The preliminary assessment developed by the Great Lakes Commission under item (aa)—

“(AA) may be developed in consultation with relevant experts and stakeholders;

“(BB) may be narrative in nature;

“(CC) may include the preliminary views, if any, of the Great Lakes Commission on the propriety of the proposed enhanced standard of performance or other requirement;

“(DD) shall be submitted, in writing, to the Governor of each Great Lakes State and the Director of the Great Lakes National Program Office and published on the internet website of the Great Lakes National Program Office; and

“(EE) except as provided in clause (iii), shall not be taken into consideration, or provide a basis for review, by the Administrator or the Secretary for purposes of that clause.

“(ii) PROPOSED ENHANCED STANDARDS AND REQUIREMENTS.—

“(I) PUBLICATION IN FEDERAL REGISTER.—

“(aa) REQUEST BY GOVERNOR.—Not earlier than the date that is 90 days after the date on which the Executive Director of the Great Lakes Commission receives from a Governor of a Great Lakes State a petition under clause (i)(II)(aa), the Governor may request the Director of the Great Lakes National Program Office to publish, for a period requested by the Governor of not less than 30 days, and the Director shall so publish, in the Federal Register for public comment—

“(AA) a copy of the petition; and

“(BB) if applicable as of the date of publication, any preliminary assessment of the Great Lakes Commission developed under clause (i)(III) relating to the petition.

“(bb) REVIEW OF PUBLIC COMMENTS.—On receipt of a written request of a Governor of a Great Lakes State, the Director of the Great Lakes National Program Office shall make available all public comments received in response to the notice under item (aa).

“(cc) NO RESPONSE REQUIRED.—Notwithstanding any other provision of law, a Governor of a Great Lakes State or the Director of the Great Lakes National Program Office shall not be required to provide a response to any comment received in response to the publication of a petition or preliminary assessment under item (aa).

“(dd) PURPOSE.—Any public comments received in response to the publication of a peti-

tion or preliminary assessment under item (aa) shall be used solely for the purpose of providing information and feedback to the Governor of each Great Lakes State regarding the decision to endorse the proposed standard or requirement.

“(ee) EFFECT OF PETITION.—A proposed standard or requirement developed under subclause (II) may differ from the proposed standard or requirement described in a petition published under item (aa).

“(II) COORDINATION TO DEVELOP PROPOSED STANDARD OR REQUIREMENT.—After the expiration of the public comment period for the petition under subclause (I), any interested Governor of a Great Lakes State may work in coordination with the Great Lakes Commission to develop a proposed standard of performance or other requirement applicable to a discharge referred to in the petition.

“(III) REQUIREMENTS.—A proposed standard of performance or other requirement under subclause (II)—

“(aa) shall be developed—

“(AA) in consultation with representatives from the Federal and provincial governments of Canada;

“(BB) after notice and opportunity for public comment on the petition published under subclause (I); and

“(CC) taking into consideration the preliminary assessment, if any, of the Great Lakes Commission under clause (i)(III);

“(bb) shall be specifically endorsed in writing by—

“(AA) the Governor of each Great Lakes State, if the proposed standard or requirement would impose any additional equipment requirement on a vessel; or

“(BB) not fewer than 5 Governors of Great Lakes States, if the proposed standard or requirement would not impose any additional equipment requirement on a vessel; and

“(cc) in the case of a proposed requirement to prohibit 1 or more types of discharge regulated under this subsection, whether treated or not treated, into waters within the Great Lakes System, shall not apply outside the waters of the Great Lakes States of the Governors endorsing the proposed requirement under item (bb).

“(iii) PROMULGATION BY ADMINISTRATOR AND SECRETARY.—

“(I) SUBMISSION.—

“(aa) IN GENERAL.—The Governors endorsing a proposed standard or requirement under clause (ii)(III)(bb) may jointly submit to the Administrator and the Secretary for approval each proposed standard of performance or other requirement developed and endorsed pursuant to clause (ii).

“(bb) INCLUSION.—Each submission under item (aa) shall include an explanation regarding why the applicable standard of performance or other requirement is—

“(AA) at least as stringent as a comparable standard of performance or other requirement under this subsection;

“(BB) in accordance with maritime safety; and

“(CC) in accordance with applicable maritime and navigation laws and regulations.

“(cc) WITHDRAWAL.—

“(AA) IN GENERAL.—The Governor of any Great Lakes State that endorses a proposed standard or requirement under clause (ii)(III)(bb) may withdraw the endorsement by not later than the date that is 90 days after the date on which the Administrator and the Secretary receive the proposed standard or requirement.

“(BB) EFFECT ON FEDERAL REVIEW.—If, after the withdrawal of an endorsement under subitem (AA), the proposed standard or requirement does not have the applicable number of endorsements under clause (ii)(III)(bb), the Administrator and the Secretary shall terminate the review under this clause.

“(dd) DISSENTING OPINIONS.—The Governor of a Great Lakes State that does not endorse a proposed standard or requirement under clause

(ii)(III)(bb) may submit to the Administrator and the Secretary any dissenting opinions of the Governor.

“(II) JOINT NOTICE.—On receipt of a proposed standard of performance or other requirement under subclause (I), the Administrator and the Secretary shall publish in the Federal Register a joint notice that, at minimum—

“(aa) states that the proposed standard or requirement is publicly available; and

“(bb) provides an opportunity for public comment regarding the proposed standard or requirement during the 90-day period beginning on the date of receipt by the Administrator and the Secretary of the proposed standard or requirement.

“(III) REVIEW.—

“(aa) IN GENERAL.—As soon as practicable after the date of publication of a joint notice under subclause (II)—

“(AA) the Administrator shall commence a review of each proposed standard of performance or other requirement covered by the notice to determine whether that standard or requirement is at least as stringent as comparable standards and requirements under this subsection; and

“(BB) the Secretary shall commence a review of each proposed standard of performance or other requirement covered by the notice to determine whether that standard or requirement is in accordance with maritime safety and applicable maritime and navigation laws and regulations.

“(bb) CONSULTATION.—In carrying out item (aa), the Administrator and the Secretary—

“(AA) shall consult with the Governor of each Great Lakes State and representatives from the Federal and provincial governments of Canada;

“(BB) shall take into consideration any relevant data or public comments received under subclause (II)(bb); and

“(CC) shall not take into consideration any preliminary assessment by the Great Lakes Commission under clause (i)(III), or any dissenting opinion under subclause (I)(dd), except to the extent that such an assessment or opinion is relevant to the criteria for the applicable determination under item (aa).

“(IV) APPROVAL OR DISAPPROVAL.—Not later than 180 days after the date of receipt of each proposed standard of performance or other requirement under subclause (I), the Administrator and the Secretary shall—

“(aa) determine, as applicable, whether each proposed standard or other requirement satisfies the criteria under subclause (III)(aa);

“(bb) approve each proposed standard or other requirement, unless the Administrator or the Secretary, as applicable, determines under item (aa) that the proposed standard or other requirement does not satisfy the criteria under subclause (III)(aa); and

“(cc) submit to the Governor of each Great Lakes State, and publish in the Federal Register, a notice of the determination under item (aa).

“(V) ACTION ON DISAPPROVAL.—

“(aa) RATIONALE AND RECOMMENDATIONS.—If the Administrator and the Secretary disapprove a proposed standard of performance or other requirement under subclause (IV)(bb), the notices under subclause (IV)(cc) shall include—

“(AA) a description of the reasons why the standard or requirement is, as applicable, less stringent than a comparable standard or requirement under this subsection, inconsistent with maritime safety, or inconsistent with applicable maritime and navigation laws and regulations; and

“(BB) any recommendations regarding changes the Governors of the Great Lakes States could make to conform the disapproved portion of the standard or requirement to the requirements of this subparagraph.

“(bb) REVIEW.—Disapproval of a proposed standard or requirement by the Administrator and the Secretary under this subparagraph shall be considered to be a final agency action subject to judicial review under section 509.

“(VI) ACTION ON APPROVAL.—On approval by the Administrator and the Secretary of a pro-

posed standard of performance or other requirement under subclause (IV)(bb)—

“(aa) the Administrator shall establish, by regulation, the proposed standard or requirement within the Great Lakes System in lieu of any comparable standard or other requirement promulgated under paragraph (4); and

“(bb) the Secretary shall establish, by regulation, any requirements necessary to implement, ensure compliance with, and enforce the standard or requirement under item (aa), or to apply the proposed requirement, within the Great Lakes System in lieu of any comparable requirement promulgated under paragraph (5).

“(VII) NO JUDICIAL REVIEW FOR CERTAIN ACTIONS.—An action or inaction of a Governor of a Great Lakes State or the Great Lakes Commission under this subparagraph shall not be subject to judicial review.

“(VIII) GREAT LAKES COMPACT.—Nothing in this subsection limits, alters, or amends the Great Lakes Compact to which Congress granted consent in the Act of July 24, 1968 (Public Law 90-419; 82 Stat. 414).

“(IX) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Great Lakes Commission \$5,000,000, to be available until expended.

“(C) MINIMUM PACIFIC REGION REQUIREMENTS.—

“(i) DEFINITION OF COMMERCIAL VESSEL.—In this subparagraph, the term ‘commercial vessel’ means a vessel operating between—

“(I) 2 ports or places of destination within the Pacific Region; or

“(II) a port or place of destination within the Pacific Region and a port or place of destination on the Pacific Coast of Canada or Mexico north of parallel 20 degrees north latitude, inclusive of the Gulf of California.

“(ii) BALLAST WATER EXCHANGE.—

“(I) IN GENERAL.—Except as provided in subclause (II) and clause (iv), the owner or operator of a commercial vessel shall conduct a complete ballast water exchange in waters more than 50 nautical miles from shore.

“(II) EXEMPTIONS.—Subclause (I) shall not apply to a commercial vessel—

“(aa) using, in compliance with applicable requirements, a type-approved ballast water management system approved by the Secretary; or

“(bb) voyaging—

“(AA) between or to a port or place of destination in the State of Washington, if the ballast water to be discharged from the commercial vessel originated solely from waters located between the parallel 46 degrees north latitude, including the internal waters of the Columbia River, and the internal waters of Canada south of parallel 50 degrees north latitude, including the waters of the Strait of Georgia and the Strait of Juan de Fuca;

“(BB) between ports or places of destination in the State of Oregon, if the ballast water to be discharged from the commercial vessel originated solely from waters located between the parallel 40 degrees north latitude and the parallel 50 degrees north latitude;

“(CC) between ports or places of destination in the State of California within the San Francisco Bay area east of the Golden Gate Bridge, including the Port of Stockton and the Port of Sacramento, if the ballast water to be discharged from the commercial vessel originated solely from ports or places within that area;

“(DD) between the Port of Los Angeles, the Port of Long Beach, and the El Segundo offshore marine oil terminal, if the ballast water to be discharged from the commercial vessel originated solely from the Port of Los Angeles, the Port of Long Beach, or the El Segundo offshore marine oil terminal;

“(EE) between a port or place of destination in the State of Alaska within a single Captain of the Port Zone;

“(FF) between ports or places of destination in different counties of the State of Hawaii, if the vessel may conduct a complete ballast water exchange in waters that are more than 10 nau-

tical miles from shore and at least 200 meters deep; or

“(GG) between ports or places of destination within the same county of the State of Hawaii, if the vessel does not transit outside State marine waters during the voyage.

“(iii) LOW-SALINITY BALLAST WATER.—

“(I) IN GENERAL.—Except as provided in subclause (II) and clause (iv), the owner or operator of a commercial vessel that transports ballast water sourced from waters with a measured salinity of less than 18 parts per thousand and voyages to a Pacific Region port or place of destination with a measured salinity of less than 18 parts per thousand shall conduct a complete ballast water exchange—

“(aa) not less than 50 nautical miles from shore, if the ballast water was sourced from a Pacific Region port or place of destination; or

“(bb) more than 200 nautical miles from shore, if the ballast water was not sourced from a Pacific Region port or place of destination.

“(II) EXCEPTION.—Subclause (I) shall not apply to a commercial vessel voyaging to a port or place of destination in the Pacific Region that is using, in compliance with applicable requirements, a type-approved ballast water management system approved by the Secretary to achieve standards of performance of—

“(aa) less than 1 organism per 10 cubic meters, if that organism—

“(AA) is living, or has not been rendered non-viable; and

“(BB) is 50 or more micrometers in minimum dimension;

“(bb) less than 1 organism per 10 milliliters, if that organism—

“(AA) is living, or has not been rendered non-viable; and

“(BB) is more than 10, but less than 50, micrometers in minimum dimension;

“(cc) concentrations of indicator microbes that are less than—

“(AA) 1 colony-forming unit of toxigenic *Vibrio cholera* (serotypes O1 and O139) per 100 milliliters or less than 1 colony-forming unit of that microbe per gram of wet weight of zoological samples;

“(BB) 126 colony-forming units of *Escherichia coli* per 100 milliliters; and

“(CC) 33 colony-forming units of intestinal enterococci per 100 milliliters; and

“(dd) concentrations of such additional indicator microbes and viruses as may be specified in the standards of performance established by the Administrator under paragraph (4).

“(iv) GENERAL EXCEPTIONS.—The requirements of clauses (ii) and (iii) shall not apply to a commercial vessel if—

“(I) complying with the requirement would compromise the safety of the commercial vessel;

“(II) design limitations of the commercial vessel prevent a ballast water exchange from being conducted in accordance with clause (ii) or (iii), as applicable;

“(III) the commercial vessel—

“(aa) is certified by the Secretary as having no residual ballast water or sediments onboard; or

“(bb) retains all ballast water while in waters subject to those requirements; or

“(IV) empty ballast tanks on the commercial vessel are sealed and certified by the Secretary in a manner that ensures that—

“(aa) no discharge or uptake occurs; and

“(bb) any subsequent discharge of ballast water is subject to those requirements.

“(D) ESTABLISHMENT OF STATE NO-DISCHARGE ZONES.—

“(i) STATE PROHIBITION.—Subject to clause (ii), after the effective date of regulations promulgated by the Secretary under paragraph (5), if any State determines that the protection and enhancement of the quality of some or all of the waters within the State require greater environmental protection, the State may prohibit 1 or more types of discharge regulated under this subsection, whether treated or not treated, into such waters.

“(ii) APPLICABILITY.—A prohibition by a State under clause (i) shall not apply until the date on which the Administrator makes the applicable determinations described in clause (iii).

“(iii) PROHIBITION BY ADMINISTRATOR.—

“(I) DETERMINATION.—On application of a State, the Administrator, in concurrence with the Secretary (subject to subclause (II)), shall, by regulation, prohibit the discharge from a vessel of 1 or more discharges subject to regulation under this subsection, whether treated or not treated, into the waters covered by the application if the Administrator determines that—

“(aa) prohibition of the discharge would protect and enhance the quality of the specified waters within the State;

“(bb) adequate facilities for the safe and sanitary removal and treatment of the discharge are reasonably available for the water and all vessels to which the prohibition would apply;

“(cc) the discharge can be safely collected and stored until a vessel reaches a discharge facility or other location; and

“(dd) in the case of an application for the prohibition of discharges of ballast water in a port (or in any other location where cargo, passengers, or fuel are loaded and unloaded)—

“(AA) the adequate facilities described in item (bb) are reasonably available for commercial vessels, after considering, at a minimum, water depth, dock size, pumpout facility capacity and flow rate, availability of year-round operations, proximity to navigation routes, and the ratio of pumpout facilities to the population and discharge capacity of commercial vessels operating in those waters; and

“(BB) the prohibition will not unreasonably interfere with the safe loading and unloading of cargo, passengers, or fuel.

“(II) CONCURRENCE WITH SECRETARY.—

“(aa) REQUEST.—The Administrator shall submit to the Secretary a request for written concurrence with respect to a prohibition under subclause (I).

“(bb) EFFECT OF FAILURE TO CONCUR.—A failure by the Secretary to concur with the Administrator under subclause (I) by the date that is 60 days after the date on which the Administrator submits a request for concurrence under item (aa) shall not prevent the Administrator from prohibiting the relevant discharge in accordance with subclause (II), subject to the condition that the Administrator shall include in the administrative record of the promulgation—

“(AA) documentation of the request submitted under item (aa); and

“(BB) the response of the Administrator to any written objections received from the Secretary relating to the proposed standard of performance during the 60-day period beginning on the date of submission of the request.

“(III) TIMING.—The Administrator shall approve or disapprove an application submitted under subclause (I) by not later than 90 days after the date on which the application is submitted to the Administrator.

“(E) MAINTENANCE IN EFFECT OF MORE-STRINGENT STANDARDS.—In any case in which a requirement established under this paragraph is more stringent or environmentally protective than a comparable requirement established under paragraph (4), (5), or (6), the more-stringent or more-protective requirement shall control.”

(2) REPEALS.—

(A) IN GENERAL.—Effective beginning on the date of enactment of this Act, the following provisions of law are repealed:

(i) Section 1101 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4711).

(ii) Public Law 110-299 (33 U.S.C. 1342 note).

(B) CONFORMING AMENDMENTS.—Section 1102 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4712) is amended—

(i) in subsection (c)(1), by inserting “(as in effect on the day before the date of enactment of

the Vessel Incidental Discharge Act of 2018)) after "section 1101(b)"; and

(ii) in subsection (f)(1)(B), by inserting "(as in effect on the day before the date of enactment of the Vessel Incidental Discharge Act of 2018)" after "section 1101(c)".

(b) REGULATIONS FOR USE OF MARINE POLLUTION CONTROL DEVICES.—Section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322) is amended—

(1) by striking the section designation and heading and all that follows through "For the purpose of" in subsection (a) and inserting the following:

"SEC. 312. MARINE SANITATION DEVICES; DISCHARGES INCIDENTAL TO THE NORMAL OPERATION OF VESSELS.

"(a) DEFINITIONS.—In";

(2) in subsection (a)—

(A) in paragraph (7), by striking "devices or of vessels" and inserting "devices, marine pollution control device equipment, or vessels"; and

(B) in paragraph (13), in the matter preceding subparagraph (A), by inserting ", except as provided in subsection (p)," after "means";

(3) in subsection (g)—

(A) by inserting "or marine pollution control device equipment" after "marine sanitation device" each place it appears;

(B) in paragraph (1)—

(i) by inserting "or equipment" after "such device"; and

(ii) by inserting "or equipment" after "test device"; and

(C) in paragraph (2)—

(i) by inserting "or equipment" after "the device" each place it appears; and

(ii) in the fourth sentence, by inserting "or equipment" after "device" each place it appears; and

(4) in subsection (h)—

(A) in paragraph (1), by inserting "and marine pollution control device equipment" after "marine sanitation device";

(B) in paragraph (2), by inserting "or any certified marine pollution control device equipment or element of design of such equipment" after "such device";

(C) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting the subparagraphs appropriately;

(D) by striking "(h) After" and inserting the following:

"(h) SALE AND RESALE OF PROPERLY EQUIPPED VESSELS; OPERABILITY OF CERTIFIED MARINE SANITATION DEVICES.—

"(1) IN GENERAL.—Subject to paragraph (2), after"; and

(E) by adding at the end the following:

"(2) EFFECT OF SUBSECTION.—Nothing in this subsection requires certification of a marine pollution control device for use on any vessel of the Armed Forces.".

(c) ENFORCEMENT AUTHORITY.—

(1) IN GENERAL.—Section 312(k) of the Federal Water Pollution Control Act (33 U.S.C. 1322(k)) is amended—

(A) by striking the second sentence and inserting the following:

"(3) STATES.—

"(A) IN GENERAL.—This section may be enforced by a State or political subdivision of a State (including the attorney general of a State), including by filing a civil action in an appropriate Federal district court to enforce any violation of subsection (p).

"(B) JURISDICTION.—The appropriate Federal district court shall have jurisdiction with respect to a civil action filed pursuant to subparagraph (A), without regard to the amount in controversy or the citizenship of the parties—

"(i) to enforce the requirements of this section; and

"(ii) to apply appropriate civil penalties under this section or section 309(d), as appropriate.";

(B) by striking "(k) The provisions of this" and inserting the following:

"(k) ENFORCEMENT AUTHORITY.—

"(1) ADMINISTRATOR.—This section shall be enforced by the Administrator, to the extent provided in section 309.

"(2) SECRETARY.—

"(A) IN GENERAL.—This"; and

(C) in paragraph (2) (as so designated)—

(i) in subparagraph (A), by striking "operating and he may utilize by agreement" and inserting "operating, who may use, by agreement"; and

(ii) by adding at the end the following:

"(B) INSPECTIONS.—For purposes of ensuring compliance with this section, the Secretary—

"(i) may carry out an inspection (including the taking of ballast water samples) of any vessel at any time; and

"(ii) shall—

"(I) establish procedures for—

"(aa) reporting violations of this section; and

"(bb) accumulating evidence regarding those violations; and

"(II) use appropriate and practicable measures of detection and environmental monitoring of vessels.

"(C) DETENTION.—The Secretary may detain a vessel if the Secretary—

"(i) has reasonable cause to believe that the vessel—

"(I) has failed to comply with an applicable requirement of this section; or

"(II) is being operated in violation of such a requirement; and

"(ii) the Secretary provides to the owner or operator of the vessel a notice of the intent to detain.".

(2) PRESERVATION OF FEDERAL ENFORCEMENT AUTHORITY.—Section 309 of the Federal Water Pollution Control Act (33 U.S.C. 1319) is amended—

(A) in subsection (a)(3), by striking "318" and inserting "312(p), 318";

(B) in subsection (c), by striking "318" each place it appears and inserting "312(p), 318";

(C) in subsection (d), in the first sentence—

(i) by striking "318" and inserting "312(p), 318"; and

(ii) by striking "State," and inserting "State,," and

(D) in subsection (g)(1)(A), by striking "318" and inserting "312(p), 318".

(3) PRESERVATION OF PUBLIC ENFORCEMENT AUTHORITY.—Section 505(f) of the Federal Water Pollution Control Act (33 U.S.C. 1365(f)) is amended by striking "(5) certification" and all that follows through the period at the end and inserting the following: "(5) a standard of performance or requirement under section 312(p); (6) a certification under section 401; (7) a permit or condition of a permit issued under section 402 that is in effect under this Act (including a requirement applicable by reason of section 313); or (8) a regulation under section 405(d).".

(4) REVIEW.—Section 509(b) of the Federal Water Pollution Control Act (33 U.S.C. 1369(b)) is amended by adding at the end the following:

"(4) DISCHARGES INCIDENTAL TO NORMAL OPERATION OF VESSELS.—

"(A) IN GENERAL.—Except as provided in subparagraph (B), any interested person may file a petition for review of a final agency action under section 312(p) of the Administrator or the Secretary of the department in which the Coast Guard is operating in accordance with the requirements of this subsection.

"(B) VENUE EXCEPTION.—Subject to section 312(p)(7)(C)(v), a petition for review of a final agency action under section 312(p) of the Administrator or the Secretary of the department in which the Coast Guard is operating may be filed only in the United States Court of Appeals for the District of Columbia Circuit.".

(d) LOGBOOK REQUIREMENTS.—Section 11301(b) of title 46, United States Code, is amended by adding at the end the following:

"(13) when a vessel fails to carry out ballast water management requirements as applicable and pursuant to regulations promulgated by the Secretary, including when the vessel fails to carry out ballast water management require-

ments due to an allowed safety exemption, a statement regarding the failure to comply and the circumstances under which the failure occurred, made immediately after the failure, when practicable to do so.".

(e) QUAGGA MUSSEL.—Section 42(a)(1) of title 18, United States Code, is amended, in the first sentence, by inserting "of the quagga mussel of the species *Dreissena rostriformis* or *Dreissena bugensis*;" after "*Dreissena polymorpha*;"

(f) COASTAL AQUATIC INVASIVE SPECIES MITIGATION GRANT PROGRAM AND MITIGATION FUND.—

(1) DEFINITIONS.—In this subsection:

(A) COASTAL ZONE.—The term "coastal zone" has the meaning given the term in section 304 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1453).

(B) ELIGIBLE ENTITY.—The term "eligible entity" means—

(i) a State;

(ii) a unit of local government;

(iii) an Indian Tribe;

(iv) a nongovernmental organization; and

(v) an institution of higher education.

(C) EXCLUSIVE ECONOMIC ZONE.—The term "Exclusive Economic Zone" means the Exclusive Economic Zone of the United States, as established by Presidential Proclamation 5030, dated March 10, 1983 (16 U.S.C. 1453 note).

(D) FOUNDATION.—The term "Foundation" means the National Fish and Wildlife Foundation established by section 2(a) of the National Fish and Wildlife Foundation Establishment Act (16 U.S.C. 3701(a)).

(E) FUND.—The term "Fund" means the Coastal Aquatic Invasive Species Mitigation Fund established by paragraph (3)(A).

(F) PROGRAM.—The term "Program" means the Coastal Aquatic Invasive Species Mitigation Grant Program established under paragraph (2)(A).

(G) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

(2) GRANT PROGRAM.—

(A) ESTABLISHMENT.—The Secretary and the Foundation shall establish a program, to be known as the "Coastal Aquatic Invasive Species Mitigation Grant Program", under which the Secretary and the Foundation shall award grants to eligible entities in accordance with this paragraph.

(B) PURPOSES.—The purposes of the Program are—

(i) to improve the understanding, prevention, and mitigation of, and response to, aquatic invasive species in—

(I) the coastal zone; and

(II) the Exclusive Economic Zone;

(ii) to support the prevention and mitigation of impacts from aquatic invasive species in the coastal zone; and

(iii) to support the restoration of Pacific Island habitats, marine, estuarine, and Great Lakes environments in the coastal zone and the Exclusive Economic Zone that are impacted by aquatic invasive species.

(C) USE OF GRANTS.—

(i) IN GENERAL.—A grant awarded under the Program shall be used for an activity to carry out the purposes of the Program, including an activity—

(I) to develop and implement procedures and programs, including permissible State ballast water inspection programs, to prevent, detect, control, mitigate, and rapidly or progressively eradicate aquatic invasive species in the coastal zone or the Exclusive Economic Zone, particularly in areas with high numbers of established aquatic invasive species;

(II) to restore habitat impacted by an aquatic invasive species;

(III) to develop new shipboard and land-based ballast water treatment system technologies and performance standards to prevent the introduction of aquatic invasive species;

(IV) to develop mitigation measures to protect natural and cultural living resources, including shellfish, from the impacts of aquatic invasive species; or

(V) to develop mitigation measures to protect infrastructure, such as hydroelectric infrastructure, from aquatic invasive species.

(ii) **PROHIBITION ON FUNDING LITIGATION.**—A grant awarded under the Program may not be used to fund litigation in any matter.

(D) **ADMINISTRATION.**—Not later than 90 days after the date of enactment of this Act, the Foundation, in consultation with the Secretary, shall establish the following:

(i) Application and review procedures for awarding grants under the Program.

(ii) Approval procedures for awarding grants under the Program, including a requirement for consultation with—

(I) the Secretary of the Interior; and

(II) the Administrator.

(iii) Performance accountability and monitoring measures for activities funded by a grant awarded under the Program.

(iv) Procedures and methods to ensure accurate accounting and appropriate administration of grants awarded under the Program, including standards of recordkeeping.

(E) **MATCHING REQUIREMENT.**—Each eligible entity that receives a grant under the Program shall provide, in cash or through in-kind contributions from non-Federal sources, matching funds to carry out the activities funded by the grant in an amount equal to not less than 25 percent of the cost of the activities.

(F) **FUNDING.**—The Secretary and the Foundation are authorized to use the amounts available in the Fund to award grants under the Program.

(3) **MITIGATION FUND.**—

(A) **ESTABLISHMENT.**—There is established in the Treasury of the United States a trust fund, to be known as the “Coastal Aquatic Invasive Species Mitigation Fund”, consisting of such amounts as are appropriated or credited to the Fund in accordance with this paragraph or section 9602 of the Internal Revenue Code of 1986.

(B) **TRANSFERS TO FUND.**—

(i) **APPROPRIATION.**—There is authorized to be appropriated from the Treasury to the Fund, for each fiscal year, an amount equal to the amount of penalties assessed for violations of subsection (p) of section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322) during the preceding fiscal year.

(ii) **ADDITIONAL AUTHORIZATION.**—In addition to the amounts transferred to the Fund under clause (i), there is authorized to be appropriated to the Fund \$5,000,000 for each fiscal year.

(C) **USE OF FUND.**—Subject to appropriations, the amounts in the Fund shall be available to the Secretary and the Foundation to award grants under the Program.

(g) **GREAT LAKES AND LAKE CHAMPLAIN INVASIVE SPECIES PROGRAM.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **ADMINISTRATOR.**—The term “Administrator” means the Administrator of the Environmental Protection Agency.

(B) **AQUATIC NUISANCE SPECIES.**—The term “aquatic nuisance species” has the meaning given that term in subsection (p)(1) of section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322).

(C) **DIRECTOR.**—The term “Director” means the Director of the Great Lakes National Program Office established by section 118(b) of the Federal Water Pollution Control Act (33 U.S.C. 1268(b)).

(D) **GREAT LAKES AND LAKE CHAMPLAIN SYSTEMS.**—The term “Great Lakes and Lake Champlain Systems” includes—

(i) Lake Champlain; and

(ii) all bodies of water (including wetlands) within—

(I) the Great Lakes System (as defined in section 118(a)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1268(a)(3))); or

(II) the Lake Champlain drainage basin (as defined in section 120(g) of the Federal Water Pollution Control Act (33 U.S.C. 1270(g))).

(E) **PROGRAM.**—The term “Program” means the Great Lakes and Lake Champlain Invasive

Species Program established under paragraph (2)(A).

(2) **ESTABLISHMENT OF PROGRAM.**—

(A) **IN GENERAL.**—The Administrator shall establish within the Great Lakes National Program Office a program, to be known as the “Great Lakes and Lake Champlain Invasive Species Program”—

(i) in collaboration with—

(I) the Director of the United States Fish and Wildlife Service;

(II) the Administrator of the National Oceanic and Atmospheric Administration;

(III) the Director of the United States Geological Survey; and

(IV) the Secretary of the department in which the Coast Guard is operating; and

(ii) in consultation with—

(I) the head of Great Lakes Aquatic Non-indigenous Species Information System of the National Oceanic and Atmospheric Administration; and

(II) the head of Great Lakes Environmental Research Laboratory of the National Oceanic and Atmospheric Administration.

(B) **PURPOSES.**—The purposes of the Program shall be—

(i) to monitor for the introduction and spread of aquatic nuisance species into or within the Great Lakes and Lake Champlain Systems;

(ii) to detect newly introduced aquatic nuisance species prior to the establishment of the aquatic nuisance species in the Great Lakes and Lake Champlain Systems;

(iii) to inform, and assist with, management and response actions to prevent or stop the establishment or spread of an aquatic nuisance species;

(iv) to establish a watch list of candidate aquatic nuisance species that may be introduced or spread, and that may survive and establish, within the Great Lakes and Lake Champlain Systems;

(v) to monitor vectors likely to be contributing to the introduction or spread of aquatic nuisance species, including ballast water operations;

(vi) to work collaboratively with the Federal, State, local, and Tribal agencies to develop criteria for prioritizing and distributing monitoring efforts;

(vii) to develop, achieve type approval for, and pilot shipboard or land-based ballast water management systems installed on, or available for use by, commercial vessels operating solely within the Great Lakes and Lake Champlain Systems to prevent the spread of aquatic nuisance species populations within the Great Lakes and Lake Champlain Systems; and

(viii) to facilitate meaningful Federal and State implementation of the regulatory framework in this subsection, including monitoring, shipboard education, inspection, and compliance conducted by States.

(3) **METHODOLOGY.**—The Program shall seek—

(A) to build on—

(i) existing aquatic nuisance species monitoring efforts; and

(ii) efforts to develop criteria for prioritizing and distributing monitoring efforts, geographically and among taxa, in the Great Lakes and Lake Champlain Systems;

(B) to advance early detection and monitoring, and capacity to control the establishment and spread, of aquatic nuisance species within the Great Lakes and Lake Champlain Systems;

(C) to identify opportunities to interdict the introduction and spread of aquatic nuisance species through sound science and technological advancements;

(D) to assess the risk of aquatic nuisance species introduction and spread via the range of vectors active within the Great Lakes and Lake Champlain Systems;

(E) to advance the development of type-approved ballast water management system (as defined in subsection (p)(1) of section 312 of the Federal Water Pollution Control Act (33 U.S.C.

1322) equipment for commercial, non-seagoing vessels that operate solely within the Great Lakes System (as defined in section 118(a)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1268(a)(3)));

(F) to immediately make available to the public information regarding—

(i) the detection of new aquatic nuisance species within the Great Lakes and Lake Champlain Systems; or

(ii) the spread of aquatic nuisance species within the Great Lakes and Lake Champlain Systems;

(G) to annually submit to appropriate individuals and entities in each affected region a report describing the findings and activities of the Program;

(H) to identify roles and responsibilities of Federal agencies in aquatic nuisance species monitoring and response; and

(I) to provide resource assistance to States implementing State-level programs to enter into partnerships with Federal agencies in enforcing the requirements under subsection (p) of section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322).

(4) **COLLABORATION.**—In carrying out and developing the Program, the Director shall collaborate with—

(A) applicable Federal, State, local, and Tribal agencies; and

(B) such other research entities or stakeholders as the Director determines to be appropriate.

(5) **DATA AVAILABILITY.**—The Director shall—

(A) make the data collected under the Program available on a publicly accessible internet website, including in an annual summary report; and

(B) in coordination with the entities identified under paragraph (4), develop communication and notification protocols for the purpose of communicating the range of aquatic nuisance species and any identification of a new aquatic nuisance species introduced to the Great Lakes and Lake Champlain Systems.

(6) **REPORT TO CONGRESS.**—

(A) **IN GENERAL.**—Not later than December 31, 2019, the Director shall submit to Congress a report summarizing the outcomes of activities carried out under the Program.

(B) **CONTENTS.**—The report under subparagraph (A) shall include—

(i) a description of activities carried out under the Program, including an explanation of how those activities help to achieve the purposes described in paragraph (2)(B);

(ii) an analysis of Federal, State, and local efforts to enhance multidisciplinary approaches to achieve the purposes described in paragraph (2)(B);

(iii) recommendations relating to activities that would contribute to achievement of the purposes described in paragraph (2)(B); and

(iv) recommendations to improve the efficiency and effectiveness of the Program.

(7) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out the Program \$50,000,000 for each of fiscal years 2019 through 2023.

(h) **TECHNICAL AND CONFORMING AMENDMENTS.**—

(1) Section 1102(f) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4712(f)) is amended by striking paragraph (2) and inserting the following:

“(2) **BALLAST WATER REPORTING REQUIREMENTS.**—

“(A) **IN GENERAL.**—The owner or operator of a vessel subject to this title shall submit to the National Ballast Information Clearinghouse, by not later than 6 hours after the arrival of the vessel at a United States port or place of destination, the ballast water management report form approved by the Office of Management and Budget numbered OMB 1625-0069 (or a successor form), unless the vessel is operating exclusively on a voyage between ports or places within contiguous portions of a single Captain of the Port Zone.

“(B) **MULTIPLE DISCHARGES.**—The owner or operator of a vessel subject to this title may submit a single report under subparagraph (A) for multiple ballast water discharges within a single port or place of destination during the same voyage.

“(C) **ADVANCE REPORT TO STATES.**—A State may require the owner or operator of a vessel subject to this title to submit directly to the State, or to an appropriate regional forum, a ballast water management report form—

“(i) not later than 24 hours prior to arrival at a United States port or place of destination in the State, if the voyage of the vessel is anticipated to exceed 24 hours; or

“(ii) before departing the port or place of departure, if the voyage of the vessel to the United States port or place of destination is not anticipated to exceed 24 hours.

“(3) **VESSEL REPORTING DATA.**—

“(A) **DISSEMINATION TO STATES.**—On receipt of a ballast water management report under paragraph (2), the National Ballast Information Clearinghouse shall—

“(i) in the case of a form submitted electronically, immediately disseminate the report to interested States; or

“(ii) in the case of a form submitted by means other than electronically, disseminate the report to interested States as soon as practicable.

“(B) **AVAILABILITY TO PUBLIC.**—Not later than 30 days after the date of receipt of a ballast water management report under paragraph (2), the National Ballast Information Clearinghouse shall make the data in the report fully and readily available to the public in a searchable and fully retrievable electronic format.

“(4) **REPORT.**—

“(A) **IN GENERAL.**—Not later than July 1, 2019, and annually thereafter, the Secretary shall prepare and submit a report in accordance with this paragraph.

“(B) **CONTENTS.**—Each report under this paragraph shall synthesize and analyze the data described in paragraph (1) for the preceding 2-year period to evaluate nationwide status and trends relating to—

“(i) ballast water delivery and management; and

“(ii) invasions of aquatic nuisance species resulting from ballast water.

“(C) **DEVELOPMENT.**—The Secretary shall prepare each report under this paragraph in consultation and cooperation with—

“(i) the Task Force; and

“(ii) the Smithsonian Institution (acting through the Smithsonian Environmental Research Center).

“(D) **SUBMISSION.**—The Secretary shall—

“(i) submit each report under this paragraph to—

“(I) the Task Force;

“(II) the Committee on Commerce, Science, and Transportation of the Senate; and

“(III) the Committee on Transportation and Infrastructure of the House of Representatives; and

“(ii) make each report available to the public.

“(5) **WORKING GROUP.**—Not later than 1 year after the date of enactment of this paragraph, the Secretary shall establish a working group, including members from the National Ballast Information Clearinghouse and States with ballast water management programs, to establish a process for compiling and readily sharing Federal and State commercial vessel reporting and enforcement data regarding compliance with this Act.”.

(2) Section 1205 of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4725) is amended—

(A) in the third sentence, by striking “Compliance” and inserting the following:

“(c) **EFFECT OF COMPLIANCE.**—Compliance”;

(B) in the second sentence, by striking “Nothing” and inserting the following:

“(b) **EFFECT OF TITLE.**—

“(1) **IN GENERAL.**—Except as provided in paragraph (2), nothing”;

(C) in the first sentence, by striking “All actions” and inserting the following:

“(a) **CONSISTENCY WITH ENVIRONMENTAL LAWS.**—All actions”; and

(D) in subsection (b) (as so designated), by adding at the end the following:

“(2) **EXCEPTION.**—Any discharge incidental to the normal operation of a vessel, including any discharge of ballast water (as those terms are defined in subsections (a) and (p)(1) of section 312 of the Federal Water Pollution Control Act (33 U.S.C. 1322)), shall be regulated in accordance with that section.”.

TITLE X—HYDROGRAPHIC SERVICES AND OTHER MATTERS

SEC. 1001. REAUTHORIZATION OF HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.

(a) **REAUTHORIZATIONS.**—Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d) is amended—

(1) in the matter before paragraph (1), by striking “There are” and inserting the following:

“(a) **IN GENERAL.**—There are”;

(2) in subsection (a) (as designated by paragraph (1))—

(A) in paragraph (1), by striking “surveys—” and all that follows through the end of the paragraph and inserting “surveys, \$70,814,000 for each of fiscal years 2019 through 2023.”;

(B) in paragraph (2), by striking “vessels—” and all that follows through the end of the paragraph and inserting “vessels, \$25,000,000 for each of fiscal years 2019 through 2023.”;

(C) in paragraph (3), by striking “Administration—” and all that follows through the end of the paragraph and inserting “Administration, \$29,932,000 for each of fiscal years 2019 through 2023.”;

(D) in paragraph (4), by striking “title—” and all that follows through the end of the paragraph and inserting “title, \$26,800,000 for each of fiscal years 2019 through 2023.”; and

(E) in paragraph (5), by striking “title—” and all that follows through the end of the paragraph and inserting “title, \$30,564,000 for each of fiscal years 2019 through 2023.”; and

(3) by adding at the end the following:

“(b) **ARCTIC PROGRAMS.**—Of the amount authorized by this section for each fiscal year—

“(1) \$10,000,000 is authorized for use in the Arctic—

“(A) to acquire hydrographic data;

“(B) to provide hydrographic services;

“(C) to conduct coastal change analyses necessary to ensure safe navigation;

“(D) to improve the management of coastal change; and

“(E) to reduce risks of harm to subsistence and coastal communities associated with increased international maritime traffic; and

“(2) \$2,000,000 is authorized for use to acquire hydrographic data and provide hydrographic services in the Arctic necessary to delineate the United States extended Continental Shelf.”.

(b) **LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.**—Section 306 of such Act (33 U.S.C. 892d) is further amended by adding at the end the following:

“(c) **LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.**—Of amounts authorized by this section for each fiscal year for contract hydrographic surveys, not more than 5 percent is authorized for administrative costs associated with contract management.”.

SEC. 1002. SYSTEM FOR TRACKING AND REPORTING ALL-INCLUSIVE COST OF HYDROGRAPHIC SURVEYS.

(a) **IN GENERAL.**—Not later than 1 year after the date of the enactment of this Act, the Secretary of Commerce shall—

(1) develop and implement a system to track and report the full cost to the Department of Commerce of hydrographic data collection, including costs relating to vessel acquisition, vessel repair, and administration of contracts to procure data;

(2) evaluate measures for comparing cost per unit effort in addition to measures of cost per nautical square mile; and

(3) submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a report on which additional measures for comparing cost per unit effort the Secretary intends to use and the rationale for such use.

(b) **DEVELOPMENT OF STRATEGY FOR INCREASED CONTRACTING WITH NONGOVERNMENTAL ENTITIES FOR HYDROGRAPHIC DATA COLLECTION.**—Not later than 180 days after the date on which the Secretary completes the activities required by subsection (a), the Secretary shall develop a strategy for how the National Oceanic and Atmospheric Administration will increase contracting with nongovernmental entities for hydrographic data collection in a manner that is consistent with the requirements of the Ocean and Coastal Mapping Integration Act (Public Law 111–11; 33 U.S.C. 3501 et seq.).

SEC. 1003. HOMEPORT OF CERTAIN RESEARCH VESSELS.

(a) **ACCEPTANCE OF FUNDS AUTHORIZED.**—The Secretary of Commerce may accept non-Federal funds for the purpose of the construction of a new port facility, including obtaining such cost estimates, designs, and permits as may be necessary to facilitate the homeporting of the R/V *FAIRWEATHER* in accordance with title II of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2002 (Public Law 107–77; 115 Stat. 775) at a location that during such homeporting shall be under the administrative jurisdiction of the Under Secretary of Commerce for Oceans and Atmosphere.

(b) **STRATEGIC PLAN REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Natural Resources of the House of Representatives a strategic plan for implementing subsection (a).

(c) **ACCEPTANCE OF FUNDS AUTHORIZED.**—The Secretary may accept non-Federal funds for the purpose of the construction of a new port facility, including obtaining such cost estimates, designs, and permits as may be necessary to facilitate the homeporting of a new, existing, or reactivated research vessel in the city of St. Petersburg, Florida, at a location that during such homeporting shall be under the administrative jurisdiction of the Under Secretary of Commerce for Oceans and Atmosphere.

(d) **STRATEGIC PLAN REQUIRED.**—Not later than 180 days after the date of the enactment of this Act, the Secretary shall develop and submit to Congress a strategic plan for construction or acquisition of the facilities needed to allow for an oceanographic research vessel to be homeported in St. Petersburg, Florida. The strategic plan shall include an estimate of funding needed to construct such facilities.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. SHUSTER and Mr. DEFAZIO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate to the House amendment?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate to the House amendment was agreed to.

A motion to reconsider the vote whereby the rules were suspended and

said amendment of the Senate to the House amendment was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶155.18 MESSAGE FROM THE
PRESIDENT—NATIONAL EMERGENCY
WITH RESPECT TO NICARAGUA

The SPEAKER pro tempore, Mr. POE of Texas, laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

Pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 *et seq.*) (IEEPA), the National Emergencies Act (50 U.S.C. 1601 *et seq.*), section 212(f) of the Immigration and Nationality Act of 1952 (8 U.S.C. 1182(f)), and section 301 of title 3, United States Code, I hereby report that I have issued an Executive Order declaring a national emergency to deal with the threat posed by the situation in Nicaragua, including the violent response by the Government of Nicaragua to the protests that began on April 18, 2018, and the Ortega regime's systematic dismantling and undermining of democratic institutions and the rule of law, its use of indiscriminate violence and repressive tactics against civilians, as well as its corruption leading to the destabilization of Nicaragua's economy.

The Executive Order blocks all property and interests in property within United States jurisdiction of any person determined by the Secretary of the Treasury, in consultation with the Secretary of State:

(i) to be responsible for or complicit in, or to have directly or indirectly engaged or attempted to engage in, any of the following:

(A) serious human rights abuse in Nicaragua;

(B) actions or policies that undermine democratic processes or institutions in Nicaragua;

(C) actions or policies that threaten the peace, security, or stability of Nicaragua;

(D) any transaction or series of transactions involving deceptive practices or corruption by, on behalf of, or otherwise related to the Government of Nicaragua or a current or former official of the Government of Nicaragua, such as the misappropriation of public assets or expropriation of private assets for personal gain or political purposes, corruption related to government contracts, or bribery;

(ii) to be a leader or official of an entity that has, or whose members have, engaged in any activity described in section (i) or of an entity whose property and interests in property are blocked pursuant to the Executive Order;

(iii) to be an official of the Government of Nicaragua or to have served as an official of the Government of Nicaragua at any time on or after January 10, 2007;

(iv) to have materially assisted, sponsored, or provided financial, material,

or technological support for, or goods or services in support of:

(A) any activities described in section (i); or

(B) any person whose property and interests in property are blocked pursuant to the Executive Order; or

(v) to be owned or controlled by, or to have acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked pursuant to the Executive Order.

I have delegated to the Secretary of the Treasury, in consultation with the Secretary of State, the authority to take such actions, including the promulgation of rules and regulations, and to employ all powers granted to the President by IEEPA as may be necessary to carry out the purposes of the Executive Order. All agencies of the United States Government are directed to take all appropriate measures within their authority to carry out the provisions of the Executive Order.

I am enclosing a copy of the Executive Order I have issued.

DONALD J. TRUMP.

THE WHITE HOUSE, November 27, 2018.

By unanimous consent, the message, together with the accompanying papers, was referred to the Committee on Foreign Affairs and the Committee on the Judiciary and ordered to be printed (H. Doc. 115-173).

¶155.19 H.R. 5273—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. Sam JOHNSON of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 5273) to reduce global fragility and violence by improving the capacity of the United States to reduce and address the causes of violence, violent conflict, and fragility in pilot countries, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 376
affirmative { Nays 16

¶155.20

[Roll No. 421]

YEAS—376

Abraham
Adams
Aderholt
Aguilar
Allen
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Blumenauer
Blunt Rochester

Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)

Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper

Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duncan (SC)
Dunn
Emmer
Engel
Eshoo
Españat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Fudge
Gabbard
Gallagher
Gallego
Garamendi
Gianforte
Gibbs
Gomez
Goodlatte
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Guthrie
Handel
Harper
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jordan
Joyce (OH)
Kaptur
Katko

Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Long
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham,
M.
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarella
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree

Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Rice (NY)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Ros-Lehtinen
Rosen
Ross
Rothfus
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Russell
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Takano
Taylor
Tenny
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams

Wilson (SC)	Yarmuth	Young (IA)
Wittman	Yoder	Zeldin
Womack	Yoho	
Woodall	Young (AK)	

NAYS—16

Amash	Gohmert	Massie
Biggs	Gosar	McClintock
Blum	Grothman	Rice (SC)
Brooks (AL)	Harris	Sanford
Duncan (TN)	Hice, Jody B.	
Gaetz	Loudermilk	

NOT VOTING—38

Amodei	Gonzalez (TX)	Ratcliffe
Barletta	Gowdy	Renacci
Barton	Gutiérrez	Rooney, Thomas J.
Bishop (MI)	Hanabusa	
Burgess	Hastings	Roskam
Culberson	Jones	Royce (CA)
Cummings	Knight	Rush
Denham	Labrador	Sires
DesJarlais	LaMalfa	Tipton
Duffy	Maloney, Sean	Valadao
Ellison	Messer	Walters, Mimi
Frelinghuysen	Noem	Walz
Garrett	Nolan	Wilson (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: “An Act to reduce global fragility and violence by improving the capacity of the United States to reduce and address the causes of violence, violent conflict, and fragility, and for other purposes.”.

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶155.21 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 16, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a facsimile copy of a letter received from Mr. Jonathan Marks, Commissioner, Bureau Commissions, Elections and Legislation, Department of State, Commonwealth of Pennsylvania, indicating that, according to the preliminary results of the Special Election held November 6, 2018, the Honorable Susan Wild was elected Representative to Congress for the 15th Congressional District, Commonwealth of Pennsylvania.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

COMMONWEALTH OF PENNSYLVANIA,
DEPARTMENT OF STATE, BUREAU
COMMISSIONS, ELECTIONS AND LEGISLATION,

Harrisburg, PA, November 16, 2018.

Hon. KAREN L. HAAS,
Clerk, House of Representatives,
Washington, DC.

DEAR MS. HAAS: This is to advise you that the unofficial results of the Special Election held on Tuesday, November 6, 2018, for Representative in Congress from the 15th Congressional District of Pennsylvania, show that Susan Wild received 130,353 votes or

48.54% of the total number of votes cast for that office.

It would appear from these unofficial results that Susan Wild was elected as Representative in Congress from the 15th Congressional District of Pennsylvania.

To the best of our knowledge and belief at this time, there is no contest to this election.

As soon as the official results are certified to this office by all counties involved, an official Certificate of Election will be prepared for transmittal as required by law.

Sincerely,

JONATHAN MARKS,
Commissioner.

¶155.22 ORDER OF BUSINESS—SWEARING IN OF MEMBER-ELECT

On motion of Mr. Michael F. DOYLE of Pennsylvania, by unanimous consent,

Ordered, That, notwithstanding the fact that the certificate of election of Ms. Wild, 15th District of the Commonwealth of Pennsylvania, has not been received by the Clerk of the House of Representatives, Ms. WILD be permitted to take the oath of office as prescribed by law, there being no contest and no question with regard to her election.

Ms. WILD then presented herself at the bar of the House and took the oath of office prescribed by law.

¶155.23 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER announced, under clause 5(d) of rule XX, that, in light of the administration of the oath to Representative WILD, the whole number of the House is adjusted to 432.

¶155.24 H.R. 6207—UNFINISHED BUSINESS

The SPEAKER, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6207) to support democracy and accountability in the Democratic Republic of the Congo, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 374
affirmative } Nays 11

¶155.25 [Roll No. 422]

YEAS—374

Abraham	Blumenauer	Carbajal
Adams	Blunt Rochester	Cárdenas
Aderholt	Bonamici	Carson (IN)
Aguilar	Bost	Carter (GA)
Allen	Boyle, Brendan	Carter (TX)
Arrington	F.	Cartwright
Babin	Brady (PA)	Castor (FL)
Bacon	Brady (TX)	Castro (TX)
Balderson	Brat	Chabot
Banks (IN)	Brooks (IN)	Cheney
Barr	Brown (MD)	Chu, Judy
Barragán	Brownley (CA)	Cicilline
Bass	Buchanan	Clark (MA)
Beatty	Buck	Clarke (NY)
Bera	Bucshon	Clay
Bergman	Budd	Cleaver
Beyer	Bustos	Cloud
Bilirakis	Butterfield	Clyburn
Bishop (GA)	Byrne	Coffman
Bishop (UT)	Calvert	Cohen
Blackburn	Capuano	Cole

Collins (GA)	Johnson (GA)	Pascrell
Collins (NY)	Johnson (LA)	Paulsen
Comer	Johnson (OH)	Payne
Comstock	Johnson, E. B.	Pearce
Conaway	Johnson, Sam	Pelosi
Connolly	Jordan	Perlmutter
Cook	Joyce (OH)	Perry
Cooper	Kaptur	Peters
Correa	Katko	Peterson
Costa	Keating	Pingree
Costello (PA)	Kelly (IL)	Pittenger
Courtney	Kelly (MS)	Pocan
Cramer	Kelly (PA)	Poe (TX)
Crawford	Kennedy	Poliquin
Crist	Khanna	Polis
Crowley	Kihuen	Posey
Cuellar	Kildee	Price (NC)
Curbelo (FL)	Kilmer	Quigley
Curtis	Kind	Raskin
Davidson	King (IA)	Reed
Davis (CA)	King (NY)	Reichert
Davis, Danny	Kinzie	Rice (NY)
Davis, Rodney	Krishnamoorthi	Richmond
DeGette	Kuster (NH)	Roby
Delaney	Kustoff (TN)	Roe (TN)
DeLauro	LaHood	Rogers (AL)
DelBene	Lamb	Rogers (KY)
Demings	Lamborn	Rohrabacher
DeSaulnier	Lance	Rokita
Deutch	Langevin	Rooney, Francis
Diaz-Balart	Larsen (WA)	Ros-Lehtinen
Dingell	Larson (CT)	Rosen
Doggett	Latta	Ross
Donovan	Lawrence	Rothfus
Doyle, Michael F.	Lawson (FL)	Rouzer
Duncan (SC)	Lee	Roybal-Allard
Dunn	Lesko	Ruiz
Emmer	Levin	Ruppersberger
Engel	Lewis (GA)	Russell
Eshoo	Lewis (MN)	Rutherford
Españat	Lieu, Ted	Ryan (OH)
Estes (KS)	Lipinski	Sánchez
Esty (CT)	LoBiondo	Sarbanes
Evans	Loebbeck	Scalise
Faso	Lofgren	Scanlon
Fitzpatrick	Long	Schakowsky
Fleischmann	Loudermilk	Schiff
Flores	Love	Schneider
Fortenberry	Lowenthal	Schrader
Foster	Lowe	Schweikert
Fox	Lucas	Scott (VA)
Frankel (FL)	Luetkemeyer	Scott, Austin
Fudge	Lujan Grisham, M.	Scott, David
Gaetz	Luján, Ben Ray	Sensenbrenner
Gallagher	Lynch	Serrano
Gallego	MacArthur	Sessions
Garamendi	Maloney	Sewell (AL)
Gianforte	Carolyn B.	Shea-Porter
Gibbs	Marchant	Sherman
Gohmert	Marino	Shimkus
Gomez	Marshall	Shuster
Goodlatte	Mast	Simpson
Gottheimer	Matsui	Smith (MO)
Granger	McCarthy	Smith (NE)
Graves (GA)	McCaul	Smith (NJ)
Graves (LA)	McCollum	Smith (TX)
Graves (MO)	McEachin	Smith (WA)
Green, Al	McGovern	Smucker
Green, Gene	McHenry	Soto
Griffith	McKinley	Speier
Grijalva	McMorris	Stefanik
Grothman	Rodgers	Stewart
Guthrie	McNerney	Stivers
Handel	McSally	Suozzi
Harper	Meadows	Swalwell (CA)
Harris	Meeks	Takano
Hartzer	Meng	Taylor
Heck	Mitchell	Tenney
Hensarling	Moolenaar	Thompson (CA)
Hern	Mooney (WV)	Thompson (MS)
Herrera Beutler	Moore	Thompson (PA)
Hice, Jody B.	Morelle	Thornberry
Higgins (LA)	Moulton	Titus
Higgins (NY)	Mullin	Tonko
Hill	Murphy (FL)	Torres
Himes	Nadler	Trott
Holding	Napolitano	Tsongas
Hollingsworth	Neal	Upton
Hoyer	Newhouse	Vargas
Hudson	Norcross	Veasey
Huffman	Norman	Vela
Huizenga	Nunes	Velázquez
Hultgren	O'Halleran	Visclosky
Hunter	O'Rourke	Wagner
Hurd	Olson	Walberg
Jackson Lee	Palazzo	Walden
Jayapal	Pallone	Walker
Jeffries	Palmer	Walorski
Jenkins (KS)	Panetta	Wasserman
		Schultz

Watson Coleman	Wild	Yarmuth
Weber (TX)	Williams	Yoder
Webster (FL)	Wilson (SC)	Young (AK)
Welch	Wittman	Young (IA)
Wenstrup	Womack	Zeldin
Westerman	Woodall	

NAYS—11

Amash	Duncan (TN)	Rice (SC)
Biggs	Gosar	Sanford
Blum	Massie	Yoho
Brooks (AL)	McClintock	

NOT VOTING—46

Amodei	Garrett	Renacci
Barletta	Gonzalez (TX)	Rooney, Thomas
Barton	Gowdy	J.
Bishop (MI)	Gutierrez	Roskam
Black	Hanabusa	Royce (CA)
Burgess	Hastings	Rush
Culberson	Issa	Sinema
Cummings	Jones	Sires
DeFazio	Knight	Tipton
Denham	Labrador	Turner
DesJarlais	LaMalfa	Valadao
Duffy	Maloney, Sean	Walters, Mimi
Ellison	Messer	Walz
Ferguson	Noem	Waters, Maxine
Frelinghuysen	Nolan	Wilson (FL)
Gabbard	Ratcliffe	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶155.26 ORDER OF BUSINESS—MORNING-HOUR DEBATE

On motion of Mr. SESSIONS, by unanimous consent,

Ordered, That the order of the House of January 8, 2018, regarding morning-hour debate not apply on Wednesday, November 28, 2018.

¶155.27 ORDER OF BUSINESS—SUSPENSION OF THE RULES

On motion of Mr. SESSIONS, by unanimous consent,

Ordered, That it may be in order, as though under clause 1 of rule XV, on Thursday, November 29, 2018, for the Speaker to recognize Members for motions to suspend the rules.

¶155.28 CORRECTING ENROLLMENT OF S. 140

On motion of Mr. MAST, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 51):

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of S. 140, an Act to amend the White Mountain Apache Tribe Water Rights Quantification Act of 2010 to clarify the use of amounts in the WMAT Settlement Fund, the Secretary of the Senate shall amend the title so as to read: "A bill to authorize appropriations for the Coast Guard, and for other purposes."

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶155.29 RESTORE THE HARMONY WAY BRIDGE

On motion of Mr. MAST, by unanimous consent, the Committee on Transportation and Infrastructure was discharged from further consideration of the bill (H.R. 6793) to transfer a bridge over the Wabash River to the States of Illinois and Indiana, and for other purposes.

When said bill was considered and read twice.

Mr. MAST submitted the following amendment which was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Restore the Harmony Way Bridge Act".

SEC. 2. TRANSFER OF BRIDGE AND LAND.

Notwithstanding any provision of the Act of April 12, 1941 (55 Stat. 140, chapter 71), not later than 90 days after the date of enactment of this Act, the White County Bridge Commission shall convey, without consideration, to the New Harmony Bridge Bi-State Commission, all right, title, and interest of the United States in and to the bridge and the approaches thereto across the Wabash River at or near New Harmony, Indiana, under the jurisdiction of the White County Bridge Commission.

SEC. 3. REPEAL.

The Act of April 12, 1941 (55 Stat. 140, chapter 71) is repealed effective on the date that the White County Bridge Commission completes the conveyance described in section 2.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶155.30 GEORGE W. WHITEHURST FEDERAL BUILDING

On motion of Mr. MAST, by unanimous consent, the bill (H.R. 6622) to designate the Federal building located at 2110 First Street in Fort Myers, Florida, as the "George W. Whitehurst Federal Building"; was taken from the Speaker's table.

When said bill was considered and read twice.

Mr. MAST submitted the following amendment which was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 2110 First Street in Fort Myers, Florida, shall be known and designated as the "George W. Whitehurst Federal Building and United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the "George W. Whitehurst Federal Building and United States Courthouse".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to des-

ignate the Federal building located at 2110 First Street in Fort Myers, Florida, as the "George W. Whitehurst Federal Building and United States Courthouse".

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶155.31 EXTENSION OF ADMINISTRATIVE PENALTY AUTHORITY OF THE FEDERAL ELECTION COMMISSION

On motion of Mr. HARPER, by unanimous consent, the Committee on House Administration was discharged from further consideration of the bill (H.R. 7120) to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶155.32 MAJOR BRENT TAYLOR VET CENTER OUTSTATION

On motion of Mr. ROE of Tennessee, by unanimous consent, the Committee on Veterans' Affairs was discharged from further consideration of the bill (H.R. 7163) to designate the outstation of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶155.33 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Ms. TENNEY, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Friday, November 23, 2018.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Ms. TENNEY, announced that the ayes had it.

So the Journal was approved.

¶155.34 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 5784. An Act to designate the facility of the United States Postal Service located

at 2650 North Doctor Martin Luther Jr. Drive in Milwaukee, Wisconsin, shall be known and designated as the "Vel R. Phillips Post Office Building".

¶155.35 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 3554. An Act to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans.

¶155.36 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. GARRETT, for today and November 28.

And then,

¶155.37 ADJOURNMENT

On motion of Mr. GARAMENDI, pursuant to the previous order of the House, at 8 o'clock and 51 minutes p.m., the House adjourned until noon on Wednesday, November 28, 2018.

¶155.38 OATH OF OFFICE/MEMBERS, RESIDENT COMMISSIONER & DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 115th Congress, pursuant to the provisions of 2 U.S.C. 25:

SUSAN WILD, 15th District of Pennsylvania.

¶155.39 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 2846. A bill to require the collection of voluntary feedback on services provided by agencies, and for other purposes; with amendments (Rept. 115-1043). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 3121. A bill to require the purchase of domestically made flags of the United States of America for use

by the Federal Government; with an amendment (Rept. 115-1044). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 3154. A bill to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General (Rept. 115-1045). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 6777. A bill to amend chapter 3 of title 5, United States Code, to require the publication of settlement agreements, and for other purposes (Rept. 115-1046). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3588. A bill to amend the Magnuson-Stevens Fishery Conservation and Management Act to provide for management of red snapper in the Gulf of Mexico, and for other purposes (Rept. 115-1047). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3608. A bill to amend the Endangered Species Act of 1973 to require publication on the Internet of the basis for determinations that species are endangered species or threatened species, and for other purposes (Rept. 115-1048). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 4731. A bill to extend the retained use estate for the Caneel Bay resort in St. John, United States Virgin Islands, and for other purposes; with an amendment (Rept. 115-1049). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6346. A bill to amend the Endangered Species Act of 1973 to provide for consideration of the totality of conservation measures in determining the impact of proposed Federal agency action (Rept. 115-1050). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6345. A bill to provide for greater county and State consultation with regard to petitions under the Endangered Species Act of 1973, and for other purposes (Rept. 115-1051). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6365. A bill to establish the Treaty of Guadalupe Hidalgo Land Grant-Merced Claims Commission and other Federal policies for the restoration of land for hardships resulting from the incomplete and inequitable implementation of the Treaty of Guadalupe Hidalgo, to affirm Land Grant-Merced property rights protected by the Treaty of Guadalupe Hidalgo, and for other purposes; with an amendment (Rept. 115-1052). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6678. A bill to direct the Secretary of the Interior to convey certain National Park Service land in Fairfax County, Virginia, to the Friends of the Claude Moore Farm (Rept. 115-1053). Referred to the Committee of the Whole House on the state of the Union.

¶155.40 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. KELLY of Mississippi (for himself, Mr. CHABOT, Mr. CURTIS, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. BALDERSON, Mrs. RADEWAGEN, Mr. FITZPATRICK, Mr. STIVERS, Mr. ROE of Tennessee, Mr. BERGMAN, Mr. DUNN, Mr. BANKS of Indiana, Ms. VELÁZQUEZ, Ms. CLARKE of New York, Mrs. MURPHY of Florida, Ms. KUSTER of New Hampshire, and Mr. PETERS):

H.R. 7169. A bill to transfer the responsibility of verifying small business concerns owned and controlled by veterans or service-disabled veterans to the Small Business Administration, and for other purposes; to the Committee on Small Business, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GROTHMAN (for himself and Mr. POCAN):

H.R. 7170. A bill to amend the Federal Power Act to require the consideration of invasive species when prescribing fishways, and for other purposes; to the Committee on Energy and Commerce.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself and Mr. SENSENBRENNER):

H.R. 7171. A bill to provide for a coordinated Federal research program to ensure continued United States leadership in engineering biology; to the Committee on Science, Space, and Technology.

By Mr. CLAY:

H.R. 7172. A bill to make technical amendments to chapter 3084 of title 54, United States Code, to correct references to the African American Civil Rights Network, and for other purposes; to the Committee on Natural Resources.

By Mr. DEUTCH (for himself, Mr. FITZPATRICK, Mr. DELANEY, Mr. FRANCIS ROONEY of Florida, and Mr. CRIST):

H.R. 7173. A bill to create a Carbon Dividend Trust Fund for the American people in order to encourage market-driven innovation of clean energy technologies and market efficiencies which will reduce harmful pollution and leave a healthier, more stable, and more prosperous nation for future generations; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ESHOO:

H.R. 7174. A bill to amend the Internal Revenue Code of 1986 to allow certain veterans organizations to take into account the membership of spouses, widows, and widowers of members of the Armed Forces for purposes of determining tax exempt status; to the Committee on Ways and Means.

By Mr. GRAVES of Louisiana (for himself and Mr. POLIS):

H.R. 7175. A bill to amend section 805 of the Federal Lands Recreation Enhancement Act to provide for a lifetime pass for access to Federal recreational lands and waters, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of Iowa (for himself and Mr. BLUM):

H.R. 7176. A bill to amend the Internal Revenue Code of 1986 to reestablish the 15 percent corporate rate bracket; to the Committee on Ways and Means.

By Mr. PAULSEN:

H.R. 7177. A bill to amend title III of the Public Health Service Act and titles XI and XVIII of the Social Security Act to accelerate the adoption of value-based payment and delivery arrangements among health care stakeholders intended to coordinate care, improve patient outcomes, share accountability, or lower costs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED (for himself, Mr. GOSAR, Mr. BRAT, and Mr. KING of Iowa):

H.R. 7178. A bill to establish a uniform and more efficient Federal process for protecting property owners' rights guaranteed by the fifth amendment; to the Committee on the Judiciary.

By Ms. BASS (for herself, Mr. COLE, Mr. GALLEGO, Ms. SEWELL of Alabama, Mr. KILMER, Mr. GRIJALVA, Ms. MOORE, Ms. JUDY CHU of California, Mr. KILDEE, Mr. YOUNG of Alaska, Mr. DANNY K. DAVIS of Illinois, Ms. JAYAPAL, Mrs. DINGELL, Ms. MCCOLLUM, Mr. MULLIN, Mrs. TORRES, Mr. MARINO, Mr. LARSEN of Washington, Mr. KHANNA, Mr. LANGEVIN, Mr. O'HALLERAN, Mr. CÁRDENAS, Ms. NORTON, Mr. HASTINGS, and Mr. BEN RAY LUJÁN of New Mexico):

H. Res. 1159. A resolution commemorating the 40th anniversary of the Indian Child Welfare Act of 1978; to the Committee on Natural Resources.

¶155.41 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 502: Mr. BUCHANAN.
H.R. 719: Mr. LOUDERMILK.
H.R. 795: Mr. STIVERS.
H.R. 866: Miss GONZÁLEZ-COLÓN of Puerto Rico.
H.R. 893: Ms. WILSON of Florida.
H.R. 947: Mr. O'HALLERAN.
H.R. 1017: Mr. GIANFORTE.
H.R. 1374: Ms. BASS.
H.R. 1409: Mr. LARSON of Connecticut, Mr. DESAULNIER, Ms. ADAMS, Mr. BERA, and Mrs. MURPHY of Florida.
H.R. 1444: Mr. NEWHOUSE.
H.R. 1567: Mr. MCCAUL.
H.R. 1776: Mr. SEAN PATRICK MALONEY of New York.
H.R. 1889: Mr. CICILLINE.
H.R. 2161: Mr. EVANS.
H.R. 2315: Mr. ARRINGTON, Mr. BUCK, Mr. CLAY, Mr. WELCH, Mr. COOPER, Mr. JOYCE of Ohio, Mr. WILSON of South Carolina, Mr. COLLINS of Georgia, and Mr. SHIMKUS.
H.R. 2392: Ms. KELLY of Illinois and Mr. CARTWRIGHT.
H.R. 2417: Mr. RICHMOND.
H.R. 2472: Mrs. CAROLYN B. MALONEY of New York.
H.R. 2651: Mr. LOWENTHAL.
H.R. 2946: Mr. TIPTON.
H.R. 3148: Ms. MCCOLLUM.
H.R. 3197: Mr. LAWSON of Florida and Mr. SUOZZI.
H.R. 3513: Mr. BERGMAN.
H.R. 3592: Ms. MCCOLLUM, Mr. McEACHIN, and Mr. GRIJALVA.
H.R. 3730: Mr. GIANFORTE.
H.R. 3827: Ms. CLARKE of New York and Ms. ROYBAL-ALLARD.
H.R. 3923: Ms. MENG.
H.R. 3931: Mr. SERRANO.
H.R. 4044: Mr. KIND.
H.R. 4057: Mr. COHEN.

H.R. 4253: Mr. POLIS.
H.R. 4328: Mr. JOHNSON of Georgia.
H.R. 4485: Ms. DELAULO.
H.R. 4638: Mr. LAMBORN.
H.R. 4691: Mr. TAKANO.
H.R. 4693: Mr. TAKANO.
H.R. 4732: Mr. PANETTA, Ms. WILSON of Florida, Ms. WASSERMAN SCHULTZ, Mr. SOTO, Mr. GALLEGO, Mr. SERRANO, Mr. DEFazio, Mrs. DAVIS of California, and Mr. STEWART.
H.R. 5209: Mr. COHEN.
H.R. 5244: Mr. NEAL.
H.R. 5273: Mr. FASO.
H.R. 5561: Mr. DELANEY.
H.R. 5573: Mr. VISCLOSKEY.
H.R. 5595: Mr. PETERSON.
H.R. 5911: Mr. CICILLINE and Mr. CROWLEY.
H.R. 5924: Ms. MENG.
H.R. 6016: Ms. WILSON of Florida and Ms. CLARKE of New York.
H.R. 6085: Mr. NEWHOUSE and Mr. MICHAEL F. DOYLE of Pennsylvania.
H.R. 6413: Mr. DELANEY.
H.R. 6495: Mr. MOULTON.
H.R. 6510: Mr. FERGUSON, Mrs. DINGELL, and Mr. HUDSON.
H.R. 6543: Mr. LEWIS of Georgia and Ms. DELBENE.
H.R. 6636: Mr. SENSENBRENNER.
H.R. 6685: Ms. WILSON of Florida.
H.R. 6700: Mr. FRANCIS ROONEY of Florida.
H.R. 6759: Mrs. NAPOLITANO, Mr. DEFazio, Ms. TITUS, Mr. KILMER, Mr. CORREA, Mr. BEN RAY LUJÁN of New Mexico, Mr. SEAN PATRICK MALONEY of New York, and Mr. GONZALEZ of Texas.
H.R. 6813: Mr. FORTENBERRY.
H.R. 6854: Mr. JONES, Mr. HUDSON, Mr. WALKER, and Mr. PRICE of North Carolina.
H.R. 6876: Mr. AL GREEN of Texas.
H.R. 6885: Ms. NORTON.
H.R. 6903: Mr. GRIJALVA, Ms. NORTON, and Ms. LEE.
H.R. 6983: Mr. CUELLAR.
H.R. 6987: Mr. COURTNEY.
H.R. 7037: Mr. GONZALEZ of Texas and Ms. WILSON of Florida.
H.R. 7059: Mr. ROUZER and Ms. FOXX.
H.R. 7086: Ms. BASS.
H.R. 7127: Ms. BASS, Mr. NADLER, and Mr. COHEN.
H.R. 7128: Ms. GABBARD and Mr. SOTO.
H.R. 7129: Ms. GABBARD and Mr. SOTO.
H.R. 7130: Ms. GABBARD and Mr. SOTO.
H.R. 7141: Mr. GARAMENDI.
H.R. 7142: Mr. PERLMUTTER.
H.R. 7163: Mr. STEWART, Mrs. LOVE, and Mr. CURTIS.
H. Con. Res. 138: Mr. LEWIS of Georgia, Mr. SCHIFF, and Mr. SERRANO.
H. Con. Res. 141: Ms. JACKSON LEE.
H. Res. 960: Mr. AGUILAR.
H. Res. 973: Mr. BANKS of Indiana.
H. Res. 1034: Mr. RUTHERFORD and Mr. BUCK.
H. Res. 1121: Mr. SHERMAN.
H. Res. 1130: Mr. LOWENTHAL and Mr. PASCRELL.
H. Res. 1144: Mr. ROSKAM.
H. Res. 1145: Ms. WILSON of Florida and Ms. SPEIER.
H. Res. 1150: Ms. BARRAGÁN.
H. Res. 1152: Mr. MARINO.
H. Res. 1154: Mr. CARSON of Indiana.
H. Res. 1156: Ms. GABBARD.

WEDNESDAY, NOVEMBER 28, 2018 (156)

The House was called to order by the SPEAKER.

¶156.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, November 27, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶156.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

6980. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting a letter stating that the data needed to complete the report on the amount of Department of Defense purchases from foreign entities in FY 2018 is not yet available, pursuant to 41 U.S.C. 8305; Public Law 104-201, Sec. 827 (as amended by Public Law 111-350, Sec. 3); (124 Stat. 3833); to the Committee on Armed Services.

6981. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Affordable Housing Program Amendments (RIN: 2590-AA83) received November 21, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

6982. A letter from the Acting Director, Directorate of Construction, Occupational Safety and Health Administration, Department of Labor, transmitting the Department's final rule — Cranes and Derricks in Construction: Operator Qualification; [Docket ID: OSHA-2007-0066] (RIN: 1218-AC96) received November 21, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

6983. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Regional Haze Five-Year Progress Report [EPA-R03-OAR-2017-0598; FRL-9986-76-Region 3] received November 21, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6984. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Logan Nonattainment Area Fine Particulate Matter State Implementation Plan for Attainment of 2006 24-Hour Fine Particulate Matter National Ambient Air Quality Standards [EPA-R08-OAR-2016-0585; FRL-9986-14-Region 8] received November 21, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6985. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Pyrifluquinazon; Pesticide Tolerances [EPA-HQ-OPP-2011-0971; FRL-9977-14] received November 21, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6986. A letter from the Chief of Staff, Media Bureau, Federal Communication Commission, transmitting the Commission's final rule — Modernization of Media Regulation Initiative [MB Docket No.: 17-105]; Revisions to Cable Television Rate Regulations [MB Docket No.: 02-144]; Implementation of Sections of the Cable Television Consumer Protection and Competition Act of 1992: Rate Regulation [MM Docket No.: 92-266] [MM Docket No.: 93-215]; Adoption of Uniform Accounting System for the Provision of Regulated Cable Service [CS Docket No.: 94-28]; Cable Pricing Flexibility [CS Docket No.: 96-157] received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6987. A letter from the Chief, Pricing Policy Division, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Regulation of Business Data Services for Rate-of-Return Local Exchange Carriers [WC Docket No.: 17-144]; Business Data Services in an Internet Protocol Environment [WC Docket No.: 16-143]; Special Access for Price Cap Local Exchange Carriers [WC Docket No.: 05-25] received November 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6988. A letter from the Deputy Chief, International Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 2 and 25 of the Commission's Rules to Facilitate the Use of Earth Stations in Motion Communicating with Geostationary Orbit Space Stations in Frequency Bands Allocated to the Fixed Satellite Service [IB Docket No.: 17-95] received November 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6989. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — FCC Form 325 Collection [MB Docket No.: 17-290]; Modernization of Media Regulation Initiative [MB Docket No.: 17-105] received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6990. A letter from the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Review of Part 87 of the Commission's Rules Concerning the Aviation Radio Service [WT Docket No.: 01-289] received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6991. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's regulatory guide — Applications for Nuclear Power Plants (Regulatory Guide 1.206, Revision 1) received November 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

6992. A letter from the Chair and Co-Chair, Congressional-Executive Commission on China, transmitting the 2018 Annual Report of the Congressional-Executive Commission on China, pursuant to 22 U.S.C. 6912(g); Public Law 106-286, Sec. 302(g); (114 Stat. 897); to the Committee on Foreign Affairs.

6993. A letter from the Sanctions Regulations Advisor, Office of Foreign Assets Control, Department of the Treasury, transmitting the Department's final rule — Democratic Republic of the Congo Sanctions Regulations received November 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Foreign Affairs.

6994. A letter from the Acting Director, Office of Financial Research, transmitting the Office's 2018 Annual Report to Congress, pursuant to 12 U.S.C. 5344(d); Public Law 111-203, Sec. 154(d); (124 Stat. 1418); to the Committee on Oversight and Government Reform.

6995. A letter from the Acting Chief Financial Officer, Department of Homeland Security, transmitting the Department's Financial Report for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6996. A letter from the Director, Office of Government Ethics, transmitting the An-

nual Financial Report for the U.S. Office of Government Ethics for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6997. A letter from the Acting Commissioner, Social Security Administration, transmitting the Administration's Financial Report for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6998. A letter from the Acting Director, U.S. Trade and Development Agency, transmitting the Agency's Performance and Accountability Report, including audited financial statements, for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

6999. A letter from the Chairman, United States International Trade Commission, transmitting the Commission's Agency Financial Report for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7000. A letter from the Chief, Branch of Delisting and Foreign Species, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removal of the Lesser Long-Nosed Bat From the Federal List of Endangered and Threatened Wildlife [Docket No.: FWS-R2-ES-2016-0138; FXES11130900000 178 FF09E42000] (RIN: 1018-BB91) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7001. A letter from the Chief, Branch of Foreign Species and Delisting, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removing the Black-Capped Vireo From the Federal List of Endangered and Threatened Wildlife [Docket No.: FWS-R2-ES-2016-0110; FXES11130900000 178 FF09E42000] (RIN: 1018-BB79) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7002. A letter from the Supervisory Regulations Specialist, Office of Subsistence Management, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Subsistence Management Regulations for Public Lands in Alaska-2018-19 and 2019-20 Subsistence Taking of Wildlife Regulations [Docket No.: FWS-R7-SM-2016-0049; FXFR13350700640-189-FF07J00000; FBMS#4500117985] (RIN: 1018-BB38) received November 16, 2019, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7003. A letter from the Conservation Policy Advisor, National Wildlife Refuge System, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — 2018-2019 Refuge-Specific Hunting and Sport Fishing Regulations [Docket No.: FWS-HQ-NWRS-2018-0020; FXRS12610900000-189-FF09R20000] (RIN: 1018-BC07) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7004. A letter from the Chief, Branch of Domestic Listing, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Des-

ignation of Critical Habitat for Three Plant Species on Hawaii Island [Docket Number: FWS-R1-ES-2013-0028; 4500030113] (RIN: 1018-AZ38) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7005. A letter from the Chief, Branch of Delisting and Foreign Species, U.S. Fish and Wildlife Service, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reclassifying Tobusch Fishhook Cactus From Endangered to Threatened and Adopting a New Scientific Name [Docket No.: FWS-R2-ES-2016-0130; FXES11130900000-178-FF09E42000] (RIN: 1018-BB90) received November 16, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7006. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Guidance under Section 132(g) for the Exclusion from Income of Qualified Moving Expense Reimbursements [Notice 2018-75] received November 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7007. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final regulations — Allocation of Costs Under the Simplified Methods [TD 9843] (RIN: 1545-BG07) received November 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7008. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2019 Cost-of-Living Adjustments to the Internal Revenue Code Tax Tables and Other Items (Rev. Proc. 2018-57) received November 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶156.3 MOMENT OF SILENCE IN MEMORY OF THOSE KILLED OR WOUNDED IN SERVICE TO OUR COUNTRY

The SPEAKER announced that all Members stand and observe a moment of silence in honor of those who have been killed or wounded in service to our country and all those who serve and their families.

¶156.4 RECESS—12:17 P.M.

The SPEAKER pro tempore, Mr. JOHNSON of Ohio, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 17 minutes p.m., subject to the call of the Chair.

¶156.5 AFTER RECESS—4:31 P.M.

The SPEAKER pro tempore, Mr. YODER, called the House to order.

¶156.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. YODER, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 28, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of

the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 28, 2018, at 12:26 p.m.:

That the Senate passed S. 3661.

That the Senate agrees to the House amendment to the bill S. 440.

That the Senate agrees to the House amendment to the bill S. 2074.

That the Senate passed without amendment H.R. 1074.

That the Senate passed without amendment H.R. 5317.

That the Senate passed with an amendment H.R. 1918.

That the Senate passed with amendments H.R. 3946.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶156.7 STRENGTHENING THE HEALTH CARE FRAUD PREVENTION TASK FORCE

Mr. BURGESS moved to suspend the rules and pass the bill (H.R. 6753) to amend title XI of the Social Security Act to direct the Secretary of Health and Human Services to establish a public-private partnership for purposes of identifying health care waste, fraud, and abuse; as amended.

The SPEAKER pro tempore, Mr. YODER, recognized Mr. BURGESS and Ms. KELLY of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. YODER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶156.8 AMENDMENT OF THE SENATE TO H.R. 2422

Mr. BURGESS moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2422) to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and for other purposes:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the Action for Dental Health Act of 2018.

SEC. 2. ORAL HEALTH EDUCATION.

(a) *IN GENERAL.*—Section 399LL of the Public Health Service Act (42 U.S.C. 280k) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by inserting “OF ORAL HEALTH EDUCATION CAMPAIGN” after “ESTABLISHMENT”; and

(B) by striking “focused on oral healthcare prevention and education” and inserting “focused on oral health education”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “campaign” and inserting “campaign under subsection (a)”;

(3) by striking subsection (c) and inserting the following:

“(c) *ACTION FOR DENTAL HEALTH PROGRAM.*—“(1) *IN GENERAL.*—The Secretary, in consultation with the Director of the Centers for Disease Control and Prevention and the Administrator of the Health Resources and Services Administration, may award grants, contracts, or cooperative agreements to eligible entities to collaborate with State or local public health officials, tribal health officials, oral health professional organizations, and others, as appropriate, to develop and implement initiatives to improve oral health, including activities to prevent dental disease and reduce barriers to the provision of dental services, including—

“(A) through community-wide dental disease prevention programs; and

“(B) by increasing public awareness and education related to oral health and dental disease prevention.

“(2) *ELIGIBLE ENTITIES.*—To be eligible to receive a grant, contract, or cooperative agreement under this subsection, an entity shall be—

“(A) a dental association;

“(B) a State or tribal health department or State or tribal oral health program;

“(C) an accredited dental education, dental hygiene, or postdoctoral dental education program; or

“(D) a non-profit community-based organization that partners with public and private non-profit entities, such as an academic institution, to facilitate the provision of dental services to underserved populations.”;

(b) *TECHNICAL AMENDMENT.*—Section 399LL–1(d) of the Public Health Service Act (42 U.S.C. 280k–1(d)) is amended—

(1) by striking “shall” and inserting “shall, as practicable and appropriate,” before “utilize”; and

(2) by striking “public education campaign” and inserting “oral health education campaign and action for dental health program”.

(c) *REPORT TO CONGRESS.*—Not later than 3 years after the date of enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report on the outcomes and effectiveness of programs and activities conducted under sections 399LL and 399LL–1 of the Public Health Service Act (42 U.S.C. 280k and 280k–1).

SEC. 3. GRANTS FOR INNOVATIVE PROGRAMS.

Section 340G of the Public Health Service Act (42 U.S.C. 256g) is amended—

(1) in subsection (b)(5)—

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

(B) by adding at the end the following:

“(D) the establishment or development of models for the provision of dental services to children and adults, such as dental homes, including for the elderly, blind, individuals with disabilities, and individuals living in long-term care facilities; and

“(E) the establishment of initiatives to reduce the use of emergency departments by individuals who seek dental services more appropriately delivered in a dental primary care setting;”;

(2) in subsection (f), by striking “\$25,000,000 for the 5-fiscal year period beginning with fiscal year 2008” and inserting “\$13,903,000 for each of fiscal years 2019 through 2023”.

The SPEAKER pro tempore, Mr. YODER, recognized Mr. BURGESS and Ms. KELLY of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. YODER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶156.9 STATE OF THE INTERNET-CONNECTED DEVICES INDUSTRY

Mr. LATTA moved to suspend the rules and pass the bill (H.R. 6032) to direct the Secretary of Commerce to conduct a study and submit to Congress a report on the state of the internet-connected devices industry in the United States; as amended.

The SPEAKER pro tempore, Mr. YODER, recognized Mr. LATTA and Ms. KELLY of Illinois, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. YODER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶156.10 VISAS FOR IRISH NATIONALS

Mr. CHABOT moved to suspend the rules and pass the bill (H.R. 7164) to add Ireland to the E-3 nonimmigrant visa program; as amended.

The SPEAKER pro tempore, Mr. YODER, recognized Mr. CHABOT and Mr. NADLER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. YODER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶156.11 RECESS—6:48 P.M.

The SPEAKER pro tempore, Mr. NORMAN, pursuant to clause 12(a) of

rule I, declared the House in recess at 6 o'clock and 48 minutes p.m., subject to the call of the Chair.

¶156.12 AFTER RECESS—9:40 P.M.

The SPEAKER pro tempore, Mr. SESSIONS, called the House to order.

¶156.13 PROVIDING FOR CONSIDERATION OF THE AMENDMENT OF THE SENATE TO H.R. 88

Mr. BURGESS, by direction of the Committee on Rules, reported (Rept. No. 115-1054) the resolution (H. Res. 1160) providing for consideration of the Senate amendment to the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶156.14 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 390. An Act to provide relief for victims of genocide, crimes against humanity, and war crimes who are members of religious and ethnic minority groups in Iraq and Syria, for accountability for perpetrators of these crimes, and for other purposes.

H.R. 4254. An Act to amend the National Science Foundation Authorization Act of 2002 to strengthen the aerospace workforce pipeline by the promotion of Robert Noyce Teacher Scholarship Program and National Aeronautics and Space Administration internship and fellowship opportunities to women, and for other purposes.

¶156.15 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 26, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 606. An Act to designate the facility of the United States Postal Service located at 1025 Nevin Avenue in Richmond, California, as the "Harold D. McCraw, Sr., Post Office Building".

H.R. 1209. An Act to designate the facility of the United States Postal Service located at 901 N. Francisco Avenue, Mission, Texas, as the "Mission Veterans Post Office Building".

H.R. 2979. An Act to designate the facility of the United States Postal Service located at 390 West 5th Street in San Bernardino, California, as the "Jack H. Brown Post Office Building".

H.R. 3230. An Act to designate the facility of the United States Postal Service located at 915 Center Avenue in Payette, Idaho, as the "Harmon Killebrew Post Office Building".

H.R. 4890. An Act to designate the facility of the United States Postal Service located at 9801 Apollo Drive in Upper Marlboro, Maryland, as the "Wayne K. Curry Post Office Building".

H.R. 4913. An Act to designate the facility of the United States Postal Service located at 816 East Salisbury Parkway in Salisbury, Maryland, as the "Sgt. Maj. Wardell B. Turner Post Office Building".

H.R. 4946. An Act to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the "Specialist Trevor A. Win'E Post Office".

H.R. 4960. An Act to designate the facility of the United States Postal Service located at 511 East Walnut Street in Columbia, Missouri, as the "Spc. Sterling William Wyatt Post Office Building".

H.R. 5349. An Act to designate the facility of the United States Postal Service located at 1325 Autumn Avenue in Memphis, Tennessee, as the "Judge Russell B. Sugarmon Post Office Building".

H.R. 5504. An Act to designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the "Sergeant Dietrich Schmieman Post Office Building".

H.R. 5737. An Act to designate the facility of the United States Postal Service located at 108 West D Street in Alpha, Illinois, as the "Captain Joshua E. Steele Post Office".

H.R. 5868. An Act to designate the facility of the United States Postal Service located at 530 Claremont Avenue in Ashland, Ohio, as the "Bill Harris Post Office".

H.R. 5935. An Act to designate the facility of the United States Postal Service located at 1355 North Meridian Road in Harristown, Illinois, as the "Logan S. Palmer Post Office".

H.R. 6116. An Act to designate the facility of the United States Postal Service located at 362 North Ross Street in Beaverton, Michigan, as the "Colonel Alfred Asch Post Office".

Karen L. Haas, Clerk of the House, further reported that on November 27, 2018, she presented to the President of the United States, for his approval, the following bill:

H.R. 5784. An Act to designate the facility of the United States Postal Service located at 2650 North Doctor Martin Luther King Jr. Drive in Milwaukee, Wisconsin, shall be known and designated as the "Vel R. Phillips Post Office Building".

And then,

¶156.16 ADJOURNMENT

On motion of Mr. BURGESS, at 9 o'clock and 41 minutes p.m., the House adjourned.

¶156.17 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 1160. Resolution providing for consideration of the Senate amendment to the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes (Rept. 115-1054). Referred to the House Calendar.

¶156.18 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 4302. Referral to the Committee on Rules extended for a period ending not later than December 28, 2018.

¶156.19 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SCHNEIDER (for himself, Mr. FOSTER, and Mr. LIPINSKI):

H.R. 7179. A bill to require the Administrator of the Environmental Protection Agency to revise certain ethylene oxide emissions standards under the Clean Air Act, and for other purposes; to the Committee on Energy and Commerce.

By Ms. CHENEY:

H.R. 7180. A bill to limit the availability of funds to extend the implementation of the New START Treaty, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISSA:

H.R. 7181. A bill to establish the number of Members of the House of Representatives at 400; to the Committee on the Judiciary.

By Mr. KUSTOFF of Tennessee:

H.R. 7182. A bill to require a report on oligarchs and parastatal entities of Iran, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEADOWS:

H.R. 7183. A bill to develop a report regarding possible duplication of Federal damage assessments, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SENSENBRENNER:

H.R. 7184. A bill to provide for a ban on the retroactive taxation of internet commerce, and for other purposes; to the Committee on the Judiciary.

By Ms. TITUS (for herself, Ms. MOORE, Ms. WILSON of Florida, Mr. DEUTCH, Mr. BLUMENAUER, Ms. NORTON, Mr. COHEN, Mr. SOTO, Ms. ESTY of Connecticut, Ms. LOFGREN, Ms. JACKSON LEE, Ms. CLARK of Massachusetts, Ms. SCHAKOWSKY, Mr. CARSON of Indiana, Mr. RICHMOND, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. RUSH, Mr. RYAN of Ohio, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ESPAILLAT, Mr. VELA, Ms. JUDY CHU of California, Ms. WASSERMAN SCHULTZ, Mr. HASTINGS, Ms. ROYBAL-ALLARD, Mr. THOMPSON of Mississippi, Mr. DESAULNIER, Mr. GALLEGO, and Mr. YARMUTH):

H.R. 7185. A bill to amend the Richard B. Russell National School Lunch Act to establish a weekend and holiday feeding program to provide nutritious food to at-risk school children on weekends and during extended school holidays throughout the year; to the Committee on Education and the Workforce.

By Mr. VEASEY (for himself, Mr. BROWN of Maryland, Ms. JACKSON LEE, Mr. THOMPSON of Mississippi, Mr. TAKANO, Mr. GONZALEZ of Texas, Mr. GRIJALVA, Mr. CORREA, Mr. SIREN, Mrs. NAPOLITANO, Ms. CLARKE of New York, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RASKIN, Mr. COHEN, Ms. NORTON, and Ms. WILSON of Florida):

H.R. 7186. A bill to amend the Small Business Act to modify the upfront guarantee fees for certain 7(a) loans, and for other purposes; to the Committee on Small Business.

¶156.20 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 154: Mr. NEAL.
 H.R. 391: Mr. POSEY.
 H.R. 547: Mr. BEYER.
 H.R. 656: Mrs. HARTZLER.
 H.R. 919: Mr. BURGESS and Mr. HUNTER.
 H.R. 930: Mr. HARRIS and Mr. ROKITA.
 H.R. 1566: Mr. DESAULNIER.
 H.R. 1683: Mr. SHIMKUS.
 H.R. 2315: Mr. GRIFFITH, Mr. GROTHMAN, Mr. CARTER of Georgia, Mr. HIGGINS of Louisiana, Mr. KUSTOFF of Tennessee, Mr. MARSHALL, Mr. GIBBS, Mr. ALLEN, Mrs. WAGNER, Mr. JODY B. HICE of Georgia, Mr. MARCHANT, Ms. ROYBAL-ALLARD, Mr. ROGERS of Alabama, and Mr. COLE.
 H.R. 2358: Mr. GALLAGHER, Mr. GIANFORTE, Mr. YARMUTH, and Mr. LAWSON of Florida.
 H.R. 3395: Mr. LAHOOD.
 H.R. 3730: Ms. STEFANIK.
 H.R. 3940: Mr. DELANEY.
 H.R. 3963: Mr. KIND.
 H.R. 3988: Mr. HARRIS.
 H.R. 4107: Mr. FERGUSON, Mr. RICHMOND, Mr. MULLIN, Mr. EMMER, Ms. WASSERMAN SCHULTZ, Mr. GIANFORTE, Mr. GRIFFITH, Mr. BROWN of Maryland, Mr. COSTELLO of Pennsylvania, Mr. DEFAZIO, Mrs. COMSTOCK, Mr. RICE of South Carolina, Mr. SMUCKER, Mr. ALLEN, Mr. WALDEN, Mr. BOST, Mr. ROUZER, Mr. GROTHMAN, Mr. RODNEY DAVIS of Illinois, and Mr. SMITH of Missouri.
 H.R. 4256: Ms. VELÁZQUEZ, Mr. GALLEGU, Mr. GOTTHEIMER, Mr. O'HALLERAN, Mr. VELA, Mr. SCOTT of Virginia, Mr. BROWN of Maryland, Ms. SÁNCHEZ, Mr. CASTRO of Texas, Mr. SIRE, Mrs. DEMINGS, Mr. CORREA, Mr. KILMER, Mr. NORCROSS, Mrs. MURPHY of Florida, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. RICHMOND, Mr. CLAY, Ms. MCCOLLUM, Mr. HECK, Mr. NEAL, Mr. CONNOLLY, Mr. SMITH of Washington, Mr. LANGEVIN, Mr. KILDEE, Mr. BERA, Mr. MCNERNEY, Ms. BARRAGÁN, Mr. DANNY K. DAVIS of Illinois, and Mr. CARBAJAL.
 H.R. 4444: Ms. ROYBAL-ALLARD.
 H.R. 4549: Mr. CURTIS.
 H.R. 4732: Mr. MAST, Mr. CUELLAR, Mr. LEWIS of Minnesota, and Mr. MCEACHIN.
 H.R. 4843: Mr. PETERSON and Ms. STEFANIK.
 H.R. 4912: Mr. LOWENTHAL.
 H.R. 5460: Ms. JACKSON LEE, Mr. DESAULNIER, and Mr. YARMUTH.
 H.R. 5678: Mr. THORNBERRY.
 H.R. 5759: Mr. FASO.
 H.R. 5958: Mr. BUDD.
 H.R. 6081: Mr. DEFAZIO.
 H.R. 6586: Mr. DEFAZIO.
 H.R. 6615: Mr. FITZPATRICK.
 H.R. 6692: Mr. GUTIERREZ.
 H.R. 6850: Mr. MASSIE.
 H.R. 6992: Mr. BYRNE.
 H.R. 7062: Mr. COLE, Mr. MCGOVERN, and Mr. COOK.
 H.R. 7073: Mr. DUNCAN of South Carolina.
 H.R. 7086: Mr. KILDEE.
 H.R. 7124: Ms. MATSUI.
 H.R. 7145: Ms. NORTON.
 H.R. 7146: Mr. DEUTCH and Ms. JACKSON LEE.
 H.R. 7150: Mrs. WATSON COLEMAN, Mr. KHANNA, Ms. WILSON of Florida, and Ms. MATSUI.
 H.J. Res. 129: Mr. MORELLE.
 H. Res. 1149: Mr. YOHO, Mr. FITZPATRICK, and Mr. SAM JOHNSON of Texas.

THURSDAY, NOVEMBER 29, 2018
(157)

¶157.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore,

Mr. POLIQUIN, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 November 29, 2018.

I hereby appoint the Honorable BRUCE POLIQUIN to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶157.2 RECESS—10:59 A.M.

The SPEAKER pro tempore, Mr. POLIQUIN, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 59 minutes a.m., until noon.

¶157.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶157.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, November 28, 2018.

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

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. POE of Texas, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶157.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7009. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Oranges and Grapefruit Grown in Lower Rio Grande Valley in Texas; Decreased Assessment Rate [Doc. No.: AMS-SC-17-0044; SC18-906-1 FR] received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

7010. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a letter providing a status report on the account balance in the Defense Cooperation Account, as of September 30, 2018, pursuant to 10 U.S.C. 2608(e); Public Law 101-403, Sec. 202(a)(1) (as amended by Public Law 112-81, Sec. 1064(7)); (125 Stat. 1587); to the Committee on Armed Services.

7011. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility; North Carolina: Charlotte, City of, Mecklenburg County, et al., [Docket ID: FEMA-2018-0002; Internal Agency Docket No.: FEMA-8555] received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7012. A letter from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

7013. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tin Oxide; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2017-0614; FRL-9982-73] received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7014. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2018-0567; FRL-9986-15] (RIN: 2070-AB27) received November 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7015. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's Major interim final rule — Federal Employees Dental and Vision Insurance Program: Extension of Eligibility to Certain TRICARE-Eligible Individuals; Effective Date of Enrollment (RIN: 3206-AN58) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7016. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's correcting amendment — Personnel Management in Agencies received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7017. A letter from the Honors Attorney, Regulatory Affairs, Office of Chief Counsel, Pipeline Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department's final rule — Pipeline Safety: Plastic Pipe Rule [Docket No.: PHMSA-2014-0098; Amdt. No. 192-124] (RIN: 2137-AE93) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7018. A letter from the Honors Attorney, Regulatory Affairs, Office of Chief Counsel, Pipeline Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Response to Petitions From Industry To Modify, Clarify, or Eliminate Regulations [Docket No.: PHMSA-2015-0102 (HM-219A)] (RIN: 2137-AF09) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7019. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace, and Revocation of Class E Airspace; Juneau, AK [Docket No.: FAA-2018-0125; Airspace Docket No.: 18-AAL-5] (RIN: 2120-AA66) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7020. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31220; Amdt. No.: 3823] received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7021. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31221; Amdt. No.: 3824] received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7022. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airspace Designations; Incorporation by Reference Amendments [Docket No.: FAA-2018-0770; Amendment No.: 71-50] (RIN: 2120-AA66) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7023. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0408; Product Identifier 2017-NM-146-AD; Amendment 39-19495; AD 2018-23-09] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7024. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0297; Product Identifier 2017-NM-181-AD; Amendment 39-19497; AD 2018-23-11] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7025. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0637; Product Identifier 2018-NM-091-AD; Amendment 39-19496; AD 2018-23-10] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7026. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0758; Product Identifier 2018-NM-093-AD; Amendment 39-19493; AD 2018-23-07] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7027. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines (IAE) Turbofan Engines [Docket No.: FAA-2018-0404;

Product Identifier 2018-NE-15-AD; Amendment 39-19468; AD 2018-21-10] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7028. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0908; Product Identifier 2018-NM-136-AD; Amendment 39-19486; AD 2018-22-13] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7029. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2018-0551; Product Identifier 2018-NM-023-AD; Amendment 39-19485; AD 2018-22-12] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7030. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; International Aero Engines Turbofan Engines [Docket No.: FAA-2018-0431; Product Identifier 2018-NE-16-AD; Amendment 39-19475; AD 2018-22-02] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7031. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International Inc. Turbo-prop Engines [Docket No.: FAA-2018-0216; Product Identifier 1988-ANE-18-AD; Amendment 39-19474; AD 2018-22-01] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7032. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0585; Product Identifier 2018-NM-070-AD; Amendment 39-1948; AD 2018-22-08] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7033. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0510; Product Identifier 2017-NM-115-AD; Amendment 39-19483; AD 2018-22-10] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7034. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0589; Product Identifier 2018-NM-021-AD; Amendment 39-19489; AD 2018-23-03] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7035. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Engine Alliance Turbofan Engines [Docket No.: FAA-2018-0934; Product Identifier 2018-NE-35-AD; Amendment 39-19478; AD 2018-22-05] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7036. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0958; Product Identifier 2018-NM-139-AD; Amendment 39-19491; AD 2018-23-05] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7037. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0027; Product Identifier 2017-NM-118-AD; Amendment 39-19482; AD 2018-22-09] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7038. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; SOCATA Airplanes [Docket No.: FAA-2018-0326; Product Identifier 2018-CE-006-AD; Amendment 39-19464; AD 2018-21-06] (RIN: 2120-AA64) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

157.6 COMMUNICATION FROM THE CLERK—CERTIFICATE OF ELECTION

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 28, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I have the honor to transmit herewith a copy of the Certificate of Election received from the Honorable Ruth Johnson, the Michigan Secretary of State, indicating that, at the Special Election held on November 6, 2018, the Honorable Brenda Jones was duly elected Representative in Congress for the 13th Congressional District, State of Michigan.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

STATE OF MICHIGAN
DEPARTMENT OF STATE

I, Ruth Johnson, Secretary of State and Custodian of the Great Seal of the State of Michigan, certify that the following persons were duly elected in Michigan at the November 6, 2018 General Election to the Office of U.S. Representative in Congress for a term commencing immediately and ending on January 3, 2019, as shown by the official returns certified for the election and placed on file in this office.

District 13, Brenda Jones.

In witness whereof, I have hereto attached my signature and the Great Seal of the State

of Michigan, at Lansing, on November 26, 2018.

RUTH JOHNSON,
Secretary of State.

¶157.7 MEMBER-ELECT TO BE SWORN IN

Mr. LEVIN submitted the following privileged resolution (H. Res. 1161):

Resolved, That the Speaker is hereby authorized and directed to administer the oath of office to Ms. Brenda Jones, a representative-elect from the 13th Congressional District of Michigan.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶157.8 MEMBER-ELECT SWORN IN

Ms. JONES of the 13th District of Michigan, presented herself at the bar of the House and took the oath of office prescribed by law.

¶157.9 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER announced, under clause 5(d) of rule XX, that, in light of the administration of the oath to Representative JONES, the whole number of the House is adjusted to 433.

¶157.10 RECESS—12:36 P.M.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 36 minutes p.m., until approximately 3:30 p.m.

¶157.11 AFTER RECESS—3:30 P.M.

The SPEAKER pro tempore, Mr. VALADAO, called the House to order.

¶157.12 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. VALADAO, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 29, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 29, 2018, at 3:06 p.m.:

That the Senate passed without an amendment H.R. 6651.

Appointments:
Federal Law Enforcement Congressional Badge of Bravery Board.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶157.13 PROVIDING FOR CONSIDERATION OF THE AMENDMENT OF THE SENATE TO H.R. 88

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 1160):

Resolved, That upon adoption of this resolution it shall be in order to take from the

Speaker's table the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 115-85 modified by the amendment printed in the report of the Committee on Rules accompanying this resolution. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

When said resolution was considered.

After debate,

On motion of Mr. SESSIONS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. BARTON, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BARTON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶157.14 FLOOD INSURANCE EXTENSION

Mr. HENSARLING moved to suspend the rules and pass the bill (H.R. 7187) to extend the National Flood Insurance Program until December 7, 2018.

The SPEAKER pro tempore, Mr. BARTON, recognized Mr. HENSARLING and Ms. Maxine WATERS of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BACON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HENSARLING demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BACON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶157.15 FEDERAL AGENCY CUSTOMER EXPERIENCE

Mr. COMER moved to suspend the rules and pass the bill (H.R. 2846) to require the collection of voluntary feedback on services provided by agencies, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BACON, recognized Mr. COMER and Mrs. Carolyn B. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BACON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to require the collection of voluntary customer service feedback on services provided by agencies, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.16 ALL-AMERICAN FLAG

Mr. COMER moved to suspend the rules and pass the bill (H.R. 3121) to require the purchase of domestically made flags of the United States of America for use by the Federal Government; as amended.

The SPEAKER pro tempore, Mr. BACON, recognized Mr. COMER and Mrs. Carolyn B. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BACON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.17 INSPECTOR GENERAL ACCESS

Mr. COMER moved to suspend the rules and pass the bill (H.R. 3154) to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General.

The SPEAKER pro tempore, Mr. BACON, recognized Mr. COMER and Mrs. Carolyn B. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BACON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.18 21ST CENTURY INTEGRATED DIGITAL EXPERIENCE

Mr. COMER moved to suspend the rules and pass the bill (H.R. 5759) to improve executive agency digital services, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BACON, recognized Mr. COMER and Mrs. Carolyn B. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BACON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.19 SETTLEMENT AGREEMENT INFORMATION DATABASE

Mr. COMER moved to suspend the rules and pass the bill (H.R. 6777) to amend chapter 3 of title 5, United States Code, to require the publication of settlement agreements, and for other purposes.

The SPEAKER pro tempore, Mr. BACON, recognized Mr. COMER and Mrs. Carolyn B. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BACON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.20 FEDERAL CHIEF INFORMATION OFFICER AUTHORIZATION

Mr. COMER moved to suspend the rules and pass the bill (H.R. 6901) to amend chapter 36 of title 44, United States Code, to make certain changes

relating to electronic Government services, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BACON, recognized Mr. COMER and Mrs. Carolyn B. MALONEY of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BACON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. COMER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. BACON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Friday, November 30, 2018.

The point of no quorum was considered as withdrawn.

¶157.21 AMENDMENT OF THE SENATE TO H.R. 1207

On motion of Mr. COMER, by unanimous consent, the bill (H.R. 1207) to designate the facility of the United States Postal Service located at 306 River Street in Tilden, Texas, as the "Tilden Veterans Post Office"; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

On page 2, line 1, strike [SPECIALIST].

On motion of Mr. COMER, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶157.22 PLEASANTON VETERANS POST OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 1210) to designate the facility of the United States Postal Service located at 122 W. Goodwin Street, Pleasanton, Texas, as the "Pleasanton Veterans Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.23 ENCINAL VETERANS POST OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 1211) to designate the facility of the United States Postal Service located at 400 N. Main Street, Encinal, Texas, as the "Encinal Veterans Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.24 CAPTAIN HUMAYUN KHAN POST OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 3184) to designate the facility of the United States Postal Service located at 180 McCormick Road in Charlottesville, Virginia, as the "Captain Humayun Khan Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.25 SGT. JOSH RODGERS POST OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 4326) to designate the facility of the United States Postal Service located at 1211 Towanda Avenue in Bloomington, Illinois, as the "Sgt. Josh Rodgers Post Office".

When said bill was considered and read twice,

Mr. COMER submitted the following amendment which was agreed to:

Page 1, beginning on line 5, strike "1211 Towanda Avenue in Bloomington, Illinois" and insert "200 West North Street in Normal, Illinois".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to designate the facility of the United States Postal Service located at 200 West North Street in Normal, Illinois, as the 'Sgt. Josh Rodgers Post Office'".

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.26 STAFF SERGEANT ALEXANDRIA GLEASON-MORROW POST OFFICE BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5395) to designate the facility of the United States Postal Service located at 116 Main Street in Dansville, New York, as the "Staff Sergeant Alexandria Gleason-Morrow Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read

a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.27 ARMY SPECIALIST JOSE L. RUIZ
POST OFFICE BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5412) to designate the facility of the United States Postal Service located at 25 2nd Avenue in Brentwood, New York, as the "Army Specialist Jose L. Ruiz Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.28 SERGEANT DAVID KINTERKNECHT
POST OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6216) to designate the facility of the United States Postal Service located at 3025 Woodgate Road in Montrose, Colorado, as the "Sergeant David Kinterknecht Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.29 DEPUTY SHERIFF DEREK GEER
POST OFFICE BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6217) to designate the facility of the United States Postal Service located at 241 N 4th Street in Grand Junction, Colorado, as the "Deputy Sheriff Derek Geer Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.30 LANCE CORPORAL JUANA
NAVARRO ARELLANO POST OFFICE
BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was dis-

charged from further consideration of the bill (H.R. 6405) to designate the facility of the United States Postal Service located at 2801 Mitchell Road in Ceres, California, as the "Lance Corporal Juana Navarro Arellano Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.31 FRANK LEONE POST OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6428) to designate the facility of the United States Postal Service located at 332 Ramapo Valley Road in Oakland, New Jersey, as the "Frank Leone Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.32 JUDGE JAMES E. HORTON, JR.
POST OFFICE BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6513) to designate the facility of the United States Postal Service located at 1110 West Market Street in Athens, Alabama, as the "Judge James E. Horton, Jr. Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.33 MAJOR HOMER L. PEASE POST
OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6621) to designate the facility of the United States Postal Service located at 530 East Main Street in Johnson City, Tennessee, as the "Major Homer L. Pease Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.34 JAMES MARSHALL "JIMI"
HENDRIX POST OFFICE BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6628) to designate the facility of the United States Postal Service located at 4301 Northeast 4th Street in Renton, Washington, as the "James Marshall 'Jimi' Hendrix Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.35 JANET LUCILLE OILAR POST
OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6655) to designate the facility of the United States Postal Service located at 44160 State Highway 299 East Suite 1 in McArthur, California, as the "Janet Lucille Oilar Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.36 PATRICK E. MAHANY, JR., POST
OFFICE BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6831) to designate the facility of the United States Postal Service located at 35 West Main Street in Frisco, Colorado, as the "Patrick E. Mahany, Jr., Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.37 OLLIE M. JAMES POST OFFICE
BUILDING

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6838) to designate the facility of the United States Postal Service located at 128 East Carlisle Street in Marion, Kentucky, as the "Ollie M. James Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read

a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.38 CAPTAIN MATTHEW J. AUGUST POST OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill of the Senate (S. 3414) to designate the facility of the United States Postal Service located at 20 Ferry Road in Saunderstown, Rhode Island, as the "Captain Matthew J. August Post Office".

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶157.39 ARLA W. HARRELL POST OFFICE

On motion of Mr. COMER, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill of the Senate (S. 3442) to designate the facility of the United States Postal Service located at 105 Duff Street in Macon, Missouri, as the "Arla W. Harrell Post Office".

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶157.40 H. RES. 1160—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BACON, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 1160) providing for consideration of the Senate amendment to the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes.

The question being put,

Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 219
affirmative } Nays 181

¶157.41 [Roll No. 423] YEAS—219

Abraham	Amodei	Bacon
Aderholt	Arrington	Balderson
Allen	Babin	Banks (IN)

Barr	Grothman
Barton	Guthrie
Bergman	Handel
Biggs	Harper
Bilirakis	Harris
Bishop (MI)	Hartzler
Bishop (UT)	Hensarling
Blum	Hern
Bost	Herrera Beutler
Brady (TX)	Hice, Jody B.
Brat	Higgins (LA)
Brooks (AL)	Hill
Brooks (IN)	Holding
Buck	Hollingsworth
Bucshon	Hudson
Budd	Huizenga
Burgess	Hultgren
Byrne	Hunter
Calvert	Hurd
Carter (GA)	Issa
Carter (TX)	Jenkins (KS)
Chabot	Johnson (LA)
Cheney	Johnson (OH)
Cloud	Johnson, Sam
Coffman	Jordan
Cole	Joyce (OH)
Collins (GA)	Katko
Collins (NY)	Kelly (MS)
Comer	Kelly (PA)
Comstock	King (IA)
Conaway	King (NY)
Cook	Kinzinger
Costello (PA)	Kustoff (TN)
Cramer	LaHood
Crawford	LaMalfa
Culberson	Lamborn
Curbelo (FL)	Lance
Curtis	Latta
Davidson	Lesko
Davis, Rodney	Lewis (MN)
Denham	LoBiondo
Diaz-Balart	Long
Donovan	Loudermilk
Duffy	Love
Duncan (SC)	Lucas
Duncan (TN)	Luetkemeyer
Dunn	MacArthur
Emmer	Marchant
Estes (KS)	Marino
Faso	Marshall
Ferguson	Massie
Fitzpatrick	Mast
Fleischmann	McCarthy
Flores	McCaul
Fortenberry	McClintock
Fox	McHenry
Frelinghuysen	McKinley
Gaetz	McMorris
Gallagher	Rodgers
Garrett	McSally
Gianforte	Meadows
Gibbs	Mitchell
Gohmert	Moolenaar
Goodlatte	Mooney (WV)
Gosar	Mullin
Gowdy	Norman
Granger	Nunes
Graves (GA)	Olson
Graves (LA)	Palazzo
Graves (MO)	Palmer
Griffith	Paulsen

NAYS—181

Adams	Clark (MA)	Doyle, Michael
Aguilar	Clarke (NY)	F.
Amash	Clay	Engel
Barragán	Cleaver	Eshoo
Bass	Clyburn	Espallat
Beatty	Cohen	Esty (CT)
Bera	Connolly	Evans
Bishop (GA)	Cooper	Foster
Blumenauer	Correa	Frankel (FL)
Blunt Rochester	Costa	Fudge
Bonamici	Courtney	Gabbard
Boyle, Brendan	Crist	Gallego
F.	Crowley	Garamendi
Brady (PA)	Cuellar	Gomez
Brown (MD)	Cummings	Gonzalez (TX)
Brownley (CA)	Davis (CA)	Gottheimer
Bustos	DeFazio	Green, Al
Butterfield	DeGette	Green, Gene
Capuano	Delaney	Heck
Carbajal	DeLauro	Higgins (NY)
Cárdenas	DelBene	Himes
Carson (IN)	Demings	Hoyer
Cartwright	DeSaulnier	Huffman
Castor (FL)	Deutch	Jackson Lee
Castro (TX)	Dingell	Jayapal
Chu, Judy	Doggett	Jeffries
Cicilline		Johnson (GA)

Johnson, E. B.	McNerney	Schiff
Jones (MI)	Meeks	Schneider
Kaptur	Meng	Schrader
Kelly (IL)	Moore	Scott (VA)
Kennedy	Morelle	Scott, David
Khanna	Moulton	Serrano
Kihuen	Murphy (FL)	Sewell (AL)
Kildee	Nader	Shea-Porter
Kilmer	Napolitano	Sherman
Kind	Neal	Sinema
Krishnamoorthi	Norcross	Sires
Kuster (NH)	O'Halleran	Smith (WA)
Lamb	O'Rourke	Soto
Langevin	Pallone	Speier
Larsen (WA)	Panetta	Suozi
Larson (CT)	Pascrell	Swalwell (CA)
Lawrence	Payne	Takano
Lawson (FL)	Pelosi	Thompson (CA)
Lee	Perlmutter	Thompson (MS)
Levin	Peters	Titus
Lewis (GA)	Peterson	Tonko
Lieu, Ted	Pingree	Torres
Loeb sack	Pocan	Torres
Lofgren	Price (NC)	Vargas
Lowenthal	Quigley	Veasey
Lowe	Raskin	Vela
Lujan Grisham, M.	Richmond	Velázquez
Luján, Ben Ray	Rosen	Visclosky
Lynch	Roybal-Allard	Wasserman
Maloney	Ruiz	Schultz
Carolyn B.	Rush	Waters, Maxine
Matsui	Ryan (OH)	Watson Coleman
McCollum	Sánchez	Welch
McEachin	Sarbanes	Wild
McGovern	Scanlon	Yarmuth
	Schakowsky	

NOT VOTING—32

Barletta	Hastings	Polis
Beyer	Jones (NC)	Rice (NY)
Black	Keating	Ruppersberger
Blackburn	Knight	Simpson
Buchanan	Labrador	Smith (TX)
Duffy, Danny	Lipinski	Taylor
DesJarlais	Maloney, Sean	Tsongas
Ellison	Messer	Walters, Mimi
Grijalva	Newhouse	Walz
Gutiérrez	Noem	Wilson (FL)
Hanabusa	Nolan	

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶157.42 H.R. 7187—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7187) to extend the National Flood Insurance Program until December 7, 2018.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 350
affirmative } Nays 46

¶157.43 [Roll No. 424] YEAS—350

Abraham	Bishop (MI)	Calvert
Adams	Bishop (UT)	Capuano
Aderholt	Blum	Carbajal
Aguilar	Blunt Rochester	Cárdenas
Allen	Bonamici	Carson (IN)
Amodei	Bost	Carter (GA)
Arrington	Boyle, Brendan	Carter (TX)
Babin	F.	Cartwright
Bacon	Brady (PA)	Castor (FL)
Balderson	Brady (TX)	Castro (TX)
Barr	Brooks (IN)	Chabot
Barragán	Brown (MD)	Cheney
Bass	Brownley (CA)	Chu, Judy
Beatty	Bucshon	Cicilline
Bera	Burgess	Clark (MA)
Bergman	Bustos	Clarke (NY)
Bilirakis	Butterfield	Clay
Bishop (GA)	Byrne	Cleaver

Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
Deutsch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Dunn
Emmer
Engel
Eshoo
Español
Estes (KS)
Estry (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallego
Garamendi
Gianforte
Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Heck
Hern
Herrera Beutler
Higgins (LA)
Higgins (NY)
Himes
Holding
Hollingsworth
Hoyer
Huffman
Huizenga
Hultgren
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)

Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Khanna
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
LoBiondo
Loebbeck
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan Grisham,
M.
Lujan, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
Nunes
O'Halloran
O'Rourke
Olson
Palazzo
Pallone
Panetta
Pascarelli
Paulsen
Payne
Pelosi
Perlmutter
Perry
Peters
Peterson

Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (SC)
Richmond
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Rothfus
Rouzer
Roybal-Allard
Ruiz
Rush
Russell
Rutherford
Ryan (OH)
Sanchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Sinema
Sires
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stivers
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tipton
Titus
Tonko
Torres
Trott
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Westerman
Wild
Wilson (SC)
Wittman
Womack

Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Zeldin
NAYS—46
Amash
Banks (IN)
Barton
Biggs
Brat
Brooks (AL)
Buck
Budd
Conaway
Davidson
Duffy
Duncan (SC)
Duncan (TN)
Flores
Foxy
Gallagher
Garrett
Gohmert
Gosar
Hensarling
Hice, Jody B.
Hill
Hudson
Johnson, Sam
Jordan
Lesko
Massie
McClintock
Mooney (WV)
Norman
Palmer
Pearce

NOT VOTING—36

Barletta
Beyer
Black
Blackburn
Blumenauer
Buchanan
Davis, Danny
DesJarlais
Ellison
Gowdy
Grijalva
Gutiérrez
Hanabusa
Hastings
Issa
Jones (NC)
Keating
Kennedy
Knight
Labrador
Lipinski
Maloney, Sean
Messer
Newhouse
Noem
Nolan
Polis
Rice (NY)
Ruppersberger
Simpson
Smith (TX)
Taylor
Tsongas
Walters, Mimi
Walz
Wilson (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶157.44 APPROVAL OF THE JOURNAL—
UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, November 28, 2018.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, announced that the ayes had it.

So the Journal was approved.

¶157.45 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate has passed, without amendment, a bill of the House of the following title:

H.R. 7187. An Act to extend the National Flood Insurance Program until December 7, 2018.

¶157.46 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1074. An Act to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation".

H.R. 2422. An Act to amend the Public Health Service Act to improve essential oral health care for low-income and other under-

served individuals by breaking down barriers to care, and for other purposes.

H.R. 5317. An Act to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands.

¶157.47 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 440. An Act to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota.

S. 1768. An Act to reauthorize and amend the National Earthquake Hazards Reduction Program, and for other purposes.

S. 2074. An Act to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes.

S. 3389. An Act to redesignate a facility of the National Aeronautics and Space Administration.

¶157.48 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. Danny K. DAVIS of Illinois, for today and balance of the week.

And then,

¶157.49 ADJOURNMENT

On motion of Mr. GOHMERT, at 8 o'clock and 55 minutes p.m., the House adjourned.

¶157.50 OATH OF OFFICE/MEMBERS,
RESIDENT COMMISSIONER &
DELEGATES

The oath of office required by the sixth article of the Constitution of the United States, and as provided by section 2 of the act of May 13, 1884 (23 Stat. 22), to be administered to Members, Resident Commissioner, and Delegates of the House of Representatives, the text of which is carried in 5 U.S.C. 3331:

"I, AB, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

has been subscribed to in person and filed in duplicate with the Clerk of the House of Representatives by the following Member of the 115th Congress, pursuant to the provisions of 2 U.S.C. 25:

BRENDA JONES, 13th District of Michigan.

¶157.51 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 5759. A bill to improve executive agency digital services, and for other purposes; with an amendment (Rept. 115-1055). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN. Committee on Energy and Commerce. H.R. 6140. A bill to require the Secretary of Energy to establish and carry out a program to support the availability of HA-LEU for domestic commercial use, and for other purposes; with an amendment (Rept. 115-1056). Referred to the Committee of the Whole House on the state of the Union.

¶157.52 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MACARTHUR:

H.R. 7187. A bill to extend the National Flood Insurance Program until December 7, 2018; to the Committee on Financial Services; considered and passed.

By Mr. RATCLIFFE (for himself, Mr. RICHMOND, Mr. MCCAUL, Mr. THOMPSON of Mississippi, Mr. WALDEN, Mr. PALLONE, Mr. SHIMKUS, and Mr. TONKON):

H.R. 7188. A bill to extend by two years the Chemical Facility Anti-Terrorism Standards Program of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSTER (for himself, Mr. LIPINSKI, and Mr. SCHNEIDER):

H.R. 7189. A bill to modernize the National Air Toxics Assessment, the Integrated Risk Information System, and the Agency for Toxic Substances and Disease Registry, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COLLINS of Georgia (for himself, Mr. CICILLINE, and Mr. MARINO):

H.R. 7190. A bill to amend chapter 11 of title 11, United States Code, to address reorganization of small businesses, and for other purposes; to the Committee on the Judiciary.

By Mr. WOMACK (for himself and Mr. YARMUTH):

H.R. 7191. A bill to implement reforms to the budget and appropriations process in the House of Representatives; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTWRIGHT:

H.R. 7192. A bill to enhance the early warning reporting requirements for motor vehicle manufacturers, and for other purposes; to the Committee on Energy and Commerce.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 7193. A bill to amend the VA MISSION Act of 2018 to expand the veterans healing veterans medical access and scholarship program to include more students and schools; to the Committee on Veterans' Affairs.

By Ms. HERRERA BEUTLER (for herself and Mr. GIBBS):

H.R. 7194. A bill to repeal the Waters of the United States rule and amend the Federal Water Pollution Control Act definition of navigable waters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. MOORE (for herself, Ms. SCHAKOWSKY, Mr. PAYNE, Mr. HASTINGS, and Ms. WILSON of Florida):

H.R. 7195. A bill to amend title II of the Social Security Act to make various reforms to Social Security, and for other purposes; to the Committee on Ways and Means.

By Mr. REED (for himself, Mr. LAHOOD, and Mr. PAULSEN):

H.R. 7196. A bill to amend the Internal Revenue Code of 1986 to provide investment and production tax credits for emerging energy technologies, and for other purposes; to the Committee on Ways and Means.

By Miss RICE of New York:

H.R. 7197. A bill to authorize the Secretary of Energy to make grants to local educational agencies for purposes of supporting renewable energy-based heating and cooling systems in schools; to the Committee on Education and the Workforce.

By Miss RICE of New York (for herself, Mr. ZELDIN, Ms. MENG, Mr. MEEKS, Mr. SUOZZI, and Mr. KING of New York):

H.R. 7198. A bill to authorize the Secretary of the Interior to conduct a study of alternatives for commemorating Long Island's aviation history, including a determination of the suitability and feasibility of designating parts of the study area as a unit of the National Park System, and for other purposes; to the Committee on Natural Resources.

By Mr. SCHNEIDER (for himself and Mr. KELLY of Mississippi):

H.R. 7199. A bill to support entrepreneurs serving in the National Guard and Reserve, and for other purposes; to the Committee on Small Business.

By Mr. AUSTIN SCOTT of Georgia:

H.R. 7200. A bill to extend indemnity for wildfires and hurricanes, and for other purposes; to the Committee on Agriculture.

By Mr. SMITH of Texas (for himself, Mr. OLSON, Mr. SENSENBRENNER, Mr. POE of Texas, Mr. RATCLIFFE, Mr. GENE GREEN of Texas, and Mr. CUELLAR):

H.R. 7201. A bill to amend title 35, United States Code, to include the exclusive economic zone as part of the United States for patent infringement, and for other purposes; to the Committee on the Judiciary.

By Mr. WELCH (for himself and Mr. SIMPSON):

H.R. 7202. A bill to require a study to determine the best available estimate of the total amount of nonhighway recreational fuel taxes received by the Secretary of the Treasury; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. AMASH:

H.J. Res. 142. A joint resolution directing the President to terminate the use of the United States Armed Forces with respect to the military intervention led by Saudi Arabia in the Republic of Yemen; to the Committee on Foreign Affairs.

By Mr. KHANNA (for himself, Mr. POCAN, Mr. MASSIE, Mr. JONES of North Carolina, Mr. MCGOVERN, Ms. GABBARD, and Ms. LEE):

H. Con. Res. 142. Concurrent resolution directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; to the Committee on Foreign Affairs.

By Mr. LYNCH (for himself, Mr. CAPUANO, Ms. CLARK of Massachusetts, and Mr. KEATING):

H. Con. Res. 143. Concurrent resolution honoring the 75th anniversary of the All-

American Girls Professional Baseball League (AAGPBL); to the Committee on Oversight and Government Reform.

By Mr. LEVIN:

H. Res. 1161. A resolution directing the Speaker to administer the oath of office to the representative-elect from the 13th Congressional District of Michigan; considered and agreed to.

By Mr. ENGEL (for himself and Mr. ROYCE of California):

H. Res. 1162. A resolution expressing the sense of the House of Representatives with respect to Ukraine, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GRIJALVA (for himself, Ms.

NORTON, Ms. MOORE, Ms. BASS, Mr. KHANNA, Mr. PALLONE, Mr. RUIZ, Mr. NOLAN, Mr. LARSEN of Washington, Mr. O'HALLERAN, Mr. COHEN, Mr. MULLIN, Ms. JAYAPAL, Mr. POCAN, Ms. ROSEN, Mr. GALLEGOS, Mr. TAKANO, Ms. LEE, Mr. BEN RAY LUJÁN of New Mexico, and Mr. COLE):

H. Res. 1163. A resolution recognizing National Native American Heritage Month and celebrating the heritages and cultures of Native Americans and the contributions of Native Americans to the United States; to the Committee on Oversight and Government Reform.

¶157.53 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 92: Ms. SEWELL of Alabama.

H.R. 1318: Ms. JAYAPAL.

H.R. 1759: Mr. EVANS.

H.R. 1847: Mr. STIVERS.

H.R. 1898: Mr. HOLLINGSWORTH.

H.R. 2315: Mr. FERGUSON, Mr. SANFORD, Mr. CÁRDENAS, Mr. ROUZER, Mr. HOLDING, Mr. SMITH of Missouri, Mr. CUELLAR, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. ESTES of Kansas, Ms. KELLY of Illinois, Mr. BALDERSON, Mr. GRAVES of Georgia, Mr. GRAVES of Louisiana, Mr. RUSSELL, Mr. CULBERSON, Mr. CLOUD, and Mrs. LOVE.

H.R. 2417: Mr. CLEAVER and Mr. SHERMAN.

H.R. 2542: Ms. LOFGREN.

H.R. 2856: Mr. MITCHELL.

H.R. 3272: Mr. JOHNSON of Georgia.

H.R. 3467: Mr. FOSTER.

H.R. 3598: Ms. PINGREE.

H.R. 4022: Mr. CASTRO of Texas.

H.R. 4107: Mr. HURD, Ms. ESTY of Connecticut, and Ms. KELLY of Illinois.

H.R. 4256: Mr. AUSTIN SCOTT of Georgia, Mr. BALDERSON, and Mr. CÁRDENAS.

H.R. 4339: Mr. KIND.

H.R. 4454: Ms. NORTON.

H.R. 4485: Ms. VELÁZQUEZ.

H.R. 4732: Mr. KUSTOFF of Tennessee, Mr. YARMUTH, Mr. GUTHRIE, Ms. PINGREE, Mr. SABLAN, and Miss RICE of New York.

H.R. 4745: Mr. TAKANO, Mr. LEWIS of Georgia, Ms. JONES of Michigan, Ms. BASS, Mr. CASTRO of Texas, Mr. CLAY, Mrs. DINGELL, Mr. PALLONE, Ms. LEE, Mrs. WATSON COLEMAN, Mr. KENNEDY, Ms. SCHAKOWSKY, Mr. EVANS, Mr. ESPAILLAT, Mr. POCAN, Mr. KILDEE, Mr. AL GREEN of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VELA, Ms. SEWELL of Alabama, Mrs. LOVE, Mr. POE of Texas, Mr. BURGESS, Mr. BROWN of Maryland, Mr. PAYNE, Mr. CUMMINGS, Mr. McEACHIN, Ms. CLARKE of New York, Mrs. BEATTY, Mr. THOMPSON of Mississippi, Mr. RASKIN, Ms. WASSERMAN SCHULTZ, Mr. BUTTERFIELD, Ms. MOORE, Mr. RICHMOND, and Ms. KAPTUR.

H.R. 4828: Mr. COSTA.

H.R. 5248: Ms. NORTON.

H.R. 5678: Mr. CONAWAY.

H.R. 5911: Mr. SIRS.

H.R. 6016: Ms. VELÁZQUEZ.

H.R. 6051: Ms. PINGREE.

H.R. 6165: Mr. PERLMUTTER.
 H.R. 6225: Mr. KIND.
 H.R. 6269: Mr. SAM JOHNSON of Texas.
 H.R. 6272: Mrs. DINGELL.
 H.R. 6274: Ms. WASSERMAN SCHULTZ.
 H.R. 6543: Mr. JOHNSON of Georgia, Ms. JACKSON LEE, Mr. GOMEZ, and Mr. DEUTCH.
 H.R. 6816: Mr. MESSER.
 H.R. 6854: Mr. PITTENGER.
 H.R. 6983: Mr. CRAWFORD.
 H.R. 6987: Ms. SPEIER.
 H.R. 6988: Mr. COLE, Ms. STEFANIK, and Mr. PRICE of North Carolina.
 H.R. 7028: Mr. VARGAS.
 H.R. 7035: Ms. NORTON.
 H.R. 7059: Mr. LATTI.
 H.R. 7061: Mr. DELANEY.
 H.R. 7082: Mr. LOWENTHAL and Mr. JOHNSON of Georgia.
 H.R. 7084: Mr. WESTERMAN.
 H.R. 7097: Mrs. LESKO.
 H.R. 7123: Mr. SIRE.
 H.R. 7160: Mr. SHERMAN.
 H.R. 7173: Mr. TROTT.
 H. Res. 751: Mr. PERLMUTTER.
 H. Res. 910: Mr. PITTENGER and Ms. LOFGREN.
 H. Res. 1145: Mr. DEFazio, Mr. SHERMAN, Mr. COHEN, and Mr. KIHUEN.
 H. Res. 1150: Mr. CORREA and Mr. PETERS.

FRIDAY, NOVEMBER 30, 2018 (158)

The House was called to order by the SPEAKER.

158.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, November 29, 2018.

Mr. Rodney DAVIS of Illinois, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, *viva voce*,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. Rodney DAVIS of Illinois, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

158.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7039. A letter from the Secretary of Defense, and Chairman of the Joint Chiefs of Staff, Department of Defense, transmitting a letter issuing a travel restriction for senior officials' travel to Yemen, effective November 1, 2018; to the Committee on Armed Services.

7040. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Standards for Business Practices of Interstate Natural Gas Pipelines [Docket No.: RM96-1-041; Order No.: 587-Y] November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7041. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emer-

gency with respect to the stabilization of Iraq that was declared in Executive Order 13303 of May 22, 2003, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

7042. A letter from the Administrator and Chief Executive Officer, Bonneville Power Administration, Department of Energy, transmitting the Bonneville Power Administration's 2018 Annual Report, pursuant to the Third Powerplant at Grand Coulee Dam Act, 16 U.S.C. 835j, and the Chief Financial Officers Act, Public Law 101-576, applicable to Government corporations; to the Committee on Oversight and Government Reform.

7043. A letter from the Treasurer, National Gallery of Art, transmitting the Gallery's Performance and Accountability Report for the year ended September 30, 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7044. A letter from the Administrator, U.S. Agency for International Development, transmitting the Agency's Semiannual Report to Congress for the period ending September 30, 2018; to the Committee on Oversight and Government Reform.

7045. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 150121066-5717-02] (RIN: 0648-XG216) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7046. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; 2018 Closure of the Northern Gulf of Maine Scallop Management Area [Docket No.: 180110025-8285-02] (RIN: 0648-XG202) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7047. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Gulf of Maine Cod Trimester Total Allowable Catch Area Closure for the Common Pool Fishery [Docket No.: 15121999-6343-02] (RIN: 0648-XG175) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7048. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; Closure of the Closed Area I Scallop Access Area to General Category Individual Fishing Quota Scallop Vessels [Docket No.: 180202111-8353-02] (RIN 0648-XG267) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7049. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels Using Jig Gear in the Central Regulatory Area of the Gulf of Alaska [Docket

No.: 170816769-8162-02] (RIN: 0648-XG285) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7050. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's modifications of fishing seasons — Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Action #1 [Docket No.: 161222999-7413-01] (RIN: 0648-XG222) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7051. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Deep-Water Species Fishery by Vessels Using Trawl Gear in the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG225) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7052. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [Docket No.: 150121066-5717-02] (RIN: 0648-XG237) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7053. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Snapper-Grouper Fishery of the South Atlantic; 2018 Commercial Accountability Measure and Closure for South Atlantic Yellowtail Snapper [Docket No.: 100812345-2142-03] (RIN: 0648-XG253) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7054. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Greenland Turbot in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG193) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7055. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Reopening of the Penaeid Shrimp Fishery Off Georgia [Docket No.: 120919470-3513-02] (RIN: 0648-XG231) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7056. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Atlantic Highly Migratory Species; Commercial Aggregated Large Coastal Shark and Hammerhead Shark Management Groups Retention Limit Adjustment [Docket No.: 160620545-6999-02] (RIN:

0648-XG181) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7057. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zones; Coast Guard Sector New Orleans Annual and Recurring Safety Zones Update [Docket Number: USCG-2018-0736] (RIN: 1625-AA00) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7058. A letter from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Upper Mississippi River, Miles 179 to 180, St. Louis, MO [Docket Number: USCG-2018-0815] (RIN: 1625-AA00) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7059. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Columbia River, Cascade Locks, OR [Docket Number: USCG-2018-0998] (RIN: 1625-AA00) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7060. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Delaware River; Camden, NJ; Fireworks Display [Docket Number: USCG-2018-0948] (RIN: 1625-AA00) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7061. A letter from the Attorney-Advisor, Office of Regulations and Administrative Law, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Penn's Landing Fireworks, Delaware River, Philadelphia PA [Docket Number: USCG-2018-0371] (RIN: 1625-AA00) received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7062. A letter from the Chief, Border Security Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — Technical Corrections to the Vessel Repair Unit Regulations [CBP Dec.: 18-12] received November 26, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Homeland Security.

¶158.3 RECESS—9:12 A.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 9 o'clock and 12 minutes a.m., subject to the call of the Chair.

¶158.4 AFTER RECESS—10:01 A.M.

The SPEAKER pro tempore, Mr. COLLINS of Georgia, called the House to order.

¶158.5 H.R. 6901—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to

suspend the rules and pass the bill (H.R. 6901) to amend chapter 36 of title 44, United States Code, to make certain changes relating to electronic Government services, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that two-thirds of those present had voted in the affirmative.

Mr. WOODALL demanded a recorded vote on the motion to suspend the rules and pass said bill, as amended, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 391
affirmative } Noes 0

¶158.6

[Roll No. 425]

AYES—391

Abraham	Cole	Gonzalez (TX)
Adams	Collins (GA)	Goodlatte
Aderholt	Collins (NY)	Gosar
Aguiar	Comer	Gottheimer
Allen	Conaway	Granger
Amash	Connolly	Graves (GA)
Arrington	Cook	Graves (LA)
Babin	Cooper	Green, Al
Bacon	Correa	Green, Gene
Balderson	Costa	Griffith
Banks (IN)	Costello (PA)	Grijalva
Barr	Courtney	Grothman
Barragán	Cramer	Guthrie
Barton	Crawford	Handel
Bass	Crist	Harper
Beatty	Cuellar	Harris
Bera	Culberson	Hartzer
Bergman	Cummings	Heck
Beyer	Curtis	Hensarling
Biggs	Davidson	Hern
Billirakis	Davis, Rodney	Herrera Beutler
Bishop (GA)	DeFazio	Hice, Jody B.
Bishop (MI)	DeGette	Higgins (LA)
Bishop (UT)	Delaney	Higgins (NY)
Blum	DeLauro	Hill
Blumenauer	DelBene	Himes
Blunt Rochester	Demings	Holding
Bonamici	DeSaulnier	Hollingsworth
Bost	Deutch	Hoyer
Boyle, Brendan	Diaz-Balart	Hudson
F.	Dingell	Huffman
Brady (TX)	Doggett	Huizenga
Brat	Donovan	Hultgren
Brooks (AL)	Doyle, Michael	Hunter
Brooks (IN)	F.	Hurd
Brown (MD)	Duffy	Issa
Brownley (CA)	Duncan (SC)	Jackson Lee
Buck	Duncan (TN)	Jayapal
Bucshon	Dunn	Jeffries
Budd	Engel	Jenkins (KS)
Burgess	Eshoo	Johnson (GA)
Bustos	Espallat	Johnson (LA)
Butterfield	Estes (KS)	Johnson (OH)
Byrne	Esty (CT)	Johnson, E. B.
Calvert	Evans	Johnson, Sam
Capuano	Faso	Jones (MI)
Carbajal	Ferguson	Jordan
Cárdenas	Fitzpatrick	Joyce (OH)
Carson (IN)	Fleischmann	Kaptur
Carter (GA)	Flores	Katko
Carter (TX)	Fortenberry	Kelly (IL)
Cartwright	Poster	Kelly (MS)
Castor (FL)	Fox	Kelly (PA)
Castro (TX)	Frankel (FL)	Kennedy
Chabot	Frelinghuysen	Khanna
Cheney	Fudge	Kihuen
Chu, Judy	Gabbard	Kildee
Cicilline	Gaetz	Kilmer
Clark (MA)	Gallagher	Kind
Clarke (NY)	Gallgo	King (IA)
Clay	Garamendi	King (NY)
Cleaver	Garrett	Kinzing
Cloud	Gianforte	Krishnamoorthi
Clyburn	Gibbs	Kuster (NH)
Coffman	Gohmert	Kustoff (TN)
Cohen	Gomez	LaHood

LaMalfa	Nunes	Sessions
Lamb	O'Halleran	Sewell (AL)
Lamborn	O'Rourke	Shea-Porter
Lance	Olson	Sherman
Langevin	Palazzo	Shimkus
Larsen (WA)	Pallone	Shuster
Larson (CT)	Palmer	Simpson
Latta	Panetta	Sinema
Lawrence	Pascrell	Sires
Lawson (FL)	Paulsen	Smith (MO)
Lee	Payne	Smith (NE)
Lesko	Pearce	Smith (NJ)
Levin	Pelosi	Smith (TX)
Lewis (GA)	Perlmutter	Smith (WA)
Lewis (MN)	Perry	Smucker
Lieu, Ted	Peters	Soto
LoBiondo	Peterson	Speier
Loeb	Pingree	Stefanik
Loebach	Pittenger	Stewart
Lofgren	Pocan	Stivers
Long	Poliquin	Suozzi
Loudermilk	Posey	Swalwell (CA)
Lowenthal	Price (NC)	Takano
Lowe	Quigley	Tenney
Lucas	Raskin	Thompson (CA)
Luetkemeyer	Ratcliffe	Thompson (MS)
Lujan Grisham,	Reed	Thompson (PA)
M.	Reichert	Thornberry
Lujan, Ben Ray	Renauci	Tipton
Lynch	Rice (NY)	Titus
MacArthur	Rice (SC)	Tonko
Maloney,	Richmond	Torres
Carolyn B.	Roby	Trott
Marchant	Roe (TN)	Turner
Marino	Rogers (AL)	Upton
Marshall	Rogers (KY)	Valadao
Massie	Rohrabacher	Vargas
Mast	Rokita	Veasey
Matsui	Rooney, Francis	Velázquez
McCarthy	Rooney, Thomas	Visclosky
McCaul	J.	Wagner
McClintock	Rosen	Walberg
McCollum	Ross	Walden
McEachin	Rothfus	Walker
McGovern	Rouzer	Walorski
McHenry	Roybal-Allard	Wasserman
McKinley	Royce (CA)	Schultz
McMorris	Ruiz	Watson Coleman
Rodgers	Rush	Weber (TX)
McNerney	Russell	Webster (FL)
McSally	Rutherford	Welch
Meadows	Ryan (OH)	Wenstrup
Meeks	Sánchez	Westerman
Meng	Sanford	Wild
Mitchell	Sarbanes	Williams
Mooleenaar	Scalise	Wilson (FL)
Mooney (WV)	Scanlon	Wilson (SC)
Moore	Schakowsky	Wittman
Morelle	Schiff	Womack
Moulton	Schneider	Woodall
Mullin	Schrader	Yarmuth
Murphy (FL)	Schweikert	Yoder
Nadler	Scott (VA)	Yoho
Napolitano	Scott, Austin	Young (AK)
Neal	Scott, David	Young (IA)
Newhouse	Sensenbrenner	Zeldin
Norcross	Serrano	
Norman		

NOT VOTING—41

Amodei	Emmer	Noem
Barletta	Gowdy	Nolan
Black	Graves (MO)	Poe (TX)
Blackburn	Gutiérrez	Polis
Brady (PA)	Hanabusa	Ros-Lehtinen
Buchanan	Hastings	Roskam
Comstock	Jones (NC)	Ruppersberger
Crowley	Keating	Taylor
Curbelo (FL)	Knight	Tsongas
Davis (CA)	Labrador	Vela
Davis, Danny	Lipinski	Walters, Mimi
Denham	Love	Walz
DesJarlais	Maloney, Sean	Waters, Maxine
Ellison	Messer	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶158.7 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, November 29, 2018.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that the ayes had it.

So the Journal was approved.

¶158.8 RULES OF THE HOUSE FOR THE 116TH CONGRESS

Mr. MCCARTHY, by unanimous consent, submitted the following resolution (H. Res. 1164):

Resolved, That a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Sixteenth Congress be printed as a House document, and that three thousand additional copies shall be printed and bound for the use of the House of Representatives, of which nine hundred eighty copies shall be bound in leather with thumb index and delivered as may be directed by the Parliamentarian of the House.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶158.9 WALTER H. RICE FEDERAL BUILDING AND UNITED STATES COURTHOUSE

On motion of Mr. SHUSTER, by unanimous consent, the Committee on Transportation and Infrastructure was discharged from further consideration of the bill of the Senate (S. 2377) to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the "Walter H. Rice Federal Building and United States Courthouse".

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶158.10 ADJOURNMENT OVER

On motion of Mr. HOLDING, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at noon on Tuesday, December 4, 2018, for morning-hour debate and 2 p.m. for legislative business.

¶158.11 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 6651. An Act to extend certain authorities relating to United States efforts to

combat HIV/AIDS, tuberculosis, and malaria globally, and for other purposes.

H.R. 7187. An Act to extend the National Flood Insurance Program until December 7, 2018.

¶158.12 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 140. An Act to authorize appropriations for the Coast Guard, and for other purposes.

¶158.13 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 29, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 4254. An Act to amend the National Science Foundation Authorization Act of 2002 to strengthen the aerospace workforce pipeline by the promotion of Robert Noyce Teacher Scholarship Program and National Aeronautics and Space Administration internship and fellowship opportunities to women, and for other purposes.

H.R. 390. An Act to provide relief for victims of genocide, crimes against humanity, and war crimes who are members of religious and ethnic minority groups in Iraq and Syria, for accountability for perpetrators of these crimes, and for other purposes.

H.R. 2422. An Act to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and for other purposes.

H.R. 5317. An Act to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands.

H.R. 1074. An Act to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation".

¶158.14 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. POE of Texas, for today.

And then,

¶158.15 ADJOURNMENT

On motion of Mr. GOHMERT, pursuant to the previous order of the House, at 11 o'clock and 53 minutes a.m., the House adjourned until noon on Tuesday, December 4, 2018.

¶158.16 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. S. 245. An act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes (Rept. 115-1057, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 1418. A bill to amend the Alaska Native Claims Settlement Act to provide that Alexander Creek, Alaska, is and shall be recognized as an eligible Native village under that Act, and for other purposes

(Rept. 115-1058). Referred to the Committee of the Whole House on the state of the Union.

¶158.17 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. S. 245 referred to the Committee of the Whole House on the state of the Union.

¶158.18 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MARCHANT (for himself and Mr. HIGGINS of New York):

H.R. 7203. A bill to amend the Internal Revenue Code of 1986 to create long-term care accounts funded by the proceeds of the sale or assignment of life insurance contracts; to the Committee on Ways and Means.

By Ms. JUDY CHU of California (for herself, Ms. ROYBAL-ALLARD, Ms. NORTON, Ms. MENG, Ms. LEE, and Mr. DESAULNIER):

H.R. 7204. A bill to strengthen student achievement and graduation rates and prepare young people for college, careers, and citizenship through innovative partnerships that meet the comprehensive needs of children and youth; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARRINGTON (for himself and Mr. KILMER):

H.R. 7205. A bill to amend the Congressional Budget Act of 1974 to eliminate any August recess for the House of Representatives until the House has approved all annual appropriation bills for the next fiscal year; to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BUCSHON:

H.R. 7206. A bill to amend titles 41 and 10 of the United States Code to establish certain procurement procedures with respect to businesses wholly-owned through an ESOP, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIDSON:

H.R. 7207. A bill to allow the Secretary of the Treasury to accept public donations to fund the construction of a barrier on the border between the United States and Mexico and for other purposes; to the Committee on Ways and Means.

By Mr. GRIFFITH (for himself, Mr. HARRIS, Mr. NORMAN, and Mr. ROE of Tennessee):

H.R. 7208. A bill to amend the Internal Revenue Code of 1986 to allow the child tax credit with respect to stillbirths; to the Committee on Ways and Means.

By Mr. MITCHELL (for himself, Mr. CARBAJAL, Mr. DUNN, Mr. RUTHERFORD, Mr. SMUCKER, Mr. BACON, and Mr. LAWSON of Florida):

H.R. 7209. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to require a certain percentage of COPS grant funds to be used for the salaries and benefits of school resource officers, and for other pur-

poses; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOTO (for himself, Mr. CURBELO of Florida, Mr. CRIST, and Mrs. MURPHY of Florida):

H.R. 7210. A bill to direct the Director of the United States Geological Survey to establish a program to map zones that are at greater risk of sinkhole formation, and for other purposes; to the Committee on Natural Resources.

By Mr. SOTO:

H.R. 7211. A bill to amend the Mineral Leasing Act to authorize the Secretary of the Interior to regulate hydraulic fracturing operations on Federal lands, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY:

H. Res. 1164. A resolution providing for the printing of a revised edition of the Rules and Manual of the House of Representatives for the One Hundred Sixteenth Congress; considered and agreed to.

By Mr. MAST:

H. Res. 1165. A resolution condemning the Assad regime and its backers for their continued support of war crimes and crimes against humanity in Syria; to the Committee on Foreign Affairs.

By Mr. AL GREEN of Texas (for himself, Ms. CLARKE of New York, Ms. WASSERMAN SCHULTZ, Ms. MENG, Mr. GONZALEZ of Texas, Mr. COHEN, Ms. MOORE, Mr. BRADY of Pennsylvania, and Mr. ROTHFUS):

H. Res. 1166. A resolution honoring and praising the American Jewish Committee (AJC) on the occasion of its 112th anniversary; to the Committee on Oversight and Government Reform.

¶158.19 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1278: Mr. LIPINSKI.
H.R. 1322: Mr. GOTTHEIMER.
H.R. 1456: Mrs. DINGELL.
H.R. 2076: Mr. QUIGLEY.
H.R. 2315: Mr. AMODEI and Mr. GALLAGHER.
H.R. 2358: Mr. MAST.
H.R. 2640: Ms. KUSTER of New Hampshire, Mrs. BEATTY, Mr. GALLEGGO, Mr. PERLMUTTER, Mr. VEASEY, Mr. DAVID SCOTT of Georgia, Mr. TONKO, Mr. LARSEN of Washington, Ms. DELBENE, Mr. GUTIÉRREZ, Mr. DOGGETT, Mr. POCAN, and Mr. BISHOP of Georgia.

H.R. 2913: Mrs. WATSON COLEMAN.
H.R. 2946: Mr. KING of Iowa.
H.R. 3415: Mrs. BLACK.
H.R. 3687: Mr. COHEN.
H.R. 3909: Ms. CLARKE of New York.
H.R. 3960: Mr. KIND.
H.R. 4117: Mr. GALLEGGO.
H.R. 4256: Mr. SCHIFF.
H.R. 4415: Ms. LOFGREN.
H.R. 4647: Mr. SMITH of Texas and Mr. KILMER.

H.R. 4691: Mr. WELCH.
H.R. 4732: Mr. ROTHFUS.

H.R. 4745: Mrs. DEMINGS, Mr. SCOTT of Virginia, Ms. CLARK of Massachusetts, and Mr. VEASEY.

H.R. 5114: Ms. NORTON.
H.R. 5158: Mr. DESAULNIER.

H.R. 5233: Mr. RASKIN, Mrs. WATSON COLEMAN, Mr. SIRES, Mr. NADLER, Mr. SCHIFF, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. POCAN, Ms. MATSUI, Ms. TITUS, Ms. BROWNLEY of California, Ms. MENG, Mr. AL GREEN of Texas, Ms. JACKSON LEE, Mr. GUTIÉRREZ, Mr. PETERS, Mr. LANGEVIN, and Mr. SHERMAN.

H.R. 5499: Mr. MACARTHUR, Mrs. DINGELL, Mr. PAULSEN, Mr. BARLETTA, Ms. SEWELL of Alabama, and Mr. BIGGS.

H.R. 5533: Mr. LOEBACK and Mr. PETERS.

H.R. 5551: Mr. LIPINSKI.

H.R. 5879: Mr. VISCLOSKEY and Mr. HUDSON.

H.R. 5885: Ms. NORTON.

H.R. 6510: Mr. AUSTIN SCOTT of Georgia, Mr. DUNCAN of Tennessee, Mr. COLLINS of Georgia, and Mr. CULBERSON.

H.R. 6525: Mr. KHANNA, Mrs. NAPOLITANO, and Mr. HASTINGS.

H.R. 6597: Mrs. WATSON COLEMAN.

H.R. 6791: Mr. LARSEN of Washington.

H.R. 6927: Mr. DAVIDSON.

H.R. 7086: Ms. BROWNLEY of California.

H.R. 7123: Ms. PELOSI, Mr. KRISHNAMOORTHY, and Mr. GALLAGHER.

H.R. 7144: Mr. KILDEE.

H. Con. Res. 82: Mr. CRIST.

H. Con. Res. 143: Mr. KENNEDY.

H. Res. 1031: Mr. VELA, Mr. RICHMOND, Mr. DEUTCH, Ms. SEWELL of Alabama, Mr. BERA, Mr. BEN RAY LUJÁN of New Mexico, and Mr. ELLISON.

H. Res. 1145: Mrs. NAPOLITANO.

¶158.20 PETITIONS

Under clause 3 of rule XII,

125. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to urging Congress to propose an amendment to the United States Constitution, pursuant to Article V, that would reduce the length of a regular term of a United States Senator from six years to four years; which was referred to the Committee on the Judiciary.

MONDAY, DECEMBER 3, 2018 (159)

The House was called to order by the SPEAKER.

¶159.1 HOUSE REASSEMBLED

The SPEAKER laid before the House a communication, which was read as follows:

DEAR COLLEAGUE: Pursuant to clause 12(e) of rule I and after consultation with the Minority Leader of the House, I have determined that the public interest requires that the House reassemble at 3:45 PM on Monday, December 3, 2018. Further announcements will be provided by the Majority Leader's office. Thank you for your attention to this urgent matter.

Sincerely,

PAUL D. RYAN,
Speaker.

¶159.2 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Friday, November 30, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶159.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7063. A letter from the General Counsel, Office of Management and Budget, Executive Office of The President, transmitting a letter

reporting violations of the Antideficiency Act by the now-closed Office of the Federal Coordinator for Alaska Natural Gas Transportation Projects (Federal Coordinator), pursuant to 31 U.S.C. 1517(b); Public Law 110-161, Sec. 1517(b); (121 Stat. 2285); to the Committee on Appropriations.

7064. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a report covering the period from July 11, 2018 to September 9, 2018 on the Authorization for Use of Military Force Against Iraq Resolution, pursuant to 50 U.S.C. 1541 note; Public Law 107-243, Sec. 4(a); (116 Stat. 1501) and 50 U.S.C. 1541 note; Public Law 102-1, Sec. 3 (as amended by Public Law 106-113, Sec. 1000(a)(7)); (113 Stat. 1501A-422); to the Committee on Foreign Affairs.

7065. A letter from the Director, Office of Administration, Executive Office of the President, transmitting an accounting of the transactions from the Unanticipated Needs Account for fiscal year 2018, pursuant to 3 U.S.C. 108(b); Public Law 95-570, Sec. 2(a); (92 Stat. 2449); to the Committee on Oversight and Government Reform.

7066. A letter from the Chairman, National Endowment for the Arts, transmitting the Endowment's Fiscal Year 2018 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7067. A letter from the Secretary, Department of Transportation, transmitting the Department's Semiannual Report of the Office of Inspector General for the period ending September 30, 2018, pursuant to the Inspector General Act of 1978, as amended, Public Law 95-452; to the Committee on Oversight and Government Reform.

7068. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's Inspector General's semi-annual report for April 1, 2018, through October 31, 2018, pursuant to Sec. 5(b) of the Inspector General Act of 1978, as amended; to the Committee on Oversight and Government Reform.

7069. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the Commission's Agency Financial Report for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7070. A letter from the Vice Chairman, U.S. Merit Systems Protection Board, transmitting the Board's FY 2018 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7071. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8186-02] (RIN: 0648-XG508) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7072. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG509) received November 28, 2018, pursuant to 5 U.S.C.

801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7073. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; "Other Rockfish" in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG510) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7074. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Dusky Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG505) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7075. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG504) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7076. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Hook-and-Line Catcher/Processors in the Western Regulatory Area of the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG501) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7077. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Pot Catcher/Processors in the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG398) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7078. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG529) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7079. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG528) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7080. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a report advising that the cost of response and recovery efforts for FEMA-3408-EM in the Commonwealth of the Northern Mariana Islands has exceeded the limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

7081. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a report advising that the cost of response and recovery efforts for FEMA-3403-EM in the Commonwealth of Virginia has exceeded the limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

7082. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a report advising that the cost of response and recovery efforts for FEMA-3404-EM in the State of Hawaii has exceeded the limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

7083. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Extension of Transition Relief Under Rev. Rul. 2018-17 on Withholding and Reporting With Respect to Payments From IRAs to State Unclaimed Property Funds [Notice 2018-90] received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶159.4 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

¶159.5 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, November 30, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on November 30, 2018, at 12:56 p.m.:

That the Senate passed S. 3628.

That the Senate agreed to S. Con. Res. 54.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶159.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 3, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 3, 2018, at 3:34 p.m.:

That the Senate agreed to S. Con. Res. 55.

That the Senate agreed to S. Con. Res. 56.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶159.7 MESSAGE FROM THE PRESIDENT—DEATH OF FORMER PRESIDENT GEORGE HERBERT WALKER BUSH

The SPEAKER laid before the House a message from the President, which was read as follows:

To the Congress of the United States:

By this Message, I officially inform you of the death of George Herbert Walker Bush, the forty-first President of the United States.

President George H.W. Bush led a life that exemplified what is truly great about America. As with so many of his generation, the Greatest Generation, President Bush worked selflessly throughout his long life to bring about a world of justice and lasting peace. With his passing, we mark one of the last pages of a defining chapter in American history.

Much of George H.W. Bush's life was shaped by global conflict. He began his adult life by volunteering for combat in the Pacific Theater of World War Two. Through his heroic efforts as an aviator in the United States Navy, the youngest in United States history at the time, President Bush flew 58 combat missions, helping to win a hard-fought but fragile peace. Shortly after the war, the Nation found itself confronted with new challenges, including a protracted Cold War and the threat of nuclear annihilation by the Soviet Union. Propelled by his sense of duty to his Nation, George H.W. Bush re-entered public service, first as a Member of Congress, and then as Ambassador to the United Nations, Chief of the United States Liaison Office in China, Director of Central Intelligence, Vice President, and President of the United States.

Resolute through war, President Bush was magnanimous in peace. As the Communist threat subsided, he stood down America's nuclear bombers from the alert posture they had maintained for so long and gently encouraged the development of democracy and free markets in the crumbling Soviet Union. Through these and other gestures of goodwill, President Bush helped to bring the Cold War to a victorious end and to transition the country into a period of sustained peace and prosperity.

During one of his many combat missions as a young man, then-Lieutenant Bush was forced to parachute from his airplane into the ocean below. Many

years later, in celebration of a life of accomplishments in both war and peace, President Bush jumped from another aircraft—this time a helicopter—and parachuted safely onto the grounds of his home in Maine. Fearless, courageous, adventurous, and unyielding, through the highs and lows of the twentieth century and into the next millennium, President Bush served his Nation, creating an example that will inspire generations for decades to come.

DONALD J. TRUMP.

THE WHITE HOUSE, December 3, 2018.

¶159.8 THE LATE HONORABLE GEORGE HERBERT WALKER BUSH, 41ST PRESIDENT OF THE UNITED STATES

Mr. COLLINS of Georgia, submitted the following privileged resolution (H. Res. 1167):

Resolved, That the House of Representatives has learned with profound regret and sorrow of the death of George Herbert Walker Bush, forty-first President of the United States of America.

Resolved, That the House tenders its deep sympathy to the members of the family of the former President in their bereavement.

Resolved, That the Clerk communicate these resolutions to the Senate and transmit a copy of the same to the family of the former President.

Resolved, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the former President.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶159.9 LYING IN STATE OF THE LATE HONORABLE GEORGE HERBERT WALKER BUSH IN THE CAPITOL ROTUNDA

On motion of Mr. COLLINS of Georgia, by unanimous consent, the following concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 55):

Resolved by the Senate (the House of Representatives concurring), That in recognition of the long and distinguished service rendered to the Nation and to the world, by the late George Herbert Walker Bush, the 41st President of the United States, his remains be permitted to lie in state in the rotunda of the Capitol from December 3, 2018 until December 5, 2018, and the Architect of the Capitol, under the direction of the President pro tempore of the Senate and the Speaker of the House of Representatives, shall take all necessary steps for the accomplishment of that purpose.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶159.10 CATAFALQUE TRANSFER TO ROTUNDA

On motion of Mr. COLLINS of Georgia, by unanimous consent, the fol-

lowing concurrent resolution of the Senate was taken from the Speaker's table (S. Con. Res. 56):

Resolved by the Senate (the House of Representatives concurring), That the Architect of the Capitol is authorized and directed to transfer the catafalque which is situated in the Exhibition Hall of the Capitol Visitor Center to the rotunda of the Capitol so that such catafalque may be used in connection with services to be conducted there for the late George Herbert Walker Bush, 41st President of the United States.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the vote whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶159.11 ADJOURNMENT OVER

On motion Mr. COLLINS of Georgia, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at noon on Thursday, December 6, 2018.

¶159.12 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on November 30, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 7187. An Act to extend the National Flood Insurance Program until December 7, 2018.

H.R. 6651. An Act to extend certain authorities relating to United States efforts to combat HIV/AIDS, tuberculosis, and malaria globally, and for other purposes.

And then,

¶159.13 ADJOURNMENT

On motion of Mr. COLLINS of Georgia, pursuant to House Resolution 1167, at 3 o'clock and 53 minutes p.m., the House adjourned out of respect for the late Honorable George Herbert Walker Bush, Forty-First President of the United States, until noon on Thursday, December 6, 2018.

¶159.14 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. S. 669. An act to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes (Rept. 115-1059). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6682. A bill to amend the Federal Land Policy and Management Act of 1976 to improve the transparency and oversight of land conveyances involving disposal or acquisition of National Forest System lands or Bureau of Land Management

public lands, to provide protections and certainty for private landowners related to re-surveying such public lands, and for other purposes; with an amendment (Rept. 115-1060, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6602. A bill to reauthorize the New Jersey Coastal Heritage Trail Route, and for other purposes (Rept. 115-1061). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6507. A bill to amend the Oil Region National Heritage Area Act to reauthorize the Oil Region National Heritage Area, and for other purposes (Rept. 115-1062). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3400. A bill to promote innovative approaches to outdoor recreation on Federal land and to open up opportunities for collaboration with non-Federal partners, and for other purposes; with an amendment (Rept. 115-1063, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 4506. A bill to provide incentive to encourage tribal job creation and economic activity, and for other purposes; with an amendment (Rept. 115-1064, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5874. A bill to amend the Indian Health Care Improvement Act to improve the recruitment and retention of employees in the Indian Health Service, restore accountability in the Indian Health Service, improve health services, and for other purposes (Rept. 115-1065, Pt. 1). Ordered to be printed.

¶159.15 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 3400. Referral to the Committees on Transportation and Infrastructure and Energy and Commerce extended for a period ending not later than December 28, 2018.

H.R. 4506. Referral to the Committees on Foreign Affairs and Education and the Workforce extended for a period ending not later than December 28, 2018.

H.R. 5874. Referral to the Committees on Energy and Commerce and Oversight and Government Reform extended for a period ending not later than December 28, 2018.

¶159.16 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Agriculture and Armed Services discharged from further consideration of H.R. 3400.

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 6682 referred to the Committee of the Whole House on the state of the Union.

¶159.17 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. DINGELL (for herself, Mr. COSTELLO of Pennsylvania, Ms. CLARKE of New York, Mrs. MIMI WALTERS of California, Ms. CASTOR of Florida, Mrs. MCMORRIS RODGERS, Ms. ESHOO, Ms. STEFANK, Ms. ROYBAL-ALLARD, and Mr. KATKO):

H.R. 7212. A bill to amend the Public Health Service Act to provide for additional programs funded by grants to strengthen the

healthcare system's response to domestic violence, dating violence, sexual assault, and stalking, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DONOVAN (for himself and Mr. McCaul):

H.R. 7213. A bill to amend the Homeland Security Act of 2002 to establish the Countering Weapons of Mass Destruction Office, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANGEVIN (for himself and Mr. THOMPSON of Pennsylvania):

H.R. 7214. A bill to direct the Secretary of Education to establish a pilot program to award competitive grants for the integration of cybersecurity education, and for other purposes; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 7215. A bill to require a report on expenditures for contracts for advertising services, and for other purposes; to the Committee on the Budget.

By Ms. NORTON:

H.R. 7216. A bill to require the Director of the Court Services and Offender Supervision Agency for the District of Columbia and the Director of the District of Columbia Pretrial Services Agency to reside in the District of Columbia; to the Committee on Oversight and Government Reform.

By Mr. FRELINGHUYSEN:

H.J. Res. 143. A joint resolution making further continuing appropriations for fiscal year 2019, and for other purposes; to the Committee on Appropriations.

By Mr. COLLINS of Georgia:

H. Res. 1167. A resolution expressing the profound regret and sorrow of the House of Representatives on the death of George Herbert Walker Bush, forty-first President of the United States of America; considered and agreed to.

By Ms. KAPTUR (for herself, Mrs. WALORSKI, Mr. LIPINSKI, Mr. SMITH of New Jersey, Mr. FITZPATRICK, Mrs. DINGELL, Mr. HIGGINS of New York, Mr. QUIGLEY, Mrs. COMSTOCK, Mr. SENSENBRENNER, Mr. SIRES, and Mr. DIAZ-BALART):

H. Res. 1168. A resolution commemorating the 100th anniversary of Polish independence; to the Committee on Foreign Affairs.

¶159.18 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 502: Mr. HURD.

H.R. 893: Ms. NORTON.

H.R. 1516: Mr. COOPER.

H.R. 1881: Mr. WILSON of South Carolina.

H.R. 2158: Ms. WASSERMAN SCHULTZ.

H.R. 3207: Ms. CASTOR of Florida and Mr. COURTNEY.

H.R. 3730: Mr. GRAVES of Louisiana.

H.R. 4256: Mr. PERLMUTTER.

H.R. 4426: Ms. WILSON of Florida.

H.R. 5121: Mr. HARRIS.

H.R. 6454: Ms. NORTON.

H.R. 6759: Mr. PETERS, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. CASTOR of Florida, Mr. LOWENTHAL, Mr. CARBAJAL, Mr. DESAULNIER, and Mr. HURD.

H.R. 6992: Mrs. BROOKS of Indiana.

H.R. 7055: Ms. JACKSON LEE and Mr. COOK.

H.R. 7073: Mr. JODY B. HICE of Georgia.

H. Con. Res. 138: Mr. QUIGLEY, Mr. VEASEY, and Mr. BEN RAY LUJÁN of New Mexico.

H. Con. Res. 142: Mr. DEFazio, Mr. WELCH, Mr. FALLONE, Mr. GARAMENDI, Mr. CASTRO of

Texas, Mr. HUFFMAN, Mr. NADLER, Mr. TONKO, Mr. BEYER, Mr. PANETTA, Mr. BROWN of Maryland, Mr. NOLAN, Mrs. CAROLYN B. MALONEY of New York, Mr. CICILLINE, Mr. COOPER, Ms. DELBENE, Mr. SERRANO, Mr. VEASEY, Mr. HOYER, Mrs. LOWEY, Mr. ENGEL, Mr. TED LIEU of California, Ms. PINGREE, Mr. RUSH, Mrs. DINGELL, Mr. SARBANES, and Ms. CLARKE of New York.

H. Res. 1031: Mr. BISHOP of Georgia, Ms. CLARK of Massachusetts, Ms. FUDGE, Mr. COOPER, Ms. SHEA-PORTER, Mr. KENNEDY, Mr. THOMPSON of California, and Mr. PETERSON.

H. Res. 1149: Mr. SHERMAN, Mrs. WAGNER, and Mr. CHABOT.

H. Res. 1150: Ms. JUDY CHU of California.

H. Res. 1163: Mrs. TORRES.

H. Res. 1165: Mr. CURTIS and Mrs. BROOKS of Indiana.

THURSDAY, DECEMBER 6, 2018 (160)

The House was called to order by the SPEAKER.

¶160.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, December 3, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶160.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7084. A letter from the Under Secretary, Comptroller, Department of Defense, transmitting a report of violations of the Antideficiency Act, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on Appropriations.

7085. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Tick-Borne Disease Working Group 2018 Report to Congress, pursuant to the 21st Century Cures Act of 2016, Sec. 2062(c); to the Committee on Energy and Commerce.

7086. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to California State Implementation Plan; South Coast Air Quality Management District; Stationary Source Permits [EPA-R09-OAR-2018-0413; FRL-9985-75-Region 9] received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7087. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's interim final rule — Safe Management of Recalled Airbags [EPA-HQ-OLEM-2018-0646; FRL-9986-91-OLEM] received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7088. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval of Air Quality Implementation Plans; Puerto Rico; Infrastructure Requirements for the 1997 and 2008 Ozone, 1997 and 2006 Fine Particulate Matter and 2008 Lead NAAQS; Transport Provisions [EPA-R02-OAR-2016-0060; FRL-9987-03-Region 2] received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7089. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Air Quality: Revision to the Regulatory Definition of Volatile Organic Compounds-Exclusion of cis-1,1,1,4,4,4-hexafluorobut-2-ene (HFO-1336mzz-Z) [EPA-HQ-OAR-2017-0175; FRL-9987-02-OAR] (RIN: 2060-AT52) received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7090. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; New Hampshire; Infrastructure State Implementation Plan Requirements for the 2012 PM_{2.5} NAAQS [EPA-R01-OAR-2017-0344; FRL-9986-82-Region 1] received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7091. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Connecticut; Volatile Organic Compound Emissions from Consumer Products and Architectural and Industrial Maintenance Coatings; Correction [EPA-R01-OAR-2018-0099; FRL-9986-97-Region 1] received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7092. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; California; South Coast Air Quality Management District [EPA-R09-OAR-2016-0711; FRL-9986-61-Region 9] received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7093. A letter from the Secretary, Department of Commerce, transmitting a Periodic Report on the National Emergency Caused by the Lapse of the Export Administration Act of 1979 for February 26, 2018, to August 25, 2018, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

7094. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 19-07, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

7095. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 02-19, pursuant to the reporting requirements of Section 62(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7096. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a notification of discontinuation of service in acting role, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

7097. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting a notification of designation of acting officer, and nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

7098. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's FY 2018 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7099. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Treatment of Amounts Paid to Section 170(c) Organizations under Employer Leave-Based Donation Programs to Aid Victims of Hurricane Michael [Notice 2018-89] received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7100. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Rev. Proc. on section 471 costs/negative additional section 263 A costs (Rev. Proc. 2018-56) received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7101. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rules — Moral Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act [TD-9841] (RIN: 1545-BN91) received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7102. A letter from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a letter presenting views of the Department on S. 3003, the "Inspector General Access Act of 2018" and H.R. 3154, the "Inspector General Access Act of 2017"; jointly to the Committees on Oversight and Government Reform and the Judiciary.

¶160.3 FURTHER CONTINUING APPROPRIATIONS FY 2019

On motion of Mr. FRELINGHUYSEN, by unanimous consent, the Committee on Appropriations was discharged from further consideration of the joint resolution (H.J. Res. 143) making further continuing appropriations for fiscal year 2019, and for other purposes.

When said joint resolution was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said joint resolution was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said joint resolution.

¶160.4 ADJOURNMENT OVER

On motion of Mr. FRELINGHUYSEN, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at noon on Monday, December 10, 2018, for morning-hour debate and 2 p.m. for legislative business.

¶160.5 SYRIA STUDY GROUP

The SPEAKER pro tempore, Mr. FRELINGHUYSEN, announced that, pursuant to section 1501(c) of the FAA Reauthorization Act of 2018 (Public Law 115-254), and the order of the House of January 3, 2017, the Speaker appointed the following individual on the part of the House to the Syria Study Group: Dr. Kimberly E. Kagan, Washington, DC.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶160.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. FRELINGHUYSEN, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 6, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 6, 2018, at 10:57 a.m.:

That the Senate passed S. 1934.
That the Senate passed S. 2736.
That the Senate passed S. 3530.
That the Senate agreed to S. Con. Res. 57.
That the Senate passed without an amendment H.R. 754.
That the Senate agreed to Honoring the life of President George Herbert Walker Bush S. Res. 715.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶160.7 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 2377. An Act to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the "Walter H. Rice Federal Building and United States Courthouse".

S. 3414. An Act to designate the facility of the United States Postal Service located at 20 Ferry Road in Saunderstown, Rhode Island, as the "Captain Matthew J. August Post Office".

S. 3442. An Act to designate the facility of the United States Postal Service located at 105 Duff Street in Macon, Missouri, as the "Arla W. Harrell Post Office".

And then,

¶160.8 ADJOURNMENT

On motion of Mr. POLIS, pursuant to the previous order of the House, at 12 o'clock and 7 minutes p.m., the House adjourned until noon on Monday, December 10, 2018.

¶160.9 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2987. A bill to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, and for other purposes; with an amendment (Rept. 115-1066, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5859. A bill to amend the Mineral Leasing Act to require that a portion of revenues from new Federal mineral and geothermal leases be paid to States for use to supplement the education of stu-

dents in kindergarten through grade 12 and public support of institutions of higher education, and for other purposes; with an amendment (Rept. 115-1067, Pt. 1). Ordered to be printed.

¶160.10 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 2987. Referral to the Committees on Transportation and Infrastructure and Education and the Workforce extended for a period ending not later than December 28, 2018.

H.R. 5859. Referral to the Committee on Education and the Workforce extended for a period ending not later than December 28, 2018.

¶160.11 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Agriculture and Energy and Commerce discharged from further consideration of H.R. 2987.

¶160.12 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BARTON (for himself, Ms. CASTOR of Florida, Mr. GUTHRIE, Mrs. DINGELL, and Mr. UPTON):

H.R. 7217. A bill to amend title XIX of the Social Security Act to provide States with the option of providing coordinated care for children with complex medical conditions through a health home, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GONZALEZ of Texas (for himself and Mr. HURD):

H.R. 7218. A bill to expand the grants authorized under Jennifer's Law and Kristen's Act to include processing of unidentified remains, resolving missing persons cases, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN (for herself and Mr. THOMPSON of Mississippi):

H.R. 7219. A bill to amend title 18, United States Code, to prohibit the sale of firearms to individuals suspected of terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. MCEACHIN (for himself and Mr. SCHNEIDER):

H.R. 7220. A bill to require the Secretary of State to publish a quarterly assessment regarding the Paris Agreement, and for other purposes; to the Committee on Foreign Affairs.

By Mr. PETERS:

H.R. 7221. A bill to require prime contractors under Federal construction contracts to notify the Government of changes in certain subcontractors performing work under the contract; to the Committee on Oversight and Government Reform.

By Mr. POE of Texas (for himself, Mrs. BLACK, and Mr. GRIFFITH):

H.R. 7222. A bill to require the Secretary of Health and Human Services to establish the Megan Rondini national sexual assault care and treatment task force; and for other pur-

poses; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHRADER (for himself and Mr. WELCH):

H.R. 7223. A bill to amend title XIX of the Social Security Act to prevent the misclassification of drugs for purposes of the Medicaid drug rebate program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOTO (for himself, Mrs. WATSON COLEMAN, and Mr. BUDD):

H.R. 7224. A bill to promote fair and transparent virtual currency markets by examining the potential for price manipulation; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SOTO (for himself and Mr. BUDD):

H.R. 7225. A bill to promote United States competitiveness in the evolving global virtual currency marketplace; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON:

H.R. 7226. A bill to promote remediation of orphan hardrock mines, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BIGGS (for himself, Mr. LAMBORN, Mr. BUCK, Mr. BYRNE, Mr. HARPER, Mr. ROKITA, Mr. HARRIS, Mr. JOHNSON of Ohio, Mrs. HARTZLER, Mr. NORMAN, Mr. PITTENGER, Mr. BILIRAKIS, Mr. COFFMAN, Mr. GOHMERT, Mr. MOONEY of West Virginia, Mr. KING of Iowa, Mr. DUNCAN of South Carolina, Mr. LATTA, Mr. MEADOWS, Mr. SCHWEIKERT, Mr. WILLIAMS, Mr. JODY B. HICE of Georgia, Mr. GRIFFITH, Mr. BACON, Mr. WILSON of South Carolina, Mr. MAST, Mr. WEBER of Texas, Mr. RATCLIFFE, Mr. GIBBS, Mrs. LESKO, Mr. KUSTOFF of Tennessee, Mr. BURGESS, Mr. LOUDERMILK, Mr. GAETZ, Mr. ROUZER, Mr. DESJARLAIS, Mr. BUDD, Mr. EMMER, Mr. BRAT, Mrs. HANDEL, Mr. CLOUD, and Mr. SCALISE):

H. Con. Res. 144. Concurrent resolution commemorating the anniversary of United States recognition of Jerusalem as the capital of the State of Israel; to the Committee on Foreign Affairs.

By Mr. KEATING (for himself, Mr. YOHIO, Mr. ENGEL, Mr. SHERMAN, Mr. CHABOT, and Mr. CONNOLLY):

H. Res. 1169. A resolution reaffirming the commitment of the United States to promote free, fair, transparent and credible elections in Bangladesh; to the Committee on Foreign Affairs.

By Ms. BASS (for herself, Ms. JACKSON LEE, and Mr. CHABOT):

H. Res. 1170. A resolution urging the Government of Nigeria and Nigeria's political

parties to ensure electoral accountability and work toward holding credible, peaceful, and transparent elections in February 2019; to the Committee on Foreign Affairs.

By Mr. DANNY K. DAVIS of Illinois (for himself, Mr. RUSH, Mr. GUTIÉRREZ, Ms. KELLY of Illinois, Mr. LIPINSKI, Mr. QUIGLEY, Mr. KRISHNAMOORTHY, Ms. SCHAKOWSKY, Mr. SCHNEIDER, Mrs. BUSTOS, and Mr. FOSTER):

H. Res. 1171. A resolution expressing the condolences of the House of Representatives and honoring the memory of the victims of the shooting at Mercy Hospital and Medical Center in Chicago, Illinois, on November 19, 2018; to the Committee on Oversight and Government Reform.

¶160.13 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 676: Ms. JONES of Michigan.
H.R. 771: Mr. DEFAZIO and Mr. SHERMAN.
H.R. 846: Mr. GIANFORTE.
H.R. 866: Mr. FASO.
H.R. 919: Ms. CLARKE of New York.
H.R. 1205: Mr. BYRNE.
H.R. 1380: Mr. SIMPSON.
H.R. 1617: Mr. KIND.
H.R. 3549: Miss RICE of New York.
H.R. 3592: Mr. POCAN.
H.R. 3757: Mrs. CAROLYN B. MALONEY of New York.

H.R. 4107: Mrs. LOVE, Mr. BUTTERFIELD, and Mr. HUNTER.

H.R. 4256: Ms. CASTOR of Florida.
H.R. 4691: Ms. SPEIER, Ms. HANABUSA, Ms. MATSUI, and Ms. DELAUNO.
H.R. 4734: Ms. WILSON of Florida.
H.R. 4912: Mr. PETERS.
H.R. 5060: Mr. CARSON of Indiana.
H.R. 5609: Ms. JONES of Michigan.
H.R. 5911: Ms. MENG and Ms. ROSEN.
H.R. 5945: Mr. JOHNSON of Georgia.
H.R. 6016: Mr. BLUMENAUER, Mr. RYAN of Ohio, and Mr. SMITH of New Jersey.
H.R. 6392: Mr. FASO.
H.R. 6502: Mr. KILMER and Ms. CLARKE of New York.

H.R. 6524: Mr. SMUCKER.
H.R. 6545: Mr. LIPINSKI and Mr. MORELLE.
H.R. 6609: Mr. FASO and Mr. ENGEL.
H.R. 6791: Mr. FASO.
H.R. 6850: Mr. EMMER.
H.R. 6927: Mr. SIMPSON.
H.R. 6953: Ms. CASTOR of Florida.
H.R. 6959: Mr. YOUNG of Alaska and Mr. THOMPSON of California.
H.R. 6982: Mr. KIND.
H.R. 6987: Mr. CARSON of Indiana.
H.R. 7030: Ms. SCHAKOWSKY and Mr. GRIJALVA.

H.R. 7052: Mrs. DINGELL.
H.R. 7055: Mr. MCGOVERN and Mr. FASO.
H.R. 7115: Mr. GRIJALVA.
H.R. 7137: Mr. NADLER.
H.R. 7146: Mr. HASTINGS and Mr. GRIJALVA.
H.R. 7173: Ms. ESHOO.
H.R. 7195: Ms. JACKSON LEE.
H.R. 7204: Mr. HUFFMAN.
H.R. 7207: Mr. MEADOWS and Mr. DUNCAN of South Carolina.

H. Res. 1031: Mr. FOSTER, Mrs. MURPHY of Florida, Ms. KELLY of Illinois, Mr. CORREA, Mr. PANETTA, Mrs. BUSTOS, and Mr. CONNOLLY.

¶160.14 PETITIONS

Under clause 3 of rule XII,

126. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to requesting that Congress enact legislation which would clarify existing Federal law so that a Foreigner who seeks Asylum in the United States may not

be granted such Asylum if that Alien entered the United States at a location other than a designated port of entry or has been convicted of violating any law of the United States or that of any particular state; which was referred to the Committee on the Judiciary.

MONDAY, DECEMBER 10, 2018 (161)

¶161.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. CULBERSON, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
December 10, 2018.

I hereby appoint the Honorable JOHN ABNEY CULBERSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶161.2 RECESS—12:27 P.M.

The SPEAKER pro tempore, Mr. CULBERSON, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 27 minutes p.m., until 2 p.m.

¶161.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. ISSA, called the House to order.

¶161.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. ISSA, announced he had examined and approved the Journal of the proceedings of Thursday, December 6, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶161.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7103. A letter from the Deputy Secretary, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, transmitting the Commission's final rule — Margin Requirements for Uncleared Swaps for Swap Dealers and Major Swap Participants (RIN: 3038-AE71) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

7104. A letter from the Administrator, Agricultural Marketing Service, Specialty Crops Program, Department of Agriculture, transmitting the Department's final rule — Pears Grown in Oregon and Washington; Increased Assessment Rate for Fresh Pears [Doc. No.: AMS-SC-18-0048; SC18-927-1 FR] received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

7105. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — DoD Identity Management [Docket ID: DOD-2015-OS-0054] (RIN: 0790-AJ36) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7106. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's final rule — Registration of Privately Owned Motor Vehicles [Docket ID: DOD-2018-OS-0006] (RIN: 0790-AK15) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7107. A letter from the Associate General Counsel for Legislation and Regulations, Office of Housing — Federal Housing Commissioner, Department of Housing and Urban Development, transmitting the Department's final rule — Manufactured Home Procedural and Enforcement Regulations; Clarifying the Exemption for Manufacture of Recreational Vehicles [Docket No.: FR-5877-F-02] (RIN: 2502-AJ33) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7108. A letter from the Secretary, Department of Health and Human Services, transmitting a Declaration of a Public Health Emergency and Waiver and/or Modification of Certain HIPAA, and Medicare, Medicaid, and Children's Health Insurance Program Requirements (wildfires on the State of California), pursuant to 42 U.S.C. 247d(a); July 1, 1944, ch. 373, title III, Sec. 319(a) (as amended by Public Law 107-188, Sec. 144(a)); (116 Stat. 630) and 42 U.S.C. 1320b-5(d); Aug. 14, 1935, ch. 531, title XI, Sec. 1135(d) (as added by Public Law 107-188, Sec. 143(a)); (116 Stat. 628); to the Committee on Energy and Commerce.

7109. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled, "Report to Congress: Evaluation of the Independence at Home Demonstration", pursuant to 42 U.S.C. 1395cc-5(g); Public Law 111-148, Sec. 3024; (124 Stat. 407); to the Committee on Energy and Commerce.

7110. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Modernization of Media Regulation Initiative: Procedural Revisions to the Filing of Open Video System Certification Applications [MB Docket No.: 17-105] received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7111. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Test Procedures and Labeling Standards for Recycled Oil (RIN: 3084-AB48) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7112. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a report on United States Citizens Detained by Iran, pursuant to the Countering America's Adversaries Through Sanctions Act, Public Law 115-44; to the Committee on Foreign Affairs.

7113. A letter from the Secretary, Department of Education, transmitting the Department's 59th Semiannual Report to Congress on Audit Follow-up, covering the six-month period ending September 20, 2018, pursuant to Sec. 5(b) of the Inspector General Act, as amended; to the Committee on Oversight and Government Reform.

7114. A letter from the General Counsel, Executive Office of The President, transmitting seven (7) notifications of either a federal vacancy, nomination, action on nomination, or change in previously submitted reported information, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

7115. A letter from the Chairman and The General Counsel, National Labor Relations

Board, transmitting the Board's Semiannual Report of the Office of Inspector General for the period April 1, 2018, through September 30, 2018, pursuant to Sec. 5(b) of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

7116. A letter from the Staff Director, U.S. Commission on Civil Rights, transmitting the Commission's annual Performance and Accountability Report for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7117. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region; 2018-2019 Commercial Accountability Measure and Closure for King Mackerel in the Gulf of Mexico Western Zone [Docket No.: 160426363-7275-02] (RIN: 0648-XG523) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7118. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish in the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG492) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7119. A letter from the Solicitor General, Department of Justice, transmitting a decision from the U.S. District Court for the Southern District of Florida on United States v. Pryor, No. 15-cr-20404 (S.D. Fla. Jan. 27, 2016), appeal pending, No. 16-10806 (11th Cir. filed Feb. 25, 2016), pursuant to 28 U.S.C. 530D(a)(1); Public Law 107-273, Sec. 202(a); (116 Stat. 1771); to the Committee on the Judiciary.

7120. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a report advising that the cost of response and recovery efforts for FEMA-3399-EM in the State of Hawaii has exceeded the limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

7121. A letter from the Administrator, FEMA, Department of Homeland Security, transmitting a notification that the cost of response and recovery efforts for FEMA-3405-EM in the State of Florida has exceeded the limit for a single emergency declaration, pursuant to 42 U.S.C. 5193(b)(3); Public Law 93-288, Sec. 503(b)(3) (as amended by Public Law 100-707, Sec. 107(a)); (102 Stat. 4707); to the Committee on Transportation and Infrastructure.

7122. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rules — Religious Exemptions and Accommodations for Coverage of Certain Preventive Services Under the Affordable Care Act [TD-9840] (RIN: 1545-BN92) received November 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶161.6 COMMUNICATION FROM THE

CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. ISSA, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 6, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 6, 2018, at 1:28 p.m.:

That the Senate passed S. 2679.

That the Senate passed S. 3561.

That the Senate agreed to without an amendment H.J. Res. 143.

That the Senate passed without an amendment H.R. 1417.

That the Senate passed without an amendment H.R. 1861.

That the Senate passed without an amendment H.R. 3398.

That the Senate passed without an amendment H.R. 4111.

That the Senate passed without an amendment H.R. 5238.

That the Senate passed without an amendment H.R. 6330.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶161.7 ENROLLED BILL AND JOINT RESOLUTION SIGNED

The SPEAKER pro tempore, Mr. ISSA, announced that, pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill and joint resolution on Thursday, December 6, 2018:

H.R. 754. An Act to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

H.J. Res. 143. A joint resolution making further continuing appropriations for fiscal year 2019, and for other purposes.

¶161.8 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. ISSA, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 10, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 10, 2018, at 10:24 a.m.:

That the Senate passed S. 7.

That the Senate passed S. 1942.

That the Senate passed S. 2276.

That the Senate passed S. 2343.

That the Senate passed S. 2597.

That the Senate passed S. 3119.

That the Senate passed without an amendment H.R. 315.

That the Senate passed with an amendment H.R. 2454.

That the Senate passed with an amendment H.R. 5075.

Appointments:
Cyberspace Solarium Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶161.9 RECESS—2:10 P.M.

The SPEAKER pro tempore, Mr. ISSA, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 10 minutes p.m., until approximately 3:30 p.m.

¶161.10 AFTER RECESS—3:30 P.M.

The SPEAKER pro tempore, Mr. WILLIAMS, called the House to order.

¶161.11 BIG BEAR LAND EXCHANGE

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 5513) to provide for an exchange of lands with San Bernardino County, California, to enhance management of lands within the San Bernardino National Forest, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. WILLIAMS, recognized Mr. BISHOP of Utah, and Mr. GALLEG0, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WILLIAMS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶161.12 PRESERVING BATTLEFIELDS

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 6108) to provide for partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance the visitor experience at nationally significant battlefields of the American Revolution, War of 1812, and Civil War, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. WILLIAMS, recognized Mr. BISHOP of Utah, and Mr. GALLEG0, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WILLIAMS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶161.13 GEORGE W. BUSH CHILDHOOD HOME STUDY

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 3008) to authorize the Secretary of the Interior to conduct a special resource study of the George W. Bush Childhood Home, located at 1412 West Ohio Avenue, Midland, Texas, and for other purposes.

The SPEAKER pro tempore, Mr. WILLIAMS, recognized Mr. BISHOP of Utah, and Mr. GALLEG0, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. WILLIAMS, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BISHOP of Utah, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WILLIAMS, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶161.14 WORLD WAR II HERITAGE CITY

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 6118) to direct the Secretary of the Interior to annually designate at least one city in the United States as an "American World War II Heritage City", and for other purposes; as amended.

The SPEAKER pro tempore, Mr. WILLIAMS, recognized Mr. BISHOP of Utah, and Mr. GALLEG0, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. WILLIAMS, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to authorize the Secretary of the Interior to annually designate at least one city in the United States as an 'American World War II Heritage City', and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶161.15 OFFSHORE WIND FOR TERRITORIES

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill (H.R. 6665) to amend the Outer Continental

Shelf Lands Act to apply to territories of the United States, to establish offshore wind lease sale requirements, to provide dedicated funding for coral reef conservation, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. WILLIAMS, recognized Mr. BISHOP of Utah, and Mr. GALLEG0, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶161.16 HISTORICAL SIGNIFICANCE OF

ROBERTO CLEMENTE'S PLACE OF DEATH

Mr. BISHOP of Utah, moved to suspend the rules and agree to the following resolution (H. Res. 792); as amended:

Whereas Roberto Clemente was an American baseball legend who embodied the values of a model citizen;

Whereas Roberto Clemente won two Major League Baseball World Series Championships, was named World Series Most Valuable Player, and was an All-Star for 12 seasons;

Whereas Roberto Clemente served this Nation as a United States Marine Corps Reservist;

Whereas Roberto Clemente was the first Puerto Rican inducted into the Baseball Hall of Fame;

Whereas Roberto Clemente was inducted into the Marine Corps Sports Hall of Fame;

Whereas Roberto Clemente was committed to caring and helping those in need, regardless of their location;

Whereas Roberto Clemente selflessly chose to travel to an earthquake-ridden Nicaragua to provide humanitarian aid;

Whereas Roberto Clemente's plane crashed shortly after taking off from Isla Verde International Airport/Aeropuerto Internacional de Isla Verde on December 31, 1972;

Whereas Roberto Clemente was only 38 years old when he tragically passed away;

Whereas Roberto Clemente's passion and advocacy demonstrated the positive influence that professional athletes could have in improving the lives of others;

Whereas Roberto Clemente challenged the stereotypes that had marginalized native Spanish speakers in this Nation and remains an icon to many Puerto Ricans and Latinos in the United States and Latin America;

Whereas Major League Baseball presents an annual Roberto Clemente Award to the player that best embodies Roberto Clemente's value of service to others and represents the game of baseball through extraordinary character, community involvement, philanthropy, and positive contributions, both on and off the field;

Whereas Roberto Clemente was posthumously awarded the Presidential Medal of Freedom, Presidential Citizens Medal, and the Congressional Gold Medal for his civic and charitable contributions; and

Whereas the crash site in the adjacent area to Playa Aviones in the municipality of Loiza, Puerto Rico, was the last place where Roberto Clemente graced this world: Now, therefore be it

Resolved, That the House of Representatives requests that the Secretary of the Interior recognize the crash site of Roberto Clemente's airplane and the adjacent land by adding such site to the National Register of Historic Places.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, recognized Mr. BISHOP of Utah, and Mr. GALLEG0, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BISHOP of Utah, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶161.17 INDIAN TRIBAL ENERGY DEVELOPMENT AND SELF-DETERMINATION

Mr. BISHOP of Utah, moved to suspend the rules and pass the bill of the Senate (S. 245) to amend the Indian Tribal Energy Development and Self-Determination Act of 2005, and for other purposes.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, recognized Mr. BISHOP of Utah, and Mr. GALLEG0, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶161.18 SOUTHEAST ALASKA REGIONAL HEALTH CONSORTIUM

Mr. YOUNG of Alaska, moved to suspend the rules and pass the bill of the Senate (S. 825) to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, recognized Mr. YOUNG of Alaska, and Mr. GALLEG0, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that two-thirds of the Members present had voted in the affirmative.

Mr. YOUNG of Alaska, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Tuesday, December 11, 2018.

¶161.19 COMMERCIAL ENGAGEMENT THROUGH OCEAN TECHNOLOGY

Mr. YOUNG of Alaska, moved to suspend the rules and pass the bill of the Senate (S. 2511) to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, recognized Mr. YOUNG of Alaska, and Mr. GALLEG0, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶161.20 SECRET SERVICE OVERTIME PAY EXTENSION

Mr. Jody B. HICE of Georgia, moved to suspend the rules and pass the bill (H.R. 6893) to amend the Overtime Pay for Protective Services Act of 2016 to extend the Secret Service overtime pay exception through 2019, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, recognized Mr. Jody B. HICE of Georgia, and Mr. LYNCH, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

By unanimous consent, the title was amended so as to read: "An Act to amend the Overtime Pay for Protective Services Act of 2016 to extend the Secret Service overtime pay exception through 2020, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said bill, as amended, was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶161.21 CERTAIN BURIAL BENEFITS FOR SPOUSES AND CHILDREN OF VETERANS

Mr. ROE of Tennessee, moved to suspend the rules and pass the bill of the Senate (S. 2248) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide certain burial benefits for spouses and children of veterans who are buried in tribal cemeteries, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. ROE of Tennessee, and Mr. TAKANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶161.22 AMENDMENTS OF THE SENATE TO H.R. 3946

On motion of Mr. ROE of Tennessee, by unanimous consent, the bill (H.R. 3946) to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the "Ray Hendrix Veterans Clinic"; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

SECTION 1. NAME OF DEPARTMENT OF VETERANS AFFAIRS COMMUNITY-BASED OUTPATIENT CLINIC, STATESBORO, GEORGIA.

The Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, shall after the date of the enactment of this Act be known and designated as the “Ray Hendrix Department of Veterans Affairs Clinic” or the “Ray Hendrix VA Clinic”. Any reference to such clinic in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Ray Hendrix Department of Veterans Affairs Clinic.

Amend the title so as to read: “An Act to name the Department of Veterans Affairs community-based out-patient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic.”.

On motion of Mr. ROE of Tennessee, said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶161.23 RECESS—5:32 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 32 minutes p.m., until approximately 6:30 p.m.

¶161.24 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. PAULSEN, called the House to order.

¶161.25 H. RES. 792—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PAULSEN, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 792) urging the Secretary of the Interior to recognize the historical significance of Roberto Clemente's place of death near Pinones in Loiza, Puerto Rico, by adding it to the National Register of Historic Places; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	385
	Nays	1
	Answered present	2

¶161.26 [Roll No. 426]

YEAS—385

Abraham	Bilirakis	Bucshon
Adams	Bishop (GA)	Budd
Aderholt	Bishop (UT)	Burgess
Aguilar	Black	Bustos
Allen	Blackburn	Butterfield
Amodei	Blum	Byrne
Arrington	Blumenauer	Calvert
Babin	Blunt Rochester	Capuano
Bacon	Bonamici	Carbajal
Balderson	Bost	Cárdenas
Banks (IN)	Boyle, Brendan	Carson (IN)
Barr	F.	Carter (GA)
Barragán	Brady (TX)	Carter (TX)
Barton	Brat	Cartwright
Bass	Brooks (AL)	Castor (FL)
Beatty	Brooks (IN)	Castro (TX)
Bera	Brown (MD)	Chabot
Bergman	Brownley (CA)	Cheney
Biggs	Buck	Chu, Judy

Ciциlline	Higgins (LA)	Neal
Clark (MA)	Higgins (NY)	Newhouse
Clarke (NY)	Hill	Nolan
Clay	Himes	Norcross
Cleaver	Holding	Norman
Cloud	Hollingsworth	Nunes
Clyburn	Hoyer	O'Rourke
Coffman	Huffman	Olson
Cohen	Huizenga	Palazzo
Cole	Hultgren	Pallone
Collins (GA)	Hunter	Palmer
Collins (NY)	Hurd	Panetta
Comer	Issa	Pascarell
Comstock	Jackson Lee	Paulsen
Conaway	Jayapal	Payne
Connolly	Jeffries	Pearce
Cook	Johnson (GA)	Pelosi
Cooper	Johnson (LA)	Perlmutter
Correa	Johnson (OH)	Perry
Costello (PA)	Johnson, E. B.	Peters
Courtney	Johnson, Sam	Peterson
Cramer	Jones (MI)	Pingree
Crawford	Jordan	Pocan
Crist	Joyce (OH)	Poe (TX)
Crowley	Kaptur	Poliquin
Cuellar	Katko	Posey
Culberson	Kelly (IL)	Quigley
Cummings	Kelly (MS)	Raskin
Curtis	Kelly (PA)	Ratcliffe
Davidson	Kennedy	Reed
Davis (CA)	Khanna	Reichert
Davis, Danny	Kihuen	Renacci
Davis, Rodney	Kildee	Rice (NY)
DeFazio	Kilmer	Richmond
DeGette	Kind	Roby
Delaney	King (IA)	Roe (TN)
DeLauro	King (NY)	Rogers (AL)
DelBene	Kinzinger	Rogers (KY)
Demings	Krishnamoorthi	Rohrabacher
DesJarlais	Kuster (NH)	Rokita
Deutch	Kustoff (TN)	Rooney, Francis
Diaz-Balart	Labrador	Ros-Lehtinen
Dingell	LaHood	Rosen
Doggett	LaMalfa	Rothfus
Donovan	Lamb	Rouzer
Doyle, Michael	Lance	Roybal-Allard
F.	Langevin	Royce (CA)
Duffy	Larsen (WA)	Ruiz
Duncan (SC)	Larson (CT)	Ruppersberger
Duncan (TN)	Latta	Russell
Dunn	Lawrence	Rutherford
Emmer	Lawson (FL)	Ryan (OH)
Eshoo	Lee	Sánchez
Espallat	Lesko	Sarbanes
Estes (KS)	Levin	Scalise
Esty (CT)	Lewis (MN)	Scanlon
Evans	LoBiondo	Schakowsky
Faso	Loeb	Schiff
Ferguson	Lofgren	Schneider
Fitzpatrick	Long	Schrader
Fleischmann	Love	Schweikert
Flores	Lowenthal	Scott (VA)
Fortenberry	Lowe	Scott, Austin
Foster	Lucas	Scott, David
Fox	Luetkemeyer	Sensenbrenner
Fox	Lujan, Ben Ray	Serrano
Frankel (FL)	Lynch	Sessions
Frelinghuysen	MacArthur	Sewell (AL)
Fudge	Maloney,	Shea-Porter
Gaetz	Carolyn B.	Sherman
Gallagher	Maloney, Sean	Shimkus
Gallego	Marino	Sinema
Garamendi	Marshall	Sires
Garrett	Massie	Smith (MO)
Gianforte	Matsui	Smith (NE)
Gibbs	McCarthy	Smith (NJ)
Gohmert	McCaul	Smith (TX)
Gomez	McClintock	Smith (WA)
Goodlatte	McCollum	Smucker
Gosar	McEachin	Soto
Gottheimer	McGovern	Speier
Granger	McHenry	Stefanik
Graves (GA)	McKinley	Stewart
Graves (LA)	McMorris	Stivers
Graves (MO)	Rodgers	Suozzi
Green, Al	McNerney	Swalwell (CA)
Green, Gene	Meadows	Takano
Griffith	Meeks	Taylor
Grothman	Meng	Tenney
Guthrie	Messer	Thompson (CA)
Hanabusa	Mitchell	Thompson (MS)
Handel	Molenaar	Thompson (PA)
Harper	Mooney (WV)	Thornberry
Harris	Moore	Titus
Hartzer	Morelle	Tonko
Hastings	Moulton	Torres
Heck	Mullin	Trott
Hensarling	Hern	Turner
Herrera	Herrera Beutler	Upton
Hice, Jody B.	Napolitano	Valadao

Vargas	Wasserman	Wilson (FL)
Veasey	Schultz	Wilson (SC)
Vela	Waters, Maxine	Wittman
Velázquez	Watson Coleman	Womack
Visclosky	Weber (TX)	Woodall
Wagner	Webster (FL)	Yarmuth
Walberg	Welch	Yoder
Walden	Wenstrup	Yoho
Walker	Westerman	Young (AK)
Walorski	Wild	Young (IA)
Walters, Mimi	Williams	Zeldin

NAYS—1

Amash

ANSWERED “PRESENT”—2

Rice (SC) Sanford

NOT VOTING—44

Barletta	Hudson	O'Halleran
Beyer	Jenkins (KS)	Pittenger
Bishop (MI)	Jones (NC)	Polis
Brady (PA)	Keating	Price (NC)
Buchanan	Knight	Rooney, Thomas
Costa	Lamborn	J.
Curbelo (FL)	Lewis (GA)	Roskam
Denham	Lieu, Ted	Ross
DeSaulnier	Lipinski	Rush
Ellison	Loudermilk	Shuster
Engel	Lujan Grisham,	Simpson
Gabbard	M.	Tipton
Gonzalez (TX)	Marchant	Tsongas
Gowdy	Mast	Walz
Grijalva	McSally	
Gutiérrez	Noem	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶161.27 H.R. 3008—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. PAULSEN, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 3008) to authorize the Secretary of the Interior to conduct a special resource study of the George W. Bush Childhood Home, located at 1412 West Ohio Avenue, Midland, Texas, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	382
	Nays	4
	Answered present	2

¶161.28 [Roll No. 427]

YEAS—382

Abraham	Blum	Capuano
Adams	Blumenauer	Carbajal
Aderholt	Blunt Rochester	Cárdenas
Aguilar	Bonamici	Carson (IN)
Allen	Bost	Carter (GA)
Amodei	Boyle, Brendan	Carter (TX)
Arrington	F.	Cartwright
Babin	Brady (TX)	Castor (FL)
Bacon	Brat	Castro (TX)
Balderson	Brooks (AL)	Chabot
Banks (IN)	Brooks (IN)	Cheney
Barr	Brown (MD)	Chu, Judy
Barragán	Brownley (CA)	Ciциlline
Barton	Buck	Clarke (MA)
Bass	Bucshon	Clarke (NY)
Beatty	Budd	Clay
Bera	Burgess	Cleaver
Bergman	Bustos	Cloud
Bilirakis	Butterfield	Clyburn
Bishop (GA)	Byrne	Coffman
Bishop (UT)	Calvert	Cohen

Walorski	Welch	Womack
Walters, Mimi	Wenstrup	Woodall
Wasserman	Westerman	Yarmuth
Schultz	Wild	Yoder
Waters, Maxine	Williams	Yoho
Watson Coleman	Wilson (FL)	Young (AK)
Weber (TX)	Wilson (SC)	Young (IA)
Webster (FL)	Wittman	Zeldin

NAYS—4

Amash	Massie
Biggs	Rohrabacher

ANSWERED ‘‘PRESENT’’—2

Rice (SC)	Sanford

NOT VOTING—44

Barletta	Gutiérrez	O'Halleran
Beyer	Hudson	Pittenger
Bishop (MI)	Jenkins (KS)	Polis
Black	Jones (NC)	Price (NC)
Blackburn	Keating	Rooney, Thomas
Brady (PA)	Knight	J.
Buchanan	Lamborn	Roskam
Costa	Lewis (GA)	Ross
Denham	Lieu, Ted	Rush
DeSaulnier	Lipinski	Shuster
Ellison	Lujan Grisham,	Simpson
Engel	M.	Tipton
Gabbard	Marchant	Tsongas
Gonzalez (TX)	Mast	Walz
Gowdy	McSally	
Grijalva	Noem	

So, two-thirds of the Members present having voted in the favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶161.29 COUNTERING WEAPONS OF MASS DESTRUCTION

On motion of Mr. DONOVAN, by unanimous consent, the Committee on Homeland Security and the Committee on Energy and Commerce were discharged from further consideration of the bill (H.R. 7213) to amend the Homeland Security Act of 2002 to establish the Countering Weapons of Mass Destruction Office, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶161.30 SUBMISSION OF CONFERENCE REPORT—H.R. 2

Mr. CONAWAY submitted a conference report (Rept. No. 115–1072) on the bill (H.R. 2) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes; together with a statement thereon, for printing in the CONGRESSIONAL RECORD under the rule.

¶161.31 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker on Friday, December 7, 2018:

H.R. 1417. An Act to amend the National Law Enforcement Museum Act to allow the

Museum to acquire, receive, possess, collect, ship, transport, import, and display firearms, and for other purposes.

H.R. 1861. An Act to award a Congressional Gold Medal in honor of Lawrence Eugene "Larry" Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II.

H.R. 3398. An Act to amend the Real ID Act of 2005 to permit Freely Associated States to meet identification requirements under such Act, and for other purposes.

H.R. 5238. An Act to designate the facility of the United States Postal Service located at 1234 Saint Johns Place in Brooklyn, New York, as the "Major Robert Odell Owens Post Office".

H.R. 6330. An Act to amend the Small Business Act to modify the method for prescribing size standards for business concerns.

¶161.32 BILLS AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 6, 2018, she presented to the President of the United States, for his approval, the following bills and joint resolution:

H.J. Res. 143. A joint resolution making further continuing appropriations for fiscal year 2019, and for other purposes.

H.R. 754. An Act to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

H.R. 1207. An Act to designate the facility of the United States Postal Service located at 306 River Street in Tilden, Texas, as the "Tilden Veterans Post Office".

And then,

¶161.33 ADJOURNMENT

On motion of Mr. GARRETT, at 8 o'clock and 57 minutes p.m., the House adjourned.

¶161.34 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 1552. A bill to preserve open competition and Federal Government neutrality towards the labor relations of Federal Government contractors on Federal and federally funded construction projects, and for other purposes (Rept. 115-1068). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOWDY: Committee on Oversight and Government Reform. H.R. 6893. A bill to amend the Overtime Pay for Protective Services Act of 2016 to extend the Secret Service overtime pay exception through 2019, and for other purposes; with amendments (Rept. 115-1069). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3593. A bill to amend the Wilderness Act to authorize U.S. Customs and Border Protection to conduct certain activities to secure the international land borders of the United States, and for other purposes; with an amendment (Rept. 115-1070, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5727. A bill to establish

the San Rafael Swell Western Heritage and Historic Mining National Conservation Area in the State of Utah, to designate wilderness areas in the State, to provide for certain land conveyances, and for other purposes; with an amendment (Rept. 115-1071). Referred to the Committee of the Whole House on the state of the Union.

Mr. CONAWAY: Committee of Conference. Conference report on H.R. 2. A bill to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes (Rept. 115-1072). Ordered to be printed.

161.35 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Homeland Security discharged from further consideration. H.R. 3593 referred to the Committee of the Whole House on the state of the Union.

161.36 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. JENKINS of Kansas (for herself and Mr. LEWIS of Georgia):

H.R. 7227. A bill to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARK of Massachusetts (for herself, Mrs. LOWEY, Mr. ENGEL, Ms. LEE, Ms. FRANKEL of Florida, Ms. WASSERMAN SCHULTZ, Ms. CLARKE of New York, Mr. MOULTON, Mr. CONNOLLY, Ms. MENG, Mr. CARBAJAL, Mr. HASTINGS, Ms. NORTON, Mr. MCNERNEY, Mr. RUPPERSBERGER, Mr. COHEN, Ms. WILSON of Florida, Mr. CICILLINE, Mr. PAYNE, Ms. MCCOLLUM, Mr. JOHNSON of Georgia, Ms. DELAURO, Ms. TITUS, Ms. KUSTER of New Hampshire, Mr. CASTRO of Texas, Mr. KILDEE, Mr. SEAN PATRICK MALONEY of New York, Mr. DEFAZIO, Mr. DANNY K. DAVIS of Illinois, Mr. QUIGLEY, Mrs. LAWRENCE, Mr. MCGOVERN, Mr. PALLONE, Mrs. NAPOLITANO, Miss RICE of New York, Ms. SCHAKOWSKY, Ms. LOFGREN, Mrs. CAROLYN B. MALONEY of New York, Mr. ESPAILLAT, Ms. DEGETTE, Mr. KENNEDY, Mr. DOGETT, Mr. SHERMAN, Ms. JUDY CHU of California, Ms. SPEIER, and Mr. POCAN):

H.R. 7228. A bill to amend the Foreign Assistance Act of 1961 to include in the Annual Country Reports on Human Rights Practices a section on reproductive rights, and for other purposes; to the Committee on Foreign Affairs.

By Mr. BRAT (for himself, Mr. BUDD, Mr. MEADOWS, Mr. GAETZ, Mr. GOSAR, Mr. LAMBORN, Mr. GIANFORTE, and Mr. NORMAN):

H.R. 7229. A bill to amend the Higher Education Act of 1965 to protect student rights, and for other purposes; to the Committee on Education and the Workforce.

By Mr. CLYBURN (for himself, Mr. NORMAN, Mr. DUNCAN of South Carolina, Mr. WILSON of South Carolina, Mr. RICE of South Carolina, Mr. GOWDY, and Mr. SANFORD):

H.R. 7230. A bill to designate the facility of the United States Postal Service located at 226 West Main Street in Lake City, South

Carolina, as the "Postmaster Frazier B. Baker Post Office"; to the Committee on Oversight and Government Reform.

By Mr. THOMPSON of Pennsylvania:

H.R. 7231. A bill to provide regulatory relief for conventional marginally producing oil and gas wells from the Environmental Protection Agency's "Methane Rule"; to the Committee on Energy and Commerce.

By Mr. BEYER:

H.R. 7232. A bill to establish a National Wildlife Corridors Program to provide for the protection and restoration of certain native fish, wildlife, and plant species, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Armed Services, Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CASTOR of Florida:

H.R. 7233. A bill to amend the Public Health Service Act to authorize grants for graduate medical education partnerships in States with a low ratio of medical residents relative to the general population; to the Committee on Energy and Commerce.

By Mr. CONAWAY:

H.R. 7234. A bill to amend the Sarbanes-Oxley Act of 2002 to require certain issuers to disclose to the Securities and Exchange Commission information regarding foreign jurisdictions that prevent the Public Company Accounting Oversight Board from performing inspections under that Act, and for other purposes; to the Committee on Financial Services.

By Ms. DELBENE (for herself and Ms. SEWELL of Alabama):

H.R. 7235. A bill to amend the Internal Revenue Code of 1986 to establish Lifelong Learning and Training Account programs; to the Committee on Ways and Means.

By Mr. HUNTER:

H.R. 7236. A bill to amend the Communications Act of 1934 to provide for the establishment of a radiofrequency radiation site safety information database, and for other purposes; to the Committee on Energy and Commerce.

By Mr. KELLY of Mississippi (for himself and Mr. WALZ):

H.R. 7237. A bill to amend title 10, United States Code, to ensure that the final pay and certificate of discharge or release for a reserve member of the Armed Forces is ready upon discharge or release of that member from active status; to the Committee on Armed Services.

By Mr. KILMER (for himself, Mr. CARTWRIGHT, Ms. NORTON, Ms. CLARK of Massachusetts, Mr. BERA, and Mr. LAMALFA):

H.R. 7238. A bill to prohibit discrimination on the basis of military service, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LOFGREN:

H.R. 7239. A bill to prohibit requests for the disclosure of a social security account number in commercial transactions, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAROLYN B. MALONEY of New York (for herself, Mr. NADLER, Ms. VELÁZQUEZ, and Mr. ESPAILLAT):

H.R. 7240. A bill to designate the Manhattan Campus of the New York Harbor Health

Care System of the Department of Veterans Affairs as the "Margaret Cochran Corbin Campus of the New York Harbor Health Care System"; to the Committee on Veterans' Affairs.

By Mr. MEADOWS:

H.R. 7241. A bill to protect freedom of speech in America's electoral process and ensure transparency in campaign finance; to the Committee on House Administration.

By Mr. MEADOWS:

H.R. 7242. A bill to amend the Internal Revenue Code of 1986 to allow certain areas affected by certain Federally declared disasters to be designated as opportunity zones; to the Committee on Ways and Means.

By Mrs. MURPHY of Florida:

H.R. 7243. A bill to amend Public Law 115-217 to change the address of the postal facility designated by such Public Law in honor of Sergeant First Class Alwyn Crendall Cashe, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. O'HALLERAN:

H.R. 7244. A bill to provide for the unencumbering of title to non-Federal land owned by Win Oil Company, Incorporated, for purposes of economic development by removing the Federal reversion interest in that land, and for other purposes; to the Committee on Natural Resources.

By Mr. SIRES (for himself, Ms. ROSELEHTINEN, Ms. WASSERMAN SCHULTZ, and Mrs. TORRES):

H.R. 7245. A bill to provide humanitarian relief to the Venezuelan people and Venezuelan migrants, to advance a constitutional and democratic solution to Venezuela's political crisis, to address Venezuela's economic reconstruction, to combat public corruption, narcotics trafficking, and money laundering, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TONKO:

H.R. 7246. A bill to direct the Secretary of the Interior to establish a nonregulatory program to support restoration and protection efforts in the Hudson-Mohawk River Basin region, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES of North Carolina:

H. Con. Res. 145. Concurrent resolution recognizing the honorable service of military working dogs and soldier handlers in the tactical explosive detection dog program of the Army and encouraging the Army and other government agencies, including law enforcement agencies, with former tactical explosive detection dogs to prioritize adoption of the dogs to former tactical explosive detection dog handlers; to the Committee on Armed Services.

By Mr. FLORES (for himself, Mr. ABRAHAM, Mr. ARRINGTON, Mr. BABIN, Mr. BACON, Mr. BANKS of Indiana, Mr. BARR, Mr. BARTON, Mr. BILIRAKIS, Mr. BISHOP of Michigan, Mr. BISHOP of Georgia, Mrs. BLACK, Mrs. BLACKBURN, Mr. BRADY of Texas, Mrs. BROOKS of Indiana, Mr. BUCK, Mr. BUDD, Mr. BURGESS, Mr. CARTER of Texas, Ms. CASTOR of Florida, Mr. CHABOT, Ms. CHENEY, Mr. CLOUD, Mr. COHEN, Mr. COLE, Mr. CONAWAY, Mr. COOPER, Mr. CORREA, Mr. COSTA, Mr. COSTELLO of Pennsylvania, Mr.

CRAMER, Mr. CRAWFORD, Mr. CULBERSON, Mr. CURBELO of Florida, Mr. CURTIS, Mr. DELANEY, Mr. DEUTCH, Mr. DIAZ-BALART, Mrs. DINGELL, Mr. DOGGETT, Mr. DUNCAN of South Carolina, Mr. EMMER, Mr. ESTES of Kansas, Mr. FASO, Mr. FITZPATRICK, Mr. FLEISCHMANN, Mr. FORTENBERRY, Mr. GIANFORTE, Mr. GIBBS, Mr. GOHMERT, Mr. GONZALEZ of Texas, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. GOSAR, Mr. GOWDY, Ms. GRANGER, Mr. GRAVES of Missouri, Mr. GRAVES of Louisiana, Mr. GRAVES of Georgia, Mr. AL GREEN of Texas, Mr. GUTHRIE, Mrs. HANDEL, Mr. HARPER, Mr. HARRIS, Mr. HASTINGS, Mr. HENSARLING, Mr. JODY B. HICE of Georgia, Mr. HIMES, Mr. HOLDING, Mr. HUDSON, Mr. HUIZENGA, Mr. HULTGREN, Mr. ISSA, Mr. SAM JOHNSON of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Ohio, Mr. JOYCE of Ohio, Mr. KATKO, Mr. KELLY of Pennsylvania, Mr. KELLY of Mississippi, Mr. KING of New York, Mr. KING of Iowa, Mr. KINZINGER, Mr. KUSTOFF of Tennessee, Mr. LAHOOD, Mr. LAMALFA, Mr. LAMBORN, Mrs. LESKO, Mr. LOUDERMILK, Mr. LUCAS, Mr. LUETKEMEYER, Mr. MACARTHUR, Mr. MARCHANT, Mr. MARINO, Mr. MARSHALL, Mr. MCCAUL, Mr. MCKINLEY, Mr. MEADOWS, Mr. MEEKS, Mr. MITCHELL, Mr. MULLIN, Mrs. MURPHY of Florida, Mr. NEWHOUSE, Mr. NORMAN, Mr. O'HALLERAN, Mr. OLSON, Mr. PALAZZO, Mr. PETERSON, Ms. PINGREE, Mr. PITTENGER, Mr. POE of Texas, Mr. POLIQUIN, Mr. POSEY, Mr. RATCLIFFE, Mr. RENACCI, Mr. ROE of Tennessee, Mr. ROGERS of Kentucky, Mr. FRANCIS ROONEY of Florida, Mr. THOMAS J. ROONEY of Florida, Ms. ROSEN, Ms. ROS-LEHTINEN, Mr. ROSS, Mr. ROTHFUS, Mr. ROUZER, Mr. SCALISE, Mr. AUSTIN SCOTT of Georgia, Mr. SESSIONS, Ms. SHEA-PORTER, Mr. SHUSTER, Ms. SINEMA, Mr. SMITH of Nebraska, Mr. SMITH of New Jersey, Mr. SMITH of Missouri, Mr. SMITH of Texas, Ms. STEFANIK, Mr. STIVERS, Ms. TENNEY, Mr. THOMPSON of Pennsylvania, Mr. THOMPSON of California, Mr. THORNBERRY, Mr. TIPTON, Mr. TURNER, Mr. VEASEY, Mrs. WAGNER, Mr. WALBERG, Mr. WALKER, Mrs. WALORSKI, Ms. WASSERMAN SCHULTZ, Mr. WEBER of Texas, Mr. WEBSTER of Florida, Mr. WENSTRUP, Mr. WESTERMAN, Mr. WILLIAMS, Mr. WOMACK, Mr. WOODALL, Mr. YOUNG of Iowa, Mr. YOUNG of Alaska, Mr. ZELDIN, Mr. BRAT, Mr. LATTA, Ms. BROWNLEY of California, Mr. VELA, Mr. BERGMAN, and Mr. GROTHMAN):

H. Res. 1172. A resolution honoring the life of President George Herbert Walker Bush; to the Committee on Oversight and Government Reform.

By Mr. CONAWAY:

H. Res. 1173. A resolution encouraging the Department of Defense and the Department of the Navy to enter into an international joint-build, cost-sharing program for the next generation nuclear-powered fast attack submarine program, and encouraging the Department of the Navy to maximize the utility of autonomous underwater vehicles; to the Committee on Armed Services.

By Mr. LOWENTHAL (for himself, Ms. MCCOLLUM, Ms. SPEIER, Mr. GRIJALVA, Ms. LEE, Mr. PALLONE, Ms. BONAMICI, Ms. NORTON, Mr. FOSTER, Mr. CONNOLLY, Mr. MCGOVERN, Mr. MOULTON, Ms. MOORE, Mr. HASTINGS, Ms. ESHOO, Mr. CORREA, Mr. COSTA, Mr. SWALWELL of California, Mr. PAYNE, Mr. GUTIERREZ, Mr. RUSH, Mr.

JOHNSON of Georgia, Ms. JAYAPAL, Mr. ELLISON, Ms. KAPTUR, Ms. SCHAKOWSKY, Mr. ESPAILLAT, Mr. CICILLINE, Mr. RASKIN, Mr. HUFFMAN, Mr. VEASEY, Ms. CLARKE of New York, Ms. LOFGREN, Mr. BROWN of Maryland, Mr. KHANNA, Mr. POCAN, Mr. MCNERNEY, Ms. MATSUI, Mr. PETERS, Mrs. NAPOLITANO, Mrs. WATSON COLEMAN, Ms. CLARK of Massachusetts, and Mr. HULTGREN):

H. Res. 1174. A resolution recognizing the 70th anniversary of the Universal Declaration of Human Rights and the celebration of "Human Rights Day"; to the Committee on Foreign Affairs.

¶161.37 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 154: Ms. MATSUI and Mr. YARMUTH.
H.R. 866: Mr. HASTINGS.
H.R. 930: Mr. MORELLE.
H.R. 1138: Mr. PETERS.
H.R. 1318: Ms. LOFGREN, Mr. MORELLE, Mr. GENE GREEN of Texas, Mr. LATTA, and Mr. CÁRDENAS.
H.R. 1339: Mr. BERGMAN.
H.R. 1438: Mr. ESPAILLAT and Ms. JAYAPAL.
H.R. 1475: Mr. MORELLE.
H.R. 1612: Mr. MORELLE and Ms. SCANLON.
H.R. 1832: Mr. CLAY.
H.R. 1847: Mrs. DINGELL, Mr. CARSON of Indiana, Ms. GRANGER, and Mrs. WALORSKI.
H.R. 2044: Mr. COHEN and Mr. LARSEN of Washington.
H.R. 2309: Mr. HUFFMAN.
H.R. 2315: Mr. CARSON of Indiana and Ms. KUSTER of New Hampshire.
H.R. 2472: Mr. CICILLINE.
H.R. 2475: Ms. SCANLON.
H.R. 2886: Mr. POCAN and Ms. JUDY CHU of California.
H.R. 3128: Mr. PETERSON.
H.R. 3137: Mr. LIPINSKI.
H.R. 3195: Mr. LUETKEMEYER.
H.R. 3197: Mrs. BEATTY and Mr. AGUILAR.
H.R. 3288: Mr. FASO.
H.R. 3440: Ms. SCANLON.
H.R. 3464: Mr. MORELLE and Ms. SCANLON.
H.R. 3918: Mr. RUPPERSBERGER.
H.R. 4022: Mr. KING of New York.
H.R. 4143: Mr. LOUDERMILK.
H.R. 4198: Ms. MCCOLLUM, Mr. DEFazio, and Ms. WILD.
H.R. 4256: Ms. GRANGER.
H.R. 4271: Mr. NADLER, Mr. BEYER, Mr. THOMPSON of California, Mr. KHANNA, Mr. KILDEE, and Mr. PALLONE.
H.R. 4444: Mr. PETERS.
H.R. 4471: Mr. FASO.
H.R. 4691: Mr. TIPTON.
H.R. 4732: Ms. JACKSON LEE, Mr. CÁRDENAS, Mr. ABRAHAM, Mrs. WAGNER, Mr. SCHIFF, Mr. KHANNA, and Ms. MATSUI.
H.R. 5058: Ms. BONAMICI.
H.R. 5160: Ms. PINGREE and Mrs. WATSON COLEMAN.
H.R. 5282: Mr. KILMER, Mr. CLAY, Mr. DEFazio, Mr. TONKO, and Mr. ROGERS of Alabama.
H.R. 5499: Mr. BRADY of Texas, Mr. BUDD, Mr. BUCHSON, Ms. CLARKE of New York, Mr. COLLINS of New York, Mr. DESJARLAIS, Mr. DEUTCH, Mr. FLEISCHMANN, Mr. GOWDY, Mrs. HARTZLER, Mr. HILL, Mr. SAM JOHNSON of Texas, Mr. MCKINLEY, Mr. PRICE of North Carolina, Mr. ROE of Tennessee, Mr. UPTON, Ms. WILSON of Florida, and Mr. WOMACK.
H.R. 5885: Mr. FASO and Mr. SUOZZI.
H.R. 5911: Mr. LYNCH.
H.R. 6016: Mr. TAKANO, Mr. QUIGLEY, and Mr. AGUILAR.
H.R. 6033: Ms. MAXINE WATERS of California.
H.R. 6043: Mr. SMITH of Washington, Ms. BORDALLO, Mr. MCGOVERN, Ms. GABBARD, Ms. DELBENE, Mr. O'ROURKE, and Mr. HECK.

H.R. 6060: Ms. NORTON, Mr. SEAN PATRICK MALONEY of New York, Mr. TONKO, Mr. SUOZZI, Mr. HASTINGS, and Mr. MCNERNEY.

H.R. 6081: Mr. RYAN of Ohio and Mr. SIMPSON.

H.R. 6085: Ms. SCHAKOWSKY, Ms. LOFGREN, Miss RICE of New York, Mr. GRIJALVA, Mr. AGUILAR, Mr. ENGEL, Mr. CARSON of Indiana, and Mr. LAMBORN.

H.R. 6135: Ms. SCANLON.

H.R. 6278: Ms. LOFGREN.

H.R. 6454: Mr. QUIGLEY, Mr. LIPINSKI, Mr. GALLEG0, Mr. RUPPERSBERGER, Ms. CLARKE of New York, and Ms. MOORE.

H.R. 6502: Mr. COOK.

H.R. 6543: Mr. PASCRELL.

H.R. 6590: Ms. LOFGREN.

H.R. 6615: Ms. NORTON, Mr. COHEN, and Mr. HIGGINS of New York.

H.R. 6653: Mr. BABIN.

H.R. 6685: Mr. HASTINGS.

H.R. 6693: Mr. HASTINGS.

H.R. 6714: Mr. QUIGLEY.

H.R. 6759: Ms. ROSEN, Mr. LARSEN of Washington, Mr. PERLMUTTER, and Mr. CUELLAR.

H.R. 6795: Mrs. CAROLYN B. MALONEY of New York, Ms. LOFGREN, Mr. SIRES, Mr. RUPPERSBERGER, Ms. VELÁZQUEZ, Ms. FUDGE, Mr. DAVID SCOTT of Georgia, Mr. LAWSON of Florida, Mr. PAYNE, Ms. MCCOLLUM, Ms. LEE, Ms. BASS, Mr. CLEAVER, Ms. BLUNT ROCHESTER, Ms. CLARKE of New York, Mr. TONKO, Mr. RUSH, and Mr. PERLMUTTER.

H.R. 6807: Mr. MOULTON.

H.R. 6854: Mr. BUTTERFIELD.

H.R. 6888: Ms. STEFANIK, Mr. CHABOT, and Mr. CASTRO of Texas.

H.R. 6903: Mr. LOWENTHAL.

H.R. 6932: Mr. GUTHRIE.

H.R. 6993: Mr. KILMER.

H.R. 7062: Mr. MORELLE and Mr. AGUILAR.

H.R. 7116: Mr. SOTO.

H.R. 7123: Mr. COHEN.

H.R. 7127: Mr. AGUILAR.

H.R. 7136: Mr. FITZPATRICK and Mr. VELA.

H.R. 7141: Ms. PINGREE.

H.R. 7142: Ms. CLARKE of New York.

H.R. 7146: Ms. WASSERMAN SCHULTZ and Mr. POCAN.

H.R. 7209: Mr. MEADOWS and Mr. REED.

H.R. 7217: Ms. ESHOO, Ms. HERRERA BEUTLER, Mr. GENE GREEN of Texas, and Mr. BILIRAKIS.

H.J. Res. 129: Ms. WILSON of Florida.

H. Con. Res. 138: Mr. LARSON of Connecticut.

H. Con. Res. 142: Mr. O'ROURKE, Mr. COURTNEY, Mr. KENNEDY, Ms. SCHAKOWSKY, Mr. CAPUANO, Mr. ESPAILLAT, Mr. GRIJALVA, Ms. JAYAPAL, Ms. MOORE, Mr. BLUMENAUER, Ms. SPEIER, Ms. LOFGREN, Ms. BASS, Ms. HANABUSA, Mr. WALZ, Mr. JEFFRIES, Mr. KILDEE, Ms. WILSON of Florida, Ms. MCCOLLUM, Ms. ESHOO, Ms. NORTON, Mr. CARBAJAL, Mr. ELLISON, Mr. CONNOLLY, Mr. LOEBACK, Mr. GALLEG0, Mr. BUCK, Mr. HASTINGS, Mr. YARMUTH, Mr. RASKIN, Mr. DANNY K. DAVIS of Illinois, Ms. WASSERMAN SCHULTZ, Mr. MEEKS, Ms. CLARK of Massachusetts, Ms. BONAMICI, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. VELÁZQUEZ, Mr. HECK, Mr. JOHNSON of Georgia, Mr. LABRADOR, Mr. SCHNEIDER, Mr. DOGGETT, Mr. LIPINSKI, Mrs. WATSON COLEMAN, Mr. COHEN, Mr. HIMES, Mr. PRICE of North Carolina, Ms. FRANKEL of Florida, Mr. SIRES, Mr. DESAULNIER, Mr. SOTO, Mr. GOMEZ, Mrs. TORRES, Ms. JUDY CHU of California, Mr. LEWIS of Georgia, Mr. QUIGLEY, Mr. LARSON of Connecticut, Ms. PELOSI, and Mr. BIGGS.

H. Con. Res. 144: Mr. POE of Texas.

H. Res. 35: Mr. ROGERS of Kentucky.

H. Res. 356: Ms. SPEIER.

H. Res. 1031: Mr. TAKANO, Ms. WILD, Ms. SCANLON, Mr. KIND, Mr. DAVID SCOTT of Georgia, and Mr. LOEBACK.

H. Res. 1034: Mr. GRIFFITH, Mr. WESTERMAN, Mrs. WAGNER, Mr. HUNTER, and Mr. BISHOP of Utah.

H. Res. 1145: Mr. SERRANO, Mr. HECK, and Ms. WILD.

H. Res. 1162: Mr. FITZPATRICK.

H. Res. 1165: Ms. ROS-LEHTINEN, Mrs. WAGNER, Mr. CHABOT, Mr. STIVERS, Mr. RUTHERFORD, Mr. MOONEY of West Virginia, Mr. MEADOWS, Mr. SENSENBRENNER, Mr. GONZALEZ of Texas, Mr. KILDEE, and Mr. POE of Texas.

H. Res. 1168: Mr. CHABOT and Mr. WALBERG.

TUESDAY, DECEMBER 11, 2018 (162)

¶162.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. THOMPSON of Pennsylvania, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
December 11, 2018.

I hereby appoint the Honorable GLENN THOMPSON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶162.2 RECESS—10:49 A.M.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 12(a) of rule I, declared the House in recess at 10 o'clock and 49 minutes a.m., until noon.

¶162.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶162.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Monday, December 10, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶162.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7123. A letter from the Acting Principal Deputy, Defense Pricing and Contraction, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Sunset of Provision Relating to the Procurement of Certain Goods (DFARS Case 2018-D007) [Docket DARS-2018-0028] (RIN: 0750-AJ71) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7124. A letter from the Program Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's interim final rule — Liquidity Coverage Ratio Rule: Treatment of Certain Municipal Obligations as High-Quality Liquid Assets [Docket ID: OCC-2018-0013] (RIN: 1557-AE36) received November 28, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7125. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Transferred OTS Regulations Regarding Fiduciary Powers of State

Savings Associations and Consent Requirements for the Exercise of Trust Powers (RIN: 3064-AE23) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7126. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Miscellaneous Federal Home Loan Bank Operations and Authorities-Financing Corporation Assessments (RIN: 2590-AA99) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7127. A letter from the Regulations Coordinator, Health Resources and Services Administration, Department of Health and Human Services, transmitting the Department's final rule — 340B Drug Pricing Program Ceiling Price and Manufacturer Civil Monetary Penalties Regulation (RIN: 0906-AB19) received November 29, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7128. A letter from the Correspondence and Regulation Specialist, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's final rule — Patient Protection and Affordable Care Act; Elimination of Internal Agency Process for Implementation of the Federally-facilitated User Fee Adjustment [CMS-9917-F] (RIN: 0938-AT93) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7129. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to serious human rights abuse or corruption that was declared in Executive Order 13818 of December 20, 2017, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

7130. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

7131. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's semiannual report from the Office of Inspector General for the period ending September 30, 2018, pursuant to the Inspector General Act of 1978 (Public Law 95-452), as amended; to the Committee on Oversight and Government Reform.

7132. A letter from the Director, Human Resources Management Division, Environmental Protection Agency, transmitting two (2) notifications, one of a vacancy, and one of a nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

7133. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's annual Performance and Accountability Report for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7134. A letter from the Chairman, Securities and Exchange Commission, transmitting the Commission's Semiannual Report to Congress, of the Office of Inspector General,

covering the period from April 1, 2018, through September 30, 2018, pursuant to Public Law 95-452, of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

7135. A letter from the Acting Commissioner, Social Security Administration, transmitting the Administration's Semiannual Report to Congress, of the Office of Inspector General, covering the period from April 1, 2018, through September 30, 2018, pursuant to the Inspector General Act of 1978 (Public Law 95-452), as amended; to the Committee on Oversight and Government Reform.

7136. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Rules of Practice and Procedure (RIN: 3064-AE75) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

7137. A letter from the Regulation Development Coordinator, Office of Regulation Policy and Management, Office of the Secretary (00REG), Department of Veterans Affairs, transmitting the Department's final rule — Per Diem Paid to States for Care of Eligible Veterans in State Homes (RIN: 2900-A088) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Veterans' Affairs.

7138. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2018 Required Amendments List for Qualified Retirement Plans [Notice 2018-91] received November 29, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶162.6 INDIAN EDUCATION PROGRAM MODERNIZATION

Mr. ESTES of Kansas, moved to suspend the rules and pass the bill of the Senate (S. 943) to direct the Secretary of the Interior to conduct an accurate comprehensive student count for the purposes of calculating formula allocations for programs under the Johnson-O'Malley Act, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BARTON, recognized Mr. ESTES of Kansas, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BARTON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶162.7 ADVANCED NUCLEAR FUEL AVAILABILITY

Mr. FLORES moved to suspend the rules and pass the bill (H.R. 6140) to re-

quire the Secretary of Energy to establish and carry out a program to support the availability of HA-LEU for domestic commercial use, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. BARTON, recognized Mr. FLORES and Mr. Gene GREEN of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BARTON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.8 IMPROVING MEDICAID PROGRAMS AND OPPORTUNITIES FOR ELIGIBLE BENEFICIARIES

Mr. BARTON moved to suspend the rules and pass the bill (H.R. 7217) to amend title XIX of the Social Security Act to provide States with the option of providing coordinated care for children with complex medical conditions through a health home, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. BARTON and Mr. Gene GREEN of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BARTON demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶162.9 SICKLE CELL DISEASE PREVENTION AND TREATMENT

Mr. BURGESS moved to suspend the rules and pass the bill of the Senate (S. 2465) to amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. BURGESS and Mr. Gene GREEN of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶162.10 PREEMIE REAUTHORIZATION

Mr. BURGESS moved to suspend the rules and pass the bill of the Senate (S. 3029) to revise and extend the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (PREEMIE Act).

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. BURGESS and Mr. Gene GREEN of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BURGESS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶162.11 TRAUMATIC BRAIN INJURY PROGRAM

Mr. BURGESS moved to suspend the rules and pass the bill (H.R. 6615) to reauthorize the Traumatic Brain Injury program; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. BURGESS and Mr. Gene GREEN of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.12 PREVENTING MATERNAL DEATHS

Mr. BURGESS moved to suspend the rules and pass the bill (H.R. 1318) to

support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. BURGESS and Mr. Gene GREEN of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.13 CALLING FOR THE RELEASE OF BURMESE JOURNALISTS

Mr. ROYCE of California, moved to suspend the rules and agree to the following resolution (H. Res. 1091); as amended:

Whereas in recent decades the Rohingya people have lost, through systematic discrimination by Burmese national, state, and local authorities, a range of civil and political rights, including citizenship, and face barriers today such that they have been rendered stateless;

Whereas the Burmese military and security forces have committed numerous crimes against civilians over many years in Burma's Rakhine, Shan, Kachin, and Karen States;

Whereas beginning August 25, 2017, the Burmese military and security forces, as well as civilian mobs, carried out widespread attacks, rapes, killings, and the burning of villages throughout Rakhine State resulting in approximately 730,000 Rohingya fleeing to Bangladesh and bringing the total Rohingya refugee population in Cox's Bazar to over 900,000;

Whereas on November 14, 2018, Vice President Mike Pence said, "This is a tragedy that has touched the hearts of millions of Americans. The violence and persecution by military and vigilantes that resulted in driving 700,000 Rohingya to Bangladesh is without excuse.";

Whereas to date, though the refugee crisis is not of their making, the Government of Bangladesh has generously accommodated the rapid and massive influx of Rohingya refugees into Cox's Bazar;

Whereas the Government of Bangladesh continues to express concern about the lack of accountability for the perpetrators of these crimes and the need to find durable solutions;

Whereas in June 2018, it was announced that the United Nations and the Government of Burma had reached an agreement for the "voluntary, safe, dignified and sustainable" return of Rohingya to Burma;

Whereas that agreement was contingent upon the provision of unimpeded access to

northern Rakhine by United Nations High Commission on Refugees (UNHCR) and United Nations Development Program (UNDP) in order to verify the necessary conditions on the ground for such voluntary, safe, dignified, and sustainable returns;

Whereas Burma's civilian government, led by State Counsellor Aung San Suu Kyi and President Win Myint, has not yet taken the necessary steps to address the violence directed against the Rohingya and has failed to create the necessary conditions for returns, including by actively impeding access to northern Rakhine by UNHCR, UNDP, humanitarian organizations, and journalists;

Whereas on August 24, 2018, the United Nations International Fact Finding Mission on Myanmar released a preliminary report stating that, "The Mission concluded . . . that there is sufficient information to warrant the investigation and prosecution of senior officials in the Tatmadaw chain of command, so that a competent court can determine their liability for genocide in relation to the situation in Rakhine State.";

Whereas on August 25, 2018, Secretary of State Mike Pompeo said "A year ago, following deadly militant attacks, security forces responded by launching abhorrent ethnic cleansing of ethnic Rohingya in Burma", and continued "The U.S. will continue to hold those responsible accountable. The military must respect human rights for Burma's democracy to succeed.";

Whereas the Department of the Treasury announced sanctions on five Tatmadaw officers and two Tatmadaw units for human rights abuses in Rakhine, Kachin, and Shan States;

Whereas on September 24, 2018, the Department of State released a report entitled "Documentation of Atrocities in Northern Rakhine State" that stated the military "targeted civilians indiscriminately and often with extreme brutality" and that the violence in northern Rakhine State was "extreme, large-scale, widespread and seemingly geared toward both terrorizing the population and driving out the Rohingya residents" and that the "scope and scale of the military's operations indicate that they were well-planned and coordinated";

Whereas Reuters, a highly respected worldwide news organization, discovered evidence of mass murder in the village of Inn Din as part of its ongoing reporting on the Burmese military's campaign against the Rohingya, and deployed journalists Wa Lone and Kyaw Soe Oo to fact-check and interview eyewitnesses to these and other events;

Whereas on December 12, 2017, Wa Lone and Kyaw Soe Oo were arrested by Burmese security forces in a suburb of Yangon and remain in custody to date;

Whereas on April 20, 2018, a key witness for the prosecution, Police Captain Moe Yan Naing, testified that he was ordered by his superiors to "trap" Wa Lone;

Whereas on September 3, 2018, Yangon Northern District Judge Ye Lwin ruled that Wa Lone and Kyaw Soe Oo breached the colonial-era Official Secrets Act during their investigation into the massacre in Inn Din and subsequently sentenced them each to 7 years in prison with hard labor, despite admissions by the police under oath in court that the documents in question were planted with the journalists as a front for their arrest;

Whereas United States Secretary of State Mike Pompeo met with Burma's Foreign Minister, Kyaw Tin, at the ASEAN Foreign Ministers' Meeting in August 2018 and called for the immediate release of Wa Lone and Kyaw Soe Oo;

Whereas on September 4, 2018, Vice President Mike Pence stated, "Wa Lone & Kyaw Soe Oo should be commended—not imprisoned—for their work exposing human rights

violations [and] mass killings. Freedom of religion [and] freedom of the press are essential to a strong democracy.";

Whereas Members of Congress, professional journalist organizations, human rights groups, and other distinguished leaders from around the world have called on the Burmese authorities to release Wa Lone and Kyaw Soe Oo from their unjust imprisonment; and

Whereas the United Nations Convention on the Prevention and Punishment of the Crime of Genocide, signed at Paris December 9, 1948 declares that "means any of the following acts committed with the intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such: (a) Killing members of the group; (b) Causing serious bodily or mental harm to members of the group; (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; (d) Imposing measures intended to prevent births within the group; (e) Forcibly transferring children of the group to another group" and "The following acts shall be punishable: (a) Genocide; (b) Conspiracy to commit genocide; (c) Direct and public incitement to commit genocide; (d) Attempt to commit genocide; (e) Complicity in genocide."; Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the atrocities committed against the Rohingya by the Burmese military and security forces since August 2017 constitute crimes against humanity and genocide;

(2) the Secretary of State should—

(A) determine, based on available evidence, whether the actions by the Burmese military in northern Rakhine State in 2017 constitute crimes against humanity, genocide, or other crimes under international law; and

(B) fully support efforts to collect, preserve, and make available evidence related to the commission of these crimes;

(3) all those responsible for these crimes against humanity and genocide should be tracked, sanctioned, arrested, prosecuted, and punished under applicable international criminal statutes and conventions;

(4) every Government and multinational body should call such atrocities by their rightful names of "crimes against humanity", "war crimes", and "genocide";

(5) the Governments of Bangladesh, the United States, and China, as well as the UNHCR and other actors, should only support repatriations to Burma when the conditions for safe, voluntary and dignified returns are achieved, including that of removing any impunity for Burma's military, security forces, and vigilantes with respect to their actions contributing to the systemic deprivation of the human rights, such as physical safety, citizenship, freedom of movement, and livelihoods, of the Rohingya;

(6) the President should impose additional sanctions on senior members of the Burmese military and security forces who are responsible for genocide and human rights abuses, including Tatmadaw Commander-In-Chief Min Aung Hlaing;

(7) independent and professional journalism play a central role in strengthening democratic governance, upholding the rule of law, mitigating conflict, and informing public opinion around the world; and

(8) the Burmese military and Government should—

(A) provide immediate, unimpeded access to northern Rakhine by UNHCR, UNDP, other humanitarian actors, and journalists, in order to verify that the necessary conditions exist for voluntary, safe, dignified, and sustainable returns by displaced Rohingya in a manner consistent with internationally recognized human rights and principles for refugee protection;

(B) change the laws and policies that have contributed to insecurity in the Rakhine State; and

(C) rescind any laws that obstruct the freedom of the press; and

(9) State Counsellor Aung San Suu Kyi and President Win Myint should pardon and immediately release from prison Wa Lone and Kyaw Soe Oo, as well as all other journalists and political prisoners.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. ROYCE of California, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Wednesday, December 12, 2018.

¶162.14 UNITED STATES-REPUBLIC OF KOREA ALLIANCE

Mr. ROYCE of California, moved to suspend the rules and agree to the following resolution (H. Res. 1149):

Whereas the United States Armed Forces and South Korean troops fought together to defend the Korean peninsula from Communist aggression before the Korean Armistice Agreement was signed in 1953, and the United States of America and the Republic of Korea have continued this camaraderie since signing the Mutual Defense Treaty Between the United States and the Republic of Korea that same year;

Whereas the Republic of Korea is a model for alliance burden-sharing, currently hosting 28,500 American active-duty military personnel, funding fifty percent of the total non-personnel costs of the U.S. troop presence on the Korean peninsula, fielding the world's seventh-largest military, and spending over 2.5 percent of its gross domestic product on defense;

Whereas the Republic of Korea is among the closest allies of the United States, having contributed troops in support of United States operations during the Vietnam war, Gulf war, and operations in Iraq and Afghanistan, while also supporting numerous United Nations peacekeeping missions throughout the world;

Whereas United States forces on the Korean Peninsula are critical not only to the security of the Republic of Korea but also to protect against adversaries that threaten regional stability and the United States homeland;

Whereas the U.S.-ROK Combined Forces Command is the most integrated and effective combined military command in the world and, taken together with the United Nations Command, has formed a structure that has provided effective defense and deterrence on the Korean Peninsula for decades;

Whereas North Korea has the world's fourth-largest military, in addition to potentially as many as 60 nuclear weapons and between 2,500 and 5,000 metric tons of chemical weapons;

Whereas the United States supports the Republic of Korea's efforts at peace and reconciliation on the Korean Peninsula and recognizes the critical importance of close policy coordination between Washington and Seoul;

Whereas in February 2017, a United Nations investigatory body confirmed that North Korea attempted to sell key materials for constructing miniaturized nuclear warheads, and found that ballistic missile cooperation between Iran and North Korea was "significant and meaningful";

Whereas the United States and South Korea share a commitment to democracy, human rights, and free market principles, as laid out in the 2009 U.S.-ROK Joint Vision Statement as the foundation for a 21st century "strategic alliance" based on shared values;

Whereas the Republic of Korea actively contributes to peacekeeping, cybersecurity, non-proliferation, overseas development assistance, climate change mitigation, counterterrorism, and post-conflict stabilization;

Whereas the Republic of Korea suffered economic retaliation from China for installing the United States Theater High Altitude Area Defense (THAAD) ballistic missile defense system, a measure necessitated by North Korea's nuclear and ballistic missile belligerence;

Whereas Korea is the world's eleventh-largest economy and the sixth-largest goods trading partner of the United States, and creates bilateral trade and investment which supports 400,000 American jobs;

Whereas the United States is the largest foreign direct investor in the Republic of Korea, and Korean investment in the United States is increasing;

Whereas the Republic of Korea evolved from authoritarian governance to a vibrant, model democracy that embraces human rights and the rule of law in a region increasingly challenged by authoritarianism, which stands in stark contrast to the Democratic People's Republic of Korea, which commits human rights violations "that do not have any parallel in the contemporary world" according to a 2014 United Nations report;

Whereas the Republic of Korea has become a key stakeholder and an active and constructive participant in various international organizations, including the United Nations, G-20, Organization for Economic Cooperation and Development, Asia-Pacific Economic Cooperation forum, Association of Southeast Asian Nations Regional Forum, International Monetary Fund, World Bank, and World Trade Organization;

Whereas Korean American Day commemorates the first arrival of Koreans to the United States in 1903 and honors the great contributions of Korean Americans across all aspects of society, which will only continue to grow as this population now numbers nearly two million citizens and as Korean students constitute the third-largest source of foreign students in the United States; and

Whereas the Korean-American community remains one of the most important bridges between the Republic of Korea and the United States and has helped foster deeper ties between the two nations: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes that the United States-Republic of Korea alliance serves as a linchpin of regional stability and bilateral security, and exemplifies the broad and deep military, diplomatic, economic, and cultural ties shared between the United States and the Republic of Korea;

(2) reiterates that the Republic of Korea and the United States share an interest in the continued strength of the bilateral alli-

ance, and in further deepening the bilateral relationship;

(3) emphasizes that the United States-Republic of Korea alliance remains not only a bulwark for peace and stability in Northeast Asia, but also an exemplar of democratic values, free market principles, commitment to universal human rights, and the rule of law throughout the Indo-Pacific and globally;

(4) reaffirms the need for the United States and the Republic of Korea to stand shoulder-to-shoulder in continuing to apply the economic and financial pressure necessary to help peacefully end the Democratic People's Republic of Korea's dangerous nuclear and missile programs; and

(5) emphasizes that, regardless of the outcome of attempted negotiations with the Democratic People's Republic of Korea, the United States-Republic of Korea alliance will continue to deter, defend against, and defeat any outside aggressors, uphold the peace, and guard the prosperity built by our two nations.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. BOST, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶162.15 COMMITMENT OF THE UNITED

STATES TO THE COUNTRIES AND TERRITORIES OF THE PACIFIC ISLANDS REGION

Mr. ROYCE of California, moved to suspend the rules and agree to the following resolution (H. Res. 1157):

Whereas the Pacific Islands countries and territories are home to more than 10 million culturally diverse people and are rooted in a unique culture and history spanning thousands of years;

Whereas the South Pacific region, of which the Pacific Islands countries and territories are an integral part, is endowed with a resource-rich ocean stretching over 20 million square miles;

Whereas the United States partnership with the countries of the Pacific Islands region dates back to the battles of World War II on the shores of Tarawa, Pelelieu, and Guadalcanal, where Pacific Islanders and Americans alike sacrificed for our collective security;

Whereas the United States territories of American Samoa, Guam, and the Commonwealth of the Northern Mariana Islands are located in the South Pacific region and some of these relationships date back to the Spanish-American War;

Whereas the United States is committed to the future security and prosperity of the Pacific Islands countries and territories and is responsible for security and defense matters in and relating to Palau, the Federated States of Micronesia, and the Republic of the Marshall Islands under their respective Compacts of Free Association;

Whereas the Compacts of Free Association arrangements with the Federated States of

Micronesia and the Republic of the Marshall Islands were renewed in 2003 for a period of 20 years and negotiations regarding the subsequent renewal of these agreements should be concluded in advance of their expiration in 2023;

Whereas the South Pacific region is critical to United States national security and defense, and there are several United States military bases and testing sites in the region, including the Ronald Reagan Ballistic Missile Defense Test Site on the Marshall Islands;

Whereas the United States cooperates closely with Pacific Islands countries and territories as a partner committed to a common future that advances national security, regional cooperation, and trust and collaborating on a wide range of important issues such as addressing environmental and public health threats, distributing humanitarian assistance and disaster relief, and promoting peace and prosperity in the region;

Whereas in the Boe Declaration of 2018, leaders of Pacific Islands countries and territories reaffirmed that the threat of climate change imperils the livelihoods, security, and well-being of the peoples of such countries and territories;

Whereas a major priority of Pacific Islands countries and territories is addressing environmental and sustainability challenges, including responding to national disasters, and implementing environmental programs to address mitigating their unique vulnerabilities to the effects of rising sea levels, combatting ocean acidification, and protecting natural resources, and extreme weather events remains a priority for and point of collaboration between the United States and Pacific Islands countries;

Whereas the United States works closely with Australia and New Zealand and other like-minded partners in the South Pacific region, and there is opportunity for enhancing such cooperation as all three countries look for opportunities to increase their focus on this important region;

Whereas China's increased influence in the South Pacific region and the possibility of a future Chinese military presence in this region could expand its monitoring and surveillance capabilities, threatening the United States military presence in the region;

Whereas media reports revealed that Chinese scientists placed acoustic sensors in the Mariana Trench near Guam and near the island of Yap in the Federated States of Micronesia, which could be used to monitor United States submarine activity in the region;

Whereas planned casino resort developments by Chinese investors on the Commonwealth of the Northern Mariana Islands could complicate Department of Defense plans on the islands for extensive training and exercises resulting from the relocation of Marines from Okinawa, Japan;

Whereas a bilateral agreement between the United States and Japan will relocate approximately 4,100 United States Marines from Okinawa, Japan to Guam, significantly bolstering United States national security in the region;

Whereas official Chinese Government statements and policy documents indicate that the Pacific Islands are a component of the Belt and Road Initiative, which according to the Department of Defense aims "to develop strong economic ties with other countries, shape their interests to align with China's, and deter confrontation or criticism of China's approach to sensitive issues";

Whereas the Lowy Institute found that China has pledged \$5.88 billion worth of aid to the region since 2011, yet despite these large commitments, China has only spent \$1.26 billion so far and concerns remain over

the types of loans extended and whether the commitments will be kept;

Whereas recent debt sustainability analysis by the World Bank shows that nine Pacific Islands countries and territories are currently classified as either at high or moderate risk of debt distress;

Whereas China continues to shrink the number of Taiwan's international partners around the globe by inducing countries to switch recognition through financial incentives and six of Taiwan's remaining diplomatic allies in the Pacific Islands region advocate on Taiwan's behalf at the United Nations and other international fora;

Whereas the United States plays an active role in regional fisheries management through its involvement in the Western and Central Pacific Fisheries Commission and in maintaining programs to help Pacific Island countries combat illegal fishing, including bilateral "shiprider" agreements that allow law enforcement officers of host partner countries onboard United States Coast Guard ships and aircraft to patrol national exclusive economic zones;

Whereas the United States, through more than 17 departments and agencies, committed more than \$350 million in fiscal year 2017 to engagement with Pacific Islands countries;

Whereas the National Defense Authorization Act for Fiscal Year 2018 and the Consolidated Appropriations Act, 2018 authorized and appropriated \$123.8 million in funding through 2024 for the 2010 Palau Compact Review Agreement;

Whereas every two years, the United States Navy's Pacific Fleet hosts the world's largest international maritime exercise, known as the "Rim of the Pacific", for which this past year Tongan Marines traveled to Hawaii with Australia's Navy to participate and Fiji has been invited to join the exercise in 2020; and

Whereas in September 2018 at the 30th Pacific Islands Forum in Nauru, Secretary of the Interior Ryan Zinke stated the United States "see[s] all of the Pacific Islands as an essential part of our free and open Indo-Pacific policy"; Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms its strong commitment to United States engagement with all countries and territories of the South Pacific region, including the Cook Islands, the Federated States of Micronesia, Fiji, French Polynesia, Kiribati, Nauru, New Caledonia, Niue, the Republic of Palau, Papua New Guinea, the Republic of the Marshall Islands, Samoa, the Solomon Islands, Tokelau, Tonga, Tuvalu, and Vanuatu;

(2) reaffirms its strong support to the United States Pacific Island territories of Guam, the Commonwealth of the Northern Mariana Islands, and American Samoa, home to nearly 300,000 United States citizens;

(3) supports continued efforts to deepen cooperation with countries and territories of the Pacific Islands in areas of mutual interest, such as addressing the negative impacts of climate change, promoting sustainable economic development, and supporting regional organizations and stability;

(4) calls for the United States to increase the frequency of high-level bilateral and multilateral visits with leaders of Pacific Islands;

(5) promotes and supports efforts by Australia, New Zealand, France, and other like-minded partners to strengthen Pacific Islands countries' sovereignty and development through economic and security assistance; and

(6) encourages continued support for the Compacts of Free Association which enhance the strategic posture of the United States in the Western Pacific, reinforce United States

regional commitment, preempt potential adversaries from establishing positional advantage, and further self-governance, economic development, and self-sufficiency of the Freely Associated States.

The SPEAKER pro tempore, Mr. BOST, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. BOST, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

162.16 WAR CRIMES AND CRIMES AGAINST HUMANITY IN SYRIA

Mr. ROYCE of California, moved to suspend the rules and agree to the following resolution (H. Res. 1165):

Whereas Syrian President Bashar al-Assad, with the support of Iran and the Russian Federation, has committed widespread atrocities against the people of Syria, leading to one of the worst humanitarian crises in over 70 years, including the deaths of more than 500,000 people, the destruction of more than 50 percent of Syria's critical infrastructure, and the forced displacement of more than 14 million people;

Whereas the Assad regime, with the support of Iran and the Russian Federation, has conducted violent attacks against humanitarian aid workers, supplies, facilities, transports, and assets, and impeded the access and secure movement of humanitarian personnel, and has used chemical weapons against the Syrian people on numerous occasions;

Whereas since the introduction of Russian forces into Syria in September 2015, Russia has deployed over 68,000 Russian personnel to help sustain the Assad regime, and has reportedly transferred the S-300 surface-to-air missile system to Syria, giving Russia, Iran, Hezbollah, and other Iranian-backed militias additional cover for their activities in Syria;

Whereas Iran is estimated to have deployed over 3,000 Islamic Revolutionary Guard Corps (IRGC) and regular Iranian military advisers to Syria and approximately 20,000 militia fighters, including 'Asaib ahl al-Haq, Harakat Hezbollah al-Nujaba, Fatimeyoun, and Zainabiyoun, which continue to expand their presence in Syria;

Whereas Director of National Intelligence Dan Coats has stated "it's unlikely Russia has the will or capability to fully implement and counter Iranian decision and influence" in Syria;

Whereas Iran's positions in Syria, which Iran has used to launch rockets and drones toward Israel, are critical to Iran's efforts to create a "land bridge" from Iran through Iraq and Syria to Lebanon so that it can arm Hezbollah in Lebanon with rockets and missiles, and increase the accuracy of Hezbollah's munitions;

Whereas Iranian-backed militias have demolished civilian areas, implemented sieges, and evicted civilian residents throughout Syria in a campaign of forced displacement, where Iranian-funded reconstruction plans to sell housing developments to foreign militias risk establishing a permanent Iranian pres-

ence and obstacle for return of thousands of Syrian families who fled Syria; and

Whereas the Syrian Government has reportedly signed agreements with Iran and IRGC controlled companies with respect to military cooperation: Now, therefore, be it

Resolved, That the House of Representatives—

(1) supports a political solution to the conflict which will result in the air space of Syria no longer being utilized by the Assad regime or Russia to target civilians, an end to the sieges carried out by Assad, Russia, Iran, Hezbollah, and other Iranian-backed militias, and the release of all political prisoners;

(2) opposes international reconstruction funds from supporting projects in Syria in areas controlled by the Assad regime as long as the Assad regime remains in power;

(3) condemns the Assad regime, the Government of the Russian Federation, the Government of Iran, and Hezbollah and other Iranian-backed militias for their continued support of war crimes and crimes against humanity in Syria, including the widespread use of torture, summary executions, prolonged sieges, forced relocations, and indiscriminate targeting of civilians and humanitarian actors;

(4) recognizes that as long as the Assad regime remains in power, it will continue to oppress the Syrian people, the Russian Federation will continue to expand its influence in the Middle East, and Iran will remain entrenched in Syria;

(5) calls upon the President and Secretary of State to work towards a sustainable political transition in Syria that results in a government in Syria that is not a danger to its own people, abandons its chemical weapons program, allows for the safe, dignified, and voluntary return of displaced persons, and does not provide Iran with a platform to threaten Syria's neighbors;

(6) urges the President and the Secretary of State develop a strategy to prevent a permanent Iranian presence in Syria, understanding that the Russia Federation has not proven to be a viable partner to help in this effort;

(7) urges the Secretary of State to investigate and determine whether the forced displacement of Syrian civilians from their homes through brutal sieges, starvation, and indiscriminate targeting of civilians, and repopulation with foreign fighters constitutes sectarian or ethnic cleansing; and

(8) calls on the President and Secretary of State to determine whether militias operating in Syria under the command of the Islamic Revolutionary Guard Corps (IRGC), including Harakat Hezbollah al-Nujaba, Fatemiyoun, Zainabioun, and 'Asaib ahl al-Haq are terrorist organizations and meet the criteria for sanctions pursuant to Executive Order 13460 or 13582.

The SPEAKER pro tempore, Mr. BOST, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. BOST, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶162.17 EXPRESSING OPPOSITION TO THE COMPLETION OF NORD STREAM II

Mr. ROYCE of California, moved to suspend the rules and agree to the following resolution (H. Res. 1035); as amended:

Whereas Nord Stream II is an underwater gas pipeline that, if completed, will transport natural gas from the Russian Federation through the Baltic Sea to Germany;

Whereas Russia controls the supply of nearly 40 percent of Europe's gas and 11 European countries rely on Russian gas for 75 percent or more for their annual needs;

Whereas Nord Stream II will increase Russian control over the European energy market;

Whereas Donald Tusk, the President of the European Council, stated that Nord Stream II would "not help diversification, nor would it reduce [European] dependency" on Russian gas;

Whereas it has been longstanding United States policy to support European energy security through diversification of supplies, such as the Southern Gas Corridor which will deliver Caspian Sea energy resources to Southern and Central Europe;

Whereas the existing Ukrainian gas transit system currently has 55 billion cubic meters of spare capacity which is equal to Nord Stream II's planned capacity;

Whereas Ukraine has been a stable and reliable transit hub for energy flowing to European destinations;

Whereas Russia's geopolitical interest in Nord Stream II is not to increase European energy security, but rather to drive a wedge between countries in Europe and drastically diminish Ukraine's political leverage regarding Russia and the significant income Ukraine derives from transit fees;

Whereas according to Deputy Assistant Secretary of State for Energy Diplomacy, Sandra Oudkirk, "because [Nord Stream II] has such a potentially large impact on the national security of some of our largest partners in the world, it has an impact on our national security"; and

Whereas Members of Congress on a bipartisan basis have expressed strong opposition to Nord Stream II through statements and legislation: Now, therefore, be it

Resolved, That the House of Representatives—

(1) finds that Nord Stream II is a drastic step backwards for European energy security and United States interests;

(2) calls upon European governments to reject the Nord Stream II project;

(3) urges the President to use all available means to support European energy security through a policy of reducing reliance on the Russia Federation; and

(4) supports the imposition of sanctions with respect to Nord Stream II under section 232 of the Countering America's Adversaries Through Sanctions Act (22 U.S.C. 9526).

The SPEAKER pro tempore, Mr. BOST, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution, as amended?

The SPEAKER pro tempore, Mr. BOST, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

A motion to reconsider the vote whereby the rules were suspended and

said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶162.18 RUSSIAN FEDERATION VIOLATION OF UKRAINE'S SOVEREIGNTY

Ms. ROS-LEHTINEN moved to suspend the rules and agree to the following resolution (H. Res. 1162):

Whereas the United States is committed to supporting international norms and agreements governing the peaceful relations between countries;

Whereas the Russian Federation has repeatedly violated international norms and agreements by its continuing aggression against Ukraine, including directing and arming separatist forces in eastern Ukraine and forcibly occupying and illegally annexing the Ukrainian territory of Crimea;

Whereas the Russian Federation continues to foment conflict in Ukraine in order to undermine the Ukrainian Government and economy;

Whereas these actions have caused tremendous suffering for the Ukrainian people, with thousands of Ukrainians killed both in battle and in their homes, and hundreds of thousands made refugees;

Whereas the Russian Federation continues to deny any responsibility for the destruction of Malaysian Airlines flight 17 over Ukraine, which killed 298 innocent civilians;

Whereas the Russian Federation has continuously failed to meet its commitments under the Minsk II agreement;

Whereas the United States and its allies and partners around the world continue to support the Ukrainian people in their efforts to strengthen their government, economy, and military in order to bring peace and prosperity to their country and to the surrounding region;

Whereas the United States and its allies and partners around the world have imposed punitive sanctions and other measures against the Russian Federation for its continued aggression against Ukraine, including its occupation of Crimea;

Whereas the Russian Federation continues to expand its aggression against Ukraine, including militarization of the Azov Sea and blockading the Kerch Strait in contravention of international norms and agreements;

Whereas, on November 25, 2018, the Russian Federation fired upon and rammed Ukrainian vessels attempting to pass through the Kerch Strait and seized the Ukrainian vessels and their crews: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the Russian Federation's firing upon, ramming, and seizing Ukrainian vessels and crews attempting to pass through the Kerch Strait on November 25, 2018, as violations of binding international norms and agreements;

(2) calls on the Russian Federation to immediately return the Ukrainian vessels and their crews to Ukraine;

(3) calls on the Russian Federation to cease its violation of Ukraine's sovereignty and its efforts to prevent Ukrainian vessels from transiting the Kerch Strait, as is Ukraine's right under international norms and agreements;

(4) reaffirms the United States commitment to provide the people of Ukraine with political, economic, and security assistance to enable them to secure their independence, democracy, and prosperity; and

(5) encourages the President and allies and partners of the United States to hold the Russian Federation accountable for its ongoing aggression against Ukraine.

The SPEAKER pro tempore, Mr. BOST, recognized Ms. ROS-LEHTINEN and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. BOST, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

¶162.19 AMENDMENT OF THE SENATE TO H.R. 1918

On motion of Mr. ROYCE of California, by unanimous consent, the bill (H.R. 1918) to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the "Nicaragua Human Rights and Anticorruption Act of 2018".

(b) *TABLE OF CONTENTS*.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Sense of Congress on advancing a negotiated solution to Nicaragua's crisis.

Sec. 3. Statement of policy.

Sec. 4. Restrictions on international financial institutions relating to Nicaragua.

Sec. 5. Imposition of targeted sanctions with respect to Nicaragua.

Sec. 6. Annual certification and waiver.

Sec. 7. Report on human rights violations and corruption in Nicaragua.

Sec. 8. Civil society engagement strategy.

Sec. 9. Reform of Western Hemisphere Drug Policy Commission.

Sec. 10. Termination.

Sec. 11. Definitions.

SEC. 2. SENSE OF CONGRESS ON ADVANCING A NEGOTIATED SOLUTION TO NICARAGUA'S CRISIS.

It is the sense of Congress that—

(1) credible negotiations between the Government of Nicaragua and representatives of Nicaragua's civil society, student movement, private sector, and political opposition, mediated by the Catholic Church in Nicaragua, represent the best opportunity to reach a peaceful solution to the current political crisis that includes—

(A) a commitment to hold early elections that meet democratic standards and permit credible international electoral observation;

(B) the cessation of the violence perpetrated against civilians by the National Police of Nicaragua and by armed groups supported by the Government of Nicaragua; and

(C) independent investigations into the killings of protesters; and

(2) negotiations between the Government of Nicaragua and representatives of Nicaragua's civil society, student movement, private sector, and political opposition, mediated by the Catholic Church in Nicaragua, have not resulted in

an agreement as of the date of the enactment of this Act because the Government of Nicaragua has failed to credibly participate in the process.

SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States to support—

- (1) the rule of law and an independent judiciary and electoral council in Nicaragua;
- (2) democratic governance in Nicaragua;
- (3) free and fair elections overseen by credible domestic and international observers in Nicaragua; and
- (4) anti-corruption and transparency efforts in Nicaragua.

SEC. 4. RESTRICTIONS ON INTERNATIONAL FINANCIAL INSTITUTIONS RELATING TO NICARAGUA.

(a) **RESTRICTIONS.**—The Secretary of the Treasury shall—

(1) instruct the United States Executive Director at each international financial institution of the World Bank Group to use the voice, vote, and influence of the United States to oppose the extension by the International Finance Corporation of any loan or financial or technical assistance to the Government of Nicaragua for a project in Nicaragua;

(2) instruct the United States Executive Director of the Inter-American Development Bank to use the voice, vote, and influence of the United States to oppose the extension by the Bank of any loan or financial or technical assistance to the Government of Nicaragua for a project in Nicaragua; and

(3) instruct the United States Executive Director of each other international financial institution, including the International Monetary Fund, to work with other key donor countries to develop a coherent policy approach to future engagements with and lending to the Government of Nicaragua, in a manner that will advance human rights, including the full restoration of the rights guaranteed to the people of Nicaragua through the commitments made by the Government of Nicaragua as a signatory of the International Covenant on Civil and Political Rights.

(b) **EXCEPTIONS FOR BASIC HUMAN NEEDS AND DEMOCRACY PROMOTION.**—The restrictions under paragraphs (1) and (2) of subsection (a) shall not apply with respect to any loan or financial or technical assistance provided to address basic human needs or to promote democracy in Nicaragua.

(c) **BRIEFING BY THE SECRETARY OF THE TREASURY.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of the Treasury shall brief the appropriate congressional committees on the effectiveness of international financial institutions in enforcing applicable program safeguards in Nicaragua.

SEC. 5. IMPOSITION OF TARGETED SANCTIONS WITH RESPECT TO NICARAGUA.

(a) **IN GENERAL.**—The President shall impose the sanctions described in subsection (c) with respect to any foreign person, including any current or former official of the Government of Nicaragua or any person acting on behalf of that Government, that the President determines—

(1) to be responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, or to have knowingly participated in, directly or indirectly, any activity described in subsection (b);

(2) to be a leader of—

(A) an entity that has, or whose members have, engaged in any activity described in subsection (b); or

(B) an entity whose property and interests in property are blocked under subsection (c)(1)(A) as a result of activities related to the tenure of the leader;

(3) to have knowingly materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of—

(A) an activity described in subsection (b); or
(B) a person whose property and interests in property are blocked under subsection (c)(1)(A); or

(4) to be owned or controlled by, or to have knowingly acted or purported to act for or on behalf of, directly or indirectly, any person whose property and interests in property are blocked under subsection (c)(1)(A).

(b) **ACTIVITIES DESCRIBED.**—An activity described in this subsection is any of the following in or in relation to Nicaragua on or after April 18, 2018:

(1) Significant acts of violence or conduct that constitutes a serious abuse or violation of human rights against persons associated with the protests in Nicaragua that began on April 18, 2018.

(2) Significant actions or policies that undermine democratic processes or institutions.

(3) Acts of significant corruption by or on behalf of the Government of Nicaragua or a current or former official of the Government of Nicaragua, including—

(A) the expropriation of private or public assets for personal gain or political purposes;

(B) corruption related to government contracts;

(C) bribery; or

(D) the facilitation or transfer of the proceeds of corruption.

(4) The arrest or prosecution of a person, including an individual or media outlet disseminating information to the public, primarily because of the legitimate exercise by such person of the freedom of speech, assembly, or the press.

(c) **SANCTIONS DESCRIBED.**—

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

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

(B) **EXCLUSION FROM THE UNITED STATES AND REVOCATION OF VISA OR OTHER DOCUMENTATION.**—In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of any visa or other documentation of the alien.

(2) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of a measure imposed pursuant to paragraph (1)(A) or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) **EXCEPTION RELATING TO IMPORTATION OF GOODS.**—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

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

(d) **IMPLEMENTATION; REGULATORY AUTHORITY.**—

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

(2) **REGULATORY AUTHORITY.**—The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

SEC. 6. ANNUAL CERTIFICATION AND WAIVER.

(a) **CERTIFICATION.**—Not later than 180 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report certifying whether the Government of Nicaragua is taking effective steps—

(1) to strengthen the rule of law and democratic governance, including the independence of the judicial system and electoral council;

(2) to combat corruption, including by investigating and prosecuting cases of public corruption;

(3) to protect civil and political rights, including the rights of freedom of the press, speech, and association, for all people of Nicaragua, including political opposition parties, journalists, trade unionists, human rights defenders, indigenous peoples, and other civil society activists;

(4) to investigate and hold accountable officials of the Government of Nicaragua and other persons responsible for the killings of individuals associated with the protests in Nicaragua that began on April 18, 2018; and

(5) to hold free and fair elections overseen by credible domestic and international observers

(b) **WAIVER.**—

(1) **TEMPORARY GENERAL WAIVER.**—If the Secretary certifies to the appropriate congressional committees under subsection (a) that the Government of Nicaragua is taking effective steps as described in that subsection, the President may waive the application of the restrictions under section 4 and sanctions under section 5 for a period of not more than one year beginning on the date of the certification.

(2) **NATIONAL INTEREST WAIVER.**—The President may waive the application of the restrictions under section 4 and sanctions under section 5 if the President—

(A) determines that such a waiver is in the national interest of the United States; and

(B) submits to the appropriate congressional committees a notice of and justification for the waiver.

(3) **SENSE OF CONGRESS.**—It is the sense of Congress that the President should exercise the waiver authority provided under paragraph (1) if the Secretary of State certifies under subsection (a) that the Government of Nicaragua is taking effective steps as described in that subsection.

(c) **CONSULTATION.**—In preparing a certification required by subsection (a), the Secretary shall consult with the appropriate congressional committees.

(d) **ANNUAL BRIEFING.**—The Secretary shall annually brief the appropriate congressional committees on whether the Government of Nicaragua is taking effective steps as described in subsection (a).

SEC. 7. REPORT ON HUMAN RIGHTS VIOLATIONS AND CORRUPTION IN NICARAGUA.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, acting through the Assistant Secretary of State for Intelligence and Research, and in coordination with the Secretary of the Treasury and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on—

(1) the involvement of senior officials of the Government of Nicaragua, including members of the Supreme Electoral Council, the National Assembly, and the judicial system, in human rights violations, acts of significant corruption, and money laundering; and

(2) persons that transfer, or facilitate the transfer of, goods or technologies for use in or with respect to Nicaragua, that are used by the

Government of Nicaragua to commit serious human rights violations against the people of Nicaragua.

(b) **FORM.**—The report required by subsection (a) may be classified.

SEC. 8. CIVIL SOCIETY ENGAGEMENT STRATEGY.

Not later than 90 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees on a strategy—

(1) for engaging relevant elements of civil society in Nicaragua, including independent media, human rights, and anti-corruption organizations, to strengthen rule of law and increase accountability for human rights abuses and corruption in Nicaragua; and

(2) setting forth measures to support the protection of human rights and anti-corruption advocates in Nicaragua.

SEC. 9. REFORM OF WESTERN HEMISPHERE DRUG POLICY COMMISSION.

Section 603(f)(1) of the Department of State Authorities Act, Fiscal Year 2017 (Public Law 114–323; 130 Stat. 1938) is amended by striking “Not later than 60 days after the date of the enactment of this Act, the Commission shall hold an initial meeting to develop and implement” and inserting “At the initial meeting of the Commission, the Commission shall develop and implement”.

SEC. 10. TERMINATION.

The provisions of this Act (other than section 9) shall terminate on December 31, 2023.

SEC. 11. DEFINITIONS.

In this Act:

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

(A) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives.

(2) **GOOD.**—The term “good” means any article, natural or manmade substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(3) **PERSON.**—The term “person” means an individual or entity.

(4) **UNITED STATES PERSON.**—The term “United States person” means any United States citizen, permanent resident alien, entity organized under the laws of the United States or any jurisdiction within the United States (including a foreign branch of such an entity), or any person in the United States.

On motion of Mr. ROYCE of California, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

162.20 AMENDMENTS OF THE SENATE TO H.R. 3342

On motion of Mr. ROYCE of California, by unanimous consent, the bill (H.R. 3342) to impose sanctions on foreign persons that are responsible for gross violations of internationally recognized human rights by reason of the use by Hizballah of civilians as human shields, and for other purposes; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Sanctioning the Use of Civilians as Defenseless Shields Act”.

SEC. 2. STATEMENT OF POLICY.

It shall be the policy of the United States to officially and publicly condemn the use of innocent civilians as human shields.

SEC. 3. IMPOSITION OF SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT ARE RESPONSIBLE FOR THE USE OF CIVILIANS AS HUMAN SHIELDS.

(a) **IMPOSITION OF SANCTIONS.**—

(1) **MANDATORY SANCTIONS.**—The President shall impose sanctions described in subsection (d) with respect to each person on the list required under subsection (b).

(2) **PERMISSIVE SANCTIONS.**—The President may impose sanctions described in subsection (d) with respect to each person on the list described in subsection (c).

(b) **MANDATORY SANCTIONS LIST.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President shall submit to the appropriate congressional committees a list of the following:

(1) Each foreign person that the President determines, on or after the date of the enactment of this Act—

(A) is a member of Hizballah or is knowingly acting on behalf of Hizballah; and

(B) knowingly orders, controls, or otherwise directs the use of civilians protected as such by the law of war to shield military objectives from attack.

(2) Each foreign person that the President determines, on or after the date of the enactment of this Act—

(A) is a member of Hamas or is knowingly acting on behalf of Hamas; and

(B) knowingly orders, controls, or otherwise directs the use of civilians protected as such by the law of war to shield military objectives from attack.

(3) Each foreign person or agency or instrumentality of a foreign state that the President determines, on or after the date of the enactment of this Act, knowingly and materially supports, orders, controls, directs, or otherwise engages in—

(A) any act described in subparagraph (B) of paragraph (1) by a person described in that paragraph; or

(B) any act described in subparagraph (B) of paragraph (2) by a person described in that paragraph.

(c) **PERMISSIVE SANCTIONS LIST.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the President should submit to the appropriate congressional committees a list of each foreign person that the President determines, on or after the date of the enactment of this Act, knowingly orders, controls, or otherwise directs the use of civilians protected as such by the law of war to shield military objectives from attack, excluding foreign persons included in the most recent list under subsection (b).

(d) **SANCTIONS DESCRIBED.**—The sanctions to be imposed on a foreign person or an agency or instrumentality of a foreign state under this subsection are the following:

(1) **BLOCKING OF PROPERTY.**—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person or agency or instrumentality of a foreign state if such property or interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

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

(A) **VISAS, ADMISSION, OR PAROLE.**—An alien who the Secretary of State or the Secretary of Homeland Security determines is subject to sanctions under subsection (a) is—

(i) inadmissible to the United States;

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

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

(B) **CURRENT VISAS REVOKED.**—Any visa or other documentation issued to an alien who is subject to sanctions under subsection (a), regardless of when such visa or other documentation was issued, shall be revoked and such alien shall be denied admission to the United States.

(C) **EXCEPTION TO COMPLY WITH UNITED NATIONS HEADQUARTERS AGREEMENT AND OTHER INTERNATIONAL OBLIGATIONS.**—The sanctions under this paragraph shall not be imposed on an individual if admitting such individual to the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or with other applicable international obligations.

(e) **PENALTIES.**—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that knowingly violates, attempts to violate, conspires to violate, or causes a violation of regulations prescribed to carry out this section to the same extent that such penalties apply to a person that knowingly commits an unlawful act described in section 206(a) of such Act.

(f) **PROCEDURES FOR JUDICIAL REVIEW OF CLASSIFIED INFORMATION.**—

(1) **IN GENERAL.**—If a finding under this section, or a prohibition, condition, or penalty imposed as a result of any such finding, is based on classified information (as defined in section 1(a) of the Classified Information Procedures Act (18 U.S.C. App.)) and a court reviews the finding or the imposition of the prohibition, condition, or penalty, the President may submit such information to the court ex parte and in camera.

(2) **RULE OF CONSTRUCTION.**—Nothing in this subsection shall be construed to confer or imply any right to judicial review of any finding under this section or any prohibition, condition, or penalty imposed as a result of any such finding.

(g) **WAIVER.**—The President may waive the application of sanctions under this section if the President determines and reports to the appropriate congressional committees that such waiver is in the national security interest of the United States.

(h) **REGULATORY AUTHORITY.**—

(1) **IN GENERAL.**—The President may exercise all authorities under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this section.

(2) **ISSUANCE OF REGULATIONS.**—Not later than 180 days after the date of the enactment of this Act, the President shall prescribe such regulations as may be necessary to implement this section.

(i) **RULE OF CONSTRUCTION.**—Nothing in this section may be construed—

(1) to limit the authorities of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or any other relevant provision of law; or

(2) to apply with respect to any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or to any authorized intelligence activities of the United States.

SEC. 4. DEFINITIONS.

In this Act:

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

(2) **AGENCY OR INSTRUMENTALITY OF A FOREIGN STATE.**—The term “agency or instrumen-

ality of a foreign state" has the meaning given that term in section 1603(b) of title 28, United States Code.

(3) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this section, the term "appropriate congressional committees" means—

(A) the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives.

(4) **FOREIGN PERSON.**—The term "foreign person" means—

(A) any citizen or national of a foreign state, wherever located; or

(B) any entity not organized solely under the laws of the United States or existing solely in the United States.

(5) **HAMAS.**—The term "Hammas" means—

(A) the entity known as Hamas and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(B) any person identified as an agent or instrumentality of Hamas on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury, the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(6) **HIZBALLAH.**—The term "Hizballah" means—

(A) the entity known as Hizballah and designated by the Secretary of State as a foreign terrorist organization pursuant to section 219 of the Immigration and Nationality Act (8 U.S.C. 1189); or

(B) any person identified as an agent or instrumentality of Hizballah on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Asset Control of the Department of the Treasury, the property or interests in property of which are blocked pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.).

(7) **UNITED STATES PERSON.**—The term "United States person" means any United States citizen, permanent resident alien, entity organized under the laws of the United States (including foreign branches), or any person in the United States.

SEC. 5. SUNSET.

This Act shall cease to be effective on December 31, 2023.

Amend the title so as to read: "An Act to impose sanctions with respect to foreign persons that are responsible for using civilians as human shields, and for other purposes."

On motion of Mr. ROYCE of California, said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶162.21 85TH ANNIVERSARY OF THE UKRAINIAN FAMINE

On motion of Mr. ROYCE of California, by unanimous consent, the Committee on Foreign Affairs was discharged from further consideration of the following resolution (H. Res. 931):

Whereas 2017–2018 marks the 85th anniversary of the Ukrainian Famine of 1932–1933, known as the Holodomor;

Whereas in 1932 and 1933, millions of Ukrainian people perished at the will of the

totalitarian Stalinist government of the former Soviet Union, which perpetrated a premeditated famine in Ukraine in an effort to break the nation's resistance to collectivization and communist occupation;

Whereas the Soviet Government deliberately confiscated grain harvests and starved millions of Ukrainian men, women, and children by a policy of forced collectivization that sought to destroy the nationally conscious movement for independence;

Whereas Soviet dictator Joseph Stalin ordered the borders of Ukraine sealed to prevent anyone from escaping the manmade starvation and to prevent the delivery of any international food aid that would provide relief to the starving;

Whereas numerous scholars worldwide have worked to uncover the scale of the famine, including Canadian wheat expert Andrew Cairns, who visited Ukraine in 1932 and was told that there was no grain "because the government had collected so much grain and exported it to England and Italy", while Joseph Stalin simultaneously denied food aid to the people of Ukraine;

Whereas nearly a quarter of Ukraine's rural population perished or were forced into exile due to the induced starvation, and the entire country suffered from the consequences of the prolonged famine;

Whereas noted correspondents of the time were refuted for their courage in depicting and reporting on the forced famine in Ukraine, including Gareth Jones, William Henry Chamberlin, and Malcolm Muggeridge, who wrote, "They (the peasants) will tell you that many have already died of famine and that many are dying every day; that thousands have been shot by the government and hundreds of thousands exiled . . .";

Whereas title V of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1986 (Public Law 99-180; 99 Stat. 1157), signed into law on December 13, 1985, established the Commission on the Ukraine Famine to "conduct a study of the Ukrainian Famine of 1932–1933 in order to expand the world's knowledge of the famine and provide the American public with a better understanding of the Soviet system by revealing the Soviet role" in it;

Whereas with the dissolution of the Soviet Union, archival documents became available that confirmed the deliberate and premeditated deadly nature of the famine, and that exposed the atrocities committed by the Soviet Government against the Ukrainian people;

Whereas Raphael Lemkin, who devoted his life to the development of legal concepts and norms for containing mass atrocities and whose tireless advocacy swayed the United Nations in 1948 to adopt the Convention on the Prevention and Punishment of the Crime of Genocide, authored an essay in 1953 entitled "Soviet Genocide in [the] Ukraine", which highlighted the "classic example of Soviet genocide", characterizing it "not simply a case of mass murder[, but as] a case of genocide, of destruction, not of individuals only, but of a culture and a nation";

Whereas the Government of Ukraine passed on November 28, 2006, a law numbered No: N 376-V, and entitled "About the 1932–1933 Holodomor in Ukraine", giving official recognition to the Ukraine Famine as an act of genocide against the Ukrainian people;

Whereas President George W. Bush signed into law Public Law 109-340 on October 13, 2006, authorizing the Government of Ukraine "to establish a memorial on Federal land in the District of Columbia to honor the victims of the Ukrainian famine-genocide of 1932–1933", which was officially dedicated in November 2015;

Whereas the Government of Ukraine and the Ukrainian communities in the United States and worldwide continue their efforts to secure greater international awareness and understanding of the 1932–1933 tragedy; and

Whereas victims of the Holodomor of 1932–1933 will be commemorated by Ukrainian communities around the globe, and in Ukraine, through November 2018: Now, therefore, be it

Resolved, That the House of Representatives—

(1) solemnly remembers the 85th anniversary of the Holodomor of 1932–1933 and extends its deepest sympathies to the victims, survivors, and families of this tragedy;

(2) condemns the systematic violations of human rights, including the freedom of self-determination and freedom of speech, of the Ukrainian people by the Soviet Government;

(3) recognizes the findings of the Commission on the Ukraine Famine as submitted to Congress on April 22, 1988, including that "Joseph Stalin and those around him committed genocide against the Ukrainians in 1932–1933";

(4) encourages dissemination of information regarding the Holodomor of 1932–1933 in order to expand the world's knowledge of this manmade tragedy; and

(5) supports the continuing efforts of the people of Ukraine to work toward ensuring democratic principles, a free-market economy, and full respect for human rights, in order to enable Ukraine to achieve its potential as an important strategic partner of the United States in that region of the world, and to reflect the will of its people.

When said resolution was considered.

Mr. ROYCE of California, submitted the following amendment which was agreed to:

Strike all after the resolving clause and insert the following:

That the House of Representatives—

(1) extends its deepest sympathies to the victims and survivors of the Holodomor of 1932–1933, and their families;

(2) condemns the systematic violations of human rights, including the freedom of self-determination and freedom of speech, of the Ukrainian people by the Soviet Government;

(3) recognizes the findings of the Commission on the Ukraine Famine as submitted to Congress on April 22, 1988, including that "Joseph Stalin and those around him committed genocide against the Ukrainians in 1932–1933";

(4) encourages dissemination of information regarding the Holodomor of 1932–1933 in order to expand the world's knowledge of this manmade tragedy; and

(5) supports the continuing efforts of the people of Ukraine to work toward ensuring democratic principles, a free-market economy, and full respect for human rights, in order to enable Ukraine to achieve its potential as an important strategic partner of the United States in that region of the world, and to reflect the will of its people.

The resolution, as amended, was agreed to.

A motion to reconsider the vote whereby said resolution, as amended, was agreed to was, by unanimous consent, laid on the table.

¶162.22 DONNA SAUERS BESKO POST OFFICE

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 1850) to designate the facility of the United States Postal

Service located at 907 Fourth Avenue in Lake Odessa, Michigan, as the "Donna Sauers Besko Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.23 AMENDMENTS OF THE SENATE TO H.R. 4407

On motion of Mr. MITCHELL, by unanimous consent, the bill (H.R. 4407) to designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the "Corporal Jeffery Allen Williams Post Office Building"; together with the following amendments of the Senate thereto, was taken from the Speaker's table:

(1)On page 2, line 1, strike [Jeffery] and insert *Jeffrey*.

(2)On page 2, line 6, strike [Jeffery] and insert *Jeffrey*.

(3)On page 2, line 10, strike [Jeffery] and insert *Jeffrey*.

Amend the title so as to read: "An Act to designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the 'Corporal Jeffery Allen Williams Post Office Building'".

On motion of Mr. MITCHELL, said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶162.24 SERGEANT KENNETH ERIC BOSTIC POST OFFICE

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5205) to designate the facility of the United States Postal Service located at 701 6th Street in Hawthorne, Nevada, as the "Sergeant Kenneth Eric Bostic Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.25 SO2 NAVY SEAL ADAM OLIN SMITH POST OFFICE

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 5475) to designate the facility of the United States Postal Service located at 108 North Macon Street in Bevier, Missouri, as the "SO2 Navy SEAL Adam Olin Smith Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.26 THOMAS P. COSTIN, JR. POST OFFICE BUILDING

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6059) to designate the facility of the United States Postal Service located at 51 Willow Street in Lynn, Massachusetts, as the "Thomas P. Costin, Jr. Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.27 JAMES WILLIAM ROBINSON JR. MEMORIAL POST OFFICE BUILDING

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6167) to designate the facility of the United States Postal Service located at 5707 South Cass Avenue in Westmont, Illinois, as the "James William Robinson Jr. Memorial Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.28 VETERANS MEMORIAL POST OFFICE

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6335) to designate the facility of the United States Postal Service located at 322 Main Street in Oakville, Connecticut, as the "Veterans Memorial Post Office".

When said bill was considered and read twice,

Mr. MITCHELL submitted the following amendment which was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. OAKVILLE VETERANS MEMORIAL POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 322 Main Street in Oakville, Connecticut, shall be known and designated as the "Oakville Veterans Memorial Post Office".

(b) REFERENCES.—Any reference in law, map, regulation, document, paper, or other

record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Oakville Veterans Memorial Post Office".

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: "An Act to designate the facility of the United States Postal Service located at 322 Main Street in Oakville, Connecticut, as the 'Oakville Veterans Memorial Post Office'".

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.29 ROSS BOUYEA POST OFFICE BUILDING

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 6930) to designate the facility of the United States Postal Service located at 10 Miller Street in Plattsburgh, New York, as the "Ross Bouyea Post Office Building".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.30 PRIVATE HENRY SVEHLA POST OFFICE BUILDING

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill of the Senate (S. 3209) to designate the facility of the United States Postal Service located at 413 Washington Avenue in Belleville, New Jersey, as the "Private Henry Svehla Post Office Building".

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶162.31 RICHARD W. WILLIAMS, JR., CHAPTER OF THE TRIPLE NICKLES (555TH P.I.A.) POST OFFICE

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill of the Senate (S. 3237) to designate the facility of the United States Postal Service located at 120 12th Street Lobby in Columbus, Georgia, as the "Richard W. Williams, Jr., Chapter of the Triple Nickles (555th P.I.A.) Post Office".

When said bill was considered, read twice, ordered to be read a third time,

was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶162.32 POSTMASTER FRAZIER B. BAKER
POST OFFICE

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 7230) to designate the facility of the United States Postal Service located at 226 West Main Street in Lake City, South Carolina, as the "Postmaster Frazier B. Baker Post Office".

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.33 SERGEANT FIRST CLASS ALWYN
CRENDALL CASHE POST OFFICE

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the bill (H.R. 7243) to amend Public Law 115-217 to change the address of the postal facility designated by such Public Law in honor of Sergeant First Class Alwyn Crendall Cashe, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.34 HONORING THE LIFE OF
PRESIDENT GEORGE HERBERT WALKER
BUSH

On motion of Mr. MITCHELL, by unanimous consent, the Committee on Oversight and Government Reform was discharged from further consideration of the following resolution (H. Res. 1172):

Whereas President George Herbert Walker Bush's lifetime record of service to the United States will continue to inspire Americans for years to come;

Whereas, after the attack on Pearl Harbor, George H.W. Bush joined the United States Naval Reserve in 1942 on his 18th birthday and became a distinguished naval aviator;

Whereas George H.W. Bush's TBM Avenger aircraft was hit with enemy fire over Chi Chi Jima, and though the engine was ablaze, he completed his mission and escaped over water, and floated on a raft for 4 hours before being rescued;

Whereas George H.W. Bush flew 58 combat missions during the Second World War, and was awarded the Distinguished Flying Cross and the United States Navy Air Medal with 2 gold stars;

Whereas George H.W. Bush graduated from Yale University with a degree in economics,

and moved his family to West Texas and embarked on a successful career in the energy industry;

Whereas, in 1966, George H.W. Bush was elected to represent Texas in the House of Representatives;

Whereas, from 1971 to 1973, George H.W. Bush served as the United States Ambassador to the United Nations;

Whereas, from 1974 to 1975, George H.W. Bush served as the Chief of the United States Liaison Office to the People's Republic of China;

Whereas, from 1976 to 1977, George H.W. Bush served as the Director of Central Intelligence;

Whereas, from 1981 to 1989, George H.W. Bush served as the 43rd Vice President of the United States;

Whereas, from 1989 to 1993, George H.W. Bush served as the 41st President of the United States;

Whereas President George H.W. Bush provided the steady leadership needed through the fall of the Berlin Wall, the reunification of Germany, the peaceful end of the Cold War, and the collapse of the Soviet Union;

Whereas President George H.W. Bush led a coalition of 32 nations to restore Kuwait's sovereignty following its invasion by Iraqi dictator Saddam Hussein;

Whereas President George H.W. Bush is noted for the advancement of civil rights with the signing of the Americans with Disabilities Act;

Whereas President George H.W. Bush negotiated the North American Free Trade Agreement, creating the world's largest free trade zone;

Whereas, on January 6, 2000, President George H.W. Bush and First Lady Barbara Pierce Bush became the longest married Presidential couple, setting forth for the Nation an example of love and commitment;

Whereas, on January 10, 2009, the U.S.S. George H.W. Bush was commissioned as the 10th and final Nimitz-class carrier for the Navy, named in recognition of George H.W. Bush's Navy service;

Whereas, in 2011, President George H.W. Bush received the Medal of Freedom, the Nation's highest civilian award, for his life of public service and commitment to liberty;

Whereas President George H.W. Bush was a tireless advocate for volunteerism and community service, speaking in his inaugural address of "a Thousand Points of Light, of all the community organizations that are spread like stars throughout the Nation, doing good";

Whereas President George H.W. Bush and Barbara Bush were strong supporters of the Bush School of Government and Public Service at Texas A&M University, established in 1997 as a component of the George H.W. Bush Presidential Library, to encourage future generations to live a life of service to others;

Whereas President George H.W. Bush, with Barbara Bush, had 6 children, 17 grandchildren, and 8 great-grandchildren, and considered Houston, Texas, his home and Walker's Point in Kennebunkport, Maine, as his "anchor to windward"; and

Whereas President George H.W. Bush's life will be remembered for civility, public service, humility, and servant leadership: Now, therefore, be it

Resolved, That the House of Representatives—

(1) expresses its appreciation for the profound public service of President George H.W. Bush;

(2) expresses its deep sympathy to the children of President George H.W. Bush and First Lady Barbara Bush: President George W. Bush, Jeb Bush, Neil Bush, Marvin Bush, and Dorothy Bush Koch, and to the entire family of the former President; and

(3) directs the Clerk of the House to transmit a copy of this resolution to the family of President George H.W. Bush.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶162.35 H.R. 7217—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7217) to amend title XIX of the Social Security Act to provide States with the option of providing coordinated care for children with complex medical conditions through a health home, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 400
affirmative } Nays 11

¶162.36 [Roll No. 428]

YEAS—400

Abraham	Clarke (NY)	Fleischmann
Adams	Clay	Flores
Aderholt	Cleaver	Fortenberry
Aguilar	Cloud	Foster
Allen	Clyburn	Fox
Amodei	Coffman	Frankel (FL)
Arrington	Cohen	Frelinghuysen
Babin	Cole	Fudge
Bacon	Collins (GA)	Gabbard
Balderson	Collins (NY)	Gallagher
Banks (IN)	Comer	Gallego
Barletta	Comstock	Garamendi
Barr	Conaway	Gianforte
Barragán	Connolly	Gibbs
Barton	Cook	Gohmert
Bass	Cooper	Gomez
Beatty	Correa	Gonzalez (TX)
Bera	Costello (PA)	Goodlatte
Bergman	Courtney	Gottheimer
Bilirakis	Cramer	Gowdy
Bishop (GA)	Crawford	Granger
Bishop (UT)	Crist	Graves (GA)
Black	Crowley	Graves (LA)
Blackburn	Cuellar	Graves (MO)
Blum	Culberson	Green, Al
Blumenauer	Cummings	Green, Gene
Blunt	Curtis	Griffith
Bonamici	Davidson	Grijalva
Bost	Davis (CA)	Grothman
Boyle, Brendan F.	Davis, Danny	Guthrie
Brady (PA)	Davis, Rodney	Gutiérrez
Brady (TX)	DeGette	Hanabusa
Brat	Delaney	Handel
Brooks (IN)	DeLauro	Harper
Brown (MD)	DelBene	Hastings
Brownley (CA)	Demings	Heck
Buck	Denham	Hensarling
Bucshon	DeSaulnier	Hern
Budd	DesJarlais	Herrera Beutler
Burgess	Deutch	Higgins (LA)
Bustos	Diaz-Balart	Higgins (NY)
Butterfield	Dingell	Hill
Byrne	Donovan	Himes
Calvert	Doyle, Michael F.	Holding
Capuano	Duffy	Hollingsworth
Carbajal	Duncan (SC)	Hoyer
Cárdenas	Duncan (TN)	Hudson
Carson (IN)	Dunn	Huffman
Carter (GA)	Emmer	Huizenga
Carter (TX)	Engel	Hultgren
Cartwright	Eshoo	Hunter
Castor (FL)	Espallat	Hurd
Castro (TX)	Estes (KS)	Issa
Chabot	Esty (CT)	Jackson Lee
Cheney	Evans	Jayapal
Chu, Judy	Faso	Jeffries
Cicilline	Ferguson	Johnson (GA)
Clark (MA)	Fitzpatrick	Johnson (LA)
		Johnson (OH)

Johnson, E. B.	Meng	Scott (VA)
Johnson, Sam	Messer	Scott, Austin
Jones (MI)	Mitchell	Scott, David
Jordan	Moolenaar	Sensenbrenner
Joyce (OH)	Mooney (WV)	Serrano
Kaptur	Moore	Sessions
Katko	Morelle	Sewell (AL)
Kelly (IL)	Moulton	Shea-Porter
Kelly (MS)	Mullin	Sherman
Kelly (PA)	Murphy (FL)	Shimkus
Kennedy	Nadler	Shuster
Khanna	Napolitano	Simpson
Kihuen	Neal	Sinema
Kildee	Newhouse	Sires
Kilmer	Nolan	Smith (MO)
Kind	Norcross	Smith (NE)
King (IA)	Norman	Smith (NJ)
King (NY)	Nunes	Smith (TX)
Kinzinger	O'Halleran	Smith (WA)
Krishnamoorthi	O'Rourke	Smucker
Kuster (NH)	Olson	Soto
Kustoff (TN)	Palazzo	Speier
LaHood	Pallone	Stefanik
LaMalfa	Palmer	Stewart
Lamb	Panetta	Stivers
Lamborn	Pascrell	Suozzi
Lance	Paulsen	Swalwell (CA)
Langevin	Payne	Takano
Larsen (WA)	Pearce	Taylor
Larson (CT)	Pelosi	Tenney
Latta	Perlmutter	Thompson (CA)
Lawrence	Perry	Thompson (MS)
Lawson (FL)	Peterson	Thompson (PA)
Lee	Pingree	Thornberry
Lesko	Pocan	Tipton
Levin	Poe (TX)	Titus
Lewis (GA)	Poliquin	Tonko
Lewis (MN)	Posey	Torres
Lieu, Ted	Price (NC)	Trott
Lipinski	Quigley	Tsongas
LoBiondo	Raskin	Turner
Loebsack	Ratcliffe	Upton
Lofgren	Reed	Valadao
Long	Reichert	Vargas
Loudermilk	Renacci	Veasey
Love	Rice (NY)	Vela
Lowenthal	Rice (SC)	Velázquez
Lowe	Richmond	Visclosky
Lucas	Roby	Wagner
Luetkemeyer	Roe (TN)	Walberg
Lujan Grisham,	Rogers (AL)	Walden
M.	Rogers (KY)	Walker
Luján, Ben Ray	Rohrabacher	Walorski
Lynch	Rokita	Wasserman
MacArthur	Ros-Lehtinen	Schultz
Maloney,	Rosen	Waters, Maxine
Carolyn B.	Roskam	Watson Coleman
Maloney, Sean	Rothfus	Weber (TX)
Marchant	Rouzer	Webster (FL)
Marino	Roybal-Allard	Welch
Marshall	Royce (CA)	Wenstrup
Mast	Ruiz	Westerman
Matsui	Ruppersberger	Wild
McCarthy	Rush	Williams
McCaul	Russell	Wilson (FL)
McClintock	Rutherford	Wilson (SC)
McCollum	Ryan (OH)	Wittman
McEachin	Sánchez	Womack
McGovern	Sanford	Woodall
McHenry	Sarbanes	Yarmuth
McKinley	Scalise	Yoder
McMorris	Scanlon	Young (AK)
Rodgers	Schakowsky	Young (IA)
McNerney	Schiff	Zeldin
McSally	Schneider	
Meadows	Schrader	
Meeks	Schweikert	

NAYS—11

Amash	Garrett	Labrador
Biggs	Gosar	Massie
Brooks (AL)	Harris	Rooney, Francis
Gaetz	Hice, Jody B.	

NOT VOTING—21

Beyer	Hartzler	Polis
Bishop (MI)	Jenkins (KS)	Rooney, Thomas
Buchanan	Jones (NC)	J.
Costa	Keating	Ross
Curbelo (FL)	Knight	Walters, Mimi
DeFazio	Noem	Walz
Doggett	Peters	
Ellison	Pittenger	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶162.37 S. 3029—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3029) to revise and extend the Pre-maturity Research Expansion and Education for Mothers who deliver Infants Early Act (PREEMIE Act).

The question being put,
Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 406
affirmative } Nays 3

¶162.38 [Roll No. 429]
YEAS—406

Abraham	Clyburn	Gaetz
Adams	Coffman	Gallagher
Aderholt	Cohen	Gallego
Aguilar	Cole	Garamendi
Allen	Collins (GA)	Gianforte
Amodei	Collins (NY)	Gibbs
Arrington	Comer	Gohmert
Babin	Comstock	Gomez
Bacon	Conaway	Gonzalez (TX)
Balderson	Connolly	Goodlatte
Banks (IN)	Cook	Gosar
Barletta	Cooper	Gottheimer
Barr	Correa	Gowdy
Barragán	Costello (PA)	Granger
Barton	Courtney	Graves (GA)
Bass	Cramer	Graves (LA)
Beatty	Crawford	Graves (MO)
Bera	Crist	Green, Al
Bergman	Crowley	Green, Gene
Biggs	Cuellar	Griffith
Bilirakis	Culberson	Grijalva
Bishop (GA)	Cummings	Grothman
Bishop (UT)	Curtis	Guthrie
Black	Davidson	Gutiérrez
Blackburn	Davis (CA)	Hanabusa
Blum	Davis, Danny	Handel
Blumenauer	Davis, Rodney	Harper
Blunt Rochester	DeGette	Harris
Bonamici	Delaney	Hastings
Bost	DeLauro	Heck
Boyle, Brendan	DelBene	Hensarling
F.	Demings	Hern
Brady (PA)	Denham	Herrera Beutler
Brady (TX)	Hice, Jody B.	Hicks, Jody B.
Brat	DesJarlais	Higgins (LA)
Brooks (AL)	Deutch	Higgins (NY)
Brooks (IN)	Diaz-Balart	Hill
Brown (MD)	Dingell	Himes
Brownley (CA)	Doggett	Holding
Buck	Donovan	Hollingsworth
Bucshon	Doyle, Michael	Hoyer
Budd	F.	Hudson
Burgess	Duffy	Huffman
Bustos	Duncan (SC)	Huizenga
Butterfield	Duncan (TN)	Hultgren
Byrne	Dunn	Hunter
Calvert	Emmer	Hurd
Carpiano	Engel	Issa
Carbajal	Eshoo	Jackson Lee
Cárdenas	Españat	Jayapal
Carson (IN)	Estes (KS)	Jeffries
Carter (GA)	Esty (CT)	Johnson (GA)
Carter (TX)	Evans	Johnson (LA)
Cartwright	Faso	Johnson (OH)
Castor (FL)	Ferguson	Johnson, E. B.
Castro (TX)	Fitzpatrick	Johnson, Sam
Chabot	Fleischmann	Jones (MI)
Cheney	Flores	Jordan
Chu, Judy	Fortenberry	Joyce (OH)
Ciulline	Foster	Kaptur
Clark (MA)	Fox	Katko
Clarke (NY)	Frankel (FL)	Kelly (IL)
Clay	Frelinghuysen	Kelly (MS)
Cleaver	Fudge	Kelly (PA)
Cloud	Gabbard	Kennedy

Khanna	Moulton	Scott, David
Kihuen	Mullin	Sensenbrenner
Kildee	Murphy (FL)	Serrano
Kilmer	Nadler	Sessions
Kind	Napolitano	Sewell (AL)
King (IA)	Neal	Shea-Porter
King (NY)	Newhouse	Sherman
Kinzinger	Nolan	Shimkus
Krishnamoorthi	Norcross	Shuster
Kuster (NH)	Kuster (NH)	Simpson
Kustoff (TN)	Nunes	Sinema
Labrador	O'Halleran	Sires
LaHood	O'Rourke	Smith (MO)
LaMalfa	Olson	Smith (NE)
Lamb	Palazzo	Smith (NJ)
Lamborn	Pallone	Smith (TX)
Lance	Palmer	Smith (WA)
Langevin	Panetta	Smucker
Larsen (WA)	Pascrell	Soto
Larson (CT)	Paulsen	Speier
Latta	Payne	Stefanik
Lawrence	Pearce	Stewart
Lawson (FL)	Pelosi	Stivers
Lee	Perlmutter	Swalwell (CA)
Lesko	Perry	Takano
Levin	Peters	Taylor
Lewis (GA)	Peterson	Tenney
Lewis (MN)	Pingree	Thompson (CA)
Lieu, Ted	Pocan	Thompson (MS)
Lipinski	Poe (TX)	Thompson (PA)
LoBiondo	Poliquin	Thornberry
Loebsack	Posey	Tipton
Lofgren	Price (NC)	Titus
Long	Quigley	Tonko
Loudermilk	Raskin	Torres
Love	Ratcliffe	Trott
Lowenthal	Reed	Tsongas
Lowe	Reichert	Turner
Lucas	Renacci	Upton
Luetkemeyer	Rice (NY)	Valadao
Lujan Grisham,	Rice (SC)	Vargas
M.	Richmond	Veasey
Luján, Ben Ray	Roby	Vela
Lynch	Roe (TN)	Velázquez
MacArthur	Rogers (AL)	Visclosky
Maloney,	Rogers (KY)	Wagner
Carolyn B.	Rohrabacher	Walberg
Maloney, Sean	Rokita	Walden
Marchant	Rooney, Francis	Walker
Marino	Ros-Lehtinen	Walorski
Marshall	Rosen	Wasserman
Mast	Roskam	Schultz
Matsui	Rothfus	Waters, Maxine
McCarthy	Rouzer	Watson Coleman
McCaul	Roybal-Allard	Weber (TX)
McClintock	Royce (CA)	Webster (FL)
McCollum	Ruiz	Welch
McEachin	Ruppersberger	Wenstrup
McGovern	Rush	Westerman
McHenry	Russell	Wild
McKinley	Rutherford	Williams
McMorris	Ryan (OH)	Wilson (FL)
Rodgers	Sánchez	Wilson (SC)
McNerney	Sanford	Wittman
McSally	Sarbanes	Womack
Meadows	Scalise	Woodall
Meeks	Scanlon	Yarmuth
	Schakowsky	Yoder
	Schiff	Young (AK)
	Schneider	Young (IA)
	Schrader	Zeldin
	Scott, Austin	

NAYS—3

Amash	Garrett	Massie
Beyer	Jenkins (KS)	Rooney, Thomas
Bishop (MI)	Jones (NC)	J.
Buchanan	Keating	Ross
Costa	Knight	Schweikert
Curbelo (FL)	McEachin	Suozzi
DeFazio	Noem	Walters, Mimi
Ellison	Pittenger	Walz
Hartzel	Polis	Yoho

NOT VOTING—23

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶162.39 S. 825—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 825) to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 403
affirmative Nays 3

¶162.40 [Roll No. 430]
YEAS—403

Abraham	Connolly	Grothman
Adams	Cook	Guthrie
Aderholt	Cooper	Gutiérrez
Aguiar	Correa	Hanabusa
Allen	Costello (PA)	Handel
Amodei	Courtney	Harper
Arrington	Crawford	Harris
Babin	Crist	Hastings
Bacon	Crowley	Heck
Balderson	Cuellar	Hensarling
Banks (IN)	Culberson	Hern
Barletta	Cummings	Herrera Beutler
Barr	Curtis	Hice, Jody B.
Barragán	Davidson	Higgins (LA)
Barton	Davis (CA)	Higgins (NY)
Bass	Davis, Rodney	Hill
Beatty	DeGette	Himes
Bera	Delaney	Holding
Bergman	DeLauro	Hollingsworth
Biggs	DelBene	Hoyer
Bilirakis	Demings	Hudson
Bishop (GA)	Denham	Huffman
Bishop (UT)	DeSaulnier	Huizenga
Black	DesJarlais	Hultgren
Blackburn	Deutch	Hunter
Blum	Diaz-Balart	Hurd
Blumenauer	Dingell	Jackson Lee
Blunt Rochester	Doggett	Jayapal
Bonamici	Donovan	Jeffries
Bost	Doyle, Michael	Johnson (GA)
Boyle, Brendan	F.	Johnson (LA)
	Duffy	Johnson (OH)
Brady (PA)	Duncan (SC)	Johnson, E. B.
Brady (TX)	Duncan (TN)	Johnson, Sam
Brat	Dunn	Jones (MI)
Brooks (IN)	Emmer	Jordan
Brown (MD)	Engel	Joyce (OH)
Brownley (CA)	Eshoo	Kaptur
Buck	Españat	Katko
Bucshon	Estes (KS)	Kelly (IL)
Budd	Esty (CT)	Kelly (MS)
Burgess	Evans	Kelly (PA)
Bustos	Faso	Kennedy
Butterfield	Ferguson	Khanna
Byrne	Fitzpatrick	Kihuen
Calvert	Fleischmann	Kildee
Capuano	Flores	Kilmer
Carbajal	Fortenberry	Kind
Cárdenas	Foster	King (IA)
Carson (IN)	Fox	King (NY)
Carter (GA)	Frankel (FL)	Kinzing
Carter (TX)	Fudge	Krishnamoorthi
Cartwright	Gabbard	Kuster (NH)
Castor (FL)	Gallagher	Kustoff (TN)
Castro (TX)	Galleo	Labrador
Chabot	Garamendi	LaHood
Cheney	Gianforte	LaMalfa
Chu, Judy	Gibbs	Lamb
Cicilline	Gohmert	Lamborn
Clark (MA)	Gomez	Lance
Clarke (NY)	Gonzalez (TX)	Langevin
Clay	Goodlatte	Larsen (WA)
Cleaver	Gosar	Larson (CT)
Cloud	Gottheimer	Latta
Clyburn	Gowdy	Lawrence
Coffman	Granger	Lawson (FL)
Cohen	Graves (GA)	Lee
Cole	Graves (LA)	Lesko
Collins (GA)	Graves (MO)	Levin
Collins (NY)	Green, Al	Lewis (GA)
Comer	Green, Gene	Lewis (MN)
Comstock	Griffith	Lieu, Ted
Conaway	Grijalva	Lipinski

LoBiondo	Payne	Sires
Loeb	Pearce	Smith (MO)
Lofgren	Pelosi	Smith (NE)
Long	Perlmutter	Smith (NJ)
Loudermilk	Perry	Smith (TX)
Love	Peters	Smith (WA)
Lowenthal	Peterson	Smucker
Lowe	Pingree	Soto
Lucas	Pocan	Speier
Luetkemeyer	Poe (TX)	Stefanik
Lujan Grisham, M.	Poliquin	Stewart
	Posey	Stivers
Luján, Ben Ray	Price (NC)	Suozzi
Lynch	Quigley	Swalwell (CA)
MacArthur	Raskin	Takano
Maloney,	Ratcliffe	Taylor
Carolyn B.	Reed	Tenney
Maloney, Sean	Reichert	Thompson (CA)
Marchant	Renacci	Thompson (MS)
Marino	Rice (NY)	Thompson (PA)
Marshall	Rice (SC)	Thornberry
Massie	Richmond	Tipton
Mast	Roby	Titus
Matsui	Roe (TN)	Tonko
McCarthy	Rogers (AL)	Torres
McCaul	Rogers (KY)	Trott
McClintock	Rohrabacher	Tsongas
McCollum	Rokita	Turner
McGovern	Rooney, Francis	Upton
McHenry	Ros-Lehtinen	Valadao
McKinley	Rosen	Vargas
McMorris	Roskam	Veasey
Rodgers	Rothfus	Vela
McNerney	Rouzer	Velázquez
McSally	Roybal-Allard	Visclosky
Meadows	Royce (CA)	Wagner
Meeks	Ruiz	Walberg
Meng	Ruppersberger	Walden
Messer	Rush	Walker
Mitchell	Russell	Walorski
Moolenaar	Rutherford	Wasserman
Mooney (WV)	Ryan (OH)	Schultz
Moore	Sanchez	Waters, Maxine
Morelle	Sanford	Watson Coleman
Moulton	Sarbanes	Weber (TX)
Mullin	Scalise	Webster (FL)
Murphy (FL)	Scanlon	Welch
Nadler	Schiff	Westrup
Napolitano	Schneider	Westerman
Neal	Schrader	Wild
Newhouse	Schweikert	Williams
Nolan	Scott (VA)	Wilson (FL)
Norcross	Scott, Austin	Wilson (SC)
Norman	Scott, David	Wittman
Nunes	Sensenbrenner	Womack
O'Halleran	Serrano	Woodall
O'Rourke	Sessions	Yarmuth
Olson	Sewell (AL)	Yoder
Palazzo	Shea-Porter	Yoho
Pallone	Sherman	Young (AK)
Palmer	Shimkus	Young (IA)
Panetta	Shuster	Zeldin
Pascrell	Simpson	
Paulsen	Sinema	

NAYS—3

Amash	Brooks (AL)	Garrett
Beyer	Frelinghuysen	Noem
Bishop (MI)	Gaetz	Pittenger
Buchanan	Hartzler	Polis
Costa	Issa	Rooney, Thomas
Cramer	Jenkins (KS)	J.
Curbelo (FL)	Jones (NC)	Ross
Davis, Danny	Keating	Schakowsky
DeFazio	Knight	Walters, Mimi
Ellison	McEachin	Walz

NOT VOTING—26

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶162.41 ENDANGERED SALMON
PREDATION PREVENTION

On motion of Mr. LAMBORN, by unanimous consent, the bill of the Senate (S. 3119) to allow for the taking of sea lions on the Columbia River and its

tributaries to protect endangered and threatened species of salmon and other nonlisted fish species; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶162.42 COMMISSION ON INTERNATIONAL
RELIGIOUS FREEDOM

The SPEAKER pro tempore, Mr. HIGGINS of Louisiana, pursuant to section 201(b) of the International Religious Freedom Act of 1998 (22 United States Code 6431) and the order of the House of January 3, 2017, announced that the Speaker appointed the following individual on the part of the House to the Commission on International Religious Freedom for a term ending May 14, 2020: Ms. Anurima Bhargava, Chicago, Illinois, to succeed Mr. Daniel I. Mark.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶162.43 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Lasky, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2) "An Act to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes."

¶162.44 RECESS—7:47 P.M.

The SPEAKER pro tempore, Mr. HOLLINGSWORTH, pursuant to clause 12(a) of rule I, declared the House in recess at 7 o'clock and 47 minutes p.m., subject to the call of the Chair.

¶162.45 AFTER RECESS—8:05 P.M.

The SPEAKER pro tempore, Mr. WOODALL, called the House to order.

¶162.46 PROVIDING FOR CONSIDERATION
OF THE CONFERENCE REPORT TO H.R.
2

Mr. NEWHOUSE, by direction of the Committee on Rules, reported (Rept. No. 115-1074) the resolution (H. Res. 1176) providing for consideration of the conference report to accompany the bill (H.R. 2) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶162.47 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 315. An Act to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

H.R. 3946. An Act to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic.

¶162.48 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. JONES, for today and balance of the year.

And then,

¶162.49 ADJOURNMENT

On motion of Mr. NEWHOUSE, at 8 o'clock and 6 minutes p.m., the House adjourned.

¶162.50 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALDEN: Committee on Energy and Commerce. H.R. 350. A bill to exclude vehicles used solely for competition from certain provisions of the Clean Air Act, and for other purposes (Rept. 115-1073). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 1176. Resolution providing for consideration of the conference report to accompany the bill (H.R. 2) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes (Rept. 115-1074). Referred to the House Calendar.

¶162.51 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BRADY of Texas (for himself and Mr. SHIMKUS):

H.R. 7247. A bill to amend title XVIII of the Social Security Act to clarify the authority of MA organizations to provide waivers from Medicare Advantage plans' prior authorization requirements; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MARCHANT (for himself and Ms. SEWELL of Alabama):

H.R. 7248. A bill to amend title XVIII of the Social Security Act to direct the Secretary of Human Services to solicit information from providers and suppliers of services on ways to reduce administrative and regulatory burdens under the Medicare program, to provide for transparency and public feedback for evaluating a post-acute care prospective payment system under such title, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REED:

H.R. 7249. A bill to amend title XVIII of the Social Security Act to provide for certain

prior authorization notifications by Medicare Advantage organizations; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KELLY of Pennsylvania (for himself and Mr. GUTHRIE):

H.R. 7250. A bill to direct the Secretary of Health and Human Services to conduct a study and submit to Congress a report on the feasibility of using certain technologies to facilitate the administration of prior authorization requirements under part C of the Medicare program; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES:

H.R. 7251. A bill to amend the Federal Food, Drug, and Cosmetic Act and the Securities Exchange Act of 1934 to prevent the inter partes review process for challenging patents from diminishing competition in the pharmaceutical industry and with respect to drug innovation, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCNERNEY:

H.R. 7252. A bill to direct the Attorney General to enter into an agreement with the National Academies to conduct a study to develop guidelines, best practices, and examples for congressional redistricting; to the Committee on the Judiciary.

By Mr. SMITH of Missouri:

H.R. 7253. A bill to amend title XVIII of the Social Security Act to minimize costs and burdens under the Medicare program by providing for consideration of the removal of certain measures applicable to inpatient hospitals and post-acute care inpatient providers and providing for meaningful measures; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HECK:

H.R. 7254. A bill to amend the Internal Revenue Code of 1986 to allow the deduction of moving expenses of Federal employees; to the Committee on Ways and Means.

By Mr. GALLAGHER (for himself and Mr. GALLEGO):

H.R. 7255. A bill to direct the President to impose penalties pursuant to denial orders with respect to certain Chinese telecommunications companies that are in violation of the export control or sanctions laws of the United States, and for other purposes; to the Committee on Foreign Affairs.

By Mr. CARSON of Indiana:

H.R. 7256. A bill to implement recommendations related to the safety of amphibious passenger vessels, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. POLIQUIN:

H.R. 7257. A bill to amend title 31, United States Code, to require \$1 coins issued during 2019 to honor President George H.W. Bush and to direct the Secretary of the Treasury to issue bullion coins during 2019 in honor of Barbara Bush; to the Committee on Financial Services.

By Mrs. BUSTOS (for herself, Mr. GIANFORTE, Mr. MCGOVERN, Ms.

CLARK of Massachusetts, and Mr. KEATING):

H.R. 7258. A bill to recognize and honor the service of individuals who served in the United States Cadet Nurse Corps during World War II, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. CLARKE of New York (for herself, Mr. SIMPSON, and Mr. GOSAR):

H.R. 7259. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain federally-subsidized loan repayments for dental school faculty; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FASO (for himself, Mr. TONKO, and Ms. STEFANIK):

H.R. 7260. A bill to allow for safety regulation of vehicles that are modified to increase seating capacity, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas:

H.R. 7261. A bill to amend title II of the Social Security Act to permit individuals to select a monthly benefit payment date; to the Committee on Ways and Means.

By Mr. RICHMOND (for himself, Mr. CUMMINGS, Ms. LEE, and Ms. MOORE):

H.R. 7262. A bill to make housing more affordable, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Ways and Means, the Judiciary, Transportation and Infrastructure, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TIPTON:

H.R. 7263. A bill to require the Secretary of Agriculture to provide notice in the case of certain ski area closures, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCEACHIN (for himself, Ms. JAYAPAL, and Ms. BARRAGAN):

H.J. Res. 144. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to clean air, pure water, and the sustainable preservation of the ecological integrity, and aesthetic, scenic, and historical values of the natural environment; to the Committee on the Judiciary.

By Ms. MATSUI (for herself and Mr. GUTHRIE):

H. Res. 1175. A resolution supporting increased awareness of sepsis and the importance of early diagnosis and appropriate intervention; to the Committee on Energy and Commerce.

By Mr. MCCAUL (for himself, Mr. ROYCE of California, Mr. CUELLAR, Mr. FORTENBERRY, and Ms. MCCOLLUM):

H. Res. 1177. A resolution recognizing the need for China to maintain its ban on rhinoceros and tiger parts; to the Committee on Foreign Affairs, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TURNER (for himself, Mrs. WALORSKI, Mr. LIPINSKI, and Mr. MEEKS):

H. Res. 1178. A resolution celebrating the centennial of Romania's Great Union of 1918 and reaffirming the strategic partnership between the United States and Romania; to the Committee on Foreign Affairs.

¶162.52 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

268. The SPEAKER presented a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution 19, commending the Arctic Waterways Safety Committee; to the Committee on Foreign Affairs.

269. Also, a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution 4, urging the United States Congress to pass legislation providing for the exemption of legally acquired walrus, mammoth, and mastodon ivory from laws that ban the sale, use, and possession of ivory; to the Committee on Natural Resources.

270. Also, a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution 33, urging the Alaska delegation in Congress to pursue the establishment of a U.S. Coast Guard port in the Arctic region; supporting the increase in defensive capabilities in the Arctic region; and encouraging the development of critical Arctic infrastructure; to the Committee on Transportation and Infrastructure.

¶162.53 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1318: Mr. COLE and Mr. BURGESS.
H.R. 2315: Mr. LAHOOD.
H.R. 2472: Mr. MORELLE.
H.R. 3485: Mr. GOHMERT.
H.R. 3692: Ms. LOFGREN.
H.R. 3767: Mr. KILMER.
H.R. 3875: Ms. BONAMICI.
H.R. 4022: Ms. JUDY CHU of California.
H.R. 4256: Ms. JACKSON LEE.
H.R. 4485: Ms. LOFGREN.
H.R. 4732: Mr. LAWSON of Florida, Mr. SMITH of Missouri, Mr. MOULTON, Ms. HANABUSA, and Mr. NUNES.
H.R. 5222: Mr. JOHNSON of Georgia.
H.R. 5694: Mr. DEFAZIO.
H.R. 5697: Mr. PANETTA.
H.R. 6043: Mr. HUFFMAN, Mr. SHERMAN, Ms. LOFGREN, and Mr. DEFAZIO.
H.R. 6071: Ms. NORTON.
H.R. 6086: Mr. CARBAJAL.
H.R. 6387: Ms. DEGETTE.
H.R. 6543: Mr. ELLISON.
H.R. 6637: Mr. KIND.
H.R. 6654: Ms. ADAMS, Ms. BASS, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. BLUNT ROCH-ESTER, Mr. BROWN of Maryland, Mr. CARSON of Indiana, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. ELLISON, Ms. FUDGE, Mr. HASTINGS, Ms. NORTON, Ms. JACKSON LEE, Mr. JEFFRIES, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Mr. LEWIS of Georgia, Mr. MCEACHIN, Mr. PAYNE, Ms. PLASKETT, Mr. RICHMOND, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. MAXINE WATERS of California, Ms. WILSON of Florida, Mr. MEEKS, Mr. GUTIERREZ, Mr. LYNCH, Ms. CASTOR of Florida, Ms. CLARKE of New York, Mrs. WATSON COLEMAN, Mr. EVANS, and Mr. JOHNSON of Georgia.
H.R. 6713: Mr. RUPPERSBERGER.
H.R. 6764: Ms. NORTON and Ms. KAPTUR.
H.R. 6824: Mr. NORMAN.
H.R. 6850: Mr. TIPTON.
H.R. 6927: Mr. TIPTON.

H.R. 6956: Miss RICE of New York.
H.R. 7050: Mr. CARBAJAL and Ms. NORTON.
H.R. 7059: Mr. LONG.
H.R. 7062: Mr. COLLINS of New York.
H.R. 7079: Ms. NORTON, Ms. JACKSON LEE, Mr. CARSON of Indiana, and Mr. KILDEE.
H.R. 7102: Mr. CRIST.
H.R. 7146: Ms. WILD.
H.R. 7228: Mr. PETERS, Mr. RASKIN, Mr. SCHIFF, and Mr. CARSON of Indiana.
H. Con. Res. 81: Mr. POLIS.
H. Con. Res. 138: Mr. POLIS.
H. Con. Res. 142: Mr. POLIS, Mr. LOWENTHAL, Ms. DEGETTE, and Mr. SMITH of Washington.
H. Con. Res. 145: Ms. SHEA-PORTER.
H. Res. 69: Mr. JOHNSON of Georgia, Mr. SMITH of New Jersey, and Mr. CLAY.
H. Res. 757: Mr. MCGOVERN.
H. Res. 1031: Mr. JOHNSON of Georgia, Ms. SPEIER, Ms. KUSTER of New Hampshire, Mr. MOULTON, Mr. SWALWELL of California, Mr. QUIGLEY, Mr. NORCROSS, and Mr. CARTWRIGHT.
H. Res. 1034: Mr. MARSHALL, Mr. HURD, Mr. BURGESS, and Mr. COLLINS of New York.
H. Res. 1087: Mrs. MURPHY of Florida.
H. Res. 1165: Mr. ENGEL and Mr. DEUTCH.
H. Res. 1169: Mr. SOTO.
H. Res. 1172: Mr. BOST, Mr. PETERS, and Mrs. HARTZLER.
H. Res. 1174: Mrs. TORRES and Ms. MENG.

WEDNESDAY, DECEMBER 12, 2018 (163)

¶163.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at 10 a.m. by the SPEAKER pro tempore, Mr. YODER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
December 12, 2018.

I hereby appoint the Honorable KEVIN YODER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶163.2 RECESS—11:16 A.M.

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 16 minutes a.m., until noon.

¶163.3 AFTER RECESS—NOON

The SPEAKER called the House to order.

¶163.4 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Tuesday, December 11, 2018.

Mr. THOMPSON of Pennsylvania, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. THOMPSON of Pennsylvania, objected to the vote on the ground that a

quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶163.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7139. A letter from the Team Lead/RD Innovation Center, Rural Development, Department of Agriculture, transmitting the Department's direct final rule — Rural Development Environmental Regulation for Rural Infrastructure Projects (RIN: 0572-AC44) received December 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

7140. A letter from the Team Lead/RD Innovation Center, Rural Development — Rural Utilities Service, Department of Agriculture, transmitting the Department's final rule — "Buy American" Requirement (RIN: 0572-AC42) received December 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

7141. A letter from the Acting Principal Deputy, Defense Pricing and Contracting, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Modification of DFARS Clause "Surge Option" (DFARS Case 2018-D025) [Docket No.: DARS-2018-D036] (RIN: 0750-AJ87) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7142. A letter from the Acting Principal Deputy, Defense Pricing and Contracting, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Documentation for Interagency Contracts (DFARS Case 2018-D073) [Docket DARS-2018-0054] (RIN: 0750-AK27) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7143. A letter from the Chief of Staff, Competition and Infrastructure Policy Division, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting the Commission's final rule — Revisions to Reporting Requirements Governing Hearing Aid-Compatible Mobile Handsets [WT Docket No.: 17-228] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7144. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Geomagnetic Disturbance Reliability Standard; Reliability Standard for Transmission System Planned Performance for Geomagnetic Disturbance Events [Docket Nos.: RM18-8-000 and RM15-11-003; Order No.: 851] received December 4, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7145. A letter from the Secretary, Department of Agriculture, transmitting the Department's Semiannual Report to Congress, of the Office of Inspector General, covering the 6-month period that ended on September 30, 2018, pursuant to Public Law 95-452, of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

7146. A letter from the Deputy Secretary, Department of Defense, transmitting the Ad-

ministration's Semiannual Report to Congress, of the Office of Inspector General, covering the period from April 1 through September 30, 2018, pursuant to Public Law 95-452, of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

7147. A letter from the Secretary, Department of Veterans Affairs, transmitting the Department's Semiannual Report to Congress, of the Office of Inspector General, covering the period from April 1 through September 30, 2018, pursuant to Public Law 95-452, of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

7148. A letter from the Administrator, U.S. Small Business Administration, transmitting the Administration's Semiannual Report to Congress, of the Office of Inspector General, covering the period from April 1, 2018, through September 30, 2018, pursuant to Public Law 95-452, of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

7149. A letter from the Chief Financial Officer and Associate Administrator for Performance Management, U.S. Small Business Administration, transmitting the Administration's Agency Financial Report for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7150. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2018 National Pool (Rev. Proc. 2018-55) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7151. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Safe Harbor for Certain Infrastructure Trades or Businesses under Section 163(j) (Rev. Proc. 2018-59) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7152. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's notice — Publications of the Tier 2 Tax Rates received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7153. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Interim Guidance and Request for Comments on Income Tax Withholding from Wages and from Retirement and Annuity Distributions [Notice 2018-92] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7154. A letter from the Principal Deputy Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting the Department's First Annual Report, pursuant to the Social Security Number Fraud Prevention Act of 2017, Public Law 115-59, Sec. 2(c)(4), Stat. 1152 (Sept. 15, 2017) (codified at 42 USCA Sec. 405, note); jointly to the Committees on Oversight and Government Reform and Ways and Means.

¶163.6 COMMUNICATION FROM THE

MINORITY LEADER—APPOINTMENT— MEDAL OF VALOR REVIEW BOARD

The SPEAKER pro tempore, Mr. WOMACK, laid before the House the following communication, which was read as follows:

DECEMBER 11, 2018.

Hon. PAUL D. RYAN,
*Speaker of the House of Representatives,
The Capitol, Washington, DC.*

DEAR MR. SPEAKER: Pursuant to section 3(b) of the Public Safety Officer Medal of Valor Act of 2001 (42 U.S.C. 15202), I am pleased to reappoint Mr. Brian Fengel of Bartonville, Illinois, to the Medal of Valor Review Board.

Thank you for your consideration of this recommendation.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶163.7 PROVIDING FOR CONSIDERATION OF THE CONFERENCE REPORT TO H.R. 2

Mr. NEWHOUSE, by direction of the Committee on Rules, called up the following resolution (H. Res. 1176):

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read. The previous question shall be considered as ordered on the conference report to its adoption without intervening motion except: (1) one hour of debate; and (2) one motion to recommit if applicable.

SEC. 2. The provisions of section 7 of the War Powers Resolution (50 U.S.C. 1546) shall not apply during the remainder of the One Hundred Fifteenth Congress to a concurrent resolution introduced pursuant to section 5 of the War Powers Resolution (50 U.S.C. 1544) with respect to the Republic of Yemen.

When said resolution was considered.

After debate,

Mr. NEWHOUSE moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 220
affirmative Nays 191

¶163.8 [Roll No. 431] YEAS—220

Abraham	Blum	Cloud
Allen	Bost	Coffman
Amash	Brady (TX)	Cole
Amodei	Brat	Collins (GA)
Arrington	Brooks (AL)	Collins (NY)
Babin	Brooks (IN)	Comer
Bacon	Buck	Conaway
Balderson	Bucshon	Cook
Banks (IN)	Budd	Costello (PA)
Barr	Burgess	Cramer
Barton	Byrne	Crawford
Bergman	Calvert	Culberson
Biggs	Carter (GA)	Curbelo (FL)
Bilirakis	Carter (TX)	Curtis
Bishop (MI)	Chabot	Davidson
Bishop (UT)	Cheney	Davis, Rodney

Denham	Kelly (PA)	Roe (TN)
DesJarlais	King (IA)	Rogers (AL)
Diaz-Balart	King (NY)	Rogers (KY)
Donovan	Kinzinger	Rohrabacher
Duffy	Kustoff (TN)	Rokita
Duncan (SC)	Labrador	Rooney, Francis
Duncan (TN)	LaHood	Ros-Lehtinen
Dunn	LaMalfa	Ross
Emmer	Lamborn	Rothfus
Estes (KS)	Lance	Rouzer
Faso	Latta	Royce (CA)
Ferguson	Lesko	Russell
Fitzpatrick	Lewis (MN)	Rutherford
Fleischmann	LoBiondo	Sanford
Flores	Long	Scalise
Fortenberry	Loudermilk	Schweikert
Fox	Love	Scott, Austin
Frelinghuysen	Lucas	Sensenbrenner
Gaetz	Luetkemeyer	Sessions
Gallagher	MacArthur	Shimkus
Garrett	Marchant	Simpson
Gianforte	Marino	Smith (MO)
Gibbs	Marshall	Smith (NE)
Gohmert	Massie	Smith (NJ)
Goodlatte	Mast	Smith (TX)
Gosar	McCarthy	Smucker
Gowdy	McCauley	Stefanik
Granger	McClintock	Stivers
Graves (GA)	McHenry	Taylor
Graves (LA)	McKinley	Tenney
Graves (MO)	McMorris	Thompson (PA)
Griffith	Rodgers	Thornberry
Grothman	McSally	Tipton
Guthrie	Meadows	Trott
Handel	Messer	Turner
Harper	Mitchell	Upton
Harris	Moolenaar	Valadao
Hensarling	Mooney (WV)	Wagner
Hern	Mullin	Walberg
Herrera Beutler	Newhouse	Walden
Hice, Jody B.	Norman	Walker
Higgins (LA)	Nunes	Walorski
Hill	Olson	Walters, Mimi
Holding	Palazzo	Weber (TX)
Hollingsworth	Palmer	Webster (FL)
Hudson	Paulsen	Wenstrup
Huizenga	Pearce	Westerman
Hultgren	Perry	Williams
Hurd	Pittenger	Wilson (SC)
Issa	Poe (TX)	Wittman
Jenkins (KS)	Poliquin	Womack
Johnson (LA)	Posey	Woodall
Johnson (OH)	Ratcliffe	Yoder
Johnson, Sam	Reed	Yoho
Jordan	Reichert	Young (AK)
Joyce (OH)	Renacci	Young (IA)
Katko	Rice (SC)	Zeldin
Kelly (MS)	Roby	

NAYS—191

Adams	Cuellar	Jackson Lee
Aguilar	Cummings	Jayapal
Barragán	Davis (CA)	Jeffries
Bass	Davis, Danny	Johnson (GA)
Beatty	DeFazio	Johnson, E. B.
Bera	DeGette	Jones (MI)
Beyer	Delaney	Kaptur
Bishop (GA)	DeLauro	Kelly (IL)
Blumenauer	DelBene	Kennedy
Blunt Rochester	Demings	Khanna
Bonamici	DeSaulnier	Kihuen
Boyle, Brendan	Deutch	Kildee
F.	Dingell	Kilmer
Brady (PA)	Doggett	Kind
Brown (MD)	Doyle, Michael	Krishnamoorthi
Brownley (CA)	F.	Kuster (NH)
Bustos	Engel	Lamb
Butterfield	Eshoo	Langevin
Capuano	Españillat	Larsen (WA)
Carbajal	Esty (CT)	Larson (CT)
Cárdenas	Evans	Lawrence
Carson (IN)	Foster	Lawson (FL)
Cartwright	Frankel (FL)	Lee
Castor (FL)	Fudge	Levin
Castro (TX)	Gabbard	Lewis (GA)
Chu, Judy	Gallagher	Lieu, Ted
Cicilline	Garamendi	Lipinski
Clark (MA)	Gomez	Loebach
Clarke (NY)	Gonzalez (TX)	Lofgren
Clay	Gottheimer	Lowenthal
Cleaver	Green, Al	Lowey
Clyburn	Green, Gene	Luján, Ben Ray
Cohen	Grijalva	Lynch
Connolly	Gutiérrez	Maloney,
Cooper	Hanabusa	Carolyn B.
Correa	Heck	Maloney, Sean
Costa	Higgins (NY)	Matsui
Courtney	Himes	McCollum
Crist	Hoyer	McEachin
Crowley	Huffman	McGovern

McNerney
Meeks
Meng
Moore
Morelle
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Price (NC)

Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires

Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wild
Wilson (FL)
Yarmuth

NOT VOTING—21

Aderholt
Barletta
Black
Blackburn
Buchanan
Comstock
Ellison
Hartzler

Hastings
Hunter
Jones (NC)
Keating
Knight
Lujan Grisham,
M.
Noem

Polis
Rooney, Thomas
J.
Roskam
Shuster
Stewart
Walz

So the previous question on the resolution was ordered.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. MCGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Ayes 206
Noes 203

¶163.9 [Roll No. 432]

AYES—206

Abraham
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barr
Barton
Bergman
Bilirakis
Bishop (MI)
Bishop (UT)
Bost
Brady (TX)
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford

Culberson
Curbelo (FL)
Curtis
Davis, Rodney
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Frelinghuysen
Gallagher
Gianforte
Gibbs
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hensarling
Hern
Herrera Beutler

Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hurd
Issa
Jenkins (KS)
Johnson (LA)
Johnson (OH)
Johnson, Sam
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Kustoff (TN)
LaHood
LaMalfa
Lamborn
Lance
Latta
Lawson (FL)
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino

Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Peterson
Pittenger
Poe (TX)
Poliquin
Ratcliffe
Reed
Reichert

Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce (CA)
Ruppersberger
Russell
Rutherford
Ryan (WI)
Scalise
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik

NOES—203

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Biggs
Bishop (GA)
Blum
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brat
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
DeLaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge

Gabbard
Gaetz
Gallego
Garamendi
Garrett
Gohmert
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Graves (LA)
Green, Al
Green, Gene
Gutiérrez
Hanabusa
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones (MI)
Jordan
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Labrador
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebask
Lofgren
Lowenthal
Lowe
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Massie
Matsui
McCollum
McEachin
McGovern
McNerney
Meadows
Meeks
Meng
Moore
Morelle

Waters, Maxine
Watson Coleman
Welch
Wild
Wilson (FL)
Yarmuth

NOT VOTING—24

Aderholt
Barletta
Black
Blackburn
Buchanan
Comstock
Davidson
Ellison
Grijalva

Hartzler
Hastings
Hunter
Jones (NC)
Keating
Knight
Lujan Grisham,
M.
Noem

Polis
Rooney, Thomas
J.
Roskam
Shuster
Smith (NJ)
Stewart
Walz

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶163.10 APPROVAL OF THE JOURNAL—
UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Tuesday, December 11, 2018.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. POE of Texas, announced that the ayes had it.

Mr. BRADY of Texas, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 226
Nays 169
Answered present 4

¶163.11 [Roll No. 433]

YEAS—226

Abraham
Adams
Allen
Amodei
Babin
Bacon
Balderson
Banks (IN)
Barr
Barton
Bergman
Bilirakis
Bishop (MI)
Bishop (UT)
Bost
Brady (TX)
Brooks (AL)
Brooks (IN)
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (TX)
Cartwright
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clay
Cleaver
Cloud
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Crist
Crowley
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeGette
DeLauro
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge

Cook
Cooper
Crawford
Cuellar
Culberson
Curbelo (FL)
Curtis
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
DeLauro
Demings
DesJarlais
Deutch
Doggett
Donovan
Duncan (TN)
Dunn
Engel
Eshoo
Estes (KS)
Evans
Ferguson
Fitzpatrick
Fleischmann
Foster
Frankel (FL)
Frelinghuysen
Gabbard
Gaetz
Gallego
Garamendi
Gianforte
Gibbs
Goodlatte
Gowdy
Granger
Griffith
Grothman
Guthrie
Hanabusa

Handel
Harper
Harris
Heck
Hensarling
Hern
Higgins (LA)
Himes
Hollingsworth
Huffman
Hultgren
Issa
Jackson Lee
Johnson (GA)
Johnson (LA)
Johnson, E. B.
Johnson, Sam
Kaptur
Katko
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kildee
King (IA)
King (NY)
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaMalfa
Lamb
Lamborn
Larson (CT)
Lesko
Lewis (MN)
Lipinski
Long
Loudermilk
Love
Lowenthal
Lowe
Lucas

Luetkemeyer	Perlmuter	Simpson
Luján, Ben Ray	Peters	Smith (MO)
Marchant	Pingree	Smith (NE)
Marino	Pittenger	Smith (NJ)
Marshall	Pocan	Smith (TX)
Massie	Posey	Smith (WA)
McCarthy	Quigley	Smucker
McCaul	Reichert	Speier
McClintock	Rice (SC)	Takano
McCollum	Roby	Thornberry
McHenry	Roe (TN)	Titus
McNerney	Rogers (KY)	Trott
Meadows	Rohrabacher	Tsongas
Meng	Rooney, Francis	Vela
Messer	Ross	Wagner
Mitchell	Rothfus	Walden
Mooney (WV)	Royce (CA)	Walker
Moore	Ruppersberger	Walorski
Moulton	Rush	Walters, Mimi
Mullin	Russell	Wasserman
Murphy (FL)	Rutherford	Schultz
Nadler	Scalise	Weber (TX)
Napolitano	Scanlon	Webster (FL)
Newhouse	Schneider	Welch
Norman	Schweikert	Westerman
Nunes	Scott (VA)	Williams
O'Rourke	Scott, Austin	Wilson (FL)
Olson	Scott, David	Wilson (SC)
Palazzo	Sensenbrenner	Womack
Palmer	Sessions	Yarmuth
Pascarell	Shea-Porter	Yoho
Pearce	Sherman	Young (IA)
Pelosi	Shimkus	

NAYS—169

Aguilar	Graves (LA)	Panetta
Amash	Graves (MO)	Paulsen
Barr	Green, Al	Perry
Barragán	Green, Gene	Peterson
Bass	Gutiérrez	Poe (TX)
Bera	Herrera Beutler	Poliquin
Bergman	Hice, Jody B.	Price (NC)
Beyer	Higgins (NY)	Ratcliffe
Biggs	Hill	Reed
Blum	Holding	Renacci
Bost	Hoyer	Rice (NY)
Boyle, Brendan	Hudson	Richmond
F.	Huizenga	Rogers (AL)
Brooks (AL)	Hurd	Rokita
Brownley (CA)	Jayapal	Ros-Lehtinen
Buck	Jeffries	Rosen
Burgess	Jenkins (KS)	Rouzer
Butterfield	Johnson (OH)	Roybal-Allard
Capuano	Jones (MI)	Ruiz
Carbajal	Jordan	Ryan (OH)
Cárdenas	Joyce (OH)	Sánchez
Carter (GA)	Kelly (IL)	Sanford
Castor (FL)	Kihuen	Sarbanes
Clarke (NY)	Kilmer	Schakowsky
Coffman	Kind	Schiff
Comer	Kinzinger	Schrader
Connolly	LaHood	Serrano
Correa	Lance	Sewell (AL)
Costa	Langevin	Sinema
Costello (PA)	Latta	Sires
Courtney	Lawrence	Soto
Crist	Lawson (FL)	Stivers
Crowley	Lee	Suozzi
Cummings	Levin	Swalwell (CA)
Davidson	Lewis (GA)	Taylor
DeFazio	LoBiondo	Tenney
Delaney	Loebback	Thompson (CA)
DelBene	Lofgren	Thompson (MS)
Denham	Lynch	Thompson (PA)
Doyle, Michael	MacArthur	Tipton
F.	Maloney,	Torres
Duffy	Carolyn B.	Turner
Duncan (SC)	Maloney, Sean	Upton
Emmer	Mast	Valadao
Españat	Matsui	Vargas
Esty (CT)	McGovern	Veasey
Faso	McKinley	Velázquez
Flores	McMorris	Visclosky
Fortenberry	Rodgers	Walberg
Fox	McSally	Watson Coleman
Fudge	Meeks	Wenstrup
Gallagher	Moolenaar	Wild
Garrett	Morelle	Wittman
Gomez	Neal	Woodall
Gonzalez (TX)	Nolan	Yoder
Gosar	Norcross	Young (AK)
Gottheimer	O'Halloran	Zeldin
Graves (GA)	Pallone	

ANSWERED "PRESENT"—4

Dingell	Payne
Gohmert	Tonko

NOT VOTING—33

Aderholt	Grijalva	Noem
Arrington	Hartzler	Polis
Barletta	Hastings	Raskin
Beatty	Hunter	Rooney, Thomas
Black	Jones (NC)	J.
Blackburn	Keating	Roskam
Buchanan	Knight	Shuster
Carson (IN)	Larsen (WA)	Stefanik
Comstock	Lieu, Ted	Stewart
Cramer	Lujan Grisham,	Walz
Diaz-Balart	M.	Waters, Maxine
Ellison	McEachin	

So the Journal was approved.

163.12 AMENDMENT OF THE SENATE TO H.R. 2454

Mr. HURD moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2454) to direct the Secretary of Homeland Security to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department, and for other purposes:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Homeland Security Data Framework Act of 2018".

SEC. 2. DEPARTMENT OF HOMELAND SECURITY DATA FRAMEWORK.

(a) IN GENERAL.—

(1) DEVELOPMENT.—The Secretary of Homeland Security shall develop a data framework to integrate existing Department of Homeland Security datasets and systems, as appropriate, for access by authorized personnel in a manner consistent with relevant legal authorities and privacy, civil rights, and civil liberties policies and protections.

(2) REQUIREMENTS.—In developing the framework required under paragraph (1), the Secretary of Homeland Security shall ensure, in accordance with all applicable statutory and regulatory requirements, the following information is included:

(A) All information acquired, held, or obtained by an office or component of the Department of Homeland Security that falls within the scope of the information sharing environment, including homeland security information, terrorism information, weapons of mass destruction information, and national intelligence.

(B) Any information or intelligence relevant to priority mission needs and capability requirements of the homeland security enterprise, as determined appropriate by the Secretary.

(b) DATA FRAMEWORK ACCESS.—

(1) IN GENERAL.—The Secretary of Homeland Security shall ensure that the data framework required under this section is accessible to employees of the Department of Homeland Security who the Secretary determines—

(A) have an appropriate security clearance;

(B) are assigned to perform a function that requires access to information in such framework; and

(C) are trained in applicable standards for safeguarding and using such information.

(2) GUIDANCE.—The Secretary of Homeland Security shall—

(A) issue guidance for Department of Homeland Security employees authorized to access and contribute to the data framework pursuant to paragraph (1); and

(B) ensure that such guidance enforces a duty to share between offices and components of the Department when accessing or contributing to such framework for mission needs.

(3) EFFICIENCY.—The Secretary of Homeland Security shall promulgate data standards and instruct components of the Department of Homeland Security to make available information through the data framework required under this

section in a machine-readable standard format, to the greatest extent practicable.

(c) EXCLUSION OF INFORMATION.—The Secretary of Homeland Security may exclude information from the data framework required under this section if the Secretary determines inclusion of such information may—

(1) jeopardize the protection of sources, methods, or activities;

(2) compromise a criminal or national security investigation;

(3) be inconsistent with other Federal laws or regulations; or

(4) be duplicative or not serve an operational purpose if included in such framework.

(d) SAFEGUARDS.—The Secretary of Homeland Security shall incorporate into the data framework required under this section systems capabilities for auditing and ensuring the security of information included in such framework. Such capabilities shall include the following:

(1) Mechanisms for identifying insider threats.

(2) Mechanisms for identifying security risks.

(3) Safeguards for privacy, civil rights, and civil liberties.

(e) DEADLINE FOR IMPLEMENTATION.—Not later than 2 years after the date of enactment of this Act, the Secretary of Homeland Security shall ensure the data framework required under this section has the ability to include appropriate information in existence within the Department of Homeland Security to meet the critical mission operations of the Department of Homeland Security.

(f) NOTICE TO CONGRESS.—

(1) STATUS UPDATES.—The Secretary of Homeland Security shall submit to the appropriate congressional committees regular updates on the status of the data framework until the framework is fully operational.

(2) OPERATIONAL NOTIFICATION.—Not later than 60 days after the date on which the data framework required under this section is fully operational, the Secretary of Homeland Security shall provide notice to the appropriate congressional committees that the data framework is fully operational.

(3) VALUE ADDED.—The Secretary of Homeland Security shall annually brief Congress on component use of the data framework required under this section to support operations that disrupt terrorist activities and incidents in the homeland.

(g) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEE; HOMELAND.—The terms "appropriate congressional committee" and "homeland" have the meaning given those terms in section 2 of the Homeland Security Act of 2002 (6 U.S.C. 101).

(2) HOMELAND SECURITY INFORMATION.—The term "homeland security information" has the meaning given such term in section 892 of the Homeland Security Act of 2002 (6 U.S.C. 482).

(3) NATIONAL INTELLIGENCE.—The term "national intelligence" has the meaning given such term in section 3(5) of the National Security Act of 1947 (50 U.S.C. 3003(5)).

(4) TERRORISM INFORMATION.—The term "terrorism information" has the meaning given such term in section 1016 of the Intelligence Reform and Terrorism Prevention Act of 2004 (6 U.S.C. 485).

The SPEAKER pro tempore, Mr. PALMER, recognized Mr. HURD and Miss RICE of New York, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. PALMER, announced that two-thirds of the Members present had voted in the affirmative.

Mr. HURD objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. PALMER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

163.13 ASIA REASSURANCE INITIATIVE

Ms. ROS-LEHTINEN moved to suspend the rules and pass the bill of the Senate (S. 2736) to develop a long-term strategic vision and a comprehensive, multifaceted, and principled United States policy for the Indo-Pacific region, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. PALMER, recognized Ms. ROS-LEHTINEN and Mr. ENGEL, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. PALMER, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

163.14 IRAN'S STATE-SPONSORED PERSECUTION OF ITS BAHAI MINORITY

On motion of Ms. ROS-LEHTINEN, by unanimous consent, the Committee on Foreign Affairs was discharged from further consideration of the following resolution (H. Res. 274):

Whereas in 1982, 1984, 1988, 1990, 1992, 1993, 1994, 1996, 2000, 2004, 2006, 2008, 2009, 2012, 2013, 2015, and 2016, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2016 Annual Report states—

(1) "The Baha'i community, the largest non-Muslim religious minority in Iran, long has been subject to particularly severe religious freedom violations. The government views Baha'is, who number at least 300,000, as 'heretics' and consequently they face repression on the grounds of apostasy.";

(2) "Since 1979, authorities have killed or executed more than 200 Baha'i leaders, and more than 10,000 have been dismissed from government and university jobs.";

(3) "Over the past 10 years, approximately 850 Baha'is have been arbitrarily arrested.";

Whereas the Department of State 2015 International Religious Freedom Report states—

(1) religious minorities in Iran "continued to face societal discrimination, especially the Baha'i community, which reported continuing problems at different levels of society, including personal harassment.";

(2) the Government of Iran "continued to prohibit Bahais from officially assembling or maintaining administrative institutions, actively closed such institutions, harassed Bahais, and disregarded their property rights.";

(3) in Iran, "Bahai blood may be spilled with impunity, and Bahai families are not entitled to restitution" and "Bahais cannot receive compensation for injury or crimes committed against them and cannot inherit property.";

(4) the Government of Iran "requires universities to exclude Bahais from access to higher education or expel them if their religious affiliation becomes known.";

(5) in Iran, "Bahais are banned from government employment" and "[t]here were reports of non-Bahais being pressured to refuse employment to Bahais or dismissing Bahais from their private sector jobs.";

Whereas, on June 8, 2016, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and the United Nations Special Rapporteur on freedom of religion or belief issued a joint statement condemning the "wave of incitement of hatred of the Baha'i community reflected in speeches made by religious, judiciary and political officials in the Islamic Republic of Iran";

Whereas, on September 6, 2016, the United Nations Secretary-General issued a report on the situation of human rights in the Islamic Republic of Iran (A/71/374), which stated that "human rights violations have continued at an alarming rate";

Whereas, on December 17, 2016, the United Nations General Assembly adopted a resolution (A/RES/70/179), which "[e]xpressed serious concern about ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief and restrictions on the establishment of places of worship, as well as attacks against places of worship and burial, as well as other human rights violations, including but not limited to harassment, persecution and incitement to hatred that lead to violence against persons belonging to recognized and unrecognized religious minorities, including Christians, Jews, Sufi Muslims, Sunni Muslims, Zoroastrians and members of the Baha'i Faith and their defenders";

Whereas since May 2008, the Government of Iran has imprisoned the 7 members of the former ad hoc leadership group of the Baha'i community in Iran, known as the Yaran-i-Iran, or "friends of Iran"—Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naemi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm—and these individuals were convicted of charges including "spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth" and sentenced to 20-year prison terms, the longest sentences given to any prisoner of conscience in Iran at that time, now reportedly reduced to 10 years;

Whereas beginning in May 2011, officials of the Government of Iran in 4 cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha'i Institute for Higher Education (referred to in this Resolution as "BIHE") and arrested and detained several educators associated with BIHE, with 16 BIHE educators ultimately sentenced to 4- or 5-year prison terms, 7 of whom remain in prison;

Whereas scores of Baha'i cemeteries have been attacked, and in 2014, Revolutionary Guards began excavating a Baha'i cemetery in Shiraz, which is the site of 950 graves, and built a cultural and sport center on the cemetery site;

Whereas the Baha'i International Community reported that there has been a recent surge in anti-Baha'i hate propaganda in Ira-

nian state-sponsored media outlets, noting that—

(1) in 2010 and 2011, approximately 22 anti-Baha'i articles were appearing every month;

(2) in 2014, the number of anti-Baha'i articles rose to approximately 400 per month; and

(3) by 2016, the number of anti-Baha'i articles rose to approximately 1,500 per month;

Whereas there are currently 90 Baha'is in prison in Iran;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under such Covenants;

Whereas section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514) authorizes the President to impose sanctions on individuals "responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009"; and

Whereas the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112-158) amends and expands the authorities established under the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) to sanction Iranian human rights abusers: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the 7 imprisoned Baha'i leaders, the 7 imprisoned Baha'i educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and the Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and the Secretary of State to utilize available authorities to impose sanctions on officials of the Government of Iran and other individuals directly responsible for serious human rights abuses, including abuses against the Baha'i community of Iran.

When said resolution was considered, Ms. ROS-LEHTINEN submitted the following amendment which was agreed to:

Strike all after the resolving clause and insert the following:
That the House of Representatives—

(1) condemns the Government of Iran's state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights;

(2) calls on the Government of Iran to immediately release the imprisoned Baha'i leader, the 4 imprisoned Baha'i educators, and all other prisoners held solely on account of their religion;

(3) calls on the President and the Secretary of State, in cooperation with responsible nations, to immediately condemn the Government of Iran's continued violation of human rights and demand the immediate release of prisoners held solely on account of their religion; and

(4) urges the President and the Secretary of State to utilize available authorities to impose sanctions on officials of the Government of Iran and other individuals directly responsible for serious human rights abuses, including abuses against the Baha'i community of Iran.

The resolution, as amended, was agreed to.

Ms. ROS-LEHTINEN submitted the following amendment to the preamble, which was agreed to:

Strike the preamble and insert the following:

Whereas in 1982, 1984, 1988, 1990, 1992, 1993, 1994, 1996, 2000, 2004, 2006, 2008, 2009, 2012, 2013, 2015, and 2016, Congress declared that it deplored the religious persecution by the Government of Iran of the Baha'i community and would hold the Government of Iran responsible for upholding the rights of all Iranian nationals, including members of the Baha'i Faith;

Whereas the United States Commission on International Religious Freedom 2016 Annual Report states—

(1) “The Baha'i community, the largest non-Muslim religious minority in Iran, long has been subject to particularly severe religious freedom violations. The government views Baha'is, who number at least 300,000, as ‘heretics’ and consequently they face repression on the grounds of apostasy.”;

(2) “Since 1979, authorities have killed or executed more than 200 Baha'i leaders, and more than 10,000 have been dismissed from government and university jobs.”; and

(3) “Over the past 10 years, approximately 850 Baha'is have been arbitrarily arrested.”;

Whereas the Department of State 2015 International Religious Freedom Report states—

(1) religious minorities in Iran “continued to face societal discrimination, especially the Bahai community, which reported continuing problems at different levels of society, including personal harassment.”;

(2) the Government of Iran “continued to prohibit Bahais from officially assembling or maintaining administrative institutions, actively closed such institutions, harassed Bahais, and disregarded their property rights.”;

(3) in Iran, “Bahai blood may be spilled with impunity, and Bahai families are not entitled to restitution” and “Bahais cannot receive compensation for injury or crimes committed against them and cannot inherit property.”;

(4) the Government of Iran “requires universities to exclude Bahais from access to higher education or expel them if their religious affiliation becomes known.”; and

(5) in Iran, “Bahais are banned from government employment” and “[t]here were reports of non-Bahais being pressured to refuse employment to Bahais or dismissing Bahais from their private sector jobs.”;

Whereas, on June 8, 2016, the United Nations Special Rapporteur on the situation of human rights in the Islamic Republic of Iran and the United Nations Special Rapporteur on freedom of religion or belief issued a joint statement condemning the “wave of incitement of hatred of the Baha'i community reflected in speeches made by religious, judiciary and political officials in the Islamic Republic of Iran”;

Whereas, on September 6, 2016, the United Nations Secretary-General issued a report on the situation of human rights in the Islamic Republic of Iran (A/71/374), which stated that “human rights violations have continued at an alarming rate”;

Whereas, on December 19, 2016, the United Nations General Assembly adopted a resolution (A/RES/71/204), which “[e]xpressed[d] serious concern about ongoing severe limitations and restrictions on the right to freedom of thought, conscience, religion or belief and restrictions on the establishment of places of worship, as well as attacks against places of worship and burial, as well as other human rights violations, including but not limited to harassment, persecution and incitement to hatred that lead to violence

against persons belonging to recognized and unrecognized religious minorities, including Christians, Jews, Sufi Muslims, Sunni Muslims, Zoroastrians and members of the Baha'i Faith and their defenders”;

Whereas in May 2008, the Government of Iran imprisoned the 7 members of the former ad hoc leadership group of the Baha'i community in Iran, known as the Yaran-i-Iran, or “friends of Iran”—Mrs. Fariba Kamalabadi, Mr. Jamaloddin Khanjani, Mr. Afif Naeimi, Mr. Saeid Rezaie, Mr. Behrouz Tavakkoli, Mrs. Mahvash Sabet, and Mr. Vahid Tizfahm—and these individuals were convicted of charges including “spying for Israel, insulting religious sanctities, propaganda against the regime and spreading corruption on earth” and sentenced to 20-year prison terms, the longest sentences given to any prisoner of conscience in Iran at that time and one remains imprisoned;

Whereas beginning in May 2011, officials of the Government of Iran in 4 cities conducted sweeping raids on the homes of dozens of individuals associated with the Baha'i Institute for Higher Education (referred to in this Resolution as “BIHE”) and arrested and detained several educators associated with BIHE, with 16 BIHE educators ultimately sentenced to 4- or 5-year prison terms, 4 of whom remain in prison;

Whereas scores of Baha'i cemeteries have been attacked, and in 2014, Revolutionary Guards began excavating a Baha'i cemetery in Shiraz, which is the site of 950 graves, and built a cultural and sport center on the cemetery site;

Whereas the Baha'i International Community reported that there has been a recent surge in anti-Baha'i hate propaganda in Iranian state-sponsored media outlets, noting that—

(1) in 2010 and 2011, approximately 22 anti-Baha'i articles were appearing every month;

(2) in 2014, the number of anti-Baha'i articles rose to approximately 400 per month; and

(3) by 2016, the number of anti-Baha'i articles rose to approximately 1,500 per month;

Whereas there are currently 82 Baha'is in prison in Iran;

Whereas the Government of Iran is party to the International Covenants on Human Rights and is in violation of its obligations under such Covenants;

Whereas section 105 of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8514) authorizes the President to impose sanctions on individuals “responsible for or complicit in, or responsible for ordering, controlling, or otherwise directing, the commission of serious human rights abuses against citizens of Iran or their family members on or after June 12, 2009”;

Whereas the Iran Threat Reduction and Syria Human Rights Act of 2012 (Public Law 112-158) amends and expands the authorities established under the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (Public Law 111-195) to sanction Iranian human rights abusers: Now, therefore, be it

A motion to reconsider the vote whereby said resolution, as amended, was agreed to and the preamble was amended was, by unanimous consent, laid on the table.

¶163.15 GEORGIA SUPPORT

On motion of Ms. ROS-LEHTINEN, by unanimous consent, the Committee on Foreign Affairs, the Committee on the Judiciary, and the Committee on Ways and Means were discharged from further consideration of the bill (H.R. 6219) to support the independence, sov-

ereignty, and territorial integrity of Georgia, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶163.16 PROMOTE FREE, FAIR, TRANSPARENT AND CREDIBLE ELECTIONS IN BANGLADESH

On motion of Ms. ROS-LEHTINEN, by unanimous consent, the Committee on Foreign Affairs was discharged from further consideration of the following resolution (H. Res. 1169):

Whereas Bangladesh achieved independence in 1971 and established a secular democratic state, which is home to Muslims, Hindus, Buddhists, Christians, and atheists;

Whereas Bangladesh is the eighth most populous country with nearly 160,000,000 people;

Whereas according to the United States Agency for International Development maternal and child mortality rates in Bangladesh have declined by more than 60 percent, production of rice has tripled, and growth in gross domestic product has averaged more than 6 percent annually for over a decade;

Whereas Bangladesh has fulfilled the criteria to initiate graduation from the United Nations “Least Developed Country” status and could become a middle-income country within the next 3 years;

Whereas in 2017, the generous people of Bangladesh welcomed more than 700,000 Rohingya refugees following the Burmese military and security force's crimes against humanity and genocide against the Rohingya in Northern Rakhine State;

Whereas in recent years, Bangladesh's democratic system has faced challenges, including political violence, environmental strain, Islamist militancy, a refugee crisis, and challenges to freedom of speech and press;

Whereas free, fair, transparent, and credible elections are the cornerstone of every democracy;

Whereas legitimate elections that respect fundamental freedoms are characterized by transparency, accountability, security, and accessibility for all voters;

Whereas strong democracies worldwide make for better trading partners, provide new market opportunities, improve global health outcomes, and promote economic freedom and regional security;

Whereas attacks on democracy and democratic institutions undermine the sacrifices of the Bangladeshi people and the country's commitment to human rights and the rule of law;

Whereas one of Bangladesh's main political parties boycotted the 2014 general election due to concerns about the impartiality of the electoral process;

Whereas Bangladesh is scheduled to hold general elections on December 30, 2018;

Whereas democratic stability, regional security, and economic prosperity in Bangladesh and South Asia are vital to the national security interests of the United States;

Whereas the United States-Bangladesh relationship is built on a foundation of shared values and cooperation on issues including economic growth and development, labor rights, peacekeeping, counterterrorism, and the environment and climate;

Whereas the United States should more actively engage with the Government of Bangladesh with respect to their shared interests in safeguarding human rights, religious freedom, and secular democracy in Bangladesh, while preventing the growth of religious extremism and militancy; and

Whereas repeated attacks on religious minorities, expanding religious intolerance, and growing destabilization caused by radical groups undermine United States economic and strategic interests in Bangladesh; Now, therefore, be it

Resolved, That the House of Representatives—

(1) reaffirms the commitment of the United States to promote free, fair, transparent and credible elections in Bangladesh;

(2) calls on the Government of Bangladesh to respect the freedom of speech and of the press and to heed the Bangladesh Election Commission's request to ensure security for minorities and maintain communal harmony for a peaceful election;

(3) urges political leaders and judicial authorities in Bangladesh to respect the will of voters and ensure that all Bangladeshis will be able to participate freely in the upcoming elections, and that the elections will be impartial and inclusive; and

(4) commends the government and people of Bangladesh for their generosity in hosting Rohingya refugees despite the hardships associated with responding to this man-made humanitarian disaster created by the Burmese military and security force's crimes against humanity and genocide against the Rohingya in Northern Rakhine State.

When said resolution was considered and agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

163.17 AGRICULTURE IMPROVEMENT

Mr. CONAWAY, pursuant to House Resolution 1176, called up the following conference report (Rept. No. 115-1072):

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2), to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the Senate amendment, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the “Agriculture Improvement Act of 2018”.

(b) *TABLE OF CONTENTS*.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

TITLE I—COMMODITIES

Subtitle A—Commodity Policy

Sec. 1101. Definition of effective reference price.

Sec. 1102. Base acres.

Sec. 1103. Payment yields.

Sec. 1104. Payment acres.

Sec. 1105. Producer election.

Sec. 1106. Price loss coverage.

Sec. 1107. Agriculture risk coverage.

Sec. 1108. Repeal of transition assistance for producers of upland cotton.

Subtitle B—Marketing Loans

Sec. 1201. Extensions.

Sec. 1202. Loan rates for nonrecourse marketing assistance loans.

Sec. 1203. Economic adjustment assistance for textile mills.

Sec. 1204. Special competitive provisions for extra long staple cotton.

Sec. 1205. Availability of recourse loans.

Subtitle C—Sugar

Sec. 1301. Sugar policy.

Subtitle D—Dairy Margin Coverage and Other Dairy Related Provisions

Sec. 1401. Dairy margin coverage.

Sec. 1402. Reauthorizations.

Sec. 1403. Class I skim milk price.

Sec. 1404. Dairy product donation.

Subtitle E—Supplemental Agricultural Disaster Assistance

Sec. 1501. Supplemental agricultural disaster assistance.

Subtitle F—Noninsured Crop Assistance

Sec. 1601. Noninsured crop assistance program.

Subtitle G—Administration

Sec. 1701. Regulations.

Sec. 1702. Suspension of permanent price support authority.

Sec. 1703. Payment limitations.

Sec. 1704. Adjusted gross income limitations.

Sec. 1705. Farm Service Agency accountability.

Sec. 1706. Implementation.

Sec. 1707. Exemption from certain reporting requirements for certain producers.

TITLE II—CONSERVATION

Subtitle A—Wetland Conservation

Sec. 2101. Wetland conversion.

Sec. 2102. Wetland conservation.

Sec. 2103. Mitigation banking.

Subtitle B—Conservation Reserve Program

Sec. 2201. Conservation reserve.

Sec. 2202. Conservation reserve enhancement program.

Sec. 2203. Farmable wetland program.

Sec. 2204. Pilot programs.

Sec. 2205. Duties of owners and operators.

Sec. 2206. Duties of the Secretary.

Sec. 2207. Payments.

Sec. 2208. Contracts.

Sec. 2209. Eligible land; State law requirements.

Subtitle C—Environmental Quality Incentives Program and Conservation Stewardship Program

Sec. 2301. Repeal of conservation programs.

Sec. 2302. Purposes of environmental quality incentives program.

Sec. 2303. Definitions under environmental quality incentives program.

Sec. 2304. Establishment and administration of environmental quality incentives program.

Sec. 2305. Environmental quality incentives program plan.

Sec. 2306. Limitation on payments under environmental quality incentives program.

Sec. 2307. Conservation innovation grants and payments.

Sec. 2308. Conservation stewardship program.

Sec. 2309. Grassland conservation initiative.

Subtitle D—Other Conservation Programs

Sec. 2401. Watershed protection and flood prevention.

Sec. 2402. Soil and water resources conservation.

Sec. 2403. Emergency conservation program.

Sec. 2404. Conservation of private grazing land.

Sec. 2405. Grassroots source water protection program.

Sec. 2406. Voluntary public access and habitat incentive program.

Sec. 2407. Wildlife management.

Sec. 2408. Feral swine eradication and control pilot program.

Sec. 2409. Report on small wetlands.

Sec. 2410. Sense of Congress relating to increased watershed-based collaboration.

Subtitle E—Funding and Administration

Sec. 2501. Commodity Credit Corporation.

Sec. 2502. Delivery of technical assistance.

Sec. 2503. Administrative requirements for conservation programs.

Sec. 2504. Temporary administration of conservation programs.

Subtitle F—Agricultural Conservation Easement Program

Sec. 2601. Establishment and purposes.

Sec. 2602. Definitions.

Sec. 2603. Agricultural land easements.

Sec. 2604. Wetland reserve easements.

Sec. 2605. Administration.

Subtitle G—Regional Conservation Partnership Program

Sec. 2701. Establishment and purposes.

Sec. 2702. Definitions.

Sec. 2703. Regional conservation partnerships.

Sec. 2704. Assistance to producers.

Sec. 2705. Funding.

Sec. 2706. Administration.

Sec. 2707. Critical conservation areas.

Subtitle H—Repeals and Technical Amendments

PART I—REPEALS

Sec. 2811. Repeal of Conservation Corridor Demonstration Program.

Sec. 2812. Repeal of cranberry acreage reserve program.

Sec. 2813. Repeal of National Natural Resources Foundation.

Sec. 2814. Repeal of flood risk reduction.

Sec. 2815. Repeal of study of land use for expiring contracts and extension of authority.

Sec. 2816. Repeal of Integrated Farm Management Program Option.

Sec. 2817. Repeal of clarification of definition of agricultural lands.

PART II—TECHNICAL AMENDMENTS

Sec. 2821. Technical amendments.

Sec. 2822. State technical committees.

TITLE III—TRADE

Subtitle A—Food for Peace Act

Sec. 3101. Labeling requirements.

Sec. 3102. Food aid quality assurance.

Sec. 3103. Local sale and barter of commodities.

Sec. 3104. Minimum levels of assistance.

Sec. 3105. Food aid consultative group.

Sec. 3106. Issuance of regulations.

Sec. 3107. Oversight, monitoring, and evaluation.

Sec. 3108. Assistance for stockpiling and rapid transportation, delivery, and distribution of shelf-stable pre-packaged foods.

Sec. 3109. Consideration of impact of provision of agricultural commodities and other assistance on local farmers and economy.

Sec. 3110. Allowance for distribution costs.

Sec. 3111. Prepositioning of agricultural commodities.

Sec. 3112. Annual report regarding food aid programs and activities.

Sec. 3113. Deadline for agreements to finance sales or to provide other assistance.

Sec. 3114. Minimum level of nonemergency food assistance.

Sec. 3115. Termination date for micronutrient fortification programs.

Sec. 3116. John Ogonowski and Doug Bereuter Farmer-to-Farmer program.

Subtitle B—Agricultural Trade Act of 1978

Sec. 3201. Agricultural trade promotion and facilitation.

Subtitle C—Other Agricultural Trade Laws

Sec. 3301. Growing American Food Exports.

Sec. 3302. Food for Progress Act of 1985.

Sec. 3303. Bill Emerson Humanitarian Trust Act.

Sec. 3304. Promotion of agricultural exports to emerging markets.

- Sec. 3305. Cochran fellowship program.
 Sec. 3306. Borlaug International Agricultural Science and Technology Fellowship program.
 Sec. 3307. International Agricultural Education Fellowship program.
 Sec. 3308. International food security technical assistance.
 Sec. 3309. McGovern-Dole International Food for Education and Child Nutrition program.
 Sec. 3310. Global Crop Diversity Trust.
 Sec. 3311. Local and regional food aid procurement projects.
 Sec. 3312. Foreign trade missions.

TITLE IV—NUTRITION

- Subtitle A—Supplemental Nutrition Assistance Program
 Sec. 4001. Requirements for online acceptance of benefits.
 Sec. 4002. Re-evaluation of thrifty food plan.
 Sec. 4003. Food distribution program on Indian reservations.
 Sec. 4004. Simplified homeless housing costs.
 Sec. 4005. Employment and training for supplemental nutrition assistance program.
 Sec. 4006. Improvements to electronic benefit transfer system.
 Sec. 4007. Review of supplemental nutrition assistance program operations.
 Sec. 4008. Retail incentives.
 Sec. 4009. Required action on data match information.
 Sec. 4010. Incentivizing technology modernization.
 Sec. 4011. Interstate data matching to prevent multiple issuances.
 Sec. 4012. Requirement of live-production environments for certain pilot projects relating to cost sharing for computerization.
 Sec. 4013. Quality control improvements.
 Sec. 4014. Evaluation of child support enforcement cooperation requirements.
 Sec. 4015. Longitudinal data for research.
 Sec. 4016. Authorization of appropriations.
 Sec. 4017. Assistance for community food projects.
 Sec. 4018. Emergency food assistance program.
 Sec. 4019. Nutrition education.
 Sec. 4020. Retail food store and recipient trafficking.
 Sec. 4021. Public-private partnerships.
 Sec. 4022. Technical corrections.

- Subtitle B—Commodity Distribution Programs
 Sec. 4101. Commodity distribution program.
 Sec. 4102. Commodity supplemental food program.
 Sec. 4103. Distribution of surplus commodities to special nutrition projects.
 Sec. 4104. Food donation standards.

- Subtitle C—Miscellaneous
 Sec. 4201. Seniors farmers' market nutrition program.
 Sec. 4202. Purchase of fresh fruits and vegetables for distribution to schools and service institutions.
 Sec. 4203. Service of traditional foods in public facilities.
 Sec. 4204. Healthy food financing initiative.
 Sec. 4205. The Gus Schumacher nutrition incentive program.
 Sec. 4206. Micro-grants for food security.
 Sec. 4207. Buy American requirements.
 Sec. 4208. Healthy fluid milk incentives projects.

TITLE V—CREDIT

- Subtitle A—Farm Ownership Loans
 Sec. 5101. Modification of the 3-year experience eligibility requirement for farm ownership loans.
 Sec. 5102. Conservation loan and loan guarantee program.
 Sec. 5103. Limitations on amount of farm ownership loans.

- Sec. 5104. Relending program to resolve ownership and succession on farmland.
 Subtitle B—Operating Loans
 Sec. 5201. Limitations on amount of operating loans.
 Sec. 5202. Microloans.
 Sec. 5203. Cooperative lending pilot projects.
 Subtitle C—Administrative Provisions
 Sec. 5301. Beginning farmer and rancher individual development accounts pilot program.
 Sec. 5302. Loan authorization levels.
 Sec. 5303. Loan fund set-asides.
 Sec. 5304. Use of additional funds for direct operating microloans under certain conditions.
 Sec. 5305. Equitable relief.
 Sec. 5306. Socially disadvantaged farmers and ranchers; qualified beginning farmers and ranchers.
 Sec. 5307. Emergency loan eligibility.

Subtitle D—Miscellaneous

- Sec. 5401. Technical corrections to the Consolidated Farm and Rural Development Act.
 Sec. 5402. State agricultural mediation programs.
 Sec. 5403. Compensation of bank directors.
 Sec. 5404. Sharing of privileged and confidential information.
 Sec. 5405. Facility headquarters.
 Sec. 5406. Removal and prohibition authority; industry-wide prohibition.
 Sec. 5407. Jurisdiction over institution-affiliated parties.
 Sec. 5408. Definition of institution-affiliated party.
 Sec. 5409. Prohibition on use of funds.
 Sec. 5410. Expansion of acreage exception to loan amount limitation.
 Sec. 5411. Repeal of obsolete provisions; technical corrections.
 Sec. 5412. Corporation as conservator or receiver; certain other powers.
 Sec. 5413. Reporting.
 Sec. 5414. Study on loan risk.
 Sec. 5415. GAO report on ability of the Farm Credit System to meet the agricultural credit needs of Indian tribes and their members.
 Sec. 5416. GAO report on credit service to socially disadvantaged farmers and ranchers.

TITLE VI—RURAL DEVELOPMENT

- Subtitle A—Improving Health Outcomes in Rural America
 Sec. 6101. Combating substance use disorder in rural America; prioritizations.
 Sec. 6102. Distance learning and telemedicine.
 Sec. 6103. Refinancing of certain rural hospital debt.

- Subtitle B—Connecting Rural Americans to High Speed Broadband
 Sec. 6201. Access to broadband telecommunications services in rural areas.
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SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of Agriculture.

TITLE I—COMMODITIES

Subtitle A—Commodity Policy

SEC. 1101. DEFINITION OF EFFECTIVE REFERENCE PRICE.

Section 1111 of the Agricultural Act of 2014 (7 U.S.C. 9011) is amended—

(1) by redesignating paragraphs (8) through (25) as paragraphs (9) through (26), respectively; and

(2) by inserting after paragraph (7) the following:

“(8) **EFFECTIVE REFERENCE PRICE.**—The term ‘effective reference price’, with respect to a covered commodity for a crop year, means the lesser of the following:

“(A) An amount equal to 115 percent of the reference price for such covered commodity.

“(B) An amount equal to the greater of—

“(i) the reference price for such covered commodity; or

“(ii) 85 percent of the average of the marketing year average price of the covered commodity for the most recent 5 crop years, excluding each of the crop years with the highest and lowest marketing year average price.”.

SEC. 1102. BASE ACRES.

(a) **TECHNICAL CORRECTIONS.**—Section 1112(c)(2) of the Agricultural Act of 2014 (7 U.S.C. 9012(c)(2)) is amended by striking subparagraph (A) and inserting the following:

“(A) Any acreage on the farm enrolled in—

“(i) the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.); or

“(ii) a wetland reserve easement under section 1265C of the Food Security Act of 1985 (16 U.S.C. 3865c).”.

(b) **REDUCTION IN BASE ACRES.**—Section 1112(d) of the Agricultural Act of 2014 (7 U.S.C. 9012(d)) is amended by adding at the end the following:

“(3) **TREATMENT OF BASE ACRES ON FARMS ENTIRELY PLANTED TO GRASS OR PASTURE.**—

“(A) **IN GENERAL.**—In the case of a farm on which all of the cropland was planted to grass or pasture (including cropland that was idle or fallow), as determined by the Secretary, during the period beginning on January 1, 2009, and ending on December 31, 2017, the Secretary shall maintain all base acres and payment yields for the covered commodities on the farm, except that no payment shall be made with respect to those base acres under section 1116 or 1117 for the 2019 through 2023 crop years.

“(B) **INELIGIBILITY.**—The producers on a farm for which all of the base acres are maintained under subparagraph (A) shall be ineligible for the option to change the election applicable to the producers on the farm under section 1115(h).

“(4) **PROHIBITION ON RECONSTITUTION OF FARM.**—The Secretary shall ensure that producers on a farm do not reconstitute the farm to void or change the treatment of base acres under this section.”.

SEC. 1103. PAYMENT YIELDS.

(a) **TREATMENT OF DESIGNATED OILSEEDS.**—Section 1113(b) of the Agricultural Act of 2014 (7 U.S.C. 9013(b)) is amended—

(1) in paragraph (1), by striking “designated oilseeds” and inserting “oilseeds designated before the date of enactment of the Agriculture Improvement Act of 2018”; and

(2) in paragraphs (2) and (3), by striking “a designated oilseed” each place it appears and inserting “an oilseed designated before the date of enactment of the Agriculture Improvement Act of 2018”; and

(3) by adding at the end the following:

“(4) **TREATMENT OF OILSEEDS DESIGNATED AFTER CERTAIN DATE.**—In the case of oilseeds

designated on or after the date of enactment of the Agriculture Improvement Act of 2018, the payment yield shall be equal to 90 percent of the average of the yield per planted acre for the most recent 5 crop years, as determined by the Secretary, excluding any crop year in which the acreage planted to the covered commodity was zero.”.

(b) **SINGLE OPPORTUNITY TO UPDATE YIELDS.**—Section 1113 of the Agricultural Act of 2014 (7 U.S.C. 9013) is amended by striking subsection (d) and inserting the following:

“(d) **SINGLE OPPORTUNITY TO UPDATE YIELDS.**—

“(1) **ELECTION TO UPDATE.**—At the sole discretion of the owner of a farm, the owner of a farm shall have a 1-time opportunity to update, on a covered-commodity-by-covered-commodity basis, the payment yield that would otherwise be used in calculating any price loss coverage payment for each covered commodity on the farm for which the election is made.

“(2) **METHOD OF UPDATING YIELDS FOR COVERED COMMODITIES.**—If the owner of a farm elects to update yields under paragraph (1), the payment yield for a covered commodity on the farm, for the purpose of calculating price loss coverage payments only, shall be equal to the product obtained by multiplying—

“(A) 90 percent;

“(B) the average of the yield per planted acre for the crop of covered commodities on the farm for the 2013 through 2017 crop years, as determined by the Secretary, excluding any crop year in which the acreage planted to the covered commodity was zero; and

“(C) subject to paragraph (3), the ratio obtained by dividing—

“(i) the average of the 2008 through 2012 national average yield per planted acre for the covered commodity, as determined by the Secretary; by

“(ii) the average of the 2013 through 2017 national average yield per planted acre for the covered commodity, as determined by the Secretary.

“(3) **LIMITATION.**—In no case shall the ratio obtained under paragraph (2)(C) be less than 90 percent or greater than 100 percent.

“(4) **USE OF COUNTY AVERAGE YIELD.**—For the purposes of determining the average yield per planted acre under paragraph (2)(B), if the yield per planted acre for a crop of a covered commodity for a farm for any of the crop years described in that subparagraph was less than 75 percent of the average of county yields for those crop years for that commodity, the Secretary shall assign a yield for that crop year equal to 75 percent of the average of the 2013 through 2017 county yield for the covered commodity.

“(5) **UPLAND COTTON CONVERSION.**—In the case of seed cotton, for purposes of determining the average of the yield per planted acre under this subsection, the average yield for seed cotton per planted acre shall be equal to 2.4 times the average yield for upland cotton per planted acre.

“(6) **TIME FOR ELECTION.**—An election under this subsection shall be made at a time and manner so as to be in effect beginning with the 2020 crop year, as determined by the Secretary.”.

SEC. 1104. PAYMENT ACRES.

Section 1114 of the Agricultural Act of 2014 (7 U.S.C. 9014) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by inserting “, unless the sum of the base acres on the farm, when combined with the base acres of other farms in which the producer has an interest, is more than 10 acres” before the period at the end; and

(B) in paragraph (2)—

(i) in subparagraph (A), by striking “or” at the end;

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

(iii) by adding at the end the following:

“(C) a beginning farmer or rancher (as defined in subsection (a) of section 2501 of the

Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279)); or

“(D) a veteran farmer or rancher (as defined in subsection (a) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279)).”; and

(2) in subsection (e), by adding at the end the following:

“(5) **EFFECT OF REDUCTION.**—For each crop year for which fruits, vegetables (other than mung beans and pulse crops), or wild rice are planted to base acres on a farm for which a reduction in payment acres is made under this subsection, the Secretary shall consider such base acres to be planted, or prevented from being planted, to a covered commodity for purposes of any adjustment or reduction of base acres for the farm under section 1112.”.

SEC. 1105. PRODUCER ELECTION.

Section 1115 of the Agricultural Act of 2014 (7 U.S.C. 9015) is amended—

(1) in subsection (a), in the matter preceding paragraph (1), by striking “Except as provided in subsection (g), for the 2014 through 2018 crop years” and inserting “For the 2014 through 2018 crop years (except as provided in subsection (g)) and for the 2019 through 2023 crop years (subject to subsection (h))”; and

(2) in subsection (b), in the matter preceding paragraph (1), by striking “subsection (a), the producers on a farm that elect under paragraph (2) of such subsection to obtain agriculture risk coverage under section 1117” and inserting “subsection (a) or (h), as applicable, the producers on a farm that elect to obtain agriculture risk coverage”; and

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting “or the 2019 crop year, as applicable” after “2014 crop year”; and

(B) in paragraph (1), by inserting “or the 2019 crop year, as applicable,” after “2014 crop year”; and

(C) by striking paragraph (2) and inserting the following:

“(2) subject to subsection (h), the producers on the farm shall be deemed to have elected, as applicable—

“(A) price loss coverage for all covered commodities on the farm for the 2015 through 2018 crop years; and

“(B) the same coverage for each covered commodity on the farm for the 2020 through 2023 crop years as was applicable for the 2015 through 2018 crop years.”;

(4) in subsection (g)(1), by inserting “for the 2018 crop year,” before “all of the producers”; and

(5) by adding at the end the following:

“(h) **OPTION TO CHANGE ELECTION.**—

“(1) **IN GENERAL.**—For the 2021 crop year and each crop year thereafter, all of the producers on a farm may change the election under subsection (a), subsection (c), or this subsection, as applicable, to price loss coverage or agriculture risk coverage, as applicable.

“(2) **APPLICABILITY.**—An election change under paragraph (1) shall apply to—

“(A) the crop year for which the election change is made; and

“(B) each crop year thereafter until another election change is made under that paragraph.”.

SEC. 1106. PRICE LOSS COVERAGE.

Section 1116 of the Agricultural Act of 2014 (7 U.S.C. 9016) is amended—

(1) in subsection (a)—

(A) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated)—

(i) by inserting “or (h)” after “subsection (a)”; and

(ii) by striking “determines that, for any of the 2014 through 2018 crop years—” and inserting “determines that—

“(1) for any of the 2014 through 2018 crop years—”;

(C) in paragraph (1)(B) (as so redesignated), by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following:

“(2) for any of the 2019 through 2023 crop years—

“(A) the effective price for the covered commodity for the crop year; is less than

“(B) the effective reference price for the covered commodity for the crop year.”;

(2) in subsection (c)—

(A) by redesignating paragraphs (1) and (2) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in the matter preceding clause (i) (as so redesignated), by striking “The payment rate” and inserting the following:

“(1) IN GENERAL.—

“(A) 2014 THROUGH 2018 CROP YEARS.—For the 2014 through 2018 crop years, the payment rate”;

(C) in paragraph (1) (as so designated), by adding at the end the following:

“(B) 2019 THROUGH 2023 CROP YEARS.—For the 2019 through 2023 crop years, the payment rate shall be equal to the difference between—

“(i) the effective reference price for the covered commodity; and

“(ii) the effective price determined under subsection (b) for the covered commodity.”; and

(D) by adding at the end the following:

“(2) ANNOUNCEMENT.—Not later than 30 days after the end of each applicable 12-month marketing year for each covered commodity, the Secretary shall publish the payment rate determined under paragraph (1).

“(3) INSUFFICIENT DATA.—In the case of a covered commodity, such as temperate japonica rice, for which the Secretary cannot determine the payment rate for the most recent 12-month marketing year by the date described in paragraph (2) due to insufficient reporting of timely pricing data by 1 or more nongovernmental entities, including a marketing cooperative for the covered commodity, the Secretary shall publish the payment rate as soon as practicable after the marketing year data are made available.”; and

(3) by striking subsection (g) and inserting the following:

“(g) REFERENCE PRICE FOR TEMPERATE JAPONICA RICE.—In order to reflect price premiums, the Secretary shall provide a reference price with respect to temperate japonica rice in an amount equal to the amount established under subparagraph (F) of section 1111(19), as adjusted by paragraph (8) of such section, multiplied by the ratio obtained by dividing—

“(1) the simple average of the marketing year average price of medium grain rice from the 2012 through 2016 crop years; by

“(2) the simple average of the marketing year average price of all rice from the 2012 through 2016 crop years.”.

SEC. 1107. AGRICULTURE RISK COVERAGE.

Section 1117 of the Agricultural Act of 2014 (7 U.S.C. 9017) is amended—

(1) in subsection (a), in the matter preceding paragraph (1)—

(A) by inserting “(beginning with the 2019 crop year, based on the physical location of the farm)” after “payments”; and

(B) by inserting “or the 2019 through 2023 crop years, as applicable” after “2014 through 2018 crop years”;

(2) in subsection (c)—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking “paragraph (4)” and inserting “paragraphs (4) and (5)”; and

(ii) in subparagraph (B), by striking “(5)” and inserting “(6)”; and

(B) in paragraph (3)—

(i) in subparagraph (A)(ii), by striking “(5)” and inserting “(6)”; and

(ii) in subparagraph (C), by striking “2018” and inserting “2023”;

(C) in paragraph (4)—

(i) by striking “If” and inserting the following:

“(A) 2014 THROUGH 2018 CROP YEARS.—Effective for the 2014 through 2018 crop years, if”; and

(ii) by adding at the end the following:

“(B) 2019 THROUGH 2023 CROP YEARS.—Effective for the 2019 through 2023 crop years, if the yield per planted acre for the covered commodity or historical county yield per planted acre for the covered commodity for any of the 5 most recent crop years, as determined by the Secretary, is less than 80 percent of the transitional yield, as determined by the Secretary, the amounts used for any of those years in paragraph (2)(A) or (3)(A)(i) shall be 80 percent of the transitional yield.”;

(D) by redesignating paragraph (5) as paragraph (6);

(E) by inserting after paragraph (4) the following:

“(5) TREND-ADJUSTED YIELD.—The Secretary shall calculate and use a trend-adjusted yield factor to adjust the yield determined under paragraph (2)(A) and subsection (b)(1)(A), taking into consideration, but not exceeding, the trend-adjusted yield factor that is used to increase yield history under the endorsement under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for that crop and county.”; and

(F) in paragraph (6) (as so redesignated)—

(i) by striking “REFERENCE PRICE.—If the national average market price” and inserting the following: “LOW NATIONAL AVERAGE MARKET PRICE.—

“(A) REFERENCE PRICE.—For the 2014 through 2018 crop years, if the national average market price”;

(ii) by adding at the end the following:

“(B) EFFECTIVE REFERENCE PRICE.—For the 2019 through 2023 crop years, if the national average market price received by producers during the 12-month marketing year for any of the 5 most recent crop years is lower than the effective reference price for the covered commodity, the Secretary shall use the effective reference price for any of those years for the amounts in paragraph (2)(B) or (3)(A)(ii).”;

(3) in subsection (d)—

(A) in paragraph (1), by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(C) in the matter preceding subparagraph (A) (as so redesignated), by striking “The payment” and inserting the following:

“(1) IN GENERAL.—The payment”; and

(D) by adding at the end the following:

“(2) ANNOUNCEMENT.—Not later than 30 days after the end of each applicable 12-month marketing year for each covered commodity, the Secretary shall publish the payment rate determined under paragraph (1) for each county.”;

(4) in subsection (e), in the matter preceding paragraph (1), by striking “2018” and inserting “2023”;

(5) in subsection (g)—

(A) in paragraph (2), by striking “to the maximum extent practicable.”;

(B) in paragraph (3), by striking “and” after the semicolon at the end;

(C) in paragraph (4)—

(i) in the matter preceding subparagraph (A), by inserting “effective for the 2014 through 2018 crop years,” before “in the case of”; and

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

(D) by adding at the end the following:

“(5) effective for the 2019 through 2023 crop years, in the case of county coverage, assign an actual or benchmark county yield for each planted acre for the crop year for the covered commodity—

“(A) for a county for which county data collected by the Risk Management Agency are sufficient for the Secretary to offer a county-wide insurance product, using the actual average

county yield determined by the Risk Management Agency; or

“(B) for a county not described in subparagraph (A), using—

“(i) other sources of yield information, as determined by the Secretary; or

“(ii) the yield history of representative farms in the State, region, or crop reporting district, as determined by the Secretary.”; and

(6) by adding at the end the following:

“(h) PUBLICATIONS.—

“(1) COUNTY GUARANTEE.—

“(A) IN GENERAL.—For each crop year for a covered commodity, the Secretary shall publish information describing, for that crop year for the covered commodity in each county—

“(i) the agriculture risk coverage guarantee for county coverage determined under subsection (c)(1);

“(ii) the average historical county yield determined under subsection (c)(2)(A); and

“(iii) the national average market price determined under subsection (c)(2)(B).

“(B) TIMING.—

“(i) IN GENERAL.—Except as provided in clauses (ii) and (iii), not later than 30 days after the end of each applicable 12-month marketing year, the Secretary shall publish the information described in subparagraph (A).

“(ii) INSUFFICIENT DATA.—In the case of a covered commodity, such as temperate japonica rice, for which the Secretary cannot determine the national average market price for the most recent 12-month marketing year by the date described in clause (i) due to insufficient reporting of timely pricing data by 1 or more nongovernmental entities, including a marketing cooperative for the covered commodity, as soon as practicable after the pricing data are made available, the Secretary shall publish information describing—

“(I) the agriculture risk coverage guarantee under subparagraph (A)(i); and

“(II) the national average market price under subparagraph (A)(iii).

“(iii) TRANSITION.—Not later than 60 days after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall publish the information described in clauses (i) and (ii) of subparagraph (A) for the 2018 crop year.

“(2) ACTUAL AVERAGE COUNTY YIELD.—As soon as practicable after each crop year, the Secretary shall determine and publish each actual average county yield for each covered commodity, as determined under subsection (b)(1)(A).

“(3) DATA SOURCES FOR COUNTY YIELDS.—For the 2018 crop year and each crop year thereafter, the Secretary shall make publicly available information describing, for the most recent crop year—

“(A) the sources of data used to calculate county yields under subsection (c)(2)(A) for each covered commodity—

“(i) by county; and

“(ii) nationally; and

“(B) the number and outcome of occurrences in which the Farm Service Agency reviewed, changed, or determined not to change a source of data used to calculate county yields under subsection (c)(2)(A).

“(i) ADMINISTRATIVE UNITS.—

“(1) IN GENERAL.—For purposes of agriculture risk coverage payments in the case of county coverage, a county may be divided into not greater than 2 administrative units in accordance with this subsection.

“(2) ELIGIBLE COUNTIES.—A county that may be divided into administrative units under this subsection is a county that—

“(A) is larger than 1,400 square miles; and

“(B) contains more than 190,000 base acres.

“(3) ELECTIONS.—Before making any agriculture risk coverage payments for the 2019 crop year, the Farm Service Agency State committee, in consultation with the Farm Service Agency county or area committee of a county described in paragraph (2), may make a 1-time election to

divide the county into administrative units under this subsection along a boundary that better reflects differences in weather patterns, soil types, or other factors.

“(4) **LIMITATION.**—The Secretary shall—
“(A) limit the number of counties that may be divided into administrative units under paragraph (3) to 25 counties; and

“(B) give preference to the division of counties that have greater variation in climate, soils, and expected productivity between the proposed administrative units.

“(5) **ADMINISTRATION.**—For purposes of providing agriculture risk coverage payments in the case of county coverage, the Secretary shall consider an administrative unit elected under paragraph (3) to be a county for the 2019 through 2023 crop years.”.

SEC. 1108. REPEAL OF TRANSITION ASSISTANCE FOR PRODUCERS OF UPLAND COTTON.

Section 1119 of the Agricultural Act of 2014 (7 U.S.C. 9019) is repealed.

Subtitle B—Marketing Loans

SEC. 1201. EXTENSIONS.

(a) **IN GENERAL.**—Section 1201(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9031(b)(1)) is amended by striking “2018” and inserting “2023”.

(b) **REPAYMENT.**—Section 1204 of the Agricultural Act of 2014 (7 U.S.C. 9034) is amended—

(1) in subsection (e)(2)(B), in the matter preceding clause (i), by striking “2019” and inserting “2024”; and

(2) in subsection (g), by striking “2018” and inserting “2023”.

(c) **LOAN DEFICIENCY PAYMENTS.**—

(1) **EXTENSION.**—Section 1205(a)(2)(B) of the Agricultural Act of 2014 (7 U.S.C. 9035(a)(2)(B)) is amended by striking “2018” and inserting “2023”.

(2) **PAYMENTS IN LIEU OF LDPS.**—Section 1206 of the Agricultural Act of 2014 (7 U.S.C. 9036) is amended in subsections (a) and (d) by striking “2018” each place it appears and inserting “2023”.

SEC. 1202. LOAN RATES FOR NONRECOURSE MARKETING ASSISTANCE LOANS.

(a) **IN GENERAL.**—Section 1202 of the Agricultural Act of 2014 (7 U.S.C. 9032) is amended—

(1) in subsection (a), by striking the subsection heading and inserting “**2014 THROUGH 2018 CROP YEARS**”; and

(2) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively;

(3) by inserting after subsection (a) the following:

“(b) **2019 THROUGH 2023 CROP YEARS.**—For purposes of each of the 2019 through 2023 crop years, the loan rate for a marketing assistance loan under section 1201 for a loan commodity shall be equal to the following:

“(1) In the case of wheat, \$3.38 per bushel.

“(2) In the case of corn, \$2.20 per bushel.

“(3) In the case of grain sorghum, \$2.20 per bushel.

“(4) In the case of barley, \$2.50 per bushel.

“(5) In the case of oats, \$2.00 per bushel.

“(6)(A) Subject to subparagraphs (B) and (C), in the case of base quality of upland cotton, the simple average of the adjusted prevailing world price for the 2 immediately preceding marketing years, as determined by the Secretary and announced October 1 preceding the next domestic planting.

“(B) Except as provided in subparagraph (C), the loan rate determined under subparagraph (A) may not equal less than an amount equal to 98 percent of the loan rate for base quality of upland cotton for the preceding year.

“(C) The loan rate determined under subparagraph (A) may not be equal to an amount—

“(i) less than \$0.45 per pound; or

“(ii) more than \$0.52 per pound.

“(7) In the case of extra long staple cotton, \$0.95 per pound.

“(8) In the case of long grain rice, \$7.00 per hundredweight.

“(9) In the case of medium grain rice, \$7.00 per hundredweight.

“(10) In the case of soybeans, \$6.20 per bushel.

“(11) In the case of other oilseeds, \$10.09 per hundredweight for each of the following kinds of oilseeds:

“(A) Sunflower seed.

“(B) Rapeseed.

“(C) Canola.

“(D) Safflower.

“(E) Flaxseed.

“(F) Mustard seed.

“(G) Crambe.

“(H) Sesame seed.

“(I) Other oilseeds designated by the Secretary.

“(12) In the case of dry peas, \$6.15 per hundredweight.

“(13) In the case of lentils, \$13.00 per hundredweight.

“(14) In the case of small chickpeas, \$10.00 per hundredweight.

“(15) In the case of large chickpeas, \$14.00 per hundredweight.

“(16) In the case of graded wool, \$1.15 per pound.

“(17) In the case of nongraded wool, \$0.40 per pound.

“(18) In the case of mohair, \$4.20 per pound.

“(19) In the case of honey, \$0.69 per pound.

“(20) In the case of peanuts, \$355 per ton.”; and

(4) in subsection (c) (as so redesignated), by striking “subsection (a)(11)” and inserting “subsections (a)(11) and (b)(11)”.

(b) **CONFORMING AMENDMENT.**—Section 1204(h)(1) of the Agricultural Act of 2014 (7 U.S.C. 9034(h)(1)) is amended by striking “section 1202(a)(20)” and inserting “subsection (a)(20) or (b)(20), as applicable, of section 1202”.

SEC. 1203. ECONOMIC ADJUSTMENT ASSISTANCE FOR TEXTILE MILLS.

(a) **2008 AUTHORITY.**—Section 1207 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8737) is amended by striking subsection (c).

(b) **2014 AUTHORITY.**—Section 1207(c) of the Agricultural Act of 2014 (7 U.S.C. 9037(c)) is amended by striking the subsection heading and inserting “**ECONOMIC ADJUSTMENT ASSISTANCE FOR TEXTILE MILLS**”.

SEC. 1204. SPECIAL COMPETITIVE PROVISIONS FOR EXTRA LONG STAPLE COTTON.

(a) **IN GENERAL.**—Section 1208(a) of the Agricultural Act of 2014 (7 U.S.C. 9038(a)) is amended in the matter preceding paragraph (1) by striking “2019” and inserting “2024”.

(b) **PAYMENTS UNDER PROGRAM; TRIGGER.**—Section 1208(b)(2) of the Agricultural Act of 2014 (7 U.S.C. 9038(b)(2)) is amended by striking “134 percent” and inserting “113 percent”.

SEC. 1205. AVAILABILITY OF RECOURSE LOANS.

(a) **IN GENERAL.**—Section 1209 of the Agricultural Act of 2014 (7 U.S.C. 9039) is amended in subsections (a)(2) and (b) by striking “2018” each place it appears and inserting “2023”.

(b) **RECOURSE LOANS AVAILABLE FOR CONTAMINATED COMMODITIES.**—Section 1209 of the Agricultural Act of 2014 (7 U.S.C. 9039) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following:

“(c) **RECOURSE LOANS AVAILABLE FOR CONTAMINATED COMMODITIES.**—In the case of a loan commodity that is ineligible for 100 percent of the nonrecourse marketing loan rate in the county due to a determination that the commodity is contaminated yet still merchantable, for each of the 2019 through 2023 crops of such loan commodity, the Secretary shall make available recourse commodity loans, at the rate provided under section 1202, on any production.”.

Subtitle C—Sugar

SEC. 1301. SUGAR POLICY.

(a) **SUGAR PROGRAM.**—

(1) **SUGARCANE.**—Section 156(a) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(a)) is amended—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(5) 19.75 cents per pound for raw cane sugar for each of the 2019 through 2023 crop years.”.

(2) **SUGAR BEETS.**—Section 156(b)(2) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(b)(2)) is amended by striking “2018” and inserting “2023”.

(3) **EFFECTIVE PERIOD.**—Section 156(i) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7272(i)) is amended by striking “2018” and inserting “2023”.

(b) **FLEXIBLE MARKETING ALLOTMENTS FOR SUGAR.**—

(1) **SUGAR ESTIMATES.**—Section 359b(a)(1) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359bb(a)(1)) is amended by striking “2018” and inserting “2023”.

(2) **EFFECTIVE PERIOD.**—Section 359l(a) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1359ll(a)) is amended by striking “2018” and inserting “2023”.

Subtitle D—Dairy Margin Coverage and Other Dairy Related Provisions

SEC. 1401. DAIRY MARGIN COVERAGE.

(a) **REVIEW OF DATA USED IN CALCULATION OF AVERAGE FEED COST.**—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating the extent to which the average cost of feed used by a dairy operation to produce a hundredweight of milk calculated by the Secretary as required by section 1402(a) of the Agricultural Act of 2014 (7 U.S.C. 9052(a)) is representative of actual dairy feed costs.

(b) **CORN SILAGE REPORT.**—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report detailing the costs incurred by dairy operations in the use of corn silage as feed, and the difference between the feed cost of corn silage and the feed cost of corn.

(c) **COLLECTION OF ALFALFA HAY DATA.**—Not later than 120 days after the date of the enactment of this Act, the Secretary, acting through the National Agricultural Statistics Service, shall revise monthly price survey reports to include prices for high-quality alfalfa hay in the top five milk producing States, as measured by volume of milk produced during the previous month.

(d) **REGISTRATION OF MULTIPRODUCER DAIRY OPERATIONS.**—Section 1404(b) of the Agricultural Act of 2014 (7 U.S.C. 9054(b)) is amended—

(1) by redesignating paragraph (4) as paragraph (5); and

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

“(3) **ELECTION PERIOD FOR 2019 CALENDAR YEAR.**—For the 2019 calendar year, the Secretary shall—

“(A) open the election period not later than 60 days after the effective date described in section 1401(m) of the Agriculture Improvement Act of 2018; and

“(B) hold that election period open for not less than 90 days.

“(4) **TREATMENT OF MULTIPRODUCER DAIRY OPERATION.**—

“(A) **IN GENERAL.**—If a participating dairy operation is operated by more than 1 dairy producer, the dairy producers of the dairy operation who elect to participate shall be treated as a single dairy operation for purposes of participating in dairy margin coverage.

“(B) **RULE OF CONSTRUCTION.**—Subparagraph (A) shall not be construed to allow a producer

to adjust the proportion of their share covered under tier I or tier II premiums from the proportion covered for the operation.”.

(e) **RELATION TO LIVESTOCK GROSS MARGIN FOR DAIRY PROGRAM.**—

(1) **IN GENERAL.**—Section 1404 of the Agricultural Act of 2014 (7 U.S.C. 9054) is amended by striking subsection (d).

(2) **RETROACTIVE PROGRAM OPTION.**—Section 1404(b)(2) of the Agricultural Act of 2014 (7 U.S.C. 9054(b)(2)) is amended—

(A) by striking “The Secretary” and inserting the following:

“(A) **IN GENERAL.**—The Secretary”; and

(B) by adding at the end the following:

“(B) **RETROACTIVE PROGRAM OPTION.**—In the case of a dairy operation that, by operation of subsection (d) (as in effect on the day before the date of enactment of the Agriculture Improvement Act of 2018), was ineligible to participate in the margin protection program for any part of calendar year 2018, the Secretary shall establish a new election period for that calendar year that ends on a date that is not less than 90 days after the date of enactment of the Agriculture Improvement Act of 2018 and the Secretary determines is necessary for dairy operations to make new elections to participate in the margin protection program (as in effect on the day before the date of enactment of the Agriculture Improvement Act of 2018) for that calendar year, including dairy operations that elected to participate in the livestock gross margin for dairy program under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) before the date of enactment of the Bipartisan Budget Act of 2018 (Public Law 115-123).”.

(f) **PRODUCTION HISTORY OF PARTICIPATING DAIRY OPERATORS.**—

(1) **ADJUSTMENT.**—Section 1405 of the Agricultural Act of 2014 (7 U.S.C. 9055) is amended—

(A) in subsection (a)—

(i) in paragraph (2), by striking “In subsequent years” and inserting “In the subsequent calendar years ending before January 1, 2019”; and

(ii) in paragraph (3), by inserting “, as applicable” after “paragraph (2)”; and

(B) in subsection (b)—

(i) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(ii) in the matter preceding subparagraph (A) (as so redesignated), by striking “In the case” and inserting the following:

“(1) **DAIRY OPERATIONS WITH LESS THAN 1 YEAR OF PRODUCTION HISTORY.**—In the case”; and

(iii) by adding at the end the following:

“(2) **DAIRY OPERATIONS WITH 1 YEAR OR MORE OF PRODUCTION HISTORY.**—In the case of a participating dairy operation that was not in operation prior to January 1, 2014, that has not established a production history, and that has been in operation for equal to or longer than 1 year, the participating dairy operation shall elect the annual milk marketings during any 1 calendar year to determine the production history of the participating dairy operation.

“(3) **ADJUSTMENT.**—The Secretary shall adjust the production history of a participating dairy operation determined under paragraph (1) or (2) to reflect any increase or decrease in the national average milk production relative to calendar year 2017.”.

(2) **LIMITATION ON CHANGES TO BUSINESS STRUCTURE.**—Section 1405 of the Agricultural Act of 2014 (7 U.S.C. 9055) is amended by adding at the end the following new subsection:

“(d) **LIMITATION ON CHANGES TO BUSINESS STRUCTURE.**—The Secretary may not make dairy margin coverage payments to a participating dairy operation if the Secretary determines that the participating dairy operation has reorganized the structure of such operation solely for the purpose of qualifying as a new operation under subsection (b).”.

(g) **COVERAGE LEVEL THRESHOLD AND COVERAGE PERCENTAGE.**—Section 1406 of the Agri-

cultural Act of 2014 (7 U.S.C. 9056) is amended by striking subsection (a) and inserting the following:

“(a) **COVERAGE LEVEL THRESHOLD AND COVERAGE PERCENTAGE.**—

“(1) **COVERAGE LEVEL THRESHOLD.**—

“(A) **IN GENERAL.**—For purposes of receiving dairy margin coverage payments for a month, a participating dairy operation shall annually elect a coverage level threshold that is equal to \$4.00, \$4.50, \$5.00, \$5.50, \$6.00, \$6.50, \$7.00, \$7.50, \$8.00, \$8.50, \$9.00, or \$9.50.

“(B) **APPLICABILITY.**—Except as provided in subparagraph (C), the coverage level threshold elected under subparagraph (A) shall apply to the covered production elected by the participating dairy operation under paragraph (2).

“(C) **SECOND COVERAGE ELECTION FOR TIER II.**—In the case of a participating dairy operation that elects a coverage level threshold of \$8.50, \$9.00, or \$9.50 under subparagraph (A)—

“(i) that coverage level threshold shall apply to the first 5,000,000 pounds of milk marketings included in the covered production elected by the participating dairy operation; and

“(ii) the participating dairy operation shall elect a coverage level threshold that is equal to \$4.00, \$4.50, \$5.00, \$5.50, \$6.00, \$6.50, \$7.00, \$7.50, or \$8.00 to apply to milk marketings in excess of 5,000,000 pounds included in the covered production elected by the participating dairy operation.

“(2) **COVERAGE PERCENTAGE.**—For purposes of receiving dairy margin coverage payments for a month, a participating dairy operation shall annually elect a percentage of coverage, in 5-percent increments, not exceeding 95 percent of the production history of the participating dairy operation.”.

(h) **PRODUCER PREMIUMS.**—Section 1407 of the Agricultural Act of 2014 (7 U.S.C. 9057) is amended—

(1) in subsection (b), by striking paragraphs (2) and (3) and inserting the following:

“(2) **PRODUCER PREMIUMS.**—Except as provided in subsection (g), the following annual premiums apply:

Coverage Level	Premium per Cwt.
\$4.00	None
\$4.50	\$0.0025
\$5.00	\$0.005
\$5.50	\$0.030
\$6.00	\$0.050
\$6.50	\$0.070
\$7.00	\$0.080
\$7.50	\$0.090
\$8.00	\$0.100
\$8.50	\$0.105
\$9.00	\$0.110
\$9.50	\$0.150”; and

(2) in subsection (c), by striking paragraph (2) and inserting the following:

“(2) **PRODUCER PREMIUMS.**—Except as provided in subsection (g), the following annual premiums apply:

Coverage Level	Premium per Cwt.
\$4.00	None
\$4.50	\$0.0025
\$5.00	\$0.005
\$5.50	\$0.100
\$6.00	\$0.310
\$6.50	\$0.650
\$7.00	\$1.107
\$7.50	\$1.413
\$8.00	\$1.813”.

(i) **REPAYMENT OF PREMIUMS.**—Section 1407 of the Agricultural Act of 2014 (7 U.S.C. 9057) is amended by adding at the end the following:

“(f) **REPAYMENT OF PREMIUMS.**—

“(1) **IN GENERAL.**—Each dairy operation described in paragraph (2) shall be eligible to receive a repayment from the Secretary in an amount equal to the difference between—

“(A) the total amount of premiums paid by the participating dairy operation under this section for each applicable calendar year; and

“(B) the total amount of payments made to the participating dairy operation under section 1406 for that calendar year.

“(2) **ELIGIBILITY.**—A dairy operation that is eligible to receive a repayment under paragraph (1) is a dairy operation that—

“(A) participated in the margin protection program, as in effect for any of calendar years 2014 through 2017; and

“(B) submits to the Secretary an application for the repayment at such time, in such manner, and containing such information as the Secretary may require.

“(3) **METHOD OF REPAYMENT.**—A dairy operation that is eligible to receive a repayment under paragraph (1) shall elect to receive the repayment—

“(A) in an amount equal to 75 percent of the repayment calculated under that paragraph as credit that may be used by the dairy operation for dairy margin coverage premiums; or

“(B) in an amount equal to 50 percent of the repayment calculated under that paragraph as a direct cash repayment.

“(4) **APPLICABILITY.**—Paragraph (1) shall only apply to a calendar year during the period of calendar years 2014 through 2017 for which the amount described in subparagraph (A) of that paragraph is greater than the amount described in subparagraph (B) of that paragraph.”.

(j) **PREMIUM DISCOUNT.**—Section 1407 of the Agricultural Act of 2014 (7 U.S.C. 9057) (as amended by subsection (i)) is amended by adding at the end the following:

“(g) **PREMIUM DISCOUNT.**—The premium per hundredweight specified in the tables contained in subsections (b) and (c) for each coverage level shall be reduced by 25 percent in accordance with the following:

“(1) **IN GENERAL.**—For each of calendar years 2019 through 2023, for a participating dairy operation that makes a 1-time election of coverage level in a tier and of a percentage of coverage under section 1406(a) for the 5-year period beginning in January 2019.

“(2) **NEW DAIRY OPERATIONS.**—For each applicable calendar year through 2023, for a participating dairy operation that—

“(A) establishes a production history pursuant to section 1405(b); and

“(B) makes a 1-time election of coverage level in a tier and of a percentage of coverage under section 1406(a) for the period beginning with the first available calendar year and ending in December 2023.

“(3) **FULL PARTICIPATION REQUIRED.**—Notwithstanding the annual elections under section 1406(a)—

“(A) a 1-time enrollment under this subsection shall remain in effect for the full duration applicable to a participating dairy operation in accordance with paragraph (1) or (2)(B), as applicable; and

“(B) a participating dairy operation that makes a 1-time enrollment under this subsection and is noncompliant under section 1408 shall be subject to that section.”.

(k) **CONFORMING AMENDMENTS RELATED TO PROGRAM NAME.**—

(1) **HEADING.**—The heading of part I of subtitle D of title I of the Agricultural Act of 2014 (Public Law 113-79; 128 Stat. 688) is amended to read as follows:

“PART I—DAIRY MARGIN COVERAGE”.

(2) **DEFINITIONS.**—Section 1401 of the Agricultural Act of 2014 (7 U.S.C. 9051) is amended—

(A) by striking paragraphs (5) and (6) and inserting the following new paragraphs:

“(5) **DAIRY MARGIN COVERAGE.**—The term ‘dairy margin coverage’ means the dairy margin coverage program required by section 1403.

“(6) **DAIRY MARGIN COVERAGE PAYMENT.**—The term ‘dairy margin coverage payment’ means a payment made to a participating dairy oper-

ation under dairy margin coverage pursuant to section 1406.”; and

(B) in paragraphs (7) and (8), by striking “the margin protection program” both places it appears and inserting “dairy margin coverage”.

(3) **CALCULATION OF ACTUAL DAIRY PRODUCTION MARGIN.**—Section 1402(b)(1) of the Agricultural Act of 2014 (7 U.S.C. 9052(b)(1)) is amended in the matter preceding subparagraph (A) by striking “the margin protection program” and inserting “dairy margin coverage”.

(4) **PROGRAM OPERATION.**—Section 1403 of the Agricultural Act of 2014 (7 U.S.C. 9053) is amended—

(A) by striking the section heading and inserting “**DAIRY MARGIN COVERAGE**”;

(B) by striking “Not later than September 1, 2014, the Secretary shall establish and administer a margin protection program” and inserting the following:

“(a) **IN GENERAL.**—The Secretary shall continue to administer a dairy margin coverage program”;

(C) in subsection (a) (as so designated), by striking “margin protection payment” both places it appears and inserting “dairy margin coverage payment”;

(D) by adding at the end the following:

“(b) **REGULATIONS.**—Subpart A of part 1430 of title 7, Code of Federal Regulations (as in effect on the date of enactment of the Agriculture Improvement Act of 2018), shall remain in effect for dairy margin coverage beginning with the 2019 calendar year, except to the extent that the regulations are inconsistent with any provision of this Act.”.

(5) **PARTICIPATION.**—Section 1404 of the Agricultural Act of 2014 (7 U.S.C. 9054) is amended—

(A) in the section heading, by striking “**MARGIN PROTECTION PROGRAM**” and inserting “**DAIRY MARGIN COVERAGE**”;

(B) in subsection (a), by striking “the margin protection program to receive margin protection payments” and inserting “dairy margin coverage to receive dairy margin coverage payments”;

(C) in subsections (b) and (c), by striking “the margin protection program” each place it appears and inserting “dairy margin coverage”.

(6) **PRODUCTION HISTORY.**—Section 1405 of the Agricultural Act of 2014 (7 U.S.C. 9055) is amended in subsections (a)(1) and (c) by striking “the margin protection program” each place it appears and inserting “dairy margin coverage”.

(7) **PAYMENTS.**—Section 1406 of the Agricultural Act of 2014 (7 U.S.C. 9056) is amended—

(A) in the section heading, by striking “**MARGIN PROTECTION**” and inserting “**DAIRY MARGIN COVERAGE**”;

(B) by striking “margin protection” each place it appears and inserting “dairy margin coverage”;

(C) in the heading of subsection (c), by striking “**MARGIN PROTECTION**”.

(8) **PREMIUMS.**—Section 1407 of the Agricultural Act of 2014 (7 U.S.C. 9057) is amended—

(A) in the section heading, by striking “**MARGIN PROTECTION PROGRAM**” and inserting “**DAIRY MARGIN COVERAGE**”;

(B) in subsection (a), in the matter preceding paragraph (1), by striking “the margin protection program” and inserting “dairy margin coverage”;

(C) in subsection (d), by striking “program” and inserting “dairy margin coverage”;

(D) in subsection (e)—

(i) by striking “the margin protection program” both places it appears and inserting “dairy margin coverage”;

(ii) in paragraph (2), by striking “integrity of the program” and inserting “integrity of dairy margin coverage”.

(9) **FAILURE TO PAY ADMINISTRATIVE FEES OR PREMIUMS.**—Section 1408 of the Agricultural Act of 2014 (7 U.S.C. 9058) is amended—

(A) in subsection (a)(2), by striking “margin protection” and inserting “dairy margin coverage”;

(B) in subsection (b), by striking “the margin protection program” and inserting “dairy margin coverage”.

(10) **ADMINISTRATION AND ENFORCEMENT.**—Section 1410 of the Agricultural Act of 2014 (7 U.S.C. 9060) is amended—

(A) in subsections (a) and (c), by striking “the margin protection program” each place it appears and inserting “dairy margin coverage”;

(B) in subsection (b), by striking “margin protection” and inserting “dairy margin coverage”.

(1) **DURATION.**—Section 1409 of the Agricultural Act of 2014 (7 U.S.C. 9059) is amended—

(1) by striking “The margin protection program” and inserting “Dairy margin coverage”;

(2) by striking “2018” and inserting “2023”.

(m) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on January 1, 2019.

SEC. 1402. REAUTHORIZATIONS.

(a) **FORWARD PRICING.**—Section 1502(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8772(e)) is amended—

(1) in paragraph (1), by striking “2018” and inserting “2023”;

(2) in paragraph (2), by striking “2021” and inserting “2026”.

(b) **INDEMNITY PROGRAM.**—Section 3 of Public Law 90–484 (7 U.S.C. 4553) is amended by striking “2018” and inserting “2023”.

(c) **PROMOTION AND RESEARCH.**—Section 113(e)(2) of the Dairy Production Stabilization Act of 1983 (7 U.S.C. 4504(e)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 1403. CLASS I SKIM MILK PRICE.

(a) **CLASS I SKIM MILK PRICE.**—Section 8c(5)(A) of the Agricultural Adjustment Act (7 U.S.C. 608c(5)(A)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937, is amended by striking “Throughout” in the third sentence and all that follows through the period at the end of the fourth sentence and inserting “Throughout the 2-year period beginning on the effective date of this sentence (and subsequent to such 2-year period unless modified by amendment to the order involved), for purposes of determining prices for milk of the highest use classification, the Class I skim milk price per hundredweight specified in section 1000.50(b) of title 7, Code of Federal Regulations (or successor regulations), shall be the sum of the adjusted Class I differential specified in section 1000.52 of such title 7 (or successor regulations), plus the adjustment to Class I prices specified in sections 1005.51(b), 1006.51(b), and 1007.51(b) of such title 7 (or successor regulations), plus the simple average of the advanced pricing factors computed in sections 1000.50(q)(1) and 1000.50(q)(2) of such title 7 (or successor regulations), plus \$0.74.”.

(b) **EFFECTIVE DATE AND IMPLEMENTATION.**—

(1) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the first day of the first month beginning more than 120 days after the date of enactment of this Act.

(2) **IMPLEMENTATION.**—Implementation of the amendment made by subsection (a) shall not be subject to any of the following:

(A) The notice and comment provisions of section 553 of title 5, United States Code.

(B) The notice and hearing requirements of section 8c(3) of the Agricultural Adjustment Act (7 U.S.C. 608c(3)), reenacted with amendments by the Agricultural Marketing Agreement Act of 1937.

(C) The order amendment requirements of section 8c(17) of that Act (7 U.S.C. 608c(17)).

(D) A referendum under section 8c(19) of that Act (7 U.S.C. 608c(19)).

SEC. 1404. DAIRY PRODUCT DONATION.

(a) **REPEAL OF DAIRY PRODUCT DONATION PROGRAM.**—Section 1431 of the Agricultural Act of 2014 (7 U.S.C. 9071) is repealed.

(b) **MILK DONATION PROGRAM.**—

(1) **IN GENERAL.**—Part III of subtitle D of title I of the Agricultural Act of 2014 (Public Law

113–79; 128 Stat. 695) is amended to read as follows:

“PART III—MILK DONATION PROGRAM

“SEC. 1431. MILK DONATION PROGRAM.

“(a) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE DAIRY ORGANIZATION.**—The term ‘eligible dairy organization’ means a dairy farmer (either individually or as part of a cooperative), or a dairy processor, who—

“(A) accounts to a Federal milk marketing order marketwide pool; and

“(B) incurs qualified expenses under subsection (e).

“(2) **ELIGIBLE DISTRIBUTOR.**—The term ‘eligible distributor’ means a public or private non-profit organization that distributes donated eligible milk.

“(3) **ELIGIBLE MILK.**—The term ‘eligible milk’ means Class I fluid milk products produced and processed in the United States.

“(4) **ELIGIBLE PARTNERSHIP.**—The term ‘eligible partnership’ means a partnership between an eligible dairy organization and an eligible distributor.

“(5) **PARTICIPATING PARTNERSHIP.**—The term ‘participating partnership’ means an eligible partnership for which the Secretary has approved a donation and distribution plan for eligible milk under subsection (c)(2).

“(b) **PROGRAM REQUIRED; PURPOSES.**—Not later than 180 days after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall establish and administer a milk donation program for the purposes of—

“(1) encouraging the donation of eligible milk;

“(2) providing nutrition assistance to individuals in low-income groups; and

“(3) reducing food waste.

“(c) **DONATION AND DISTRIBUTION PLANS.**—

“(1) **IN GENERAL.**—To be eligible to receive reimbursement under subsection (d), an eligible partnership shall submit to the Secretary a donation and distribution plan that—

“(A) describes the process that the eligible partnership will use for the donation, processing, transportation, temporary storage, and distribution of eligible milk;

“(B) includes an estimate of the quantity of eligible milk that the eligible partnership will donate each year, based on—

“(i) preplanned donations; and

“(ii) contingency plans to address unanticipated donations; and

“(C) describes the rate at which the eligible partnership will be reimbursed, which shall be based on a percentage of the limitation described in subsection (e)(2), not to exceed 100 percent.

“(2) **REVIEW AND APPROVAL.**—Not less frequently than annually, the Secretary shall—

“(A) review donation and distribution plans submitted under paragraph (1); and

“(B) determine whether to approve or disapprove each of those donation and distribution plans.

“(d) **REIMBURSEMENT.**—

“(1) **IN GENERAL.**—On receipt of appropriate documentation under paragraph (2), the Secretary shall reimburse an eligible dairy organization that is a member of a participating partnership on a regular basis for qualified expenses described in subsection (e).

“(2) **DOCUMENTATION.**—

“(A) **IN GENERAL.**—An eligible dairy organization shall submit to the Secretary such documentation as the Secretary may require to demonstrate the qualified expenses described in subsection (e) of the eligible dairy organization.

“(B) **VERIFICATION.**—The Secretary may verify the accuracy of documentation submitted under subparagraph (A) by spot checks and audits.

“(3) **RETROACTIVE REIMBURSEMENT.**—In providing reimbursements under paragraph (1), the Secretary may provide reimbursements for qualified expenses incurred before the date on which the donation and distribution plan for the applicable participating partnership was approved by the Secretary.

“(e) **QUALIFIED EXPENSES.**—

“(1) **IN GENERAL.**—The amount of a reimbursement under subsection (d) shall be an amount equal to the product of—

“(A) the quantity of eligible milk donated by the eligible dairy organization under a donation and distribution plan approved by the Secretary under subsection (c); and

“(B) subject to the limitation under paragraph (2), the rate described in that donation and distribution plan under subsection (c)(1)(C).”

“(2) **LIMITATION.**—Expenses eligible for reimbursement under subsection (d) shall not exceed the value that an eligible dairy organization incurred by accounting to the Federal milk marketing order pool at the difference in the Class I milk value and the lowest classified price for the applicable month (either Class III milk or Class IV milk).”

“(f) **PREAPPROVAL.**—

“(1) **IN GENERAL.**—The Secretary shall—

“(A) establish a process for an eligible partnership to apply for preapproval of donation and distribution plans under subsection (c); and

“(B) not less frequently than annually, preapprove an amount for qualified expenses described in subsection (e) that the Secretary will allocate for reimbursement under each donation and distribution plan preapproved under subparagraph (A), based on an assessment of—

“(i) the feasibility of the plan; and

“(ii) the extent to which the plan advances the purposes described in subsection (b).”

“(2) **PREFERENCE.**—In preapproving amounts for reimbursement under paragraph (1)(B), the Secretary shall give preference to eligible partnerships that will provide funding and in-kind contributions in addition to the reimbursements.”

“(3) **ADJUSTMENTS.**—

“(A) **IN GENERAL.**—The Secretary shall adjust or increase amounts preapproved for reimbursement under paragraph (1)(B) based on performance and demand.

“(B) **REQUESTS FOR INCREASE.**—

“(i) **IN GENERAL.**—The Secretary shall establish a procedure for a participating partnership to request an increase in the amount preapproved for reimbursement under paragraph (1)(B) based on changes in conditions.

“(ii) **INTERIM APPROVAL; INCREMENTAL INCREASE.**—The Secretary may provide an interim approval of an increase requested under clause (i) and an incremental increase in the amount of reimbursement to the applicable participating partnership to allow time for the Secretary to review the request without interfering with the donation and distribution of eligible milk by the participating partnership.”

“(g) **PROHIBITION ON RESALE OF PRODUCTS.**—

“(1) **IN GENERAL.**—An eligible distributor that receives eligible milk donated under this section may not sell the products back into commercial markets.”

“(2) **PROHIBITION ON FUTURE PARTICIPATION.**—An eligible distributor that the Secretary determines has violated paragraph (1) shall not be eligible for any future participation in the program established under this section.”

“(h) **ADMINISTRATION.**—The Secretary shall publicize opportunities to participate in the program established under this section.”

“(i) **REVIEWS.**—The Secretary shall conduct appropriate reviews or audits to ensure the integrity of the program established under this section.”

“(j) **FUNDING.**—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$9,000,000 for fiscal year 2019, and \$5,000,000 for each fiscal year thereafter, to remain available until expended.”

(2) **CONFORMING AMENDMENT.**—Section 1401 of the Agricultural Act of 2014 (7 U.S.C. 9051) is amended, in the matter preceding paragraph (1), by striking “and part III”.

Subtitle E—Supplemental Agricultural Disaster Assistance

SEC. 1501. SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.

(a) **MEMBERS OF INDIAN TRIBES.**—Section 1501(a)(1)(B) of the Agricultural Act of 2014 (7 U.S.C. 9081(a)(1)(B)) is amended—

(1) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively; and

(2) by inserting after clause (ii) the following: “(iii) an Indian tribe or tribal organization (as those terms are defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));”.

(b) **COVERED LIVESTOCK LOSSES FOR LIVESTOCK INDEMNITY PAYMENTS.**—Section 1501(b) of the Agricultural Act of 2014 (7 U.S.C. 9081(b)) is amended—

(1) in paragraph (1)—

(A) by striking “or” at the end of subparagraph (A);

(B) in subparagraph (B), by striking “cold.” and inserting “cold, on the condition that in the case of the death loss of unweaned livestock due to that adverse weather, the Secretary may disregard any management practice, vaccination protocol, or lack of vaccination by the eligible producer on a farm; or”; and

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

“(C) disease that, as determined by the Secretary—

“(i) is caused or transmitted by a vector; and

“(ii) is not susceptible to control by vaccination or acceptable management practices.”; and

(2) in paragraph (4), by striking “A payment” and inserting “PAYMENT REDUCTIONS.—A payment”.

(c) **EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.**—

(1) **IN GENERAL.**—Section 1501(d)(2) of the Agricultural Act of 2014 (7 U.S.C. 9081(d)(2)) is amended by inserting “, including inspections of cattle tick fever” before the period at the end.

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall apply to inspections of cattle tick fever conducted on or after the date of enactment of this Act.

(d) **TREE ASSISTANCE PROGRAM.**—Section 1501(e) of the Agricultural Act of 2014 (7 U.S.C. 9081(e)) is amended—

(1) in paragraph (3), in the matter preceding subparagraph (A), by striking “paragraph (4)” and inserting “paragraphs (4) and (5)”; and

(2) by adding at the end the following:

“(5) **PAYMENT RATE FOR BEGINNING AND VETERAN PRODUCERS.**—Subject to paragraph (4), in the case of a beginning farmer or rancher or a veteran farmer or rancher (as those terms are defined in subsection (a) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279)) that is eligible to receive assistance under this subsection, the Secretary shall provide reimbursement of 75 percent of the costs under subparagraphs (A)(i) and (B) of paragraph (3).”

(e) **PAYMENT LIMITATION.**—Section 1501(f)(2) of the Agricultural Act of 2014 (7 U.S.C. 9081(f)(2)) is amended by striking “this section (excluding payments received under subsections (b) and (e))” and inserting “subsection (c)”.

Subtitle F—Noninsured Crop Assistance

SEC. 1601. NONINSURED CROP ASSISTANCE PROGRAM.

Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by adding at the end the following:

“(C) **DATA COLLECTION AND SHARING.**—The Secretary shall coordinate with the Administrator of the Risk Management Agency on the type and format of data received under the non-insured crop disaster assistance program that—

“(i) best facilitates the use of that data in developing policies or plans of insurance offered under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

“(ii) ensures the availability of that data on a regular basis.”

(D) **COORDINATION.**—The Secretary shall coordinate between the agencies of the Department that provide programs or services to farmers and ranchers that are potentially eligible for

the noninsured crop disaster assistance program under this section—

“(i) to make available coverage under—

“(1) the fee waiver under subsection (k)(2); or

“(II) the premium discount under subsection (l)(3); and

“(ii) to share eligibility information to reduce paperwork and avoid duplication.”

(B) in paragraph (2), by striking subparagraph (A) and inserting the following:

“(A) **IN GENERAL.**—Subject to subparagraph (B), in this section, the term ‘eligible crop’ means each commercial crop or other agricultural commodity that is produced for food or fiber (except livestock) for which catastrophic risk protection under subsection (b) of section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) and additional coverage under subsections (c) and (h) of such section are not available or, if such coverage is available, it is only available under a policy that provides coverage for specific intervals based on weather indexes or under a whole farm plan of insurance.”; and

(C) in paragraph (4)(B)—

(i) by striking clause (i) and inserting the following:

“(i) **IN GENERAL.**—

“(I) **AGRICULTURAL ACT OF 2014.**—During the first 4 crop years of planting, as determined by the Secretary, native sod acreage that has been tilled for the production of an annual crop during the period beginning on February 8, 2014, and ending on the date of enactment of the Agriculture Improvement Act of 2018 shall be subject to a reduction in benefits under this section as described in this subparagraph.

“(II) **SUBSEQUENT YEARS.**—Native sod acreage that has been tilled for the production of an eligible crop after the date of enactment of the Agriculture Improvement Act of 2018 shall be subject to a reduction in benefits under this section as described in this subparagraph for not more than any 4 crop years—

“(aa) during the first 10 crop years after the initial tillage; and

“(bb) during which a crop on that acreage is enrolled under subsection (l)(2) or (k).”; and

(ii) in clause (iii)(I), by striking “transitional yield of the producer” and inserting “county expected yield”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “not later than 30 days” and inserting “by an appropriate deadline”; and

(B) by adding at the end the following:

“(4) **STREAMLINED SUBMISSION PROCESS.**—The Secretary shall establish a streamlined process for the submission of records and acreage reports under paragraphs (2) and (3) for diverse production systems such as those typical of urban production systems, other small-scale production systems, and direct-to-consumer production systems.”;

(3) in subsection (d)—

(A) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4), respectively;

(B) by inserting before paragraph (2) (as so redesignated) the following:

“(1) the producer’s share of the total acres devoted to the eligible crop; by”; and

(C) in paragraph (2) (as so redesignated), by striking “established yield for the crop” and inserting “approved yield for the crop, as determined by the Secretary”;

(4) in subsection (e)—

(A) in paragraph (1), by striking “farm” and inserting “approved”;

(B) in paragraph (2)—

(i) in the second sentence—

(I) by inserting “approved” before “yield”; and

(II) by striking “Subject” and inserting the following:

“(B) **CALCULATION.**—Subject”; and

(ii) in the matter preceding subparagraph (B) (as so designated)—

(I) by striking “yield coverage” and inserting “an approved yield”; and

(II) by striking “The Secretary” and inserting the following:

“(A) IN GENERAL.—The Secretary”; and
(C) in paragraph (3), by striking “transitional yield of the producer” and inserting “county expected yield”;

(5) in subsection (i)(2), by striking “exceed \$125,000” and inserting the following: “exceed—
“(A) in the case of catastrophic coverage under subsection (c), \$125,000; and
“(B) in the case of additional coverage under subsection (l), \$300,000”;

(6) in subsection (k)(1)—
(A) in subparagraph (A), by striking “\$250” and inserting “\$325”; and
(B) in subparagraph (B)—

(i) by striking “\$750” and inserting “\$825”; and
(ii) by striking “\$1,875” and inserting “\$1,950”; and

(7) in subsection (l)—
(A) in paragraph (1)—

(i) by redesignating subparagraphs (A), (B), and (C) as subparagraphs (B), (C), and (D), respectively;

(ii) by inserting before subparagraph (B) (as so redesignated) the following:

“(A) the producer’s share of the total acres devoted to the crop;”; and

(iii) in subparagraph (C) (as so redesignated), by inserting “, contract price, or other premium price (such as a local, organic, or direct market price, as elected by the producer)” after “price”;

(B) in paragraph (2)(B)(i)—
(i) in subclause (IV), by striking “and” at the end;

(ii) in subclause (V), by striking “or” at the end and inserting “and”; and

(iii) by adding at the end the following:

“(VI) the producer’s share of the crop; or”;
(C) by striking paragraphs (3) and (5); and
(D) by redesignating paragraph (4) as paragraph (3).

Subtitle G—Administration

SEC. 1701. REGULATIONS.

Section 1601(c)(2) of the Agricultural Act of 2014 (7 U.S.C. 9091(c)(2)) is amended—

(1) in the matter preceding subparagraph (A), by striking “title and sections 11003 and 11017” and inserting “title, sections 11003 and 11017, title I of the Agriculture Improvement Act of 2018 and the amendments made by that title, and section 10109 of that Act”; and

(2) in subparagraph (A), by adding “and” at the end;

(3) in subparagraph (B), by striking “; and” and inserting a period; and

(4) by striking subparagraph (C).

SEC. 1702. SUSPENSION OF PERMANENT PRICE SUPPORT AUTHORITY.

Section 1602 of the Agricultural Act of 2014 (7 U.S.C. 9092) is amended by striking “2018” each place it appears and inserting “2023”.

SEC. 1703. PAYMENT LIMITATIONS.

(a) IN GENERAL.—Section 1001 of the Food Security Act of 1985 (7 U.S.C. 1308) is amended—

(1) in subsection (a)—
(A) in paragraph (1), by striking “section 1001 of the Food, Conservation, and Energy Act of 2008” and inserting “section 1111 of the Agricultural Act of 2014 (7 U.S.C. 9011)”; and

(B) in paragraph (2), by inserting “first cousin, niece, nephew,” after “sibling,”;

(2) in subsections (b) and (c), by striking “and as marketing loan gains or loan deficiency payments under subtitle B of title I of the Agricultural Act of 2014” each place it appears and inserting “of the Agricultural Act of 2014 (7 U.S.C. 9016, 9017)”; and

(3) in subsection (f), by adding at the end the following:

“(9) ADMINISTRATION OF REDUCTION.—The Secretary shall apply any order described in section 1614(d)(1) of the Agricultural Act of 2014 (7 U.S.C. 9097(d)(1)) to payments under sections 1116 and 1117 of that Act (7 U.S.C. 9016, 9017) prior to applying payment limitations under this section.”.

(b) APPLICATION.—The amendments made by this section shall apply beginning with the 2019 crop year.

SEC. 1704. ADJUSTED GROSS INCOME LIMITATIONS.

(a) WAIVER.—Section 1001D(b) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)) is amended—

(1) in paragraph (2)(C), by inserting “title II of the Agriculture Improvement Act of 2018,” after “under”; and

(2) by adding at the end the following:

“(3) WAIVER.—The Secretary may waive the limitation established by paragraph (1) with respect to a payment pursuant to a covered benefit described in paragraph (2)(C), on a case-by-case basis, if the Secretary determines that environmentally sensitive land of special significance would be protected as a result of such waiver.”.

(b) CONFORMING AMENDMENT.—Section 1001D(b)(1) of the Food Security Act of 1985 (7 U.S.C. 1308-3a(b)(1)) is amended by inserting “subject to paragraph (3),” after “of law.”.

(c) TRANSITION.—Section 1001D of the Food Security Act of 1985 (7 U.S.C. 1308-3a), as in effect on the day before the date of enactment of this Act, shall apply with respect to the 2018 crop, fiscal, or program year, as appropriate, for each program described in subsection (b)(2) of that section (as so in effect on that day).

SEC. 1705. FARM SERVICE AGENCY ACCOUNTABILITY.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish policies, procedures, and plans to improve program accountability and integrity through targeted and coordinated activities, including utilizing data mining to identify and reduce errors, waste, fraud, and abuse in programs administered by the Farm Service Agency.

(b) REPORT.—Not later than 3 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the progress and results of the activities conducted under subsection (a).

SEC. 1706. IMPLEMENTATION.

(a) MAINTENANCE OF BASE ACRES AND PAYMENT YIELDS.—Section 1614(a) of the Agricultural Act of 2014 (7 U.S.C. 9097(a)) is amended by inserting “, and as adjusted pursuant to sections 1112 and 1113” before the period at the end.

(b) STREAMLINING.—Section 1614 of the Agricultural Act of 2014 (7 U.S.C. 9097) is amended by striking subsection (b) and inserting the following:

“(b) STREAMLINING.—In implementing this title and the amendments made by this title, the Secretary shall—

“(1) continue to reduce administrative burdens and costs to producers by streamlining and reducing paperwork, forms, and other administrative requirements, to ensure that—

“(A) a producer (or an agent of a producer) may report information, electronically (including geospatial data) or conventionally, to the Department of Agriculture, subject to the Secretary—

“(i) establishing reasonable levels of tolerance that reflect the differences in accuracy between measures of common land units and geospatial data; and

“(ii) ensuring that discrepancies that occur within the levels of tolerance established under clause (i) shall not be used to penalize a producer (or an agent of a producer) under any program administered by the Department of Agriculture;

“(B) on the request of a producer (or an agent of a producer), the Department of Agriculture electronically shares with the producer (or agent) in real time and without cost to the producer (or agent) the common land unit data, related farm level data, conservation practices, and other information of the producer through a single Department of Agriculture-wide login;

“(C) not later than September 30, 2020, the Administrator of the Risk Management Agency

and the Administrator of the Farm Service Agency shall implement a consistent method for determining crop acreage, acreage yields, farm acreage, property descriptions, and other common informational requirements, including measures of common land units;

“(D) except in the case of misrepresentation, fraud, or scheme and device, no crop insurance agent, approved insurance provider, or employee or contractor of a crop insurance agency or approved insurance provider bears responsibility or liability under the Acreage Crop Reporting and Streamlining Initiative (or any successor or similar initiative) for the eligibility of a producer for a program administered by the Department of Agriculture, not including a policy or plan of insurance offered under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

“(E) on request of a crop insurance agent or approved insurance provider required to deliver policies and plans of insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) the crop insurance agent or approved insurance provider receives, in a timely manner, any information held by the Farm Service Agency that is necessary to ensure effective crop insurance coverage for farmer customers;

“(2) continue to improve coordination, information sharing, and administrative work among the Farm Service Agency, Risk Management Agency, Natural Resources Conservation Service, and other agencies, as determined by the Secretary;

“(3) continue to take advantage of new technologies to enhance the efficiency and effectiveness of the delivery of Department of Agriculture programs to producers, including by developing and making publicly available data standards and security procedures to allow third-party providers to develop applications that use or feed data (including geospatial and precision agriculture data) into the datasets and analyses of the Department of Agriculture; and

“(4) reduce administrative burdens on producers participating in price loss coverage or agriculture risk coverage by offering—

“(A) those producers an option to remotely and electronically sign annual contracts for that coverage; and

“(B) to the maximum extent practicable, an option to sign a multiyear contract for that coverage.”.

(c) IMPLEMENTATION.—Section 1614(c) of the Agricultural Act of 2014 (7 U.S.C. 9097(c)) is amended by adding at the end the following:

“(4) AGRICULTURE IMPROVEMENT ACT OF 2018.—The Secretary shall make available to the Farm Service Agency to carry out title I of the Agriculture Improvement Act of 2018 and the amendments made by that title \$15,500,000.”.

(d) LOAN IMPLEMENTATION.—Section 1614(d)(1) of the Agricultural Act of 2014 (7 U.S.C. 9097(d)(1)) is amended by striking “under subtitles” and all that follows through “except” and inserting “under subtitle B or C, under the amendments made by subtitle B or C, or under the amendments made by subtitle B or C of the Agriculture Improvement Act of 2018, except”.

(e) DEOBLIGATION OF UNLIQUIDATED OBLIGATIONS.—Section 1614 of the Agricultural Act of 2014 (7 U.S.C. 9097) is amended by adding at the end the following:

“(e) DEOBLIGATION OF UNLIQUIDATED OBLIGATIONS.—

“(1) IN GENERAL.—Subject to paragraph (3), any payment obligated or otherwise made available by the Secretary under this title on or after the date of enactment of the Agriculture Improvement Act of 2018 that is not disbursed to the recipient by the date that is 5 years after the date on which the payment is obligated or otherwise made available shall—

“(A) be deobligated; and
“(B) revert to the Treasury.

“(2) OUTSTANDING PAYMENTS.—

“(A) IN GENERAL.—Subject to paragraph (3), any payment obligated or otherwise made available by the Farm Service Agency (or any predecessor agency of the Department of Agriculture)

under the laws described in subparagraph (B) before the date of enactment of the Agriculture Improvement Act of 2018, that is not disbursed by the date that is 5 years after the date on which the payment is obligated or otherwise made available shall—

“(i) be deobligated; and

“(ii) revert to the Treasury.

“(B) LAWS DESCRIBED.—The laws referred to in subparagraph (A) are any of the following:

“(i) This title.

“(ii) Title I of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8702 et seq.).

“(iii) Title I of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7901 et seq.).

“(iv) The Agricultural Market Transition Act (7 U.S.C. 7201 et seq.).

“(v) Titles I through XI of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101-624; 104 Stat. 3374) and the amendments made by those titles.

“(vi) Titles I through X of the Food Security Act of 1985 (Public Law 99-198; 99 Stat. 1362) and the amendments made by those titles.

“(vii) Titles I through XI of the Agriculture and Food Act of 1981 (Public Law 97-98; 95 Stat. 1218) and the amendments made by those titles.

“(viii) Titles I through X of the Food and Agriculture Act of 1977 (Public Law 95-113; 91 Stat. 917) and the amendments made by those titles.

“(3) WAIVER.—The Secretary may delay the date of the deobligation and reversion under paragraph (1) or (2) of any payment—

“(A) that is the subject of—

“(i) ongoing administrative review or appeal;

“(ii) litigation; or

“(iii) the settlement of an estate; or

“(B) for which the Secretary otherwise determines that the circumstances are such that the delay is equitable.”.

(f) REPORT.—Section 1614 of the Agricultural Act of 2014 (7 U.S.C. 9097) (as amended by subsection (e)) is amended by adding at the end the following:

“(f) REPORT.—Not later than January 1, 2020, and each January 1 thereafter through January 1, 2023, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the tilled native sod acreage that was subject to a reduction in benefits under section 196(a)(4)(B) of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333(a)(4)(B) and section 508(o)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(o)(2))—

“(1) as of the date of submission of the report; and

“(2) by State and county, relative to the total acres of cropland in the State or county.”.

SEC. 1707. EXEMPTION FROM CERTAIN REPORTING REQUIREMENTS FOR CERTAIN PRODUCERS.

(a) DEFINITION OF EXEMPTED PRODUCER.—In this section, the term “exempted producer” means an individual or entity that is eligible to participate in—

(1) a conservation program under title II or a law amended by title II;

(2) an indemnity or disease control program under the Animal Health Protection Act (7 U.S.C. 8301 et seq.) or the Plant Protection Act (7 U.S.C. 7701 et seq.); or

(3) a commodity program under title I of the Agricultural Act of 2014 (7 U.S.C. 9011 et seq.), excluding the assistance provided to users of cotton under sections 1207(c) and 1208 of that Act (7 U.S.C. 9037(c), 9038).

(b) EXEMPTION.—Notwithstanding the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282; 31 U.S.C. 6101 note), the requirements of parts 25 and 170 of title 2, Code of Federal Regulations (or successor regulations), shall not apply with respect to assistance received by an exempted producer from the Secretary, acting through the Chief of the Natural Resources Conservation Service, the Administrator of the Animal and Plant Health Inspection Service, or the Administrator of the Farm Service Agency.

TITLE II—CONSERVATION

Subtitle A—Wetland Conservation

SEC. 2101. WETLAND CONVERSION.

Section 1221(d) of the Food Security Act of 1985 (16 U.S.C. 3821(d)) is amended—

(1) by striking “Except as” and inserting the following:

“(1) IN GENERAL.—Except as”; and

(2) by adding at the end the following:

“(2) DUTY OF THE SECRETARY.—No person shall become ineligible under paragraph (1) if the Secretary determines that an exemption under section 1222(b) applies to that person.”.

SEC. 2102. WETLAND CONSERVATION.

Section 1222(c) of the Food Security Act of 1985 (16 U.S.C. 3822(c)) is amended—

(1) by striking “No program” and inserting the following:

“(1) IN GENERAL.—No program”; and

(2) in paragraph (1) (as so designated), by inserting “, which, except as provided in paragraph (2), shall be conducted in the presence of the affected person” before the period at the end; and

(3) by adding at the end the following:

“(2) EXCEPTION.—The Secretary may conduct an on-site visit under paragraph (1) without the affected person present if the Secretary has made a reasonable effort to include the presence of the affected person at the on-site visit.”.

SEC. 2103. MITIGATION BANKING.

Section 1222(k)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3822(k)(1)(B)) is amended to read as follows:

“(B) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this paragraph \$5,000,000 for each of fiscal years 2019 through 2023.”.

Subtitle B—Conservation Reserve Program

SEC. 2201. CONSERVATION RESERVE.

(a) IN GENERAL.—Section 1231(a) of the Food Security Act of 1985 (16 U.S.C. 3831(a)) is amended by striking “2018” and inserting “2023”.

(b) ELIGIBLE LAND.—Section 1231(b) of the Food Security Act of 1985 (16 U.S.C. 3831(b)) is amended—

(1) in paragraph (1)(B), by striking “Agricultural Act of 2014 (except for land enrolled in the conservation reserve program as of that date)” and inserting “Agriculture Improvement Act of 2018, on the condition that the Secretary shall consider to be planted cropland enrolled in the conservation reserve program”; and

(2) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

(3) by inserting after paragraph (3) the following:

“(4) cropland, marginal pasture land, and grasslands that will have a positive impact on water quality and will be devoted to—

“(A) a grass sod waterway;

“(B) a contour grass sod strip;

“(C) a prairie strip;

“(D) a filterstrip;

“(E) a riparian buffer;

“(F) a wetland or a wetland buffer;

“(G) a saturated buffer;

“(H) a bioreactor; or

“(I) another similar water quality practice, as determined by the Secretary.”;

(4) in paragraph (5) (as so redesignated)—

(A) in subparagraph (C), by striking “or filterstrips or riparian buffers devoted to trees, shrubs, or grasses” and inserting “salt tolerant vegetation, field borders, or practices to benefit State or federally identified wellhead protection areas”; and

(B) in subparagraph (E), by striking “or” after the semicolon;

(5) in paragraph (6) (as so redesignated), in subparagraph (B)(ii), by striking the period at the end and inserting “; or”; and

(6) by adding at the end the following:

“(7) as determined by the Secretary, land—

“(A) that was enrolled in the conservation reserve program under a 15-year contract that ex-

pired on September 30, 2017, or September 30, 2018;

“(B) for which there was no opportunity for additional enrollment in that program; and

“(C) on which the conservation practice under the expired contract under subparagraph (A) is maintained.”.

(c) ENROLLMENT.—Section 1231(d) of the Food Security Act of 1985 (16 U.S.C. 3831(d)) is amended—

(1) in paragraph (1), by striking subparagraphs (A) through (E) and inserting the following:

“(A) fiscal year 2019, not more than 24,000,000 acres;

“(B) fiscal year 2020, not more than 24,500,000 acres;

“(C) fiscal year 2021, not more than 25,000,000 acres;

“(D) fiscal year 2022, not more than 25,500,000 acres; and

“(E) fiscal year 2023, not more than 27,000,000 acres.”;

(2) in paragraph (2)—

(A) by striking subparagraphs (A) and (B) and inserting the following:

“(A) LIMITATION.—For purposes of applying the limitations in paragraph (1)—

“(i) the Secretary shall enroll and maintain in the conservation reserve not fewer than 2,000,000 acres of the land described in subsection (b)(3) by September 30, 2023; and

“(ii) in carrying out clause (i), to the maximum extent practicable, the Secretary shall maintain in the conservation reserve at any one time during—

“(I) fiscal year 2019, 1,000,000 acres;

“(II) fiscal year 2020, 1,500,000 acres; and

“(III) fiscal years 2021 through 2023, 2,000,000 acres.

“(B) PRIORITY.—In enrolling acres under subparagraph (A), the Secretary may give priority to land, as determined by the Secretary—

“(i) with expiring conservation reserve contracts;

“(ii) at risk of conversion or development; or

“(iii) of ecological significance, including land that—

“(I) may assist in the restoration of threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(II) may assist in preventing a species from being listed as a threatened or endangered species under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); or

“(III) improves or creates wildlife habitat corridors.”;

(B) in subparagraph (C)—

(i) by striking “In enrolling” and inserting the following:

“(i) IN GENERAL.—In enrolling”; and

(ii) in clause (i) (as so designated), by striking “a continuous” and inserting “an annual”; and

(iii) by adding at the end the following:

“(ii) TIMING OF GRASSLAND RANKING PERIOD.—For purposes of grasslands described in subsection (b)(3), the Secretary shall announce at least 1 ranking period subsequent to the announcement of general enrollment offers.”; and

(C) by adding at the end the following:

“(D) RESERVATION OF UNENROLLED ACRES.—If the Secretary is unable in a fiscal year to enroll enough acres of land described in subsection (b)(3) to meet the number of acres described in clause (ii) or (iii) of subparagraph (A) for the fiscal year—

“(i) the Secretary shall reserve the remaining number of acres for that fiscal year for the enrollment of land described in subsection (b)(3); and

“(ii) that number of acres shall not be available for the enrollment of any other type of eligible land.”; and

(3) by adding at the end the following:

“(3) WATER QUALITY PRACTICES TO FOSTER CLEAN LAKES, ESTUARIES, AND RIVERS (CLEAR INITIATIVE).—

“(A) IN GENERAL.—The Secretary shall give priority within continuous enrollment under

paragraph (6) to the enrollment of land described in subsection (b)(4).

“(B) **SEDIMENT AND NUTRIENT LOADINGS.**—In carrying out subparagraph (A), the Secretary shall give priority to the implementation of practices on land that, if enrolled, will help reduce sediment loadings, nutrient loadings, and harmful algal blooms, as determined by the Secretary.

“(C) **ACREAGE.**—

“(i) **IN GENERAL.**—Of the acres maintained in the conservation reserve in accordance with paragraph (1), to the maximum extent practicable, not less than 40 percent of acres enrolled in the conservation reserve using continuous enrollment under paragraph (6) shall be of land described in subsection (b)(4).

“(ii) **LIMITATION.**—The acres described in clause (i) shall not include grasslands described in subsection (b)(3).

“(D) **REPORT.**—The Secretary shall—

“(i) in the monthly publication of the Secretary describing conservation reserve program statistics, include a description of enrollments through the priority under this paragraph; and

“(ii) publish on the website of the Farm Service Agency an annual report describing a summary of, with respect to the enrollment priority under this paragraph—

“(I) new enrollments;

“(II) expirations;

“(III) geographic distribution; and

“(IV) estimated water quality benefits.

“(4) **STATE ENROLLMENT RATES.**—At the beginning of each of fiscal years 2019 through 2023, to the maximum extent practicable, the Secretary shall allocate to the States proportionately 60 percent of the available number of acres each year for enrollment in the conservation reserve, in accordance with historical State enrollment rates, taking into consideration—

“(A) the average number of acres of all land enrolled in the conservation reserve in each State during each of fiscal years 2007 through 2016;

“(B) the average number of acres of all land enrolled in the conservation reserve nationally during each of fiscal years 2007 through 2016; and

“(C) the acres available for enrollment during each of fiscal years 2019 through 2023, excluding acres described in paragraph (2).

“(5) **FREQUENCY.**—In carrying out this subchapter, for contracts that are not available on a continuous enrollment basis, the Secretary shall hold a signup and enrollment not less often than once each year.

“(6) **CONTINUOUS ENROLLMENT PROCEDURE.**—

“(A) **IN GENERAL.**—To the maximum extent practicable, the Secretary shall allow producers to submit applications on a continuous basis for enrollment in—

“(i) the conservation reserve of—

“(I) marginal pasture land described in subsection (b)(2);

“(II) land described in subsection (b)(4); and

“(III) cropland described in subsection (b)(5); and

“(ii) the conservation reserve enhancement program under section 1231A.

“(B) **LIMITATION.**—For purposes of applying the limitations in paragraph (1)—

“(i) the Secretary shall, to the maximum extent practicable, enroll and maintain not fewer than 8,600,000 acres of land under subparagraph (A) by September 30, 2023; and

“(ii) in carrying out clause (i), to the maximum extent practicable, the Secretary shall maintain in the conservation reserve at any one time during—

“(I) fiscal year 2019, 8,000,000 acres;

“(II) fiscal year 2020, 8,250,000 acres;

“(III) fiscal year 2021, 8,500,000 acres; and

“(IV) fiscal years 2022 and 2023, 8,600,000 acres.”.

(d) **ELIGIBILITY FOR CONSIDERATION.**—Section 1231(h) of the Food Security Act of 1985 (16 U.S.C. 3831(h)) is amended—

(1) by striking “On the expiration” and inserting the following:

“(1) **IN GENERAL.**—On the expiration”; and

(2) by adding at the end the following:

“(2) **REENROLLMENT LIMITATION FOR CERTAIN LAND.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), land subject to a contract entered into under this subchapter shall be eligible for only one reenrollment in the conservation reserve under paragraph (1) if the land is devoted to hardwood trees.

“(B) **EXCLUSIONS.**—Subparagraph (A) shall not apply to—

“(i) riparian forested buffers;

“(ii) forested wetlands enrolled under subsection (d)(3) or the conservation reserve enhancement program under section 1231A; and

“(iii) shelterbelts.”.

SEC. 2202. CONSERVATION RESERVE ENHANCEMENT PROGRAM.

(a) **IN GENERAL.**—Subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 is amended by inserting after section 1231 (16 U.S.C. 3831) the following:

“**SEC. 1231A. CONSERVATION RESERVE ENHANCEMENT PROGRAM.**

“(a) **DEFINITIONS.**—In this section:

“(1) **CREP.**—The term ‘CREP’ means a conservation reserve enhancement program carried out under subsection (b)(1).

“(2) **ELIGIBLE LAND.**—The term ‘eligible land’ means land that is eligible to be included in the program established under this subchapter.

“(3) **ELIGIBLE PARTNER.**—The term ‘eligible partner’ means—

“(A) a State;

“(B) a political subdivision of a State;

“(C) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)); or

“(D) a nongovernmental organization.

“(4) **MANAGEMENT.**—The term ‘management’ means an activity conducted by an owner or operator under a contract entered into under this subchapter after the establishment of a conservation practice on eligible land, to regularly maintain or enhance the vegetative cover established by the conservation practice—

“(A) throughout the term of the contract; and

“(B) consistent with the conservation plan that covers the eligible land.

“(b) **AGREEMENTS.**—

“(1) **IN GENERAL.**—The Secretary may enter into an agreement with an eligible partner to carry out a conservation reserve enhancement program—

“(A) to assist in enrolling eligible land in the program established under this subchapter; and

“(B) that the Secretary determines will advance the purposes of this subchapter.

“(2) **CONTENTS.**—An agreement entered into under paragraph (1) shall—

“(A) describe—

“(i) 1 or more specific State or nationally significant conservation concerns to be addressed by the agreement;

“(ii) quantifiable environmental goals for addressing the concerns under clause (i);

“(iii) a suitable acreage goal for enrollment of eligible land under the agreement, as determined by the Secretary;

“(iv) the location of eligible land to be enrolled in the project area identified under the agreement;

“(v) the payments to be offered by the Secretary and eligible partner to an owner or operator; and

“(vi) an appropriate list of conservation reserve program conservation practices that are appropriate to meeting the concerns described under clause (i), as determined by the Secretary in consultation with eligible partners;

“(B) subject to subparagraph (C), require the eligible partner to provide matching funds—

“(i) in an amount determined during a negotiation between the Secretary and 1 or more eligible partners, if the majority of the matching funds to carry out the agreement are provided by 1 or more eligible partners that are not nongovernmental organizations; or

“(ii) in an amount not less than 30 percent of the cost required to carry out the conservation measures and practices described in the agreement, if a majority of the matching funds to carry out the agreement are provided by 1 or more nongovernmental organizations; and

“(C) include procedures to allow for a temporary waiver of the matching requirements under subparagraph (B), or continued enrollment with a temporary suspension of incentives or eligible partner contributions for new agreements, during a period when an eligible partner loses the authority or ability to provide matching contributions, if the Secretary determines that the temporary waiver or continued enrollment with a temporary suspension will advance the purposes of this subchapter.

“(3) **EFFECT ON EXISTING AGREEMENTS.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), an agreement under this subsection shall not affect, modify, or interfere with existing agreements under this subchapter.

“(B) **MODIFICATION OF EXISTING AGREEMENTS.**—To implement this section, the signatories to an agreement under this subsection may mutually agree to a modification of an agreement entered into before the date of enactment of this section under the Conservation Reserve Enhancement Program established by the Secretary under this subchapter.

“(c) **PAYMENTS.**—

“(1) **MATCHING REQUIREMENT.**—Funds provided by an eligible partner may be in cash, in-kind contributions, or technical assistance, as determined by the Secretary.

“(2) **MARGINAL PASTURELAND COST-SHARE PAYMENTS.**—The Secretary shall ensure that cost-share payments to an owner or operator to install stream fencing, crossings, and alternative water development on marginal pastureland under a CREP reflect the fair market value of the cost of installation.

“(3) **COST-SHARE AND PRACTICE INCENTIVE PAYMENTS.**—

“(A) **IN GENERAL.**—On request of an owner or operator, the Secretary shall provide cost-share payments when a major component of a conservation practice is completed under a CREP, as determined by the Secretary.

“(B) **EXEMPTION.**—For purposes of implementing conservation practices on land enrolled under a CREP, the Secretary may waive the contribution limitation described in section 1234(b)(2)(A).

“(4) **RIPARIAN BUFFER MANAGEMENT PAYMENTS.**—

“(A) **IN GENERAL.**—In the case of an agreement under subsection (b)(1) that includes riparian buffers as an eligible practice, the Secretary shall make cost-share payments to encourage the regular management of the riparian buffer throughout the term of the agreement, consistent with the conservation plan that covers the eligible land.

“(B) **LIMITATION.**—The amount of payments received by an owner or operator under subparagraph (A) shall not be greater than 100 percent of the normal and customary projected management cost, as determined by the Secretary, in consultation with the applicable State technical committee established under section 1261(a).

“(d) **FORESTED RIPARIAN BUFFER PRACTICE.**—

“(1) **FOOD-PRODUCING WOODY PLANTS.**—In the case of an agreement under subsection (b)(1) that includes forested riparian buffers as an eligible practice, the Secretary shall allow an owner or operator—

“(A) to plant food-producing woody plants in the forested riparian buffers, on the conditions that—

“(i) the plants shall contribute to the conservation of soil, water quality, and wildlife habitat; and

“(ii) the planting shall be consistent with—

“(I) recommendations of the applicable State technical committee established under section 1261(a); and

“(II) technical guide standards of the applicable field office of the Natural Resources Conservation Service; and

“(B) to harvest from plants described in subparagraph (A), on the conditions that—

“(i) the harvesting shall not damage the conserving cover or otherwise have a negative impact on the conservation concerns targeted by the CREP;

“(ii) only native plant species appropriate to the region shall be used within 35 feet of the watercourse; and

“(iii) the producer shall be subject to a reduction in the rental rate commensurate to the value of the crop harvested.

“(2) TECHNICAL ASSISTANCE.—For the purpose of enrolling forested riparian buffers in a CREP, the Administrator of the Farm Service Agency shall coordinate with the applicable State forestry agency.

“(e) DROUGHT AND WATER CONSERVATION AGREEMENTS.—In the case of an agreement under subsection (b)(1) to address regional drought concerns, in accordance with the conservation purposes of the CREP, the Secretary, in consultation with the applicable State technical committee established under section 1261(a), may—

“(1) notwithstanding subsection (a)(2), enroll other agricultural land on which the resource concerns identified in the agreement can be addressed if the enrollment of the land is critical to the accomplishment of the purposes of the agreement;

“(2) permit dryland agricultural uses with the adoption of best management practices on enrolled land if the agreement involves the significant long-term reduction of consumptive water use and dryland production is compatible with the agreement; and

“(3) calculate annual rental payments consistent with existing administrative practice for similar drought and water conservation agreements under this subtitle and ensure regional consistency in those rates.

“(f) STATUS REPORT.—Not later than 180 days after the end of each fiscal year, the Secretary shall submit to Congress a report that describes, with respect to each agreement entered into under subsection (b)(1)—

“(1) the status of the agreement;

“(2) the purposes and objectives of the agreement;

“(3) the Federal and eligible partner commitments made under the agreement; and

“(4) the progress made in fulfilling those commitments.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 1240R(c)(3) of the Food Security Act of 1985 (16 U.S.C. 3839bb–5(c)(3)) is amended by striking “a special conservation reserve enhancement program described in section 1234(f)(4)” and inserting “a conservation reserve enhancement program under section 1231A”.

(2) Section 1244(f)(3) of the Food Security Act of 1985 (16 U.S.C. 3844(f)(3)) is amended by striking “subsection (d)(2)(A)(ii) or (g)(2) of section 1234” and inserting “section 1231A”.

SEC. 2203. FARMABLE WETLAND PROGRAM.

Section 1231B of the Food Security Act of 1985 (16 U.S.C. 3831b) is amended—

(1) in subsection (a)(1), by striking “2018” and inserting “2023”; and

(2) in subsection (f)(2), by striking “1234(d)(2)(A)(ii)” and inserting “1234(d)”.

SEC. 2204. PILOT PROGRAMS.

Subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 is amended by inserting after section 1231B (16 U.S.C. 3831b) the following:

“SEC. 1231C. PILOT PROGRAMS.

“(a) CLEAR 30.—

“(1) IN GENERAL.—

“(A) ENROLLMENT.—The Secretary shall establish a pilot program to enroll land in the conservation reserve program through a 30-year conservation reserve contract (referred to in this subsection as a ‘CLEAR 30 contract’) in accordance with this subsection.

“(B) INCLUSION OF ACREAGE LIMITATION.—For purposes of applying the limitations in section

1231(d)(1), the Secretary shall include acres of land enrolled under this subsection.

“(2) EXPIRED CONSERVATION CONTRACT ELECTION.—

“(A) DEFINITION OF COVERED CONTRACT.—In this paragraph, the term ‘covered contract’ means a contract entered into under this subchapter that—

“(i) expires on or after the date of enactment of the Agriculture Improvement Act of 2018; and

“(ii) covers land enrolled in the conservation reserve program under the clean lakes, estuaries, and rivers priority described in section 1231(d)(3) (or the predecessor practices that constitute the priority, as determined by the Secretary).

“(B) ELECTION.—On the expiration of a covered contract, an owner or operator party to the covered contract shall elect—

“(i) not to reenroll the land under the contract;

“(ii) to offer to reenroll the land under the contract if the land remains eligible under the terms in effect as of the date of expiration; or

“(iii) not to reenroll the land under the contract and to enroll that land through a CLEAR 30 contract under this subsection.

“(3) ELIGIBLE LAND.—Only land that is subject to an expired covered contract shall be eligible for enrollment through a CLEAR 30 contract under this subsection.

“(4) TERM.—The term of a CLEAR 30 contract shall be 30 years.

“(5) AGREEMENTS.—To be eligible to enroll land in the conservation reserve program through a CLEAR 30 contract, the owner of the land shall enter into an agreement with the Secretary—

“(A) to implement a conservation reserve plan developed for the land;

“(B) to comply with the terms and conditions of the contract and any related agreements; and

“(C) to temporarily suspend the base history for the land covered by the contract.

“(6) TERMS AND CONDITIONS OF CLEAR 30 CONTRACTS.—

“(A) IN GENERAL.—A CLEAR 30 contract shall include terms and conditions that—

“(i) permit—

“(I) repairs, improvements, and inspections on the land that are necessary to maintain existing public drainage systems; and

“(II) owners to control public access on the land while identifying access routes to be used for restoration activities and management and contract monitoring;

“(ii) prohibit—

“(I) the alteration of wildlife habitat and other natural features of the land, unless specifically authorized by the Secretary as part of the conservation reserve plan;

“(II) the spraying of the land with chemicals or the mowing of the land, except where the spraying or mowing is authorized by the Secretary or is necessary—

“(aa) to comply with Federal or State noxious weed control laws;

“(bb) to comply with a Federal or State emergency pest treatment program; or

“(cc) to meet habitat needs of specific wildlife species;

“(III) any activity to be carried out on the land of the owner or successor that is immediately adjacent to, and functionally related to, the land that is subject to the contract if the activity will alter, degrade, or otherwise diminish the functional value of the land; and

“(IV) the adoption of any other practice that would tend to defeat the purposes of the conservation reserve program, as determined by the Secretary; and

“(ii) include any additional provision that the Secretary determines is appropriate to carry out this section or facilitate the practical administration of this section.

“(B) VIOLATION.—On the violation of a term or condition of a CLEAR 30 contract, the Secretary may require the owner to refund all or part of any payments received by the owner

under the conservation reserve program, with interest on the payments, as determined appropriate by the Secretary.

“(C) COMPATIBLE USES.—Land subject to a CLEAR 30 contract may be used for compatible economic uses, including hunting and fishing, managed timber harvest, or periodic haying or grazing, if the use—

“(i) is specifically permitted by the conservation reserve plan developed for the land; and

“(ii) is consistent with the long-term protection and enhancement of the conservation resources for which the contract was established.

“(7) COMPENSATION.—

“(A) AMOUNT OF PAYMENTS.—The Secretary shall provide payment under this subsection to an owner of land enrolled through a CLEAR 30 contract using 30 annual payments in an amount equal to the amount that would be used if the land were to be enrolled in the conservation reserve program under section 1231(d)(3).

“(B) FORM OF PAYMENT.—Compensation for a CLEAR 30 contract shall be provided by the Secretary in the form of a cash payment in an amount determined under subparagraph (A).

“(C) TIMING.—The Secretary shall provide any annual payment obligation under subparagraph (A) as early as practicable in each fiscal year.

“(D) PAYMENTS TO OTHERS.—The Secretary shall make a payment, in accordance with regulations prescribed by the Secretary, in a manner as the Secretary determines is fair and reasonable under the circumstances, if an owner who is entitled to a payment under this section—

“(i) dies;

“(ii) becomes incompetent;

“(iii) is succeeded by another person or entity who renders or completes the required performance; or

“(iv) is otherwise unable to receive the payment.

“(8) TECHNICAL ASSISTANCE.—

“(A) IN GENERAL.—The Secretary shall assist owners in complying with the terms and conditions of a CLEAR 30 contract.

“(B) CONTRACTS OR AGREEMENTS.—The Secretary may enter into 1 or more contracts with private entities or agreements with a State, non-governmental organization, or Indian Tribe to carry out necessary maintenance of a CLEAR 30 contract if the Secretary determines that the contract or agreement will advance the purposes of the conservation reserve program.

“(9) ADMINISTRATION.—

“(A) CONSERVATION RESERVE PLAN.—The Secretary shall develop a conservation reserve plan for any land subject to a CLEAR 30 contract, which shall include practices and activities necessary to maintain, protect, and enhance the conservation value of the enrolled land.

“(B) DELEGATION OF CONTRACT ADMINISTRATION.—

“(i) FEDERAL, STATE, OR LOCAL GOVERNMENT AGENCIES.—The Secretary may delegate any of the management, monitoring, and enforcement responsibilities of the Secretary under this subsection to other Federal, State, or local government agencies that have the appropriate authority, expertise, and resources necessary to carry out those delegated responsibilities.

“(ii) CONSERVATION ORGANIZATIONS.—The Secretary may delegate any management responsibilities of the Secretary under this subsection to conservation organizations if the Secretary determines the conservation organization has similar expertise and resources.

“(b) SOIL HEALTH AND INCOME PROTECTION PILOT PROGRAM.—

“(1) DEFINITION OF ELIGIBLE LAND.—In this subsection:

“(A) IN GENERAL.—The term ‘eligible land’ means cropland that—

“(i) is selected by the owner or operator of the land for proposed enrollment in the pilot program under this subsection; and

“(ii) as determined by the Secretary—

“(I) is located within 1 or more States that are part of the prairie pothole region, as selected by

the Secretary based on consultation with State Committees of the Farm Service Agency and State technical committees established under section 1261(a) from that region;

“(II) had a cropping history or was considered to be planted during each of the 3 crop years preceding enrollment; and

“(III) is verified to be less-productive land, as compared to other land on the applicable farm.

“(B) EXCLUSION.—The term ‘eligible land’ does not include any land that was enrolled in a conservation reserve program contract in any of the 3 crop years preceding enrollment in the pilot program under this subsection.

“(2) ESTABLISHMENT.—

“(A) IN GENERAL.—The Secretary shall establish a voluntary soil health and income protection pilot program under which eligible land is enrolled through the use of contracts to assist owners and operators of eligible land to conserve and improve the soil, water, and wildlife resources of the eligible land.

“(B) DEADLINE FOR PARTICIPATION.—Eligible land may be enrolled in the program under this section through December 31, 2020.

“(3) CONTRACTS.—

“(A) REQUIREMENTS.—A contract described in paragraph (2) shall—

“(i) be entered into by the Secretary, the owner of the eligible land, and (if applicable) the operator of the eligible land; and

“(ii) provide that, during the term of the contract—

“(I) the lowest practicable cost perennial conserving use cover crop for the eligible land, as determined by the applicable State conservationist after considering the advice of the applicable State technical committee, shall be planted on the eligible land;

“(II) except as provided in subparagraph (E), the owner or operator of the eligible land shall pay the cost of planting the conserving use cover crop under subclause (I);

“(III) subject to subparagraph (F), the eligible land may be harvested for seed, hayed, or grazed outside the primary nesting season established for the applicable county;

“(IV) the eligible land may be eligible for a walk-in access program of the applicable State, if any; and

“(V) a nonprofit wildlife organization may provide to the owner or operator of the eligible land a payment in exchange for an agreement by the owner or operator not to harvest the conserving use cover.

“(B) PAYMENTS.—Except as provided in subparagraphs (E) and (F)(ii)(I), the annual rental rate for a payment under a contract described in paragraph (2) shall be equal to 50 percent of the average rental rate for the applicable county under section 1234(d), as determined by the Secretary.

“(C) LIMITATION ON ENROLLED LAND.—Not more than 15 percent of the eligible land on a farm may be enrolled in the pilot program under this subsection.

“(D) TERM.—

“(i) IN GENERAL.—Except as provided in clause (ii), each contract described in paragraph (2) shall be for a term of 3, 4, or 5 years, as determined by the parties to the contract.

“(ii) EARLY TERMINATION.—

“(I) SECRETARY.—The Secretary may terminate a contract described in paragraph (2) before the end of the term described in clause (i) if the Secretary determines that the early termination of the contract is necessary.

“(II) OWNERS AND OPERATORS.—An owner and (if applicable) an operator of eligible land enrolled in the pilot program under this subsection may terminate a contract described in paragraph (2) before the end of the term described in clause (i) if the owner and (if applicable) the operator pay to the Secretary an amount equal to the amount of rental payments received under the contract.

“(E) BEGINNING, LIMITED RESOURCE, SOCIALLY DISADVANTAGED, OR VETERAN FARMERS AND RANCHERS.—With respect to a beginning, limited

resource, socially disadvantaged, or veteran farmer or rancher, as determined by the Secretary—

“(i) a contract described in paragraph (2) shall provide that, during the term of the contract, of the actual cost of establishment of the conserving use cover crop under subparagraph (A)(ii)(I)—

“(I) using the funds of the Commodity Credit Corporation, the Secretary shall pay 50 percent; and

“(II) the beginning, limited resource, socially disadvantaged, or veteran farmer or rancher shall pay 50 percent; and

“(ii) the annual rental rate for a payment under a contract described in paragraph (2) shall be equal to 75 percent of the average rental rate for the applicable county under section 1234(d), as determined by the Secretary.

“(F) HARVESTING, HAYING, AND GRAZING OUTSIDE APPLICABLE PERIOD.—The harvesting for seed, haying, or grazing of eligible land under subparagraph (A)(ii)(III) outside of the primary nesting season established for the applicable county shall be subject to the conditions that—

“(i) with respect to eligible land that is so hayed or grazed, adequate stubble height shall be maintained to protect the soil on the eligible land, as determined by the applicable State conservationist after considering the advice of the applicable State technical committee; and

“(ii) with respect to eligible land that is so harvested for seed—

“(I) the eligible land shall not be eligible to be insured or reinsured under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.); and

“(II) the rental payment otherwise applicable to the eligible land under this subsection shall be reduced by 25 percent.

“(4) ACREAGE LIMITATION.—Of the number of acres available for enrollment in the conservation reserve under section 1231(d)(1), not more than 50,000 total acres of eligible land may be enrolled under the pilot program under this subsection.

“(5) REPORT.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report describing the eligible land enrolled in the pilot program under this subsection, including—

“(A) the estimated conservation value of the land; and

“(B) estimated savings from reduced commodity payments, crop insurance indemnities, and crop insurance premium subsidies.”.

SEC. 2205. DUTIES OF OWNERS AND OPERATORS.

Section 1232(a) of the Food Security Act of 1985 (16 U.S.C. 3832(a)) is amended—

(1) by redesignating paragraphs (10) and (11) as paragraphs (11) and (12), respectively; and

(2) by inserting after paragraph (9) the following:

“(10) on land devoted to hardwood or other trees, excluding windbreaks and shelterbelts, to carry out proper thinning and other practices—

“(A) to enhance the conservation benefits and wildlife habitat resources addressed by the conservation practice under which the land is enrolled; and

“(B) to promote forest management;”.

SEC. 2206. DUTIES OF THE SECRETARY.

(a) COST-SHARE AND RENTAL PAYMENTS.—Section 1233(a) of the Food Security Act of 1985 (16 U.S.C. 3833(a)) is amended—

(1) in paragraph (1), by inserting “, including the cost of fencing and other water distribution practices, if applicable” after “interest”; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “in an amount necessary to compensate” and inserting “, in accordance with section 1234(d),”;

(B) in subparagraph (A)—

(i) by inserting “, marginal pastureland,” after “cropland”; and

(ii) by adding “or” at the end;

(C) by striking subparagraph (B); and

(D) by redesignating subparagraph (C) as subparagraph (B).

(b) SPECIFIED ACTIVITIES PERMITTED.—Section 1233 of the Food Security Act of 1985 (16 U.S.C. 3833) is amended by striking subsection (b) and inserting the following:

“(b) SPECIFIED ACTIVITIES PERMITTED.—

“(1) IN GENERAL.—The Secretary, in coordination with the applicable State technical committee established under section 1261(a), shall permit certain activities or commercial uses of established cover on land that is subject to a contract under the conservation reserve program if—

“(A) those activities or uses—

“(i) are consistent with the conservation of soil, water quality, and wildlife habitat;

“(ii) are subject to appropriate restrictions during the primary nesting season for birds in the local area that are economically significant, in significant decline, or conserved in accordance with Federal or State law;

“(iii) contribute to the health and vigor of the established cover; and

“(iv) are consistent with a site-specific plan, including vegetative management requirements, stocking rates, and frequency and duration of activity, taking into consideration regional differences, such as climate, soil type, and natural resources; and

“(B) the Secretary, in coordination with the State technical committee, includes contract modifications—

“(i) without any reduction in the rental rate for—

“(I) emergency haying, emergency grazing, or other emergency use of the forage in response to a localized or regional drought, flooding, wildfire, or other emergency, on all practices, outside the primary nesting season, when—

“(aa) the county is designated as D2 (severe drought) or greater according to the United States Drought Monitor;

“(bb) there is at least a 40 percent loss in forage production in the county; or

“(cc) the Secretary, in coordination with the State technical committee, determines that the program can assist in the response to a natural disaster event without permanent damage to the established cover;

“(II) emergency grazing on all practices during the primary nesting season if payments are authorized for a county under the livestock forage disaster program under clause (ii) of section 1501(c)(3)(D) of the Agricultural Act of 2014 (7 U.S.C. 9081(c)(3)(D)), at 50 percent of the normal carrying capacity determined under clause (i) of that section, adjusted to the site-specific plan;

“(III) emergency haying on certain practices, outside the primary nesting season, if payments are authorized for a county under the livestock forage disaster program under clause (ii) of section 1501(c)(3)(D) of the Agricultural Act of 2014 (7 U.S.C. 9081(c)(3)(D)), on not more than 50 percent of contract acres, as identified in the site-specific plan;

“(IV) grazing of all practices, outside the primary nesting season, if included as a mid-contract management practice under section 1232(a)(5);

“(V) the intermittent and seasonal use of vegetative buffer established under paragraphs (4) and (5) of section 1231(b) that are incidental to agricultural production on land adjacent to the buffer such that the permitted use—

“(aa) does not destroy the permanent vegetative cover; and

“(bb) retains suitable vegetative structure for wildlife cover and shelter outside the primary nesting season; or

“(VI) grazing on all practices, outside the primary nesting season, if conducted by a beginning farmer or rancher; or

“(ii) with a 25 percent reduction in the annual rental rate for the acres covered by the authorized activity, including—

“(I) grazing not more frequently than every other year on the same land, except that during

the primary nesting season, grazing shall be subject to a 50 percent reduction in the stocking rate specified in the site-specific plan;

“(II) grazing of all practices during the primary nesting season, with a 50 percent reduction in the stocking rate specified in the site-specific plan;

“(III) haying and other commercial use (including the managed harvesting of biomass and excluding the harvesting of vegetative cover), on the condition that the activity—

“(aa) is completed outside the primary nesting season;

“(bb) occurs not more than once every 3 years; and

“(cc) maintains 25 percent of the total contract acres unharvested, in accordance with a site-specific plan that provides for wildlife cover and shelter;

“(IV) annual grazing outside the primary nesting season if consistent with a site-specific plan that is authorized for the control of invasive species; and

“(V) the installation of wind turbines and associated access, except that in permitting the installation of wind turbines, the Secretary shall determine the number and location of wind turbines that may be installed, taking into account—

“(aa) the location, size, and other physical characteristics of the land;

“(bb) the extent to which the land contains threatened or endangered wildlife and wildlife habitat; and

“(cc) the purposes of the conservation reserve program under this subchapter.

“(2) CONDITIONS ON HAYING AND GRAZING.—

“(A) IN GENERAL.—The Secretary may permit haying or grazing in accordance with paragraph (1) on any land or practice subject to a contract under the conservation reserve program.

“(B) EXCEPTIONS.—

“(i) DAMAGE TO VEGETATIVE COVER.—Haying or grazing described in paragraph (1) shall not be permitted on land subject to a contract under the conservation reserve program, or under a particular practice, if haying or grazing for that year under that practice, as applicable, would cause long-term damage to vegetative cover on that land.

“(ii) SPECIAL AGREEMENTS.—

“(I) IN GENERAL.—Except as provided in subclause (II), haying or grazing described in paragraph (1) shall not be permitted on—

“(aa) land covered by a contract enrolled under the State acres for wildlife enhancement program established by the Secretary; or

“(bb) land covered by a contract enrolled under a conservation reserve enhancement program established under section 1231A or the Conservation Reserve Enhancement Program established by the Secretary under this subchapter.

“(II) EXCEPTION.—Subclause (I) shall not apply to land on which haying or grazing is specifically permitted under the applicable conservation reserve enhancement program agreement or other partnership agreement entered into under this subchapter.”.

(c) NATURAL DISASTER OR ADVERSE WEATHER AS MID-CONTRACT MANAGEMENT.—Section 1233 of the Food Security Act of 1985 (16 U.S.C. 3833) is amended by adding at the end the following:

“(e) NATURAL DISASTER OR ADVERSE WEATHER AS MID-CONTRACT MANAGEMENT.—In the case of a natural disaster or adverse weather event that has the effect of a management practice consistent with the conservation plan, the Secretary shall not require further management practices pursuant to section 1232(a)(5) that are intended to achieve the same effect.”.

SEC. 2207. PAYMENTS.

(a) COST SHARING PAYMENTS.—Section 1234(b) of the Food Security Act of 1985 (16 U.S.C. 3834(b)) is amended—

(1) by striking paragraphs (2) through (4) and inserting the following:

“(2) LIMITATIONS.—

“(A) IN GENERAL.—The Secretary shall ensure, to the maximum extent practicable, that cost sharing payments to an owner or operator under this subchapter, when combined with the sum of payments from all other funding sources for measures and practices described in paragraph (1), do not exceed 100 percent of the total actual cost of establishing those measures and practices, as determined by the Secretary.

“(B) MID-CONTRACT MANAGEMENT GRAZING.—The Secretary may not make any cost sharing payment to an owner or operator under this subchapter pursuant to section 1232(a)(5).

“(C) SEED COST.—In the case of seed costs related to the establishment of cover, cost sharing payments under this subchapter shall not exceed 50 percent of the actual cost of the seed mixture, as determined by the Secretary.”;

(2) by redesignating paragraph (5) as paragraph (3);

(3) in paragraph (3) (as so redesignated), by striking “An owner” and inserting “Except in the case of incentive payments that are related to the cost of the establishment of a practice and received from eligible partners under the conservation reserve enhancement program under section 1231A, an owner”; and

(4) by adding at the end the following:

“(4) PRACTICE INCENTIVES FOR CONTINUOUS PRACTICES.—In addition to the cost sharing payment described in this subsection, the Secretary shall make an incentive payment to an owner or operator of land enrolled under section 1231(d)(6) in an amount not to exceed 50 percent of the actual cost of establishing all measures and practices described in paragraph (1), including seed costs related to the establishment of cover, as determined by the Secretary.”.

(b) INCENTIVE PAYMENTS.—Section 1234(c) of the Food Security Act of 1985 (16 U.S.C. 3834(c)) is amended—

(1) in the subsection heading, by striking “INCENTIVE” and inserting “FOREST MANAGEMENT INCENTIVE”;

(2) in paragraph (1), by striking “The Secretary” and inserting “Using funds made available under section 1241(a)(1)(A), the Secretary”; and

(3) in paragraph (2), by striking “150 percent” and inserting “100 percent”.

(c) ANNUAL RENTAL PAYMENTS.—Section 1234(d) of the Food Security Act of 1985 (16 U.S.C. 3834(d)) is amended—

(1) in paragraph (1)—

(A) by striking “the Secretary may consider, among other things, the amount” and inserting the following: “the Secretary shall consider—

“(A) the amount”;

(B) in subparagraph (A) (as so designated), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(B) the impact on the local farmland rental market; and

“(C) such other factors as the Secretary determines to be appropriate.”;

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in clause (i), by striking “; or” and inserting a period;

(ii) by striking clause (ii); and

(iii) by striking “determined through—” in the matter preceding clause (i) and all that follows through “the submission of bids” in clause (i) and inserting “determined through the submission of applications”;

(B) by redesignating subparagraph (B) as subparagraph (C);

(C) by inserting after subparagraph (A) the following:

“(B) MULTIPLE ENROLLMENTS.—

“(i) IN GENERAL.—Subject to clause (ii), if land subject to a contract entered into under this subchapter is reenrolled under section 1231(h)(1) or has been previously enrolled in the conservation reserve, the annual rental payment shall be in an amount that is not more than 85 percent in the case of general enrollment con-

tacts, or 90 percent in the case of continuous enrollment contracts, of the applicable estimated average county rental rate published pursuant to paragraph (4) for the year in which the reenrollment occurs.

“(ii) CONSERVATION RESERVE ENHANCEMENT PROGRAM.—The reduction in annual rental payments under clause (i) may be waived as part of the negotiation between the Secretary and an eligible partner to enter into a conservation reserve enhancement program agreement under section 1231A.”;

(D) in subparagraph (C) (as so redesignated), by striking “In the case” and inserting “Notwithstanding subparagraph (A), in the case”; and

(E) by adding at the end the following:

“(D) CONTINUOUS SIGN-UP INCENTIVES.—The Secretary shall make an incentive payment to the owner or operator of land enrolled under section 1231(d)(6) at the time of initial enrollment in an amount equal to 32.5 percent of the amount of the first annual rental payment under subparagraph (A).”;

(3) by striking paragraph (4);

(4) by redesignating paragraph (5) as paragraph (4); and

(5) in paragraph (4) (as so redesignated)—

(A) in subparagraph (A)—

(i) by striking “, not less frequently than once every other year,” and inserting “annually”; and

(ii) by inserting “, and shall publish the estimates derived from the survey not later than September 15 of each year” before the period at the end;

(B) in subparagraph (B), by inserting “and the average current and previous soil rental rates for each county” after “subparagraph (A).”;

(C) in subparagraph (C), by striking “may use” and inserting “shall consider”; and

(D) by adding at the end the following:

“(D) SUBMISSION OF ADDITIONAL INFORMATION BY STATE FSA OFFICES AND CREP PARTNERS.—

“(i) IN GENERAL.—The Secretary shall provide an opportunity for State Committees of the Farm Service Agency or eligible partners (as defined in section 1231A(a)) in conservation reserve enhancement programs under section 1231A to propose an alternative soil rental rate prior to finalizing new rates, on the condition that documentation described in clause (ii) is provided to support the proposed alternative.

“(ii) ACCEPTABLE DOCUMENTATION.—Documentation referred to in clause (i) includes—

“(I) an average of cash rents from a random sample of lease agreements;

“(II) cash rent estimates from a published survey;

“(III) neighboring county estimate comparisons from the National Agricultural Statistics Service;

“(IV) an average of cash rents from Farm Service Agency farm business plans;

“(V) models that estimate cash rents, such as models that use returns to estimate crop production or land value data; or

“(VI) other documentation, as determined by the Secretary.

“(iii) NOTIFICATION.—Not less than 14 days prior to the announcement of new or revised soil rental rates, the Secretary shall offer a briefing to the Chairman and Ranking Member of the Committee on Agriculture of the House of Representatives and the Chairman and Ranking Member of the Committee on Agriculture, Nutrition, and Forestry of the Senate, including information on and the rationale for the alternative rates proposed under clause (i) that were accepted or rejected.

“(E) RENTAL RATE LIMITATION.—Notwithstanding forest management incentive payments described in subsection (c), the county average soil rental rate (before any adjustments relating to specific practices, wellhead protection, or soil productivity) shall not exceed—

“(i) 85 percent of the estimated rental rate determined under this paragraph for general enrollment; or

“(ii) 90 percent of the estimated rental rate determined under this paragraph for continuous enrollment.”.

(d) **PAYMENT LIMITATION FOR RENTAL PAYMENTS.**—Section 1234(g) of the Food Security Act of 1985 (16 U.S.C. 3834(g)) is amended—

(1) in paragraph (1), by striking “The total” and inserting “Except as provided in paragraph (2), the total”; and

(2) by striking paragraph (2) and inserting the following:

“(2) **WELLHEAD PROTECTION.**—Paragraph (1) and section 1001D(b) shall not apply to rental payments received by a rural water district or association for land that is enrolled under this subchapter for the purpose of protecting a wellhead.”.

SEC. 2208. CONTRACTS.

(a) **TRANSITION OPTION FOR CERTAIN FARMERS OR RANCHERS.**—Section 1235(f) of the Food Security Act of 1985 (16 U.S.C. 3835(f)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “retired farmer or rancher” and inserting “contract holder”; and

(B) by striking “retired or retiring owner or operator” each place it appears and inserting “contract holder”; and

(C) in subparagraph (A), in the matter preceding clause (i), by striking “1 year” and inserting “2 years”; and

(D) in subparagraph (B), by inserting “, including a lease with a term of less than 5 years and an option to purchase” after “option to purchase”; and

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

(F) by redesignating subparagraph (E) as subparagraph (F); and

(G) by inserting after subparagraph (D) the following:

“(E) give priority to the enrollment of the land covered by the contract in—

“(i) the environmental quality incentives program established under subchapter A of chapter 4;

“(ii) the conservation stewardship program established under subchapter B of chapter 4; or

“(iii) the agricultural conservation easement program established under subtitle H; and”;

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “The Secretary” and inserting “To the extent that the maximum number of acres permitted to be enrolled under the conservation reserve program has not been met, the Secretary”; and

(B) by striking subparagraph (A) and inserting the following:

“(A)(i) is carried out on land described in paragraph (4) or (5) of section 1231(b); and

“(ii) is eligible for continuous enrollment under section 1231(d)(6); and”.

(b) **END OF CONTRACT CONSIDERATIONS.**—Section 1235(g) of the Food Security Act of 1985 (16 U.S.C. 3835(g)) is amended to read as follows:

“(g) **END OF CONTRACT CONSIDERATIONS.**—The Secretary shall not consider an owner or operator to be in violation of a term or condition of the conservation reserve contract if—

“(1) during the year prior to expiration of the contract, the owner or operator—

“(A)(i) enters into a contract under the environmental quality incentives program established under subchapter A of chapter 4; and

“(ii) begins the establishment of a practice under that contract; or

“(B)(i) enters into a contract under the conservation stewardship program established under subchapter B of chapter 4; and

“(ii) begins the establishment of a practice under that contract; or

“(2) during the 3 years prior to the expiration of the contract, the owner or operator begins the certification process under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.).”.

SEC. 2209. ELIGIBLE LAND; STATE LAW REQUIREMENTS.

The Secretary shall revise paragraph (4) of section 1410.6(d) of title 7, Code of Federal Reg-

ulations, to provide that land enrolled under a Conservation Reserve Enhancement Program agreement initially established before January 1, 2014 (including an amended or successor Conservation Reserve Enhancement Program agreement, as determined by the Secretary), shall not be ineligible for enrollment in the conservation reserve program established under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) under that paragraph if the Deputy Administrator (as defined in section 1410.2(b) of title 7, Code of Federal Regulations (or successor regulations)), on recommendation from and in consultation with the applicable State technical committee established under section 1261(a) of the Food Security Act of 1985 (16 U.S.C. 3861(a)) determines, under such terms and conditions as the Deputy Administrator, in consultation with the State technical committee, determines to be appropriate, that making that land eligible for enrollment in that program is not contrary to the purposes of that program.

Subtitle C—Environmental Quality Incentives Program and Conservation Stewardship Program

SEC. 2301. REPEAL OF CONSERVATION PROGRAMS.

(a) **IN GENERAL.**—Chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) is amended—

(1) by striking the chapter designation and heading and inserting the following:

“CHAPTER 4—ENVIRONMENTAL QUALITY INCENTIVES PROGRAM AND CONSERVATION STEWARDSHIP PROGRAM

“Subchapter A—Environmental Quality Incentives Program”; and

(2) by inserting after section 1240H the following:

“Subchapter B—Conservation Stewardship Program”.

(b) **CONSERVATION STEWARDSHIP PROGRAM.**—Subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) is amended—

(1) by redesignating sections 1238D through 1238G as sections 1240I through 1240L, respectively; and

(2) by moving sections 1240I through 1240L (as so redesignated) so as to appear after the subchapter heading for subchapter B of chapter 4 of subtitle D of title XII of that Act (as added by subsection (a)(2)).

(c) **REPEAL.**—

(1) **IN GENERAL.**—Chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838 et seq.) (as amended by subsection (b)) is repealed.

(2) **TERMINATION OF CONSERVATION STEWARDSHIP PROGRAM.**—Effective on the date of enactment of this Act, the conservation stewardship program under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) (as in effect on the day before the date of enactment of this Act) shall cease to be effective.

(3) **TRANSITIONAL PROVISIONS.**—

(A) **EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.**—The cessation of effectiveness under paragraph (2) shall not affect—

(i) the validity or terms of any contract entered into by the Secretary under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) before the date of enactment of this Act, or any payments, modifications, or technical assistance required to be made in connection with the contract; or

(ii) subject to subparagraph (D), any agreement entered into by the Secretary under the regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985 (16 U.S.C. 3871 et seq.) on or before September 30, 2018, under which conservation stewardship program acres and associated funding have been allocated to the agreement for the

purpose of entering into a contract under subchapter B of chapter 2 of subtitle D of title XII of that Act (16 U.S.C. 3838d et seq.) (as in effect on the day before the date of enactment of this Act).

(B) **EXTENSION PERMITTED.**—Notwithstanding paragraph (2), the Secretary may extend for 1 year a contract described in subparagraph (A)(i) if that contract expires on or before December 31, 2019, under the terms and payment rate of the existing contract and in accordance with subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) (as in effect on the day before the date of enactment of this Act).

(C) **RENEWAL NOT PERMITTED.**—

(i) **IN GENERAL.**—Notwithstanding subparagraph (A), and subject to clause (ii), the Secretary may not renew a contract or agreement described in that subparagraph.

(ii) **EXCEPTION.**—The Secretary may renew a contract described in subparagraph (A)(i)—

(I) if that contract expires on or after December 31, 2019;

(II) under the terms of the conservation stewardship program under subchapter B of chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (as added by subsections (a)(2) and (b)); and

(III) subject to the limitation on funding for that subchapter under section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841).

(D) **RCPP CONTRACTS.**—

(i) **TREATMENT OF ACREAGE.**—In the case of an agreement described in subparagraph (A)(ii), the Secretary may provide an amount of funding that is equivalent to the value of any acres covered by the agreement.

(ii) **FUNDS AND ACRES NOT OBLIGATED.**—In the case of an agreement described in subparagraph (A)(ii) to which program acres and associated funding have been allocated but not yet obligated to enter into a contract under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) (as in effect on the day before the date of enactment of this Act)—

(I) the Secretary shall modify the agreement to authorize the entrance into a contract under subchapter B of chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (as added by subsections (a)(2) and (b)); and

(II) the funds associated with the conservation stewardship program acres allocated under that agreement, on modification under subclause (I), may be used to enter into conservation stewardship program contracts with producers under subchapter B of chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (as added by subsections (a)(2) and (b)).

(4) **CONTRACT ADMINISTRATION.**—Subject to paragraphs (3)(C) and (3)(D)(ii)(II), the Secretary shall administer each contract and agreement described in clauses (i) and (ii) of paragraph (3)(A) until the expiration of the contract or agreement in accordance with the regulations to carry out the conservation stewardship program under subchapter B of chapter 2 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3838d et seq.) (as in effect on the day before the date of enactment of this Act) that are in effect on the day before that date of enactment.

(5) **FUNDING.**—Notwithstanding paragraphs (1) and (2), any funds made available from the Commodity Credit Corporation under section 1241(a)(4) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(4)) for fiscal years 2014 through 2018 shall be available to carry out—

(A) any contract or agreement described in paragraph (3)(A)(i) for fiscal year 2019;

(B) any contract or agreement described in paragraph (3)(A)(ii);

(C) any contract extended under paragraph (3)(B); and

(D) any contract or agreement under subchapter B of chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (as added by subsections (a)(2) and (b)).

(d) CONFORMING AMENDMENTS.—

(1) FOOD SECURITY ACT OF 1985.—

(A) Section 1211(a)(3)(A) of the Food Security Act of 1985 (16 U.S.C. 3811(a)(3)(A)) is amended by inserting “subchapter A of” before “chapter 4”.

(B) Section 1221(b)(3)(A) of the Food Security Act of 1985 (16 U.S.C. 3821(b)(3)(A)) is amended by inserting “subchapter A of” before “chapter 4”.

(C) Section 1240J(b)(1) of the Food Security Act of 1985 (as redesignated by subsection (b)(1)) is amended by striking subparagraph (C).

(D) Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended in the matter preceding paragraph (1) by striking “chapter” and inserting “subchapter”.

(E) Section 1240A of the Food Security Act of 1985 (16 U.S.C. 3839aa–1) is amended by striking “chapter” each place it appears and inserting “subchapter”.

(F) Section 1240B(i)(2)(B) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(i)(2)(B)) is amended by striking “chapter” and inserting “subchapter”.

(G) Section 1240C(b) of the Food Security Act of 1985 (16 U.S.C. 3839aa–3(b)) is amended in the matter preceding paragraph (1) by striking “chapter” and inserting “subchapter”.

(H) Section 1240E(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa–5(b)(2)) is amended by striking “chapter” and inserting “subchapter”.

(I) Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is amended by striking “chapter” each place it appears and inserting “subchapter”.

(J) Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–8) is amended by striking “chapter” each place it appears and inserting “subchapter”.

(K) Section 1244(c)(3) of the Food Security Act of 1985 (16 U.S.C. 3844(c)(3)) is amended by inserting “subchapter A of” before “chapter 4”.

(L) Section 1244(I) of the Food Security Act of 1985 (16 U.S.C. 3844(I)) is amended—

(i) by striking “chapter 2” and inserting “chapter 4”; and

(ii) by inserting “subchapter A of” after “incentives program under”.

(2) OTHER LAWS.—

(A) Section 344(f)(8) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1344(f)(8)) is amended by inserting “subchapter A of” before “chapter 4”.

(B) Section 377 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1377) is amended by inserting “subchapter A of” before “chapter 4”.

(C) Paragraph (1) of the last proviso of the matter under the heading “CONSERVATION RESERVE PROGRAM” under the heading “SOIL BANK PROGRAMS” of title I of the Department of Agriculture and Farm Credit Administration Appropriation Act, 1959 (7 U.S.C. 1831a), is amended by inserting “subchapter A of” before “chapter 4”.

(D) Section 8(b)(1) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(1)) is amended by inserting “subchapter A of” before “chapter 4”.

(E) Section 1271(c)(3)(C) of the Food, Agriculture, Conservation, and Trade Act of 1990 (16 U.S.C. 2106a(c)(3)(C)) is amended by inserting “subchapter A of” before “chapter 4”.

(F) Section 304(a)(1) of the Lake Champlain Special Designation Act of 1990 (33 U.S.C. 1270 note; Public Law 101–596) is amended by inserting “subchapter A of” before “chapter 4”.

(G) Section 202(c) of the Colorado River Basin Salinity Control Act (43 U.S.C. 1592(c)) is amended by inserting “subchapter A of” before “chapter 4”.

SEC. 2302. PURPOSES OF ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.

Section 1240 of the Food Security Act of 1985 (16 U.S.C. 3839aa) is amended by striking paragraph (4) and inserting the following:

“(4) assisting producers to make beneficial, cost-effective changes to production systems, in-

cluding addressing identified, new, or expected resource concerns related to organic production, grazing management, fuels management, forest management, nutrient management associated with crops and livestock, pest management, irrigation management, adapting to, and mitigating against, increasing weather volatility, drought resiliency measures, or other practices on agricultural and forested land.”.

SEC. 2303. DEFINITIONS UNDER ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.

Section 1240A of the Food Security Act of 1985 (16 U.S.C. 3839aa–1) is amended—

(1) by redesignating paragraphs (1), (2), (3), (4) and (5) as paragraphs (2), (4), (5), (6), and (8), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

“(1) CONSERVATION PLANNING ASSESSMENT.—The term ‘conservation planning assessment’ means a report, as determined by the Secretary, that—

“(A) is developed by—

“(i) a State or unit of local government (including a conservation district);

“(ii) a Federal agency; or

“(iii) a third-party provider certified under section 1242(e) (including a certified rangeland professional);

“(B) assesses rangeland or cropland function and describes conservation activities to enhance the economic and ecological management of that land; and

“(C) can be incorporated into a comprehensive planning document required by the Secretary for enrollment in a conservation program of the Department of Agriculture.”;

(3) in paragraph (2) (as so redesignated), in subparagraph (B)(vi)—

(A) by inserting “environmentally sensitive areas,” after “marshes,”; and

(B) by inserting “identified or expected” before “resource concerns”;

(4) by inserting after paragraph (2) (as so redesignated) the following:

“(3) INCENTIVE PRACTICE.—The term ‘incentive practice’ means a practice or set of practices approved by the Secretary that, when implemented and maintained on eligible land, address 1 or more priority resource concerns.”;

(5) in paragraph (6) (as so redesignated)—

(A) in subparagraph (A)—

(i) in clause (iv), by striking “and” at the end;

(ii) by redesignating clause (v) as clause (vii); and

(iii) by inserting after clause (iv) the following:

“(v) soil testing;

“(vi) soil remediation to be carried out by the producer; and”; and

(B) in subparagraph (B)—

(i) in clause (i), by striking “and” at the end;

(ii) by redesignating clause (ii) as clause (vi); and

(iii) by inserting after clause (i) the following:

“(ii) planning for resource-conserving crop rotations (as defined in section 1240L(d)(1));

“(iii) soil health planning, including increasing soil organic matter and the use of cover crops;

“(iv) a conservation planning assessment;

“(v) precision conservation management planning; and”; and

(6) by inserting after paragraph (6) (as so redesignated) the following:

“(7) PRIORITY RESOURCE CONCERN.—The term ‘priority resource concern’ means a natural resource concern or problem, as determined by the Secretary, that—

“(A) is identified at the national, State, or local level as a priority for a particular area of a State; and

“(B) represents a significant concern in a State or region.”; and

(7) by adding at the end the following:

“(9) SOIL REMEDIATION.—The term ‘soil remediation’ means scientifically based practices that—

“(A) ensure the safety of producers from contaminants in soil;

“(B) limit contaminants in soil from entering agricultural products for human or animal consumption; and

“(C) regenerate and sustain the soil.

“(10) SOIL TESTING.—The term ‘soil testing’ means the evaluation of soil health, including testing for—

“(A) the optimal level of constituents in the soil, such as organic matter, nutrients, and the potential presence of soil contaminants, including heavy metals, volatile organic compounds, polycyclic aromatic hydrocarbons, or other contaminants; and

“(B) the biological and physical characteristics indicative of proper soil functioning.”.

SEC. 2304. ESTABLISHMENT AND ADMINISTRATION OF ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.

(a) ESTABLISHMENT.—Section 1240B(a) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(a)) is amended by striking “2019” and inserting “2023”.

(b) PAYMENTS.—Section 1240B(d) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(d)) is amended—

(1) in paragraph (4)(B)—

(A) in clause (i)—

(i) by striking “Not more than” and inserting “On an election by a producer described in subparagraph (A), the Secretary shall provide at least”;

(ii) by striking “may be provided”; and

(iii) by striking “the purpose of” and inserting “all costs related to”; and

(B) by adding at the end the following:

“(iii) NOTIFICATION AND DOCUMENTATION.—The Secretary shall—

“(I) notify each producer described in subparagraph (A), at the time of enrollment in the program, of the option to receive advance payments under clause (i); and

“(II) document the election of each producer described in subparagraph (A) to receive advance payments under clause (i) with respect to each practice that has costs described in that clause.”; and

(2) by adding at the end the following:

“(7) INCREASED PAYMENTS FOR HIGH-PRIORITY PRACTICES.—

“(A) STATE DETERMINATION.—Each State, in consultation with the State technical committee established under section 1261(a) for the State, may designate not more than 10 practices to be eligible for increased payments under subparagraph (B), on the condition that the practice, as determined by the Secretary—

“(i) addresses specific causes of impairment relating to excessive nutrients in groundwater or surface water;

“(ii) addresses the conservation of water to advance drought mitigation and declining aquifers;

“(iii) meets other environmental priorities and other priority resource concerns identified in habitat or other area restoration plans; or

“(iv) is geographically targeted to address a natural resource concern in a specific watershed.

“(B) INCREASED PAYMENTS.—Notwithstanding paragraph (2), in the case of a practice designated under subparagraph (A), the Secretary may increase the amount that would otherwise be provided for a practice under this subsection to not more than 90 percent of the costs associated with planning, design, materials, equipment, installation, labor, management, maintenance, or training.”.

(c) ALLOCATION OF FUNDING.—Section 1240B(f) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(f)) is amended—

(1) in paragraph (1)—

(A) by striking “2014 through 2018” and inserting “2019 through 2023”;

(B) by striking “60” and inserting “50”; and

(C) by striking “production.” and inserting “production, including grazing management practices.”; and

(2) in paragraph (2)—

(A) by striking “For each” and inserting the following:

“(A) FISCAL YEARS 2014 THROUGH 2018.—For each”; and

(B) by adding at the end the following:

“(B) FISCAL YEARS 2019 THROUGH 2023.—For each of fiscal years 2019 through 2023, at least 10 percent of the funds made available for payments under the program shall be targeted at practices benefitting wildlife habitat under subsection (g).”.

(d) WILDLIFE HABITAT INCENTIVE PROGRAM.—Section 1240B(g) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(g)) is amended by adding at the end the following:

“(3) MAXIMUM TERM.—In the case of a contract under the program entered into solely for the establishment of 1 or more annual management practices for the benefit of wildlife as described in paragraph (1), notwithstanding any maximum contract term established by the Secretary, the contract shall have a term that does not exceed 10 years.

“(4) INCLUDED PRACTICES.—For the purpose of providing seasonal wetland habitat for waterfowl and migratory birds, a practice that is eligible for payment under paragraph (1) and targeted for funding under subsection (f) may include—

“(A) a practice to carry out postharvest flooding; or

“(B) a practice to maintain the hydrology of temporary and seasonal wetlands of not more than 2 acres to maintain waterfowl and migratory bird habitat on working cropland.”.

(e) WATER CONSERVATION OR IRRIGATION EFFICIENCY PRACTICE.—Section 1240B(h) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(h)) is amended—

(1) by striking paragraph (1) and inserting the following:

“(1) AVAILABILITY OF PAYMENTS.—The Secretary may provide water conservation and system efficiency payments under this subsection to an entity described in paragraph (2) or a producer for—

“(A) water conservation scheduling, water distribution efficiency, soil moisture monitoring, or an appropriate combination thereof;

“(B) irrigation-related structural or other measures that conserve surface water or groundwater, including managed aquifer recovery practices; or

“(C) a transition to water-conserving crops, water-conserving crop rotations, or deficit irrigation.”.

(2) by redesignating paragraph (2) as paragraph (3);

(3) by inserting after paragraph (1) the following:

“(2) ELIGIBILITY OF CERTAIN ENTITIES.—

“(A) IN GENERAL.—Notwithstanding section 1001(f)(6), the Secretary may enter into a contract under this subsection with a State, irrigation district, groundwater management district, acequia, land-grant mercedes, or similar entity under a streamlined contracting process to implement water conservation or irrigation practices under a watershed-wide project that will effectively conserve water, provide fish and wildlife habitat, or provide for drought-related environmental mitigation, as determined by the Secretary.

“(B) IMPLEMENTATION.—Water conservation or irrigation practices that are the subject of a contract entered into under subparagraph (A) shall be implemented on—

“(i) eligible land of a producer; or

“(ii) land that is—

“(I) under the control of an irrigation district, groundwater management district, acequia, land-grant mercedes, or similar entity; and

“(II) adjacent to eligible land described in clause (i), as determined by the Secretary.

“(C) WAIVER AUTHORITY.—The Secretary may waive the applicability of the limitations in section 1001D(b) or section 1240G for a payment made under a contract entered into under this

paragraph if the Secretary determines that the waiver is necessary to fulfill the objectives of the project.

“(D) CONTRACT LIMITATIONS.—If the Secretary grants a waiver under subparagraph (C), the Secretary may impose a separate payment limitation for the contract with respect to which the waiver applies.”.

(4) in paragraph (3) (as so redesignated)—

(A) in the matter preceding subparagraph (A), by striking “to a producer” and inserting “under this subsection”;

(B) in subparagraph (A), by striking “the eligible land of the producer is located, there is a reduction in water use in the operation of the producer” and inserting “the land on which the practices will be implemented is located, there is a reduction in water use in the operation on that land”; and

(C) in subparagraph (B), by inserting “except in the case of an application under paragraph (2),” before “the producer agrees”; and

(5) by adding at the end the following:

“(4) EFFECT.—Nothing in this subsection authorizes the Secretary to modify the process for determining the annual allocation of funding to States under the program.”.

(f) PAYMENTS FOR CONSERVATION PRACTICES RELATED TO ORGANIC PRODUCTION.—Section 1240B(i)(3) of the Food Security Act of 1985 (16 U.S.C. 3839aa–2(i)(3)) is amended—

(1) in the first sentence, by striking “Payments” and inserting the following:

“(A) IN GENERAL.—Payments”;

(2) in the second sentence, by striking “In applying these limitations” and inserting the following:

“(B) TECHNICAL ASSISTANCE.—In applying the limitations under subparagraph (A)”;

(3) in subparagraph (A) (as so designated)—

(A) by striking “aggregate, \$20,000 per year or \$80,000 during any 6-year period.” and inserting the following: “aggregate—

“(i) through fiscal year 2018—

“(I) \$20,000 per year; or

“(II) \$80,000 during any 6-year period; and”;

and

(B) by adding at the end the following:

“(ii) during the period of fiscal years 2019 through 2023, \$140,000.”.

(g) CONSERVATION INCENTIVE CONTRACTS.—Section 1240B of the Food Security Act of 1985 (16 U.S.C. 3839aa–2) is amended by adding at the end the following:

“(j) CONSERVATION INCENTIVE CONTRACTS.—

“(1) IDENTIFICATION OF ELIGIBLE PRIORITY RESOURCE CONCERNS FOR STATES.—

“(A) IN GENERAL.—The Secretary, in consultation with the applicable State technical committee established under section 1261(a), shall identify watersheds (or other appropriate regions or areas within a State) and the corresponding priority resource concerns for those watersheds or other regions or areas that are eligible to be the subject of an incentive contract under this subsection.

“(B) LIMITATION.—For each of the relevant land uses within the watersheds, regions, or other areas identified under subparagraph (A), the Secretary shall identify not more than 3 eligible priority resource concerns.

“(2) CONTRACTS.—

“(A) AUTHORITY.—

“(i) IN GENERAL.—The Secretary shall enter into contracts with producers under this subsection that require the implementation, adoption, management, and maintenance of incentive practices that effectively address at least 1 eligible priority resource concern identified under paragraph (1) for the term of the contract.

“(ii) INCLUSIONS.—Through a contract entered into under clause (i), the Secretary may provide—

“(I) funding, through annual payments, for certain incentive practices to attain increased levels of conservation on eligible land; or

“(II) assistance, through a practice payment, to implement an incentive practice.

“(B) TERM.—A contract under this subsection shall have a term of not less than 5, and not more than 10, years.

“(C) PRIORITIZATION.—Notwithstanding section 1240C, the Secretary shall develop criteria for evaluating incentive practice applications that—

“(i) give priority to applications that address eligible priority resource concerns identified under paragraph (1); and

“(ii) evaluate applications relative to other applications for similar agriculture and forest operations.

“(3) INCENTIVE PRACTICE PAYMENTS.—

“(A) IN GENERAL.—The Secretary shall provide payments to producers through contracts entered into under paragraph (2) for—

“(i) adopting and installing incentive practices; and

“(ii) managing, maintaining, and improving the incentive practices for the duration of the contract, as determined appropriate by the Secretary.

“(B) PAYMENT AMOUNTS.—In determining the amount of payments under subparagraph (A), the Secretary shall consider, to the extent practicable—

“(i) the level and extent of the incentive practice to be installed, adopted, completed, maintained, managed, or improved;

“(ii) the cost of the installation, adoption, completion, management, maintenance, or improvement of the incentive practice;

“(iii) income foregone by the producer, including payments, as appropriate, to address—

“(I) increased economic risk;

“(II) loss in revenue due to anticipated reductions in yield; and

“(III) economic losses during transition to a resource-conserving cropping system or resource-conserving land use; and

“(iv) the extent to which compensation would ensure long-term continued maintenance, management, and improvement of the incentive practice.

“(C) DELIVERY OF PAYMENTS.—In making payments under subparagraph (A), the Secretary shall, to the extent practicable—

“(i) in the case of annual payments under paragraph (2)(A)(ii)(I), make those payments as soon as practicable after October 1 of each fiscal year for which increased levels of conservation are maintained during the term of the contract; and

“(ii) in the case of practice payments under paragraph (2)(A)(ii)(II), make those payments as soon as practicable on the implementation of an incentive practice.”.

SEC. 2305. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM PLAN.

Section 1240E(a)(3) of the Food Security Act of 1985 (16 U.S.C. 3839aa–5(a)(3)) is amended by inserting “progressive” before “implementation”.

SEC. 2306. LIMITATION ON PAYMENTS UNDER ENVIRONMENTAL QUALITY INCENTIVES PROGRAM.

Section 1240G of the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is amended—

(1) by striking “A person” and inserting “Not including payments made under section 1240B(j), a person”; and

(2) by inserting “or the period of fiscal years 2019 through 2023,” after “2018.”.

SEC. 2307. CONSERVATION INNOVATION GRANTS AND PAYMENTS.

(a) COMPETITIVE GRANTS FOR INNOVATIVE CONSERVATION APPROACHES.—Section 1240H(a)(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa–8(a)(2)) is amended—

(1) in subparagraph (A), by striking “program,” and inserting “program or community colleges (as defined in section 1473E(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319e(a))) carrying out demonstration projects on land of the community college;”;

(2) by redesignating subparagraphs (E) and (F) as subparagraphs (G) and (H), respectively; and

(3) by inserting after subparagraph (D) the following:

“(E) partner with farmers to develop innovative practices for urban, indoor, or other emerging agricultural operations;

“(F) utilize edge-of-field and other monitoring practices on farms—

“(i) to quantify the impacts of practices implemented under the program; and

“(ii) to assist producers in making the best conservation investments for the operations of the producers.”.

(b) **AIR QUALITY CONCERNS FROM AGRICULTURAL OPERATIONS.**—Section 1240H(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3839aa–8(b)(2)) is amended by striking “\$25,000,000 for each of fiscal years 2009 through 2018” and inserting “\$37,500,000 for each of fiscal years 2019 through 2023”.

(c) **ON-FARM CONSERVATION INNOVATION TRIALS; REPORTING AND DATABASE.**—Section 1240H of the Food Security Act of 1985 (16 U.S.C. 3839aa–8) is amended by striking subsection (c) and inserting the following:

“(c) **ON-FARM CONSERVATION INNOVATION TRIALS.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means, as determined by the Secretary—

“(i) a third-party private entity the primary business of which is related to agriculture;

“(ii) a nongovernmental organization with experience working with agricultural producers; or

“(iii) a governmental organization.

“(B) **NEW OR INNOVATIVE CONSERVATION APPROACH.**—The term ‘new or innovative conservation approach’ means—

“(i) new or innovative—

“(I) precision agriculture technologies;

“(II) enhanced nutrient management plans, nutrient recovery systems, and fertilization systems;

“(III) soil health management systems, including systems to increase soil carbon levels;

“(IV) water management systems;

“(V) resource-conserving crop rotations (as defined in section 1240L(d)(1));

“(VI) cover crops; and

“(VII) irrigation systems; and

“(ii) any other conservation approach approved by the Secretary as new or innovative.

“(2) **TESTING NEW OR INNOVATIVE CONSERVATION APPROACHES.**—Using \$25,000,000 of the funds made available to carry out this subchapter for each of fiscal years 2019 through 2023, the Secretary shall carry out on-farm conservation innovation trials, on eligible land of producers, to test new or innovative conservation approaches—

“(A) directly with producers; or

“(B) through eligible entities.

“(3) **INCENTIVE PAYMENTS.**—

“(A) **AGREEMENTS.**—In carrying out paragraph (2), the Secretary shall enter into agreements with producers (either directly or through eligible entities) on whose land an on-farm conservation innovation trial is being carried out to provide payments (including payments to compensate for foregone income, as appropriate to address the increased economic risk potentially associated with new or innovative conservation approaches) to the producers to assist with adopting and evaluating new or innovative conservation approaches to achieve conservation benefits.

“(B) **ADJUSTED GROSS INCOME REQUIREMENTS.**—

“(i) **IN GENERAL.**—Adjusted gross income requirements under section 1001D(b)(1) shall—

“(I) apply to producers receiving payments under this subsection; and

“(II) be enforced by the Secretary.

“(ii) **REPORTING.**—An eligible entity participating in an on-farm conservation innovation trial under this subsection shall report annually to the Secretary on the amount of payments made to individual farm operations under this subsection.

“(C) **LIMITATION ON ADMINISTRATIVE EXPENSES.**—None of the funds made available to carry out this subsection may be used to pay for the administrative expenses of an eligible entity.

“(D) **LENGTH OF AGREEMENTS.**—An agreement entered into under subparagraph (A) shall be for a period determined by the Secretary that is—

“(i) not less than 3 years; and

“(ii) if appropriate, more than 3 years, including if such a period is appropriate to support—

“(I) adaptive management over multiple crop years; and

“(II) adequate data collection and analysis by a producer or eligible entity to report the natural resource and agricultural production benefits of the new or innovative conservation approaches to the Secretary.

“(4) **FLEXIBLE ADOPTION.**—The scale of adoption of a new or innovative conservation approach under an on-farm conservation innovation trial under an agreement under paragraph (2) may include multiple scales on an operation, including whole farm, field-level, or sub-field scales.

“(5) **TECHNICAL ASSISTANCE.**—The Secretary shall provide technical assistance—

“(A) to each producer or eligible entity participating in an on-farm conservation innovation trial under paragraph (2) with respect to the design, installation, and management of the new or innovative conservation approaches; and

“(B) to each eligible entity participating in an on-farm conservation innovation trial under paragraph (2) with respect to data analyses of the on-farm conservation innovation trial.

“(6) **GEOGRAPHIC SCOPE.**—The Secretary shall identify a diversity of geographic regions of the United States in which to establish on-farm conservation innovation trials under paragraph (2), taking into account factors such as soil type, cropping history, and water availability.

“(7) **SOIL HEALTH DEMONSTRATION TRIAL.**—Using funds made available to carry out this subsection, the Secretary shall carry out a soil health demonstration trial under which the Secretary coordinates with eligible entities—

“(A) to provide incentives to producers to implement conservation practices that—

“(i) improve soil health;

“(ii) increase carbon levels in the soil; or

“(iii) meet the goals described in clauses (i) and (ii);

“(B) to establish protocols for measuring carbon levels in the soil and testing carbon levels on land where conservation practices described in subparagraph (A) were applied to evaluate gains in soil health as a result of the practices implemented by the producers in the soil health demonstration trial; and

“(C)(i) not later than September 30, 2020, to initiate a study regarding changes in soil health and, if feasible, economic outcomes, generated as a result of the conservation practices described in subparagraph (A) that were applied by producers through the soil health demonstration trial; and

“(ii) to submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate annual reports on the progress and results of the study under clause (i).

“(d) **REPORTING AND DATABASE.**—

“(1) **REPORT REQUIRED.**—Not later than September 30, 2019, and every 2 years thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the status of activities funded under this section, including—

“(A) funding awarded;

“(B) results of the activities, including, if feasible, economic outcomes;

“(C) incorporation of findings from the activities, such as new technology and innovative approaches, into the conservation efforts implemented by the Secretary; and

“(D) on completion of the study required under subsection (c)(7)(C), the findings of the study.

“(2) **CONSERVATION PRACTICE DATABASE.**—

“(A) **IN GENERAL.**—The Secretary shall use the data reported under paragraph (1) to establish and maintain a publicly available conservation practice database that provides—

“(i) a compilation and analysis of effective conservation practices for soil health, nutrient management, and source water protection in varying soil compositions, cropping systems, slopes, and landscapes; and

“(ii) a list of recommended new and effective conservation practices.

“(B) **PRIVACY.**—Information provided under subparagraph (A) shall be transformed into a statistical or aggregate form so as to not include any identifiable or personal information of individual producers.”.

SEC. 2308. CONSERVATION STEWARDSHIP PROGRAM.

(a) **DEFINITIONS.**—Section 1240I of the Food Security Act of 1985 (as redesignated by section 2301(b)) is amended—

(1) in paragraph (2)(B)—

(A) in clause (i), by striking “and” at the end;

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

(C) by adding at the end the following:

“(iii) development of a comprehensive conservation plan, as defined in section 1240L(e)(1);

“(iv) soil health planning, including planning to increase soil organic matter; and

“(v) activities that will assist a producer to adapt to, or mitigate against, increasing weather volatility.”; and

(2) in paragraph (7), by striking the period at the end and inserting the following: “through the use of—

“(A) quality criteria under a resource management system;

“(B) predictive analytics tools or models developed or approved by the Natural Resources Conservation Service;

“(C) data from past and current enrollment in the program; and

“(D) other methods that measure conservation and improvement in priority resource concerns, as determined by the Secretary.”.

(b) **CONSERVATION STEWARDSHIP PROGRAM.**—

(1) **ESTABLISHMENT.**—Subsection (a) of section 1240J of the Food Security Act of 1985 (as redesignated by section 2301(b)) is amended in the matter preceding paragraph (1) by striking “2014 through 2018” and inserting “2019 through 2023”.

(2) **EXCLUSIONS.**—Subsection (b)(2) of section 1240J of the Food Security Act of 1985 (as redesignated by section 2301(b)) is amended in the matter preceding paragraph (1) by striking “the Agricultural Act of 2014” and inserting the “Agriculture Improvement Act of 2018”.

(c) **STEWARDSHIP CONTRACTS.**—Section 1240K of the Food Security Act of 1985 (as redesignated by section 2301(b)) is amended—

(1) in subsection (b), by striking paragraph (1) and inserting the following:

“(1) **RANKING OF APPLICATIONS.**—

“(A) **IN GENERAL.**—In evaluating contract offers submitted under subsection (a) and contract renewals under subsection (e), the Secretary shall rank applications based on—

“(i) the natural resource conservation and environmental benefits that result from the conservation treatment on all applicable priority resource concerns at the time of submission of the application;

“(ii) the degree to which the proposed conservation activities increase natural resource conservation and environmental benefits; and

“(iii) other consistent criteria, as determined by the Secretary.

“(B) **ADDITIONAL CRITERION.**—If 2 or more applications receive the same ranking under subparagraph (A), the Secretary shall rank those contracts based on the extent to which the actual and anticipated conservation benefits from each contract are provided at the lowest cost relative to other similarly beneficial contract offers.”;

(2) in subsection (c)—

(A) by striking “the program under subsection (a)” and inserting “a contract or contract renewal under this section”;

(B) by inserting “or contract renewal” before “offer ranks”;

(C) by inserting “or contract renewal” after “stewardship contract”; and

(D) by adding “or contract renewal” before the period at the end;

(3) in subsection (d)(2)(A), by striking “1238G(d)” and inserting “1240L(c)”; and

(4) in subsection (e)—

(A) in the matter preceding paragraph (1), by striking “At the end” and all that follows through “period” the second place it appears and inserting the following: “The Secretary may provide the producer an opportunity to renew an existing contract in the first half of the fifth year of the contract period”;

(B) in paragraph (1), by striking “initial” and inserting “existing”;

(C) in paragraph (2)—

(i) by inserting “new or improved” after “integrate”; and

(ii) by inserting “demonstrating continued improvement during the additional 5-year period,” after “operation,”; and

(D) in paragraph (3)(B), by striking “to exceed the stewardship threshold of” and inserting “to adopt or improve conservation activities, as determined by the Secretary, to achieve higher levels of performance with respect to not less than”.

(d) **DUTIES OF SECRETARY.**—Section 1240L of the Food Security Act of 1985 (as redesignated by section 2301(b)) is amended—

(1) in subsection (b), in the matter preceding paragraph (1), by striking “acres” and inserting “funding”;

(2) by striking subsection (c);

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively;

(4) in subsection (c) (as so redesignated), by adding at the end the following:

“(5) **PAYMENT FOR COVER CROP ACTIVITIES.**—The amount of a payment under this subsection for cover crop activities shall be not less than 125 percent of the annual payment amount determined by the Secretary under paragraph (2).”;

(5) in subsection (d) (as so redesignated)—

(A) in the subsection heading, by inserting “AND ADVANCED GRAZING MANAGEMENT” after “ROTATIONS”;

(B) by striking paragraph (2);

(C) by redesignating paragraphs (1) and (4) as paragraphs (2) and (1), respectively, and moving the paragraphs so as to appear in numerical order;

(D) in paragraph (1) (as so redesignated)—

(i) by redesignating subparagraphs (A) through (D) and (E) as clauses (i) through (iv) and (vi), respectively, and indenting appropriately;

(ii) by striking the paragraph designation and all that follows through “the term” in the matter preceding clause (i) (as so redesignated) and inserting the following:

“(1) **DEFINITIONS.**—In this subsection:

“(A) **ADVANCED GRAZING MANAGEMENT.**—The term ‘advanced grazing management’ means the use of a combination of grazing practices (as determined by the Secretary), which may include management-intensive rotational grazing, that provide for—

“(i) improved soil health and carbon sequestration;

“(ii) drought resilience;

“(iii) wildlife habitat;

“(iv) wildfire mitigation;

“(v) control of invasive plants; and

“(vi) water quality improvement.

“(B) **MANAGEMENT-INTENSIVE ROTATIONAL GRAZING.**—The term ‘management-intensive rotational grazing’ means a strategic, adaptively managed multipasture grazing system in which animals are regularly and systematically moved to fresh pasture in a manner that—

“(i) maximizes the quantity and quality of forage growth;

“(ii) improves manure distribution and nutrient cycling;

“(iii) increases carbon sequestration from greater forage harvest;

“(iv) improves the quality and quantity of cover for wildlife;

“(v) provides permanent cover to protect the soil from erosion; and

“(vi) improves water quality.

“(C) **RESOURCE-CONSERVING CROP ROTATION.**—The term”; and

(iii) in subparagraph (C) (as so designated)—

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

(II) by inserting after clause (iv) (as so redesignated) the following:

“(v) builds soil organic matter; and”; and

(E) in paragraph (2) (as so redesignated), by striking “improve resource-conserving” and all that follows through the period at the end and inserting the following: “improve, manage, and maintain—

“(A) resource-conserving crop rotations; or

“(B) advanced grazing management.”;

(F) in paragraph (3)—

(i) by striking “paragraph (1)” and inserting “paragraph (2)”; and

(ii) by striking “and maintain” and all that follows through the period at the end and inserting “or improve, manage, and maintain resource-conserving crop rotations or advanced grazing management for the term of the contract.”; and

(G) by adding at the end the following:

“(4) **AMOUNT OF PAYMENT.**—An additional payment provided under paragraph (2) shall be not less than 150 percent of the annual payment amount determined by the Secretary under subsection (c)(2).”;

(6) by inserting after subsection (d) (as so redesignated) the following:

“(e) **PAYMENT FOR COMPREHENSIVE CONSERVATION PLAN.**—

“(1) **DEFINITION OF COMPREHENSIVE CONSERVATION PLAN.**—In this subsection, the term ‘comprehensive conservation plan’ means a conservation plan that meets or exceeds the stewardship threshold for each priority resource concern identified by the Secretary under subsection (a)(2).

“(2) **PAYMENT FOR COMPREHENSIVE CONSERVATION PLAN.**—The Secretary shall provide a 1-time payment to a producer that develops a comprehensive conservation plan.

“(3) **AMOUNT OF PAYMENT.**—The Secretary shall determine the amount of payment under paragraph (2) based on—

“(A) the number of priority resource concerns addressed in the comprehensive conservation plan; and

“(B) the number of types of land uses included in the comprehensive conservation plan.”;

(7) in subsection (f), by striking “2014 through 2018” and inserting “2019 through 2023”;

(8) in subsection (h)—

(A) by striking the subsection designation and heading and all that follows through “The Secretary” and inserting the following:

“(h) **ORGANIC CERTIFICATION.**—

“(1) **COORDINATION.**—The Secretary”; and

(B) by adding at the end the following:

“(2) **ALLOCATION.**—

“(A) **IN GENERAL.**—Using funds made available for the program for each of fiscal years 2019 through 2023, the Secretary shall allocate funding to States to support organic production and transition to organic production through paragraph (1).

“(B) **DETERMINATION.**—The Secretary shall determine the allocation to a State under subparagraph (A) based on—

“(i) the number of certified and transitioning organic operations within the State; and

“(ii) the number of acres of certified and transitioning organic production within the State.”; and

(9) by adding at the end the following:

“(j) **STREAMLINING AND COORDINATION.**—To the maximum extent feasible, the Secretary shall provide for streamlined and coordinated procedures for the program and the environmental quality incentives program under subchapter A, including applications, contracting, conservation planning, conservation practices, and related administrative procedures.

“(k) **SOIL HEALTH.**—To the maximum extent feasible, the Secretary shall manage the program to enhance soil health.

“(l) **ANNUAL REPORT.**—Each fiscal year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the payment rates for conservation activities offered to producers under the program and an analysis of whether payment rates can be reduced for the most expensive conservation activities.”.

SEC. 2309. GRASSLAND CONSERVATION INITIATIVE.

Subchapter B of chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (as added by subsections (a)(2) and (b) of section 2301) is amended by adding at the end the following:

“SEC. 1240L-1. GRASSLAND CONSERVATION INITIATIVE.

“(a) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE LAND.**—Notwithstanding sections 1240I(4) and 1240J(b)(2), the term ‘eligible land’ means cropland on a farm for which base acres have been maintained by the Secretary under section 1112(d)(3) of the Agricultural Act of 2014 (7 U.S.C. 9012(d)(3)).

“(2) **INITIATIVE.**—The term ‘initiative’ means the grassland conservation initiative established under subsection (b).

“(b) **ESTABLISHMENT AND PURPOSE.**—The Secretary shall establish within the program a grassland conservation initiative for the purpose of assisting producers in protecting grazing uses, conserving and improving soil, water, and wildlife resources, and achieving related conservation values by conserving eligible land through grassland conservation contracts under subsection (e).

“(c) **ELECTION.**—Beginning in fiscal year 2019, the Secretary shall provide a 1-time election to enroll eligible land in the initiative under a contract described in subsection (e).

“(d) **METHOD OF ENROLLMENT.**—The Secretary shall—

“(1) notwithstanding subsection (b) of section 1240K, determine under subsection (c) of that section that eligible land ranks sufficiently high under the evaluation criteria described in subsection (b) of that section; and

“(2) enroll the eligible land in the initiative under a contract described in subsection (e).

“(e) **GRASSLAND CONSERVATION CONTRACT.**—

“(1) **IN GENERAL.**—Notwithstanding section 1240K(a)(1), to enroll eligible land in the initiative under a grassland conservation contract, a producer shall agree—

“(A) to meet or exceed the stewardship threshold for not less than 1 priority resource concern by the date on which the contract expires; and

“(B) to comply with the terms and conditions of the contract.

“(2) **TERMS.**—A grassland conservation contract entered into under this section shall—

“(A)(i) be for a single 5-year term; and

“(ii) not be subject to renewal or reenrollment under section 1240K(e); and

“(B) be subject to section 1240K(d).

“(3) **EARLY TERMINATION.**—The Secretary shall allow a producer that enters into a grassland conservation contract under this section—

“(A) to terminate the contract at any time; and

“(B) to retain payments already received under the contract.

“(f) **GRASSLAND CONSERVATION PLAN.**—The grassland conservation plan developed for eligible land shall be limited to—

“(1) eligible land; and

“(2) resource concerns and activities relating to grassland.

“(g) PAYMENTS.—

“(1) *IN GENERAL*.—Beginning in fiscal year 2019, of the funds made available for this subchapter under section 1241(a)(3)(B), and notwithstanding any payment under title I of the Agriculture Improvement Act of 2018, an amendment made by that title, or section 1240L(c), the Secretary shall make annual grassland conservation contract payments to the producer of any eligible land that is the subject of a grassland conservation contract under this section.

“(2) *PAYMENT NONELIGIBILITY*.—A grassland conservation contract under this section shall not be—

“(A) eligible for payments under section 1240L(d); or

“(B) subject to the payment limitations under this subchapter.

“(3) *LIMITATION*.—The amount of an annual payment under this subsection shall be \$18 per acre, not to exceed the number of base acres on a farm.

“(h) *CONSIDERED PLANTED*.—The Secretary shall consider land enrolled under a grassland conservation contract under this section during a crop year to be planted or considered planted to a covered commodity (as defined in section 1111 of the Agricultural Act of 2014 (7 U.S.C. 9011)) during that crop year.

“(i) *OTHER CONTRACTS*.—A producer with an agricultural operation that contains land eligible under this section and land eligible under section 1240K—

“(1) may enroll the land eligible under this section through a contract under this section or under section 1240K; and

“(2) shall not be prohibited from enrolling the land eligible under section 1240K through a contract under section 1240K.”

Subtitle D—Other Conservation Programs

SEC. 2401. WATERSHED PROTECTION AND FLOOD PREVENTION.

(a) *ASSISTANCE TO LOCAL ORGANIZATIONS*.—Section 3 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1003) is amended—

(1) by striking the section designation and all that follows through “In order to assist” and inserting the following:

“SEC. 3. ASSISTANCE TO LOCAL ORGANIZATIONS.

“(a) *IN GENERAL*.—In order to assist”; and

(2) by adding at the end the following:

“(b) *WAIVER*.—The Secretary may waive the watershed plan for works of improvement if the Secretary determines that—

“(1) the watershed plan is unnecessary or duplicative; and

“(2) the works of improvement are otherwise consistent with applicable requirements under section 4.”

(b) *AUTHORIZATION OF APPROPRIATIONS*.—Section 14(h)(2)(E) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012(h)(2)(E)) is amended by striking “2018” and inserting “2023”.

(c) *FUNDS OF COMMODITY CREDIT CORPORATION*.—The Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.) is amended by adding at the end the following:

“SEC. 15. FUNDING.

“In addition to any other funds made available by this Act, of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this Act \$50,000,000 for fiscal year 2019 and each fiscal year thereafter.”

SEC. 2402. SOIL AND WATER RESOURCES CONSERVATION.

The Soil and Water Resources Conservation Act of 1977 (16 U.S.C. 2001 et seq.) is amended—

(1) in section 5(e) (16 U.S.C. 2004(e)), by striking “and December 31, 2015” and inserting “December 31, 2015, and December 31, 2022”; and

(2) in section 6(d) (16 U.S.C. 2005(d)), by striking “, respectively” and inserting “, and a program update shall be completed by December 31, 2023”;

(3) in section 7 (16 U.S.C. 2006)—

(A) in subsection (a), by striking “and 2016” and inserting “, 2016, and 2022”; and

(B) in subsection (b), in the matter preceding paragraph (1), by striking “and 2017” and inserting “, 2017, and 2023”; and

(4) in section 10 (16 U.S.C. 2009), by striking “2018” and inserting “2023”.

SEC. 2403. EMERGENCY CONSERVATION PROGRAM.

(a) *REPAIR OR REPLACEMENT OF FENCING*.—

(1) *IN GENERAL*.—Section 401 of the Agricultural Credit Act of 1978 (16 U.S.C. 2201) is amended—

(A) by inserting “wildfires,” after “hurricanes,”;

(B) by striking the section designation and all that follows through “The Secretary of Agriculture” and inserting the following:

“SEC. 401. EMERGENCY CONSERVATION PROGRAM.

“(a) *IN GENERAL*.—The Secretary of Agriculture (referred to in this title as the “Secretary”); and

(C) by adding at the end the following:

“(b) *REPAIR OR REPLACEMENT OF FENCING*.—

(1) *IN GENERAL*.—With respect to a payment to an agricultural producer under subsection (a) for the repair or replacement of fencing, the Secretary shall give the agricultural producer the option of receiving not more than 25 percent of the payment, determined by the Secretary based on the applicable percentage of the fair market value of the cost of the repair or replacement, before the agricultural producer carries out the repair or replacement.

“(2) *RETURN OF FUNDS*.—If the funds provided under paragraph (1) are not expended by the end of the 60-day period beginning on the date on which the agricultural producer receives those funds, the funds shall be returned within a reasonable timeframe, as determined by the Secretary.”

(2) *CONFORMING AMENDMENTS*.—

(A) Sections 402, 403, 404, and 405 of the Agricultural Credit Act of 1978 (16 U.S.C. 2202, 2203, 2204, 2205) are amended by striking “Secretary of Agriculture” each place it appears and inserting “Secretary”.

(B) Section 407(a) of the Agricultural Credit Act of 1978 (16 U.S.C. 2206(a)) is amended by striking paragraph (4).

(b) *COST SHARE PAYMENTS*.—Title IV of the Agricultural Credit Act of 1978 is amended by inserting after section 402 (16 U.S.C. 2202) the following:

“SEC. 402A. COST-SHARE REQUIREMENT.

“(a) *COST-SHARE RATE*.—Subject to subsections (b) and (c), the maximum cost-share payment under sections 401 and 402 shall not exceed 75 percent of the total allowable cost, as determined by the Secretary.

“(b) *EXCEPTION*.—Notwithstanding subsection (a), a payment to a limited resource farmer or rancher, a socially disadvantaged farmer or rancher (as defined in subsection (a) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279), or a beginning farmer or rancher under section 401 or 402 shall not exceed 90 percent of the total allowable cost, as determined by the Secretary.

“(c) *LIMITATION*.—The total payment under sections 401 and 402 for a single event may not exceed 50 percent of the agriculture value of the land, as determined by the Secretary.”

(c) *PAYMENT LIMITATIONS*.—Title IV of the Agricultural Credit Act of 1978 (16 U.S.C. 2201 et seq.) is amended by inserting after section 402A (as added by subsection (b)) the following:

“SEC. 402B. PAYMENT LIMITATION.

“The maximum payment made under the emergency conservation program to an agricultural producer under sections 401 and 402 shall not exceed \$500,000.”

(d) *WATERSHED PROTECTION PROGRAM*.—Section 403 of the Agricultural Credit Act of 1978 (16 U.S.C. 2203) is amended—

(1) by striking the section heading and inserting “EMERGENCY WATERSHED PROGRAM”; and

(2) in subsection (a), by inserting “watershed protection” after “emergency”.

(e) *FUNDING AND ADMINISTRATION*.—Section 404 of the Agricultural Credit Act of 1978 (16 U.S.C. 2204) is amended—

(1) in the fourth sentence, by striking “The Corporation” and inserting the following:

“(d) *LIMITATION*.—The Commodity Credit Corporation”; and

(2) in the third sentence (as amended by subsection (a)(2)(A)), by striking “In implementing the provisions of” and inserting the following:

“(c) *USE OF COMMODITY CREDIT CORPORATION*.—In implementing”; and

(3) by striking the second sentence;

(4) by striking the section designation and all that follows through “There are authorized” in the first sentence and inserting the following:

“SEC. 404. FUNDING AND ADMINISTRATION.

“(a) *AUTHORIZATION OF APPROPRIATIONS*.—There are authorized”; and

(5) in subsection (a) (as so designated), by inserting “, to remain available until expended” before the period at the end; and

(6) by inserting after subsection (a) (as so designated) the following:

“(b) *SET-ASIDE FOR FENCING*.—Of the amounts made available under subsection (a) for a fiscal year, 25 percent shall be set aside until April 1 of that fiscal year for the repair or replacement of fencing.”

SEC. 2404. CONSERVATION OF PRIVATE GRAZING LAND.

Section 1240M of the Food Security Act of 1985 (16 U.S.C. 3839bb) is amended—

(1) in subsection (c)(2), by adding at the end the following:

“(C) *PARTNERSHIPS*.—In carrying out the program under this section, the Secretary shall provide education and outreach activities through partnerships with—

“(i) land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); and

“(ii) nongovernmental organizations.”; and

(2) in subsection (e), by striking “2018” and inserting “2023”.

SEC. 2405. GRASSROOTS SOURCE WATER PROTECTION PROGRAM.

(a) *AUTHORIZATION OF APPROPRIATIONS*.—Section 1240O(b)(1) of the Food Security Act of 1985 (16 U.S.C. 3839bb-2(b)(1)) is amended by striking “2018” and inserting “2023”.

(b) *AVAILABILITY OF FUNDS*.—Section 1240O(b) of the Food Security Act of 1985 (16 U.S.C. 3839bb-2(b)) is amended by adding at the end the following:

“(3) *ADDITIONAL FUNDING*.—In addition to any other funds made available under this subsection, of the funds of the Commodity Credit Corporation, the Secretary shall use \$5,000,000 beginning in fiscal year 2019, to remain available until expended.”

SEC. 2406. VOLUNTARY PUBLIC ACCESS AND HABITAT INCENTIVE PROGRAM.

Section 1240R of the Food Security Act of 1985 (16 U.S.C. 3839bb-5) is amended—

(1) in subsections (a) and (c), by striking “grants” each place it appears and inserting “funding”; and

(2) in subsections (b) and (d)(2), by striking “a grant” each place it appears and inserting “funding”; and

(3) in subsection (c)(3) (as amended by section 2202(b)(1)), by inserting “or on land covered by a wetland reserve easement under section 1265C” before “by providing”; and

(4) in subsection (f)—

(A) in paragraph (1)—

(i) by striking “2012 and” and inserting “2012,”; and

(ii) by inserting “, and \$50,000,000 for the period of fiscal years 2019 through 2023” before the period at the end;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

“(2) **ENHANCED PUBLIC ACCESS TO WETLAND RESERVE EASEMENTS.**—To the maximum extent practicable, of the funds made available under paragraph (1), the Secretary shall use \$3,000,000 for the period of fiscal years 2019 through 2023 to encourage public access to land covered by wetland reserve easements under section 1265C through agreements with States and tribal governments under this section.”

SEC. 2407. WILDLIFE MANAGEMENT.

(a) **IN GENERAL.**—The Secretary and the Secretary of the Interior shall continue to carry out the Working Lands for Wildlife model of conservation on working landscapes, as implemented on the day before the date of enactment of this Act, in accordance with—

(1) the document entitled “Partnership Agreement Between the United States Department of Agriculture Natural Resources Conservation Service and the United States Department of the Interior Fish and Wildlife Service”, numbered A-3A7516-937, and formalized by the Chief of the Natural Resources Conservation Service on September 15, 2016, and by the Director of the United States Fish and Wildlife Service on August 4, 2016, as in effect on September 15, 2016; and

(2) United States Fish and Wildlife Service Director’s Order No. 217, dated August 9, 2016, as in effect on August 9, 2016.

(b) **EXPANSION OF MODEL.**—The Secretary and the Secretary of the Interior may expand the conservation model described in subsection (a) through a new partnership agreement between the Farm Service Agency and the United States Fish and Wildlife Service for the purpose of carrying out conservation activities for species conservation.

(c) **EXTENSION OF PERIOD OF REGULATORY PREDICTABILITY.**—

(1) **DEFINITION OF PERIOD OF REGULATORY PREDICTABILITY.**—In this subsection, the term “period of regulatory predictability” means the period of regulatory predictability under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) initially determined in accordance with the document and order described in paragraphs (1) and (2), respectively, of subsection (a).

(2) **EXTENSION.**—After the period of regulatory predictability, on request of the Secretary, the Secretary of the Interior, acting through the Director of the United States Fish and Wildlife Service, may provide additional consultation under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), or additional conference under section 7(a)(4) of that Act (16 U.S.C. 1536(a)(4)), as applicable, with the Chief of the Natural Resources Conservation Service or the Administrator of the Farm Service Agency, as applicable, to extend the period of regulatory predictability.

SEC. 2408. FERAL SWINE ERADICATION AND CONTROL PILOT PROGRAM.

(a) **IN GENERAL.**—The Secretary shall establish a feral swine eradication and control pilot program to respond to the threat feral swine pose to agriculture, native ecosystems, and human and animal health.

(b) **DUTIES OF THE SECRETARY.**—In carrying out the pilot program, the Secretary shall—

(1) study and assess the nature and extent of damage to the pilot areas caused by feral swine;

(2) develop methods to eradicate or control feral swine in the pilot areas;

(3) develop methods to restore damage caused by feral swine; and

(4) provide financial assistance to agricultural producers in pilot areas.

(c) **ASSISTANCE.**—The Secretary may provide financial assistance to agricultural producers under the pilot program to implement methods to—

(1) eradicate or control feral swine in the pilot areas; and

(2) restore damage caused by feral swine.

(d) **COORDINATION.**—The Secretary shall ensure that the Natural Resources Conservation Service and the Animal and Plant Health In-

spection Service coordinate for purposes of this section through State technical committees established under section 1261(a) of the Food Security Act of 1985 (16 U.S.C. 3861(a)).

(e) **PILOT AREAS.**—The Secretary shall carry out the pilot program in areas of States in which feral swine have been identified as a threat to agriculture, native ecosystems, or human or animal health, as determined by the Secretary.

(f) **COST SHARING.**—

(1) **FEDERAL SHARE.**—The Federal share of the costs of activities under the pilot program may not exceed 75 percent of the total costs of such activities.

(2) **IN-KIND CONTRIBUTIONS.**—The non-Federal share of the costs of activities under the pilot program may be provided in the form of in-kind contributions of materials or services.

(g) **FUNDING.**—

(1) **MANDATORY FUNDING.**—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$75,000,000 for the period of fiscal years 2019 through 2023.

(2) **DISTRIBUTION OF FUNDS.**—Of the funds made available under paragraph (1)—

(A) 50 percent shall be allocated to the Natural Resources Conservation Service to carry out the pilot program, including the provision of financial assistance to producers for on-farm trapping and technology related to capturing and confining feral swine; and

(B) 50 percent shall be allocated to the Animal and Plant Health Inspection Service to carry out the pilot program, including the use of established, and testing of innovative, population reduction methods.

(3) **LIMITATION ON ADMINISTRATIVE EXPENSES.**—Not more than 10 percent of funds made available under this section may be used for administrative expenses of the pilot program.

SEC. 2409. REPORT ON SMALL WETLANDS.

(a) **IN GENERAL.**—The Secretary, acting through the Chief of the Natural Resources Conservation Service, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the number of wetlands with an area not more than 1 acre that have been delineated in each of the States of North Dakota, South Dakota, Minnesota, and Iowa during fiscal years 2014 through 2018.

(b) **REQUIREMENT.**—In the report under subsection (a), the Secretary, acting through the Chief of the Natural Resources Conservation Service, shall list the number of wetlands acres in each State described in the report by tenths of an acre, and ensure the report is based on the best available science.

SEC. 2410. SENSE OF CONGRESS RELATING TO INCREASED WATERSHED-BASED COLLABORATION.

It is the sense of Congress that the Federal Government should recognize and encourage partnerships at the watershed level between nonpoint sources and regulated point sources to advance the goals of the Federal Water Pollution Control Act (33 U.S.C. 1251 et seq.) and provide benefits to farmers, landowners, and the public.

Subtitle E—Funding and Administration

SEC. 2501. COMMODITY CREDIT CORPORATION.

(a) **ANNUAL FUNDING.**—Section 1241(a) of the Food Security Act of 1985 (16 U.S.C. 3841(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “2018 (and fiscal year 2019 in the case of the program specified in paragraph (5))” and inserting “2023”;

(2) in paragraph (1)—

(A) in subparagraph (A), by striking “\$10,000,000 for the period of fiscal years 2014 through 2018” and inserting “\$12,000,000 for the period of fiscal years 2019 through 2023”; and

(B) in subparagraph (B)—

(i) by striking “\$33,000,000 for the period of fiscal years 2014 through 2018” and inserting

“\$50,000,000 for the period of fiscal years 2019 through 2023, including not more than \$5,000,000 to provide outreach and technical assistance,”; and

(ii) by striking “retired or retiring owners and operators” and inserting “contract holders”;

(3) in paragraph (2)—

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

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

(C) by adding at the end the following:

“(F) \$450,000,000 for each of fiscal years 2019 through 2023.”;

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

“(3) The programs under chapter 4, using, to the maximum extent practicable—

“(A) for the environmental quality incentives program under subchapter A of that chapter—

“(i) \$1,750,000,000 for fiscal year 2019;

“(ii) \$1,750,000,000 for fiscal year 2020;

“(iii) \$1,800,000,000 for fiscal year 2021;

“(iv) \$1,850,000,000 for fiscal year 2022; and

“(v) \$2,025,000,000 for fiscal year 2023; and

“(B) for the conservation stewardship program under subchapter B of that chapter—

“(i) \$700,000,000 for fiscal year 2019;

“(ii) \$725,000,000 for fiscal year 2020;

“(iii) \$750,000,000 for fiscal year 2021;

“(iv) \$800,000,000 for fiscal year 2022; and

“(v) \$1,000,000,000 for fiscal year 2023.”;

(5) in paragraph (4), by inserting “(as in effect on the day before the date of enactment of the Agriculture Improvement Act of 2018), using such sums as are necessary to administer contracts entered into before that date of enactment” before the period at the end; and

(6) by striking paragraph (5).

(b) **AVAILABILITY OF FUNDS.**—Section 1241(b) of the Food Security Act of 1985 (16 U.S.C. 3841(b)) is amended by striking “2018 (and fiscal year 2019 in the case of the program specified in subsection (a)(5))” and inserting “2023”.

(c) **REPORT ON PROGRAM ENROLLMENTS AND ASSISTANCE.**—Section 1241(i) of the Food Security Act of 1985 (16 U.S.C. 3841(i)) is amended to read as follows:

“(i) **REPORT ON PROGRAM ENROLLMENTS AND ASSISTANCE.**—Not later than December 15 of each of calendar years 2019 through 2023, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report containing statistics by State related to enrollments in conservation programs under this title, as follows:

“(1) The annual and current cumulative activity reflecting active agreement and contract enrollment statistics.

“(2) Secretarial exceptions, waivers, and significant payments, including—

“(A) payments made under the agricultural conservation easement program for easements valued at \$250,000 or greater;

“(B) payments made under the regional conservation partnership program subject to the waiver of adjusted gross income limitations pursuant to section 1271C(c)(3);

“(C) waivers granted by the Secretary under section 1001D(b)(3);

“(D) exceptions and activity associated with section 1240B(h)(2); and

“(E) exceptions provided by the Secretary under section 1265B(b)(2)(B)(ii).”.

(d) **ALLOCATIONS REVIEW AND UPDATE.**—Section 1241(g) of the Food Security Act of 1985 (16 U.S.C. 3841(g)) is amended—

(1) in paragraph (1)—

(A) by striking “January” and all that follows through “shall” and inserting “1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary, acting through the Chief of the Natural Resources Conservation Service and the Administrator of the Farm Service Agency, shall”;

(B) by inserting “annual” after “utilize”; and

(C) by inserting “relevant data on local natural resource concerns, resource inventories,

evaluations and reports, recommendations from State technical committees established under section 1261(a)," after "accounting for"; and

(2) in paragraph (2)—

(A) by striking "that the formulas" and inserting the following: "that—

"(A) the formulas";

(B) in subparagraph (A) (as so designated), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

"(B) to the maximum extent practicable, local natural resource concerns are considered a leading factor in determining annual funding allocation to States;

"(C) the process used at the national level to evaluate State budget proposals and to allocate funds is reviewed annually to assess the effect of allocations in addressing identified natural resource priorities and objectives; and

"(D) the allocation of funds to States addresses priority natural resource concerns and objectives."

(e) ASSISTANCE TO CERTAIN FARMERS OR RANCHERS FOR CONSERVATION ACCESS.—Section 1241(h) of the Food Security Act of 1985 (16 U.S.C. 3841(h)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and indenting appropriately;

(B) in the matter preceding clause (i) (as so redesignated), by striking "Of the funds" and inserting the following:

"(A) FISCAL YEARS 2009 THROUGH 2018.—Of the funds"; and

(C) by adding at the end the following:

"(B) FISCAL YEARS 2019 THROUGH 2023.—Of the funds made available for each of fiscal years 2019 through 2023 to carry out the environmental quality incentives program under subchapter A of chapter 4 of subtitle D and the conservation stewardship program under subchapter B of chapter 4 of subtitle D, the Secretary shall use, to the maximum extent practicable—

"(i) 5 percent to assist beginning farmers or ranchers; and

"(ii) 5 percent to assist socially disadvantaged farmers or ranchers.";

(2) in paragraph (2), by inserting "and, in the case of fiscal years 2019 through 2023, under the conservation stewardship program under subchapter B of chapter 4 of subtitle D" before the period at the end;

(3) in paragraph (3), by striking "year, acres not obligated under paragraph (1)" and inserting "year through fiscal year 2018, acres not obligated under paragraph (1)(A)"; and

(4) in paragraph (4), by striking "subparagraph (A) or (B) of paragraph (1)" and inserting ", as applicable, clause (i) or (ii) of paragraph (1)(A) or clause (i) or (ii) of paragraph (1)(B)".

(f) CONSERVATION STANDARDS AND REQUIREMENTS.—Section 1241 of the Food Security Act of 1985 (16 U.S.C. 3841) is amended by adding at the end the following:

"(j) CONSERVATION STANDARDS AND REQUIREMENTS.—

"(1) IN GENERAL.—Subject to the requirements of this title, the Natural Resources Conservation Service shall serve as the lead agency in developing and establishing technical standards and requirements for conservation programs carried out under this title, including—

"(A) standards for conservation practices under this title;

"(B) technical guidelines for implementing conservation practices under this title, including the location of the conservation practices; and

"(C) standards for conservation plans.

"(2) CONSISTENCY OF FARM SERVICE AGENCY TECHNICAL STANDARDS AND PAYMENT RATES.—The Administrator of the Farm Service Agency shall ensure that—

"(A) technical standards of programs administered by the Farm Service Agency are consistent with the technical standards established by the

Natural Resources Conservation Service under paragraph (1); and

"(B) payment rates, to the extent practicable, are consistent between the Farm Service Agency and the Natural Resources Conservation Service."

SEC. 2502. DELIVERY OF TECHNICAL ASSISTANCE.

(a) DEFINITIONS.—Section 1242(a) of the Food Security Act of 1985 (16 U.S.C. 3842(a)) is amended to read as follows:

"(a) DEFINITIONS.—In this section:

"(1) ELIGIBLE PARTICIPANT.—The term 'eligible participant' means a producer, landowner, or entity that is participating in, or seeking to participate in, programs in which the producer, landowner, or entity is otherwise eligible to participate under this title or the agricultural management assistance program under section 524(b) of the Federal Crop Insurance Act (7 U.S.C. 1524(b)).

"(2) THIRD-PARTY PROVIDER.—The term 'third-party provider' means a commercial entity (including a farmer cooperative, agriculture retailer, or other commercial entity (as defined by the Secretary)), a nonprofit entity, a State or local government (including a conservation district), or a Federal agency, that has expertise in the technical aspect of conservation planning, including nutrient management planning, watershed planning, or environmental engineering."

(b) CERTIFICATION PROCESS.—Section 1242(e) of the Food Security Act of 1985 (16 U.S.C. 3842(e)) is amended by adding at the end the following:

"(4) CERTIFICATION PROCESS.—The Secretary shall certify a third-party provider through—

"(A) a certification process administered by the Secretary, acting through the Chief of the Natural Resources Conservation Service; or

"(B) a non-Federal entity approved by the Secretary to perform the certification.

"(5) STREAMLINED CERTIFICATION.—The Secretary shall provide a streamlined certification process for a third-party provider that has an appropriate specialty certification, including a sustainability certification."

(c) EXPEDITED REVISION OF STANDARDS.—Section 1242(h) of the Food Security Act of 1985 (16 U.S.C. 3842(h)) is amended—

(1) in paragraph (1)—

(A) by striking subparagraph (A) and inserting the following:

"(A) not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, complete a review of each conservation practice standard, including engineering design specifications, in effect on the day before the date of enactment of that Act;";

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

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

(D) by adding at the end the following:

"(D) evaluate opportunities to increase flexibility in conservation practice standards in a manner that ensures equivalent natural resource benefits.";

(2) in paragraph (2), by inserting "State technical committees established under section 1261(a)," before "crop consultants"; and

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

"(3) EXPEDITED REVISION OF STANDARDS.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall develop for the programs under this title an administrative process for—

"(A) expediting the establishment and revision of conservation practice standards;

"(B) considering conservation innovations and scientific and technological advancements with respect to any establishment or revision under subparagraph (A);

"(C) allowing local flexibility in the creation of—

"(i) interim practice standards and supplements to existing practice standards to address

the considerations described in subparagraph (B); and

"(ii) partnership-led proposals for new and innovative techniques to facilitate implementing agreements and grants under this title; and

"(D) soliciting regular input from State technical committees established under section 1261(a) for recommendations that identify innovations or advancements described in subparagraph (B).

"(4) REPORT.—Not later than 2 years after the date of enactment of the Agriculture Improvement Act of 2018, and every 2 years thereafter, the Secretary shall submit to Congress a report on—

"(A) the administrative process developed under paragraph (3);

"(B) conservation practice standards that were established or revised under that process; and

"(C) conservation innovations that were considered under that process."

SEC. 2503. ADMINISTRATIVE REQUIREMENTS FOR CONSERVATION PROGRAMS.

(a) ACREAGE LIMITATIONS.—Section 1244(f) of the Food Security Act of 1985 (16 U.S.C. 3844(f)) is amended—

(1) in paragraph (1)(B), by striking "10" and inserting "15"; and

(2) in paragraph (5), by striking "the Agricultural Act of 2014" and inserting "the Agriculture Improvement Act of 2018".

(b) REQUIREMENTS FOR CONSERVATION PROGRAMS.—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) is amended—

(1) by striking subsection (m);

(2) by redesignating subsections (j) through (l) as subsections (k) through (m), respectively; and

(3) by inserting after subsection (i) the following:

"(j) REVIEW AND GUIDANCE FOR PRACTICE COSTS AND PAYMENT RATES.—

"(1) IN GENERAL.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, and not later than October 1 of each year thereafter, the Secretary shall—

"(A) review the estimates for practice costs and rates of payments made to producers for practices on eligible land under this title; and

"(B) evaluate whether those costs and rates reflect a payment that—

"(i) encourages participation in a conservation program administered by the Secretary;

"(ii) encourages implementation of the most effective practices to address local natural resource concerns on eligible land; and

"(iii) accounts for regional, State, and local variability relating to the complexity, implementation, and adoption of practices on eligible land.

"(2) GUIDANCE; REVIEW.—The Secretary shall—

"(A) issue guidance to States to annually review and adjust the estimates for practice costs and rates of payments made to producers to reflect the evaluation factors described in paragraph (1)(B); and

"(B) determine the appropriate practice costs and rates of payments for each State by—

"(i) annually reviewing each conservation program payment schedule and payment rate used in the State; and

"(ii) consulting with the State technical committee established under section 1261(a) in that State."

(c) FUNDING FOR INDIAN TRIBES.—Section 1244(m) of the Food Security Act of 1985 (as redesignated by subsection (b)(2)) is amended—

(1) by striking "may" and inserting "shall";

(2) by striking "that the goals" and inserting the following: "that—

"(1) the goals";

(3) in paragraph (1) (as so designated), by striking "arrangements, and that statutory" and inserting the following: "arrangements;

"(2) a sufficient number of eligible participants will be aggregated under the alternative

funding arrangement to accomplish the underlying purposes and objectives of the applicable program; and

“(3) statutory”; and

(4) in paragraph (3) (as so designated), by striking the period at the end and inserting “, except that the Secretary may approve a waiver if the Secretary is authorized to approve a waiver under the statutory authority of the applicable program.”.

(d) **SOURCE WATER PROTECTION THROUGH TARGETING OF AGRICULTURAL PRACTICES.**—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) (as amended by subsection (b)) is amended by adding at the end the following:

“(n) **SOURCE WATER PROTECTION THROUGH TARGETING OF AGRICULTURAL PRACTICES.**—

“(1) **IN GENERAL.**—In carrying out any conservation program administered by the Secretary, the Secretary shall encourage practices that relate to water quality and water quantity that protect source water for drinking water (including protecting against public health threats) while also benefiting agricultural producers.

“(2) **COLLABORATION WITH WATER SYSTEMS AND INCREASED INCENTIVES.**—

“(A) **IN GENERAL.**—In encouraging practices under paragraph (1), the Secretary shall—

“(i) work collaboratively with community water systems and State technical committees established under section 1261(a) to identify, in each State, local priority areas for the protection of source waters for drinking water; and

“(ii) subject to subparagraph (B), for practices described in paragraph (1), offer to producers increased incentives and higher payment rates than are otherwise statutorily authorized by the applicable conservation program administered by the Secretary.

“(B) **LIMITATION.**—An increased payment under subparagraph (A)(ii) shall not exceed 90 percent of practice costs associated with planning, design, materials, equipment, installation, labor, management, maintenance, or training.

“(3) **RESERVATION OF FUNDS.**—

“(A) **IN GENERAL.**—In each of fiscal years 2019 through 2023, the Secretary shall use to carry out this subsection not less than 10 percent of any funds available for conservation programs administered by the Secretary under this title (other than the conservation reserve program established under subchapter B of chapter 1 of subtitle D).

“(B) **LIMITATION.**—Funds available for a specific conservation program shall not be transferred to fund a different conservation program under this title.”.

(e) **ENVIRONMENTAL SERVICES MARKET.**—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) (as amended by subsection (d)) is amended by adding at the end the following:

“(o) **ENVIRONMENTAL SERVICES MARKET.**—The Secretary may not prohibit, through a contract, easement, or agreement under this title, a participant in a conservation program administered by the Secretary under this title from participating in, and receiving compensation from, an environmental services market if 1 of the purposes of the market is the facilitation of additional conservation benefits that are consistent with the purposes of the conservation program administered by the Secretary.”.

(f) **REGULATORY CERTAINTY.**—Section 1244 of the Food Security Act of 1985 (16 U.S.C. 3844) (as amended by subsection (e)) is amended by adding at the end the following:

“(p) **REGULATORY CERTAINTY.**—

“(1) **IN GENERAL.**—In addition to technical and programmatic information that the Secretary is otherwise authorized to provide, on request of a Federal agency, a State, an Indian tribe, or a unit of local government, the Secretary may provide technical and programmatic information—

“(A) subject to paragraph (2), to the Federal agency, State, Indian tribe, or unit of local government to support specifically the development of mechanisms that would provide regulatory certainty, regulatory predictability, safe harbor

protection, or other similar regulatory assurances to a farmer, rancher, or private nonindustrial forest landowner under a regulatory requirement—

“(i) that relates to soil, water, or wildlife; and

“(ii) over which that Federal agency, State, Indian tribe, or unit of local government has authority; and

“(B) relating to conservation practices or activities that could be implemented by a farmer, rancher, or private nonindustrial forest landowner to address a targeted soil, water, or wildlife resource concern that is the direct subject of a regulatory requirement enforced by that Federal agency, State, Indian tribe, or unit of local government, as applicable.

“(2) **MECHANISMS.**—The Secretary shall only provide additional technical and programmatic information under paragraph (1) if the mechanisms to be developed by the Federal agency, State, Indian tribe, or unit of local government, as applicable, under paragraph (1)(A) are anticipated to include, at a minimum—

“(A) the implementation of 1 or more conservation practices or activities that effectively addresses the soil, water, or wildlife resource concern identified under paragraph (1);

“(B) the on-site confirmation that the applicable conservation practices or activities identified under subparagraph (A) have been implemented;

“(C) a plan for a periodic audit, as appropriate, for the continued implementation or maintenance of each of the conservation practices or activities identified under subparagraph (A); and

“(D) notification to a farmer, rancher, or private nonindustrial forest landowner of, and an opportunity to correct, any noncompliance with a requirement to obtain regulatory certainty, regulatory predictability, safe harbor protection, or other similar regulatory assurance.

“(3) **CONTINUING CURRENT COLLABORATION ON SOIL, WATER, OR WILDLIFE CONSERVATION PRACTICES.**—The Secretary shall—

“(A) continue collaboration with Federal agencies, States, Indian tribes, or local units of government on existing regulatory certainty, regulatory predictability, safe harbor protection, or other similar regulatory assurances in accordance with paragraph (2); and

“(B) continue collaboration with the Secretary of the Interior on consultation under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)) or conference under section 7(a)(4) of that Act (16 U.S.C. 1536(a)(4)), as applicable, for wildlife conservation efforts, including the Working Lands for Wildlife model of conservation on working landscapes, as implemented on the day before the date of enactment of the Agriculture Improvement Act of 2018, in accordance with—

“(i) the document entitled ‘Partnership Agreement Between the United States Department of Agriculture Natural Resources Conservation Service and the United States Department of the Interior Fish and Wildlife Service’, numbered A-3A75-16-937, and formalized by the Chief of the Natural Resources Conservation Service on September 15, 2016, and by the Director of the United States Fish and Wildlife Service on August 4, 2016, as in effect on September 15, 2016; and

“(ii) United States Fish and Wildlife Service Director’s Order No. 217, dated August 9, 2016, as in effect on August 9, 2016.

“(4) **SAVINGS CLAUSE.**—Nothing in this subsection—

“(A) preempts, displaces, or supplants any authority or right of a Federal agency, a State, an Indian tribe, or a unit of local government;

“(B) modifies or otherwise affects, preempts, or displaces—

“(i) any cause of action; or

“(ii) a provision of Federal or State law establishing a remedy for a civil or criminal cause of action; or

“(C) applies to a case in which the Department of Agriculture is the originating agency re-

questing a consultation or other technical and programmatic information or assistance from another Federal agency in assisting farmers, ranchers, or nonindustrial private forest landowners participating in a conservation program administered by the Secretary.”.

SEC. 2504. TEMPORARY ADMINISTRATION OF CONSERVATION PROGRAMS.

(a) **INTERIM ADMINISTRATION.**—Subject to subsection (d), the Secretary shall use the applicable regulations in effect on the day before the date of enactment of this Act, to the extent that the terms and conditions of those regulations are consistent with the amendments made by this title, to carry out the programs under laws as amended by this title, including—

(1) the conservation reserve program under subchapter B of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3831 et seq.) (as amended by subtitle B);

(2) the environmental quality incentives program under subchapter A of chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) (as added by section 2301(a)(1) and amended by subtitle C);

(3) the conservation stewardship program under subchapter B of chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (as added by subsections (a)(2) and (b) of section 2301 and amended by subtitle C); and

(4) the agricultural conservation easement program established under subtitle H of title XII of the Food Security Act of 1985 (16 U.S.C. 3865 et seq.) (as amended by subtitle F).

(b) **REGIONAL CONSERVATION PARTNERSHIP PROGRAM.**—Notwithstanding subsection (e) of section 1271E of the Food Security Act of 1985 (16 U.S.C. 3871e) (as amended by section 2706), and subject to subsection (d), for fiscal year 2019, the Secretary may use an availability of program funding announcement consistent with the amendments made by subtitle G to carry out the regional conservation partnership program under subtitle I of title XII of the Food Security Act of 1985 (16 U.S.C. 3871 et seq.) without issuing a regulation.

(c) **FUNDING.**—The Secretary may only use funds authorized to be made available by this title or the amendments made by this title for the specific programs described in paragraphs (1) through (4) of subsection (a) and subsection (b), in accordance with any restrictions on the use of those funds, for the purposes described in subsections (a) and (b).

(d) **TERMINATION OF AUTHORITY.**—The authority of the Secretary to carry out subsections (a) and (b) shall terminate on September 30, 2019.

(e) **PERMANENT ADMINISTRATION.**—Effective beginning on the termination date described in subsection (d), the Secretary shall carry out this title and the amendments made by this title in accordance with such final regulations as the Secretary considers necessary to carry out this title and the amendments made by this title.

Subtitle F—Agricultural Conservation Easement Program

SEC. 2601. ESTABLISHMENT AND PURPOSES.

Section 1265(b) of the Food Security Act of 1985 (16 U.S.C. 3865(b)) is amended—

(1) in paragraph (3), by inserting “that negatively affect the agricultural uses and conservation values” after “that land”; and

(2) in paragraph (4), by striking “restoring and” and inserting “restoring or”.

SEC. 2602. DEFINITIONS.

Section 1265A of the Food Security Act of 1985 (16 U.S.C. 3865a) is amended—

(1) in paragraph (1)(B), by striking “subject to an agricultural land easement plan, as approved by the Secretary”; and

(2) by redesignating paragraphs (2), (3), (4), and (5) as paragraphs (3), (4), (6), and (7), respectively;

(3) by inserting after paragraph (1) the following:

“(2) **BUY-PROTECT-SELL TRANSACTION.**—

“(A) **IN GENERAL.**—The term ‘buy-protect-sell transaction’ means a legal arrangement—

“(i) between an eligible entity and the Secretary relating to land that an eligible entity owns or is going to purchase prior to acquisition of an agricultural land easement;

“(ii) under which the eligible entity certifies to the Secretary that the eligible entity shall—

“(I)(aa) hold an agricultural land easement on that land, but transfer ownership of the land to a farmer or rancher that is not an eligible entity prior to or on acquisition of the agricultural land easement; or

“(bb) hold an agricultural land easement on that land, but transfer ownership of the land to a farmer or rancher that is not an eligible entity in a timely manner and, subject to subparagraph (B), not later than 3 years after the date of acquisition of the agricultural land easement; and

“(II) make an initial sale of the land subject to the agricultural land easement to a farmer or rancher at not more than agricultural value, plus any reasonable holding and transaction costs incurred by the eligible entity, as determined by the Secretary; and

“(iii) under which the Secretary shall be reimbursed for the entirety of the Federal share of the cost of the agricultural land easement by the eligible entity if the eligible entity fails to transfer ownership under item (aa) or (bb), as applicable, of clause (ii)(I).

“(B) TIME EXTENSION.—Under subparagraph (A)(ii)(I)(bb), an eligible entity may transfer land later than 3 years after the date of acquisition of the agricultural land easement if the Secretary determines an extension of time is justified.”;

(4) in paragraph (4) (as so redesignated)—

(A) in subparagraph (A)(i)—

(i) by striking “to a” and inserting the following: “to—

“(I) a”;

(ii) in subclause (I) (as so designated), by adding “or” at the end; and

(iii) by adding at the end the following:

“(II) a buy-protect-sell transaction.”; and

(B) in subparagraph (B)(i)(II), by striking “, as determined by the Secretary in consultation with the Secretary of the Interior at the local level”; and

(5) by inserting after paragraph (4) (as so redesignated) the following:

“(5) MONITORING REPORT.—The term ‘monitoring report’ means a report, the contents of which are formulated and prepared by the holder of an agricultural land easement, that accurately documents whether the land subject to the agricultural land easement is in compliance with the terms and conditions of the agricultural land easement.”.

SEC. 2603. AGRICULTURAL LAND EASEMENTS.

(a) AVAILABILITY OF ASSISTANCE.—Section 1265B(a) of the Food Security Act of 1985 (16 U.S.C. 3865b(a)) is amended—

(1) in paragraph (1), by striking “and” at the end;

(2) in paragraph (2), by striking “provide for the conservation of natural resources pursuant to an agricultural land easement plan.” and inserting “implement the program, including technical assistance for the development of a conservation plan under subsection (b)(4)(C)(iv); and”; and

(3) by adding at the end the following:

“(3) buy-protect-sell transactions.”.

(b) COST-SHARE ASSISTANCE.—

(1) SCOPE OF ASSISTANCE AVAILABLE.—Section 1265B(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(2)) is amended—

(A) in subparagraph (B), by striking clause (ii) and inserting the following:

“(ii) GRASSLANDS EXCEPTION.—In the case of grassland of special environmental significance, as determined by the Secretary, the Secretary may provide an amount not to exceed 75 percent of the fair market value of the agricultural land easement.

“(iii) PERMISSIBLE FORMS.—The non-Federal share provided by an eligible entity under this subparagraph may comprise—

“(I) cash resources;

“(II) a charitable donation or qualified conservation contribution (as defined in section 170(h) of the Internal Revenue Code of 1986) from the private landowner from which the agricultural land easement will be purchased;

“(III) costs associated with securing a deed to the agricultural land easement, including the cost of appraisal, survey, inspection, and title; and

“(IV) other costs, as determined by the Secretary.”; and

(B) by striking subparagraph (C).

(2) EVALUATION AND RANKING OF APPLICATIONS.—Section 1265B(b)(3) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(3)) is amended—

(A) by redesignating subparagraph (C) as subparagraph (E); and

(B) by inserting after subparagraph (B) the following:

“(C) ACCOUNTING FOR GEOGRAPHIC DIFFERENCES.—The Secretary may adjust the criteria established under subparagraph (A) to account for geographic differences, if the adjustments—

“(i) meet the purposes of the program; and

“(ii) continue to maximize the benefit of the Federal investment under the program.

“(D) PRIORITY.—In evaluating applications under the program, the Secretary may give priority to an application for the purchase of an agricultural land easement that, as determined by the Secretary, maintains agricultural viability.”.

(3) AGREEMENTS WITH ELIGIBLE ENTITIES.—Section 1265B(b)(4) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(4)) is amended—

(A) in subparagraph (C), by striking clauses (iii) and (iv) and inserting the following:

“(iii) include a right of enforcement for the Secretary that—

“(I) may be used only if the terms and conditions of the easement are not enforced by the eligible entity; and

“(II) does not extend to a right of inspection unless—

“(aa)(AA) the holder of the easement fails to provide monitoring reports in a timely manner; or

“(BB) the Secretary has a reasonable and articulable belief that the terms and conditions of the easement have been violated; and

“(bb) prior to the inspection, the Secretary notifies the eligible entity and the landowner of the inspection and provides a reasonable opportunity for the eligible entity and the landowner to participate in the inspection;

“(iv) include a conservation plan only for any portion of the land subject to the agricultural land easement that is highly erodible cropland; and”;

(B) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(C) by inserting after subparagraph (C) the following:

“(D) ADDITIONAL PERMITTED TERMS AND CONDITIONS.—An eligible entity may include terms and conditions for an agricultural land easement that—

“(i) are intended to keep the land subject to the agricultural land easement under the ownership of a farmer or rancher, as determined by the Secretary;

“(ii) allow subsurface mineral development on the land subject to the agricultural land easement and in accordance with applicable State law if, as determined by the Secretary—

“(I) the subsurface mineral development—

“(aa) has a limited and localized impact;

“(bb) does not harm the agricultural use and conservation values of the land subject to the easement;

“(cc) does not materially alter or affect the existing topography;

“(dd) shall comply with a subsurface mineral development plan that—

“(AA) includes a plan for the remediation of impacts to the agricultural use and conservation values of the land subject to the easement; and

“(BB) is approved by the Secretary prior to the initiation of mineral development activity;

“(ee) is not accomplished by any surface mining method;

“(ff) is within the impervious surface limits of the easement under subparagraph (C)(v); and

“(gg) uses practices and technologies that minimize the duration and intensity of impacts to the agricultural use and conservation values of the land subject to the easement; and

“(II) each area impacted by the subsurface mineral development shall be reclaimed and restored by the holder of the mineral rights at cessation of operation; and

“(iii) include other relevant activities relating to the agricultural land easement, as determined by the Secretary.”.

(4) CERTIFICATION OF ELIGIBLE ENTITIES.—Section 1265B(b)(5) of the Food Security Act of 1985 (16 U.S.C. 3865b(b)(5)) is amended—

(A) in subparagraph (A)—

(i) in clause (ii), by striking “; and” and inserting a semicolon;

(ii) in clause (iii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iv) allow a certified eligible entity to use its own terms and conditions, notwithstanding paragraph (4)(C), as long as the terms and conditions are consistent with the purposes of the program.”; and

(B) in subparagraph (B)—

(i) in clause (iii), by redesignating subclauses (I) through (III) as items (aa) through (cc), respectively, and indenting appropriately;

(ii) by redesignating clauses (i) through (iii) as subclauses (I) through (III), respectively, and indenting appropriately;

(iii) in the matter preceding subclause (I) (as so redesignated), by striking “entity will” and inserting the following: “eligible entity—

“(i) will”;

(iv) in clause (i)(III)(cc) (as so redesignated), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

“(ii) has—

“(I) been accredited by the Land Trust Accreditation Commission, or by an equivalent accrediting body, as determined by the Secretary;

“(II) acquired not fewer than 10 agricultural land easements under the program or any predecessor program; and

“(III) successfully met the responsibilities of the eligible entity under the applicable agreements with the Secretary, as determined by the Secretary, relating to agricultural land easements that the eligible entity has acquired under the program or any predecessor program; or

“(iii) is a State department of agriculture or other State agency with statutory authority for farm and ranchland protection that has—

“(I) acquired not fewer than 10 agricultural land easements under the program or any predecessor program; and

“(II) successfully met the responsibilities of the eligible entity under the applicable agreements with the Secretary, as determined by the Secretary, relating to agricultural land easements that the eligible entity has acquired under the program or any predecessor program.”.

(5) TECHNICAL ASSISTANCE.—Section 1265B of the Food Security Act of 1985 (16 U.S.C. 3865b) is amended by striking subsection (d) and inserting the following:

“(d) TECHNICAL ASSISTANCE.—The Secretary may provide technical assistance, if requested, to assist in compliance with the terms and conditions of easements.”.

SEC. 2604. WETLAND RESERVE EASEMENTS.

Section 1265C of the Food Security Act of 1985 (16 U.S.C. 3865c) is amended—

(1) in subsection (b)—

(A) in paragraph (3)(C), by inserting “or improving water quality” before the period at the end; and

(B) in paragraph (5)—
(i) in subparagraph (C)—
(I) by striking “Land subject” and inserting the following:

“(i) IN GENERAL.—Land subject”;

(II) in clause (i) (as so designated), by inserting “water management,” after “timber harvest,”; and

(III) by adding at the end the following:

“(ii) COMPATIBLE USE AUTHORIZATION.—In evaluating and authorizing a compatible economic use under clause (i), the Secretary shall—

“(I) request and consider the advice of the applicable State technical committee established under section 1261(a) about the 1 or more types of uses that may be authorized to be conducted on land subject to a wetland reserve easement, including the frequency, timing, and intensity of those uses;

“(II) consider the ability of an authorized use to facilitate the practical administration and management of that land; and

“(III) ensure that an authorized use furthers the functions and values for which the wetland reserve easement was established.”; and

(ii) in subparagraph (D)(i)(III), by inserting after “under subsection (f)” the following: “or a grazing management plan that is consistent with the wetland reserve easement plan and has been reviewed, and modified as necessary, at least every 5 years”; and

(2) in subsection (f)—

(A) by striking paragraph (1) and inserting the following:

“(1) WETLAND RESERVE EASEMENT PLAN.—

“(A) IN GENERAL.—The Secretary shall develop a wetland reserve easement plan—

“(i) for any eligible land subject to a wetland reserve easement; and

“(ii) that restores, protects, enhances, manages, maintains, and monitors the eligible land subject to the wetland reserve easements acquired under this section.

“(B) PRACTICES AND ACTIVITIES.—A wetland reserve easement plan under subparagraph (A) shall include practices and activities, including repair or replacement, that are necessary to restore and maintain the enrolled land and the functions and values of the wetland subject to a wetland reserve easement.”;

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following:

“(2) ALTERNATIVE PLANT COMMUNITIES.—The Secretary, in coordination with State technical committees established under section 1261(a) and pursuant to State-specific criteria and guidelines, may authorize the establishment or restoration of a hydrologically appropriate native community or alternative naturalized vegetative community as part of a wetland reserve easement plan on land subject to a wetland reserve easement if that hydrologically appropriate native or alternative naturalized vegetative community shall—

“(A) substantially support or benefit migratory waterfowl or other wetland wildlife; or

“(B) meet local resource concerns or needs (including as an element of a regional, State, or local wildlife initiative or plan).”.

SEC. 2605. ADMINISTRATION.

Section 1265D of the Food Security Act of 1985 (16 U.S.C. 3865d) is amended—

(1) in paragraph (a)(4), by striking “proposed” and inserting “permitted”;

(2) by striking subsection (c) and inserting the following:

“(c) SUBORDINATION, EXCHANGE, MODIFICATION, AND TERMINATION.—

“(1) SUBORDINATION.—The Secretary may subordinate any interest in land, or portion of such interest, administered by the Secretary (including for the purposes of utilities and energy transmission services) either directly or on behalf of the Commodity Credit Corporation under the program if the Secretary determines that the subordination—

“(A) increases conservation values or has a limited negative effect on conservation values;

“(B) minimally affects the acreage subject to the interest in land; and

“(C) is in the public interest or furthers the practical administration of the program.

“(2) MODIFICATION AND EXCHANGE.—

“(A) AUTHORITY.—The Secretary may approve a modification or exchange of any interest in land, or portion of such interest, administered by the Secretary, either directly or on behalf of the Commodity Credit Corporation under the program if the Secretary determines that—

“(i) no reasonable alternative exists and the effect on the interest in land is avoided or minimized to the extent practicable; and

“(ii) the modification or exchange—

“(I) results in equal or increased conservation values;

“(II) results in equal or greater economic value to the United States;

“(III) is consistent with the original intent of the easement;

“(IV) is consistent with the purposes of the program; and

“(V) is in the public interest or furthers the practical administration of the program.

“(B) LIMITATION.—In modifying or exchanging an interest in land, or portion of such interest, under this paragraph, the Secretary may not increase any payment to an eligible entity.

“(3) TERMINATION.—The Secretary may approve a termination of any interest in land, or portion of such interest, administered by the Secretary, directly or on behalf of the Commodity Credit Corporation under the program if the Secretary determines that—

“(A) termination is in the interest of the Federal Government;

“(B) the United States will be fully compensated for—

“(i) the fair market value of the interest in land;

“(ii) any costs relating to the termination; and

“(iii) any damages determined appropriate by the Secretary; and

“(C) the termination will—

“(i) address a compelling public need for which there is no practicable alternative even with avoidance and minimization; and

“(ii) further the practical administration of the program.

“(4) CONSENT.—The Secretary shall obtain consent from the landowner and eligible entity, if applicable, for any subordination, exchange, modification, or termination of interest in land, or portion of such interest, under this subsection.

“(5) NOTICE.—At least 90 days before taking any termination action described in paragraph (3), the Secretary shall provide written notice of such action to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate.”; and

(3) in subsection (d)—

(A) in paragraph (1), by striking “transferred into the program” and inserting “enrolled in an easement under section 1265C(b)”;

(B) by adding at the end the following:

“(3) AGRICULTURAL LAND EASEMENTS.—A farmer or rancher who owns eligible land subject to an agricultural land easement may enter into a contract under subchapter B of chapter 1 of subtitle D.”.

Subtitle G—Regional Conservation Partnership Program

SEC. 2701. ESTABLISHMENT AND PURPOSES.

Section 1271 of the Food Security Act of 1985 (16 U.S.C. 3871) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by inserting “, including partnership agreements funded through alternative funding arrangements or grant agreements under section 1271C(d),” after “partnership agreements”; and

(B) in paragraph (2), by striking “contracts with producers” and inserting “program contracts with producers”; and

(2) in subsection (b)—

(A) in paragraph (1), in the matter preceding subparagraph (A), by striking “use covered programs” and inserting “carry out eligible activities”;

(B) by striking paragraph (2) and inserting the following:

“(2) To further the conservation, protection, restoration, and sustainable use of soil, water (including sources of drinking water and groundwater), wildlife, agricultural land, and related natural resources on eligible land on a regional or watershed scale.”;

(C) in paragraph (3)—

(i) in subparagraph (A), by inserting “, including through alignment of partnership projects with other national, State, and local agencies and programs addressing similar natural resource or environmental concerns” after “eligible land”; and

(ii) in subparagraph (B), by striking “installation” and inserting “adoption, installation,”; and

(D) by adding at the end the following:

“(4) To encourage the flexible and streamlined delivery of conservation assistance to producers through partnership agreements.

“(5) To engage producers and eligible partners in conservation projects to achieve greater conservation outcomes and benefits for producers than would otherwise be achieved.”.

SEC. 2702. DEFINITIONS.

Section 1271A of the Food Security Act of 1985 (16 U.S.C. 3871a) is amended—

(1) in paragraph (1)—

(A) in subparagraph (C), by inserting “, not including the grassland conservation initiative under section 1240L-1” before the period at the end; and

(B) by adding at the end the following:

“(E) The conservation reserve program established under subchapter B of chapter 1 of subtitle D.

“(F) The programs established by the Secretary to carry out the Watershed Protection and Flood Prevention Act (16 U.S.C. 1001 et seq.), except for any program established by the Secretary to carry out section 14 (16 U.S.C. 1012) of that Act.”;

(2) by striking paragraphs (2) and (3) and inserting the following:

“(2) ELIGIBLE ACTIVITY.—The term ‘eligible activity’ means a practice, activity, agreement, easement, or related conservation measure that is available under the statutory authority for a covered program.

“(3) ELIGIBLE LAND.—The term ‘eligible land’ means any agricultural or nonindustrial private forest land or associated land on which the Secretary determines an eligible activity would help achieve conservation benefits.”;

(3) in paragraph (4)—

(A) in subparagraph (E), by inserting “acequia,” after “irrigation district,”; and

(B) by adding at the end the following:

“(I) An organization described in section 1265A(3)(B).

“(J) A conservation district.”;

(4) by striking paragraph (5) and inserting the following:

“(5) PARTNERSHIP AGREEMENT.—The term ‘partnership agreement’ means the programmatic agreement entered into between the Secretary and an eligible partner, subject to the terms and conditions under section 1271B.”; and

(5) by adding at the end the following:

“(7) PROGRAM CONTRACT.—

“(A) IN GENERAL.—The term ‘program contract’ means the contract between the Secretary and a producer entered into under this subtitle.

“(B) EXCLUSION.—The term ‘program contract’ does not include a contract under a covered program.”.

SEC. 2703. REGIONAL CONSERVATION PARTNERSHIPS.

Section 1271B of the Food Security Act of 1985 (16 U.S.C. 3871b) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) LENGTH.—

“(1) IN GENERAL.—A partnership agreement shall be—

“(A) for a period not to exceed 5 years; or

“(B) for a period that is longer than 5 years, if the longer period is necessary to meet the objectives of the program, as determined by the Secretary.

“(2) RENEWAL.—A partnership agreement may be renewed under subsection (e)(5) for a period not to exceed 5 years.

“(3) EXTENSION.—A partnership agreement, or any renewal of a partnership agreement, may each be extended 1 time for a period not longer than 12 months, as determined by the Secretary.”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by redesignating clauses (iii) and (iv) as clauses (iv) and (v), respectively; and

(II) by striking clauses (i) and (ii) and inserting the following:

“(i) 1 or more conservation benefits that the project shall achieve;

“(ii) the eligible activities on eligible land to be conducted under the project to achieve conservation benefits;

“(iii) the implementation timeline for carrying out the project, including any interim milestones”;

(ii) in subparagraph (D), by striking “funds” and inserting “contributions”; and

(iii) in subparagraph (E), by striking “of the project’s effects; and” and inserting the following: “of—

“(i) the progress made by the project in achieving each conservation benefit defined in the partnership agreement, including in a quantified form to the extent practicable; and

“(ii) as appropriate, other outcomes of the project; and”;

(B) in paragraph (2)—

(i) by striking “An eligible” and inserting the following:

“(A) IN GENERAL.—An eligible”; and

(ii) by adding at the end the following:

“(B) FORM.—A contribution of an eligible partner under this paragraph may be in the form of—

“(i) direct funding;

“(ii) in-kind support; or

“(iii) a combination of direct funding and in-kind support.

“(C) TREATMENT.—Any amounts expended during the period beginning on the date on which the Secretary announces the approval of an application under subsection (e) and ending on the day before the effective date of the partnership agreement by an eligible partner for staff salaries or development of the partnership agreement may be considered to be a part of the contribution of the eligible partner under this paragraph.”;

(3) by redesignating subsection (d) as subsection (e);

(4) by inserting after subsection (c) the following:

“(d) DUTIES OF SECRETARY.—The Secretary shall—

“(1) establish a timeline for carrying out the duties of the Secretary under a partnership agreement, including—

“(A) entering into program contracts with producers;

“(B) providing financial assistance to producers; and

“(C) in the case of a partnership agreement that is funded through an alternative funding arrangement or grant agreement under section 1271C(d), providing the payments to the eligible partner for carrying out eligible activities;

“(2) identify in each State a program coordinator for the State, who shall be responsible for providing assistance to eligible partners under the program;

“(3) establish guidance to assist eligible partners with carrying out the assessment required under subsection (c)(1)(E);

“(4) provide to each eligible partner that has entered into a partnership agreement that is not funded through an alternative funding arrangement or grant agreement under section 1271C(d)—

“(A) a semiannual report describing the status of each pending and obligated contract under the project of the eligible partner; and

“(B) an annual report describing how the Secretary used amounts reserved by the Secretary for that year for technical assistance under section 1271D(f); and

“(5) ensure that any eligible activity effectively achieves the conservation benefits identified in the partnership agreement under subsection (c)(1)(A)(i).”;

(5) in subsection (e) (as redesignated by paragraph (3))—

(A) in paragraph (1), by inserting “simplified” after “conduct a”;

(B) in paragraph (3)—

(i) by striking the paragraph designation and heading and all that follows through “description of—” and inserting the following:

“(3) CONTENTS.—The Secretary shall develop a simplified application that includes a description of—”;

(ii) in subparagraph (C), by striking “, including the covered programs to be used”; and

(iii) in subparagraph (D), by striking “financial”;

(C) in paragraph (4)—

(i) by striking subparagraph (D);

(ii) by redesignating subparagraphs (E) and (F) as subparagraphs (G) and (H), respectively; and

(iii) by inserting after subparagraph (C) the following:

“(D) build new partnerships with local, State, and private entities to include a diversity of stakeholders in the project;

“(E) deliver a high percentage of applied conservation—

“(i) to achieve conservation benefits; or

“(ii) in the case of a project in a critical conservation area under section 1271F, to address the priority resource concern for that critical conservation area;

“(F) implement the project consistent with existing watershed, habitat, or other area restoration plans;”;

(D) by adding at the end the following:

“(5) RENEWALS.—If the Secretary determines that a project that is the subject of a partnership agreement has met or exceeded the objectives of the project, the Secretary may renew the partnership agreement through an expedited noncompetitive process if the 1 or more eligible partners that are parties to the partnership agreement request the renewal in order—

“(A) to continue to implement the project under a renewal of the partnership agreement; or

“(B) to expand the scope of the project under a renewal of the partnership agreement, as long as the expansion is within the objectives and purposes of the original partnership agreement.”;

(6) by adding at the end the following:

“(f) NONAPPLICABILITY OF ADJUSTED GROSS INCOME LIMITATION.—The adjusted gross income limitation described in section 1001D(b)(1) shall not apply to an eligible partner under the program.”.

SEC. 2704. ASSISTANCE TO PRODUCERS.

Section 1271C of the Food Security Act of 1985 (16 U.S.C. 3871c) is amended—

(1) by striking subsections (a) and (b) and inserting the following:

“(a) IN GENERAL.—A producer may receive financial or technical assistance to conduct eligible activities on eligible land through a program contract entered into with the Secretary.

“(b) PROGRAM CONTRACTS.—

“(1) IN GENERAL.—The Secretary shall establish a program contract to be entered into with a producer to conduct eligible activities on eligible land, subject to such terms and conditions as the Secretary may establish.

“(2) APPLICATION BUNDLES.—

“(A) IN GENERAL.—An eligible partner may submit to the Secretary, on behalf of producers, a bundle of applications for assistance under the program through program contracts to address a substantial portion of the conservation benefits to be achieved by the project, as defined in the partnership agreement.

“(B) PRIORITY.—The Secretary may give priority to applications described in subparagraph (A).”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “In accordance with statutory requirements of the covered programs involved, the Secretary may make payments to a producer” and inserting “Subject to section 1271D, the Secretary may make payments to a producer”; and

(B) in paragraph (3), by striking “participating”; and

(3) by adding at the end the following:

“(d) FUNDING THROUGH ALTERNATIVE FUNDING ARRANGEMENTS OR GRANT AGREEMENTS.—

“(1) IN GENERAL.—A partnership agreement entered into with an eligible partner may be funded through an alternative funding arrangement or grant in accordance with this subsection.

“(2) DUTIES OF THE SECRETARY.—The Secretary shall—

“(A) under a funding agreement under paragraph (1)—

“(i) use funding made available to carry out this subtitle to provide funding directly to the eligible partner; and

“(ii) provide technical and administrative assistance, as mutually agreed by the parties; and

“(B) enter into not more than 15 alternative funding arrangements or grant agreements with 1 or more eligible partners each fiscal year.

“(3) DUTIES OF ELIGIBLE PARTNERS.—Under a funding agreement under paragraph (1), the eligible partner shall—

“(A) carry out eligible activities on eligible land in agreement with producers to achieve conservation benefits on a regional or watershed scale, such as—

“(i) infrastructure investments relating to agricultural or nonindustrial private forest production that would—

“(I) benefit multiple producers; and

“(II) address natural resource concerns such as drought, wildfire, or water quality impairment on the land covered by the project;

“(ii) projects addressing natural resources concerns in coordination with producers, including the development and implementation of watershed, habitat, or other area restoration plans;

“(iii) projects that use innovative approaches to leveraging the Federal investment in conservation with private financial mechanisms, in conjunction with agricultural production or forest resource management, such as—

“(I) the provision of performance-based payments to producers; and

“(II) support for an environmental market; or

“(iv) other projects for which the Secretary determines that the goals and objectives of the program would be easier to achieve through the funding agreement under paragraph (1); and

“(B) submit to the Secretary, in addition to any information that the Secretary requires to prepare the report under section 1271E(b), an annual report that describes the status of the project, including a description of—

“(i) the use of the funds awarded under paragraph (1);

“(ii) any subcontracts awarded;

“(iii) the producers receiving funding through the funding agreement under paragraph (1);

“(iv) the progress made by the project in addressing each natural resource concern defined in the funding agreement under paragraph (1), including in a quantified form to the extent practicable; and

“(II) as appropriate, other outcomes of the project; and

“(v) any other reporting data the Secretary determines are necessary to ensure compliance with the program rules.”.

SEC. 2705. FUNDING.

Section 1271D of the Food Security Act of 1985 (16 U.S.C. 3871d) is amended—

(1) in subsection (a)—

(A) by striking “\$100,000,000” and inserting “\$300,000,000”; and

(B) by striking “2014 through 2018” and inserting “2019 through 2023”;

(2) by striking subsection (c);

(3) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively;

(4) in subsection (c) (as so redesignated)—

(A) in the matter preceding paragraph (1)—

(i) by striking “and acres”; and

(ii) by striking “and reserved for the program under subsection (c)”;

(B) in paragraph (1)—

(i) by striking “25 percent of the funds and acres to projects based on a State competitive process administered by the State Conservationist, with the advice of the State technical committee” and inserting “50 percent of the funds to projects based on a State or multistate competitive process administered by the Secretary at the local level with the advice of the applicable State technical committees”; and

(ii) by adding “and” after the semicolon;

(C) by striking paragraph (2);

(D) by redesignating paragraph (3) as paragraph (2); and

(E) in paragraph (2) (as so redesignated), by striking “35 percent of the funds and acres” and inserting “50 percent of the funds”;

(5) in subsection (d) (as so redesignated)—

(A) by striking “None of the funds made available or reserved for the program” and inserting the following:

“(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds made available for the program, including for a partnership agreement funded through an alternative funding arrangement or grant agreement under section 1271C(d),”; and

(B) by adding at the end the following:

“(2) PROJECT DEVELOPMENT AND OUTREACH.—Under a partnership agreement that is not funded through an alternative funding arrangement or grant agreement under section 1271C(d), the Secretary may advance reasonable amounts of funding for not longer than 90 days for technical assistance to eligible partners to conduct project development and outreach activities in a project area, including—

“(A) providing outreach and education to producers for potential participation in the project;

“(B) establishing baseline metrics to support the development of the assessment required under section 1271B(c)(1)(E); or

“(C) providing technical assistance to producers.”; and

(6) by adding at the end the following:

“(e) TECHNICAL ASSISTANCE.—

“(1) IN GENERAL.—At the time of project selection, the Secretary shall identify and make publicly available the amount that the Secretary shall use to provide technical assistance under the terms of the partnership agreement.

“(2) LIMITATION.—The Secretary shall limit costs of the Secretary for technical assistance to costs specific and necessary to carry out the objectives of the program.

“(3) THIRD-PARTY PROVIDERS.—The Secretary shall develop and implement strategies to encourage third-party technical service providers to provide technical assistance to eligible partners pursuant to a partnership agreement.”.

SEC. 2706. ADMINISTRATION.

Section 1271E of the Food Security Act of 1985 (16 U.S.C. 3871e) is amended—

(1) in subsection (a), by striking “1271B(d)” each place it appears and inserting “1271B(e)”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “December 31, 2014” and inserting “December 31, 2019”;

(B) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(C) by inserting before paragraph (2) (as so redesignated) the following:

“(1) a summary of—

“(A) the progress made towards achieving the conservation benefits defined for the projects; and

“(B) any other related outcomes of the projects.”;

(D) in paragraph (4) (as so redesignated), by striking “and” at the end;

(E) in paragraph (5) (as so redesignated)—

(i) in the matter preceding subparagraph (A), by striking “1271C(b)(2)” and inserting “1271C(d)”;

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

(F) by adding at the end the following:

“(6) in the case of a project within a critical conservation area under section 1271F, the status of each priority resource concern for each designated critical conservation area, including—

“(A) the priority resource concerns for which each critical conservation area is designated;

“(B) conservation goals and outcomes sufficient to demonstrate that progress is being made to address the priority resource concerns;

“(C) the partnership agreements selected to address each conservation goal and outcome; and

“(D) the extent to which each conservation goal and outcome is being addressed by the partnership agreements.”; and

(3) by adding at the end the following:

“(c) COMPLIANCE WITH CERTAIN REQUIREMENTS.—The Secretary may not provide assistance under the program to a producer unless the producer agrees, during the program year for which the assistance is provided—

“(1) to comply with applicable conservation requirements under subtitle B; and

“(2) to comply with applicable wetland protection requirements under subtitle C.

“(d) HISTORICALLY UNDERSERVED PRODUCERS.—To the maximum extent practicable, in carrying out the program, the Secretary and eligible partners shall conduct outreach to beginning farmers and ranchers, veteran farmers and ranchers, socially disadvantaged farmers and ranchers, and limited resource farmers and ranchers to encourage participation by those producers in a project subject to a partnership agreement or funding agreement under 1271C(d).

“(e) REGULATIONS.—The Secretary shall issue regulations to carry out the program.”.

SEC. 2707. CRITICAL CONSERVATION AREAS.

Section 1271F of the Food Security Act of 1985 (16 U.S.C. 3871f) is amended—

(1) by redesignating subsections (a), (b), and (c) as subsections (b), (c), and (e), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

“(a) DEFINITIONS.—In this section:

“(1) CRITICAL CONSERVATION AREA.—The term ‘critical conservation area’ means a geographical area that contains a critical conservation condition that can be addressed through the program.

“(2) PRIORITY RESOURCE CONCERN.—The term ‘priority resource concern’ means a natural resource concern located in a critical conservation area that can be addressed through—

“(A) water quality improvement, including through reducing erosion, promoting sediment control, and addressing nutrient management activities affecting large bodies of water of regional, national, or international significance;

“(B) water quantity improvement, including improvement relating to—

“(i) drought;

“(ii) groundwater, surface water, aquifer, or other water sources; or

“(iii) water retention and flood prevention;

“(C) wildlife habitat restoration to address species of concern at a Federal, State, or local level; and

“(D) other natural resource improvements, as determined by the Secretary, within the critical conservation area.”;

(3) in subsection (b) (as so redesignated)—

(A) by striking “(b) IN GENERAL.—” and inserting the following:

“(b) APPLICATIONS.—”;

(B) by striking “1271D(d)(3)” and inserting “1271D(d)(2)”;

(C) by striking “producer” and inserting “program”; and

(D) by inserting “that address 1 or more priority resource concerns for which the critical conservation area is designated” before the period at the end;

(4) in subsection (c) (as so redesignated)—

(A) by redesignating paragraphs (1) through (3) as paragraphs (2) through (4), respectively;

(B) by inserting before paragraph (2) (as so redesignated) the following:

“(1) IN GENERAL.—The Secretary shall identify 1 or more priority resource concerns that apply to each critical conservation area designated under this section after the date of enactment of the Agricultural Act of 2014 (Public Law 113-79; 128 Stat. 649), including the conservation goals and outcomes sufficient to demonstrate that progress is being made to address the priority resource concern.”;

(C) in paragraph (2) (as so redesignated)—

(i) by striking subparagraphs (C) and (D) and inserting the following:

“(C) contains 1 or more priority resource concerns; or”; and

(ii) by redesignating subparagraph (E) as subparagraph (D); and

(D) by striking paragraph (3) (as so redesignated) and inserting the following:

“(3) REVIEW AND WITHDRAWAL.—The Secretary may—

“(A) review designations of critical conservation areas under this section not more frequently than once every 5 years; and

“(B) withdraw designation of a critical conservation area only if the Secretary determines that the area is no longer a critical conservation area.”;

(5) by inserting after subsection (c) (as so redesignated) the following:

“(d) OUTREACH TO ELIGIBLE PARTNERS AND PRODUCERS.—The Secretary shall provide outreach and education to eligible partners and producers in critical conservation areas designated under this section to encourage the development of projects to address each priority resource concern identified by the Secretary for that critical conservation area.”; and

(6) in subsection (e) (as so redesignated)—

(A) in paragraph (1), by striking “producer” and inserting “program”; and

(B) by striking paragraph (3).

Subtitle H—Repeals and Technical**Amendments****PART I—REPEALS****SEC. 2811. REPEAL OF CONSERVATION CORRIDOR DEMONSTRATION PROGRAM.**

(a) IN GENERAL.—Subtitle G of title II of the Farm Security and Rural Investment Act of 2002 (16 U.S.C. 3801 note; Public Law 107-171) is repealed.

(b) CONFORMING AMENDMENT.—Section 5059 of the Water Resources Development Act of 2007 (16 U.S.C. 3801 note; Public Law 110-114) is repealed.

SEC. 2812. REPEAL OF CRANBERRY ACREAGE RESERVE PROGRAM.

Section 10608 of the Farm Security and Rural Investment Act of 2002 (16 U.S.C. 3801 note; Public Law 107-171) is repealed.

SEC. 2813. REPEAL OF NATIONAL NATURAL RESOURCES FOUNDATION.

Subtitle F of title III of the Federal Agriculture Improvement and Reform Act of 1996 (16 U.S.C. 5801 et seq.) is repealed.

SEC. 2814. REPEAL OF FLOOD RISK REDUCTION.

Section 385 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7334) is repealed.

SEC. 2815. REPEAL OF STUDY OF LAND USE FOR EXPIRING CONTRACTS AND EXTENSION OF AUTHORITY.

Section 1437 of the Food, Agriculture, Conservation, and Trade Act of 1990 (16 U.S.C. 3831 note; Public Law 101-624) is repealed.

SEC. 2816. REPEAL OF INTEGRATED FARM MANAGEMENT PROGRAM OPTION.

Section 1451 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5822) is repealed.

SEC. 2817. REPEAL OF CLARIFICATION OF DEFINITION OF AGRICULTURAL LANDS.

Section 325 of the Federal Agriculture Improvement and Reform Act of 1996 (Public Law 104-127; 110 Stat. 992) is repealed.

PART II—TECHNICAL AMENDMENTS**SEC. 2821. TECHNICAL AMENDMENTS.**

(a) **WATERSHED PROTECTION AND FLOOD PREVENTION ACT.**—Section 5(4) of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1005(4)) is amended—

(1) by striking “goodwater” and inserting “floodwater”; and

(2) by striking “Secretary of Health, Education, and Welfare” each place it appears and inserting “Secretary of Health and Human Services”.

(b) **DELINEATION OF WETLANDS; EXEMPTIONS.**—Section 1222(j) of the Food Security Act of 1985 (16 U.S.C. 3822(j)) is amended by striking “National Resources Conservation Service” and inserting “Natural Resources Conservation Service”.

(c) **FARMABLE WETLAND PROGRAM.**—Section 1231B(b)(2)(A)(i) of the Food Security Act of 1985 (16 U.S.C. 3831b(b)(2)(A)(i)) is amended by adding a semicolon at the end.

(d) **TERMINAL LAKES ASSISTANCE.**—Section 2507 of the Farm Security and Rural Investment Act of 2002 (16 U.S.C. 3839bb-6) is amended—

(1) in subsection (e)—

(A) by striking paragraph (1);

(B) by redesignating paragraph (2) as paragraph (1); and

(C) by adding at the end the following:

“(2) NO ADDITIONAL FUNDS.—

“(A) IN GENERAL.—Nothing in this section authorizes any additional funds to carry out this section.

“(B) AVAILABILITY OF FUNDS.—Any funds made available to carry out this section before the date of enactment of the Agriculture Improvement Act of 2018 may remain available until expended.”; and

(2) by adding at the end the following:

“(f) **TERMINATION OF AUTHORITY.**—The authority provided by this section shall terminate on October 1, 2023.”.

(e) **DELIVERY OF TECHNICAL ASSISTANCE.**—Section 1242 of the Food Security Act of 1985 (16 U.S.C. 3842) is amended by striking “third party” each place it appears and inserting “third-party”.

(f) **ADMINISTRATIVE REQUIREMENTS FOR CONSERVATION PROGRAMS.**—Section 1244(b)(4)(B) of the Food Security Act of 1985 (16 U.S.C. 3844(b)(4)(B)) is amended by striking “General Accounting Office” and inserting “Government Accountability Office”.

SEC. 2822. STATE TECHNICAL COMMITTEES.

(a) **STANDARDS.**—Section 1261(b)(2) of the Food Security Act of 1985 (16 U.S.C. 3861(b)(2)) is amended by striking “under section 1262(b)”.

(b) **COMPOSITION.**—Section 1261(c) of the Food Security Act of 1985 (16 U.S.C. 3861(c)) is amended by adding at the end the following:

“(14) The State Cooperative Extension Service and land grant university in the State.”.

TITLE III—TRADE**Subtitle A—Food for Peace Act****SEC. 3101. LABELING REQUIREMENTS.**

Section 202(g) of the Food for Peace Act (7 U.S.C. 1722(g)) is amended to read as follows:

“(g) **LABELING OF ASSISTANCE.**—Agricultural commodities and other assistance provided under this title shall, to the extent practicable, be clearly identified with appropriate markings on the package or container of such agricultural commodities or food procured outside of the United States, or on printed material that accompanies other assistance, in the language of the locality in which such commodities and

other assistance are distributed, as being furnished by the people of the United States of America.”.

SEC. 3102. FOOD AID QUALITY ASSURANCE.

Section 202(h)(3) of the Food for Peace Act (7 U.S.C. 1722(h)(3)) is amended by striking “2018” and inserting “2023”.

SEC. 3103. LOCAL SALE AND BARTER OF COMMODITIES.

Section 203 of the Food for Peace Act (7 U.S.C. 1723) is amended—

(1) in subsection (a), by inserting “to generate proceeds to be used as provided in this section” before the period at the end;

(2) by striking subsection (b); and

(3) by redesignating subsections (c) and (d) as subsections (b) and (c), respectively.

SEC. 3104. MINIMUM LEVELS OF ASSISTANCE.

Section 204(a) of the Food for Peace Act (7 U.S.C. 1724(a)) is amended in paragraphs (1) and (2) by striking “2018” both places it appears and inserting “2023”.

SEC. 3105. FOOD AID CONSULTATIVE GROUP.

Section 205 of the Food for Peace Act (7 U.S.C. 1725) is amended—

(1) in subsection (d)(1), in the first sentence, by striking “45” and inserting “30”; and

(2) in subsection (f), by striking “2018” and inserting “2023”.

SEC. 3106. ISSUANCE OF REGULATIONS.

Section 207(c)(1) of the Food for Peace Act (7 U.S.C. 1726a(c)(1)) is amended by striking “the Agricultural Act of 2014” and inserting “the Agriculture Improvement Act of 2018”.

SEC. 3107. OVERSIGHT, MONITORING, AND EVALUATION.

Section 207(f)(4) of the Food for Peace Act (7 U.S.C. 1726a(f)(4)) is amended—

(1) in subparagraph (A)—

(A) by striking “\$17,000,000” and inserting “1.5 percent, but not less than \$17,000,000.”; and

(B) by striking “2018” each place it appears and inserting “2023”; and

(2) in subparagraph (B)—

(A) in clause (i), by striking “2018” and inserting “2023”; and

(B) in clause (ii), by striking “chapter 1 of part I of”.

SEC. 3108. ASSISTANCE FOR STOCKPILING AND RAPID TRANSPORTATION, DELIVERY, AND DISTRIBUTION OF SHELF-STABLE PREPACKAGED FOODS.

Section 208 of the Food for Peace Act (7 U.S.C. 1726b) is amended—

(1) by amending the section heading to read as follows: “INTERNATIONAL FOOD RELIEF PARTNERSHIP.”; and

(2) in subsection (f), by striking “2018” and inserting “2023”.

SEC. 3109. CONSIDERATION OF IMPACT OF PROVISION OF AGRICULTURAL COMMODITIES AND OTHER ASSISTANCE ON LOCAL FARMERS AND ECONOMY.

(a) **INCLUSION OF ALL MODALITIES.**—Section 403(a) of the Food for Peace Act (7 U.S.C. 1733(a)) is amended—

(1) in the matter preceding paragraph (1), by inserting “, food procured outside of the United States, food voucher, or cash transfer for food” after “agricultural commodity”; and

(2) in paragraph (1), by inserting “in the case of the provision of an agricultural commodity,” before “adequate”; and

(3) in paragraph (2), by striking “commodity” and inserting “agricultural commodity or use of the food procured outside of the United States, food voucher, or cash transfer for food”.

(b) **AVOIDANCE OF DISRUPTIVE IMPACT.**—Section 403(b) of the Food for Peace Act (7 U.S.C. 1733(b)) is amended—

(1) in the first sentence, by inserting “, the use of food procured outside of the United States, food vouchers, and cash transfers for food,” after “agricultural commodities”; and

(2) in the second sentence, by striking “of sales of agricultural commodities”.

SEC. 3110. ALLOWANCE FOR DISTRIBUTION COSTS.

Section 406(b)(6) of the Food for Peace Act (7 U.S.C. 1736(b)(6)) is amended by striking “and

distribution costs” and inserting “, distribution, and program implementation costs to use the commodities”.

SEC. 3111. PREPOSITIONING OF AGRICULTURAL COMMODITIES.

Section 407(c)(4)(A) of the Food for Peace Act (7 U.S.C. 1736a(c)(4)(A)) is amended by striking “2018” each place it appears and inserting “2023”.

SEC. 3112. ANNUAL REPORT REGARDING FOOD AID PROGRAMS AND ACTIVITIES.

(a) **IN GENERAL.**—Section 407(f) of the Food for Peace Act (7 U.S.C. 1736a(f)) is amended to read as follows:

“(f) **ANNUAL REPORT REGARDING FOOD AID PROGRAMS AND ACTIVITIES.**—

“(1) **ANNUAL REPORT.**—Not later than April 1 of each fiscal year, the Administrator and the Secretary shall jointly, or each separately, prepare and submit to the appropriate committees of Congress a report regarding each program and activity carried out under this Act by the Administrator, the Secretary, or both, as applicable, during the prior fiscal year.

“(2) **CONTENTS.**—An annual report described in paragraph (1) shall include, with respect to the prior fiscal year, the following:

“(A) A list that contains a description of each country and organization that receives food and other assistance under this Act (including the quantity of food and assistance provided to each country and organization).

“(B) A general description of each project and activity implemented under this Act (including each activity funded through the use of local currencies) and the total number of beneficiaries of the project.

“(C) A statement describing the quantity of agricultural commodities made available to, and the total number of beneficiaries in, each country pursuant to—

“(i) this Act;

“(ii) section 416(b) of the Agricultural Act of 1949 (7 U.S.C. 1431(b));

“(iii) the Food for Progress Act of 1985 (7 U.S.C. 1736o); and

“(iv) the McGovern-Dole International Food for Education and Child Nutrition Program established by section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1).

“(D) An assessment of the progress made through programs under this Act towards reducing food insecurity in the populations receiving food assistance from the United States.

“(E) A description of efforts undertaken by the Food Aid Consultative Group under section 205 to achieve an integrated and effective food assistance program.

“(F) An assessment of—

“(i) each program oversight, monitoring, and evaluation system implemented under section 207(f); and

“(ii) the impact of each program oversight, monitoring, and evaluation system on the effectiveness and efficiency of assistance provided under this title.

“(G) An assessment of the progress made by the Administrator in addressing issues relating to quality with respect to the provision of food assistance.

“(H) A statement of the amount of funds (including funds for administrative costs, indirect cost recovery, internal transportation, storage and handling, and associated distribution costs) provided to each eligible organization that received assistance under this Act, that further describes the following:

“(i) How such funds were used by the eligible organization.

“(ii) The actual rate of return for each commodity made available under this Act, including factors that influenced the rate of return, and, for the commodity, the costs of bagging or further processing, ocean transportation, inland transportation in the recipient country, storage costs, and any other information that the Administrator and the Secretary determine to be necessary.

“(iii) For each instance in which a commodity was made available under this Act at a rate of return less than 70 percent, the reasons for the rate of return realized.

“(I) For funds expended for purposes of section 202(e), 406(b)(6), and 407(c)(1)(B), a detailed accounting of the expenditures and purposes of such expenditures with respect to each such section.

“(3) RATE OF RETURN DESCRIBED.—For purposes of applying subparagraph (H) of paragraph (2), the rate of return for a commodity shall be equal to the proportion that—

“(A) the proceeds the implementing partners generate through monetization; bears to

“(B) the cost to the Federal Government to procure and ship the commodity to a recipient country for monetization.”.

(b) CONFORMING REPEAL.—Subsection (m) of section 403 of the Food for Peace Act (7 U.S.C. 1733) is repealed.

SEC. 3113. DEADLINE FOR AGREEMENTS TO FINANCE SALES OR TO PROVIDE OTHER ASSISTANCE.

Section 408 of the Food for Peace Act (7 U.S.C. 1736b) is amended by striking “2018” and inserting “2023”.

SEC. 3114. MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.

Section 412(e) of the Food for Peace Act (7 U.S.C. 1736f(e)) is amended to read as follows:

“(e) MINIMUM LEVEL OF NONEMERGENCY FOOD ASSISTANCE.—

“(1) IN GENERAL.—For each of fiscal years 2019 through 2023, not less than \$365,000,000 of the amounts made available to carry out emergency and nonemergency food assistance programs under title II, nor more than 30 percent of such amounts, shall be expended for non-emergency food assistance programs under such title.

“(2) COMMUNITY DEVELOPMENT FUNDS.—Funds appropriated each year to carry out part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) that are made available through grants or cooperative agreements to strengthen food security in developing countries and that are consistent with section 202(e)(1)(C) may be considered amounts expended for non-emergency food assistance programs for purposes of paragraph (1).

“(3) FARMER-TO-FARMER PROGRAM.—In determining the amount expended for a fiscal year for nonemergency food assistance programs under paragraph (1), amounts expended for that year to carry out programs under section 501 may be considered amounts expended for non-emergency food assistance programs.”.

SEC. 3115. TERMINATION DATE FOR MICRO-NUTRIENT FORTIFICATION PROGRAMS.

Section 415(c) of the Food for Peace Act (7 U.S.C. 1736g–2(c)) is amended by striking “2018” and inserting “2023”.

SEC. 3116. JOHN OGONOWSKI AND DOUG BEREUTER FARMER-TO-FARMER PROGRAM.

Section 501 of the Food for Peace Act (7 U.S.C. 1737) is amended—

(1) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting “section 1342 of title 31, United States Code, or” after “Notwithstanding”;

(B) in paragraph (1) by inserting “technical” before “assistance”; and

(C) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “employees or staff of a State cooperative institution (as such term is defined in paragraph 18 of section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103), except that subparagraphs (E), (F), and (G) of such paragraph shall not apply),” after “private corporations,”; and

(ii) in subparagraph (A)—

(I) by striking “; and” at the end of clause (viii); and

(II) by striking clause (ix) and inserting the following:

“(ix) agricultural education and extension;

“(x) selection of seed varieties and plant stocks;

“(xi) knowledge of insecticide and sanitation procedures to prevent crop destruction;

“(xii) use and maintenance of agricultural equipment and irrigation systems; and

“(xiii) selection of fertilizers and methods of soils treatment; and”;

(2) in subsection (d), in the matter preceding paragraph (1), by striking “2018” and inserting “2023”;

(3) in subsection (e)(1), in the matter preceding subparagraph (A), by striking “2018” and inserting “2023”; and

(4) by adding at the end the following:

“(f) GRANT PROGRAM TO CREATE NEW PARTNERS AND INNOVATION.—

“(1) IN GENERAL.—The Administrator of the Agency for International Development shall develop a grant program to be carried out in fiscal years 2019 through 2023 to facilitate new and innovative partnerships and activities under this title.

“(2) USE OF FUNDS.—A grant recipient under this subsection shall use funds received under this subsection to—

“(A) prioritize new implementing partners;

“(B) develop innovative volunteer models;

“(C) develop, improve, or maintain strategic partnerships with other United States development programs; and

“(D) expand the footprint and impact of the programs and activities under this title, and diversity among program participants, including land-grant colleges and universities and cooperative extension services (as such terms are defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)).”.

Subtitle B—Agricultural Trade Act of 1978

SEC. 3201. AGRICULTURAL TRADE PROMOTION AND FACILITATION.

(a) IN GENERAL.—Section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623) is amended to read as follows:

“SEC. 203. AGRICULTURAL TRADE PROMOTION AND FACILITATION.

“(a) ESTABLISHMENT.—The Secretary shall carry out activities under this section—

“(1) to access, develop, maintain, and expand markets for United States agricultural commodities; and

“(2) to promote cooperation and the exchange of information.

“(b) MARKET ACCESS PROGRAM.—

“(1) DEFINITION OF ELIGIBLE TRADE ORGANIZATION.—In this subsection, the term ‘eligible trade organization’ means—

“(A) a United States agricultural trade organization or regional State-related organization that promotes the export and sale of United States agricultural commodities and that does not stand to profit directly from specific sales of United States agricultural commodities;

“(B) a cooperative organization or State agency that promotes the sale of United States agricultural commodities; or

“(C) a private organization that promotes the export and sale of United States agricultural commodities if the Secretary determines that such organization would significantly contribute to United States export market development.

“(2) IN GENERAL.—The Commodity Credit Corporation shall establish and carry out a program, to be known as the ‘Market Access Program’, to encourage the development, maintenance, and expansion of commercial export markets for United States agricultural commodities (including commodities that are organically produced (as defined in section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502))) through cost-share assistance to eligible trade organizations that implement a foreign market development program.

“(3) PARTICIPATION REQUIREMENTS.—

“(A) MARKETING PLAN AND OTHER REQUIREMENTS.—To be eligible for cost-share assistance

under this subsection, an eligible trade organization shall—

“(i) prepare and submit a marketing plan to the Secretary that meets the guidelines governing such a marketing plan specified in this paragraph or otherwise established by the Secretary;

“(ii) meet any other requirements established by the Secretary; and

“(iii) enter into an agreement with the Secretary.

“(B) PURPOSE OF MARKETING PLAN.—A marketing plan submitted under this paragraph shall describe the advertising or other market oriented export promotion activities to be carried out by the eligible trade organization with respect to which assistance under this subsection is being requested.

“(C) SPECIFIC ELEMENTS.—To be approved by the Secretary, a marketing plan submitted under this paragraph shall—

“(i) specifically describe the manner in which assistance received by the eligible trade organization, in conjunction with funds and services provided by the eligible trade organization, will be expended in implementing the marketing plan;

“(ii) establish specific market goals to be achieved under the marketing plan; and

“(iii) contain whatever additional requirements are determined by the Secretary to be necessary.

“(D) BRANDED PROMOTION.—A marketing plan approved by the Secretary may provide for the use of branded advertising to promote the sale of United States agricultural commodities in a foreign country under such terms and conditions as may be established by the Secretary.

“(E) AMENDMENTS.—An approved marketing plan may be amended by the eligible trade organization at any time, subject to the approval of the amendment by the Secretary.

“(4) LEVEL OF ASSISTANCE AND COST-SHARE REQUIREMENTS.—

“(A) IN GENERAL.—The Secretary shall justify in writing the level of assistance to be provided to an eligible trade organization under this subsection and the level of cost sharing required of the organization.

“(B) LIMITATION ON BRANDED PROMOTION.—Assistance provided under this subsection for activities described in paragraph (3)(D) shall not exceed 50 percent of the cost of implementing the marketing plan, except that the Secretary may determine not to apply such limitation in the case of United States agricultural commodities with respect to which there has been a favorable decision by the United States Trade Representative under section 301 of the Trade Act of 1974 (19 U.S.C. 2411). Criteria used by the Secretary for determining that the limitation shall not apply shall be consistent and documented.

“(5) OTHER TERMS AND CONDITIONS.—

“(A) MULTIYEAR BASIS.—The Secretary may provide assistance under this subsection on a multiyear basis, subject to annual review by the Secretary for compliance with the approved marketing plan.

“(B) TERMINATION OF ASSISTANCE.—The Secretary may terminate any assistance made, or to be made, available under this subsection if the Secretary determines that—

“(i) the eligible trade organization is not adhering to the terms and conditions applicable to the provision of the assistance;

“(ii) the eligible trade organization is not implementing the approved marketing plan or is not adequately meeting the established goals of the plan;

“(iii) the eligible trade organization is not adequately contributing its own resources to the implementation of the plan; or

“(iv) the Secretary determines that termination of assistance in a particular instance is in the best interests of the Market Access Program.

“(C) EVALUATIONS.—Beginning not later than 15 months after the initial provision of assist-

ance under this subsection to an eligible trade organization, the Secretary shall monitor the expenditures by the eligible trade organization of such assistance, including the following:

“(i) An evaluation of the effectiveness of the marketing plan of the eligible trade organization in developing or maintaining markets for United States agricultural commodities.

“(ii) An evaluation of whether assistance provided under this subsection is necessary to maintain such markets.

“(iii) A thorough accounting of the expenditure by the eligible trade organization of the assistance provided under this subsection.

“(6) RESTRICTIONS ON USE OF FUNDS.—Assistance provided under this subsection to an eligible trade organization may not be used—

“(A) to provide direct assistance to any foreign for-profit corporation for the corporation’s use in promoting foreign-produced products; or

“(B) to provide direct assistance to any for-profit corporation that is not recognized as a small business concern (as described in section 3(a) of the Small Business Act (15 U.S.C. 632(a))), excluding—

“(i) a cooperative;

“(ii) an association described in the first section of the Act entitled ‘An Act To authorize association of producers of agricultural products’, approved February 18, 1922 (7 U.S.C. 291); or

“(iii) a nonprofit trade association.

“(7) PERMISSIVE USE OF FUNDS.—Assistance provided under this subsection to a United States agricultural trade association, cooperative, or small business may be used for individual branded promotional activity related to a United States branded product, if the beneficiaries of the activity have provided funds for the activity in an amount that is at least equivalent to the amount of such assistance.

“(8) PRIORITY.—In providing assistance for branded promotion, the Secretary should give priority to small-sized entities.

“(9) CONTRIBUTION LEVEL.—

“(A) IN GENERAL.—The Secretary should require a minimum contribution level of 10 percent from an eligible trade organization that receives assistance for nonbranded promotion.

“(B) INCREASES IN CONTRIBUTION LEVEL.—The Secretary may increase the contribution level in any subsequent year that an eligible trade organization receives assistance for nonbranded promotion.

“(10) ADDITIONALITY.—The Secretary should require each participant in the Market Access Program to certify that any Federal funds received supplement, but do not supplant, private or third party participant funds or other contributions to Program activities.

“(11) INDEPENDENT AUDITS.—If as a result of an evaluation or audit of activities of a participant under the Market Access Program, the Secretary determines that a further review is justified in order to ensure compliance with the requirements of the Program, the Secretary should require the participant to contract for an independent audit of the Program activities, including activities of any subcontractor.

“(12) TOBACCO.—No funds made available under the Market Access Program may be used for activities to develop, maintain, or expand foreign markets for tobacco.

“(C) FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.—

“(1) DEFINITION OF ELIGIBLE TRADE ORGANIZATION.—In this subsection, the term ‘eligible trade organization’ means a United States trade organization that—

“(A) promotes the export of 1 or more United States agricultural commodities; and

“(B) does not have a business interest in or receive remuneration from specific sales of agricultural commodities.

“(2) ESTABLISHMENT.—The Secretary shall establish and, in cooperation with eligible trade organizations, carry out a program to be known as the ‘Foreign Market Development Cooperator Program’ to maintain and develop foreign markets for United States agricultural commodities.

“(3) USE OF FUNDS.—Funds made available to carry out this subsection shall be used only to provide—

“(A) cost-share assistance to an eligible trade organization under a contract or agreement with the eligible trade organization; and

“(B) assistance for other costs that are appropriate to carry out the Foreign Market Development Cooperator Program, including contingent liabilities that are not otherwise funded.

“(d) E (Kika) DE LA GARZA EMERGING MARKETS PROGRAM.—

“(1) DEFINITION OF EMERGING MARKET.—In this subsection, the term ‘emerging market’ means any country, foreign territory, customs union, or other economic market that the Secretary determines—

“(A) is taking steps toward a market-oriented economy through the food, agriculture, or rural business sectors of its economy; and

“(B) has the potential to provide a viable and significant market for United States agricultural commodities.

“(2) ESTABLISHMENT.—The Secretary shall establish and carry out a program, to be known as the ‘E (Kika) de la Garza Emerging Markets Program’—

“(A) to develop agricultural markets in emerging markets; and

“(B) to promote cooperation and exchange of information between agricultural institutions and agribusinesses in the United States and emerging markets.

“(3) DEVELOPMENT OF AGRICULTURAL SYSTEMS.—

“(A) IN GENERAL.—

“(i) IMPLEMENTATION.—To develop, maintain, or expand markets for exports of United States agricultural commodities, the Secretary shall make available to emerging markets the expertise of the United States—

“(I) to make assessments of food and rural business systems needs;

“(II) to make recommendations on measures necessary to enhance the effectiveness of the food and rural business systems described in subclause (I), including potential reductions in trade barriers; and

“(III) to identify and carry out specific opportunities and projects to enhance the effectiveness of the food and rural business systems described in subclause (I).

“(ii) EXTENT OF PROGRAM.—The Secretary shall implement this subparagraph with respect to at least 3 emerging markets in each fiscal year.

“(B) EXPERTS FROM THE UNITED STATES.—The Secretary may implement subparagraph (A) by providing—

“(i) assistance to teams (consisting primarily of agricultural consultants, agricultural producers, other persons from the private sector, and government officials expert in assessing the food and rural business systems of other countries) to enable those teams to conduct the assessments, make the recommendations, and identify the opportunities and projects described in subparagraph (A)(i) in emerging markets;

“(ii) for necessary subsistence and transportation expenses of—

“(I) United States food and rural business system experts, including United States agricultural producers and other United States individuals knowledgeable in agricultural and agribusiness matters, to enable such United States food and rural business system experts to assist in transferring knowledge and expertise to entities from emerging markets; and

“(II) individuals designated by emerging markets to enable such designated individuals to consult with such United States experts to enhance food and rural business systems of such emerging markets and to transfer knowledge and expertise to such emerging markets.

“(C) COST-SHARING.—The Secretary shall encourage the nongovernmental experts described in subparagraph (B) to share the costs of, and otherwise assist in, the participation of those experts in the E (Kika) de la Garza Emerging Markets Program.

“(D) TECHNICAL ASSISTANCE.—The Secretary is authorized to provide, or pay the necessary costs for, technical assistance (including the establishment of extension services) to enable individuals or other entities to carry out recommendations, projects, and opportunities in emerging markets, including recommendations, projects, and opportunities described in subclauses (II) and (III) of subparagraph (A)(i).

“(E) REPORTS TO SECRETARY.—A team that receives assistance under subparagraph (B)(i) shall prepare and submit to the Secretary such reports as the Secretary may require.

“(F) ADVISORY COMMITTEE.—To provide the Secretary with information that may be useful to the Secretary in carrying out this subsection, the Secretary may establish an advisory committee composed of representatives of the various sectors of the food and rural business systems of the United States.

“(G) EFFECT.—The authority provided under this subsection shall be in addition to and not in place of any other authority of the Secretary or the Commodity Credit Corporation.

“(e) TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.—

“(1) ESTABLISHMENT.—The Secretary of Agriculture shall establish an export assistance program, in this subsection referred to as the ‘program’, to address existing or potential unique barriers that prohibit or threaten the export of United States specialty crops.

“(2) PURPOSE.—The program shall provide direct assistance through public and private sector projects and technical assistance, including through the program under section 2(e) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157(e)), to remove, resolve, or mitigate existing or potential sanitary, phytosanitary, and technical barriers to trade.

“(3) PRIORITY.—The program shall address time sensitive and strategic market access projects based on—

“(A) trade effect on market retention, market access, and market expansion; and

“(B) trade impact.

“(4) MULTIYEAR PROJECTS.—The Secretary may provide assistance under the program to a project for longer than a 5-year period if the Secretary determines that further assistance would effectively support the purpose described in paragraph (2).

“(5) OUTREACH AND TECHNICAL ASSISTANCE.—The Secretary shall—

“(A) conduct outreach to inform eligible organizations of the requirements of the program and the process by which such organizations may submit proposals for funding;

“(B) provide technical assistance to eligible organizations to assist in developing proposals and complying with the requirements of the program; and

“(C) solicit input from eligible organizations on improvements to streamline and facilitate the provision of assistance under this subsection.

“(6) REGULATIONS AND PROCEDURES.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall review program regulations, procedures, and guidelines for assistance under this subsection and make revisions to streamline, improve, and clarify the application, approval and compliance processes for such assistance, including revisions to implement the requirements of paragraph (5).

“(B) CONSIDERATIONS.—In reviewing and making revisions under subparagraph (A), the Secretary shall consider—

“(i) establishing accountability standards that are appropriate for the size and scope of a project; and

“(ii) establishing streamlined application and approval processes, including for smaller-scale projects or projects to address time-sensitive trade barriers.

“(7) ANNUAL REPORT.—Each year, the Secretary shall submit to the appropriate committees of Congress a report that contains, for the period covered by the report, a description of—

“(A) each factor that affects the export of specialty crops, including each factor relating to any—

“(i) significant sanitary or phytosanitary issue;

“(ii) trade barrier; or

“(iii) emerging sanitary or phytosanitary issue or trade barrier; and

“(B)(i) any funds provided under subsection (f)(3)(A)(iv) that were not obligated in a fiscal year; and

“(ii) the reason such funds were not obligated.

“(f) FUNDING AND ADMINISTRATION.—

“(1) COMMODITY CREDIT CORPORATION.—The Secretary shall use the funds, facilities, and authorities of the Commodity Credit Corporation to carry out this section.

“(2) FUNDING AMOUNT.—For each of fiscal years 2019 through 2023, of the funds of, or an equal value of commodities owned by, the Commodity Credit Corporation, the Secretary shall use to carry out this section \$255,000,000, to remain available until expended.

“(3) ALLOCATION.—

“(A) IN GENERAL.—For each of fiscal years 2019 through 2023, the Secretary shall allocate funds to carry out this section in accordance with the following:

“(i) MARKET ACCESS PROGRAM.—For market access activities authorized under subsection (b), of the funds of, or an equal value of commodities owned by, the Commodity Credit Corporation, not less than \$200,000,000 for each fiscal year.

“(ii) FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.—To carry out subsection (c), of the funds of, or an equal value of commodities owned by, the Commodity Credit Corporation, not less than \$34,500,000 for each fiscal year.

“(iii) E (KIKI) DE LA GARZA EMERGING MARKETS PROGRAM.—To provide assistance under subsection (d), of the funds of, or an equal value of commodities owned by, the Commodity Credit Corporation, not more than \$8,000,000 for each fiscal year.

“(iv) TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.—To carry out subsection (e), of the funds of, or an equal value of the commodities owned by, the Commodity Credit Corporation, \$9,000,000 for each fiscal year.

“(v) PRIORITY TRADE FUND.—

“(I) IN GENERAL.—In addition to the amounts allocated under clauses (i) through (iv), and notwithstanding any limitations in those clauses, as determined by the Secretary, for 1 or more programs under this section for authorized activities to access, develop, maintain, and expand markets for United States agricultural commodities, \$3,500,000 for each fiscal year.

“(II) CONSIDERATIONS.—In allocating funds made available under subclause (I), the Secretary may consider providing a greater allocation to 1 or more programs under this section for which the amounts requested under applications exceed available funding for the 1 or more programs.

“(B) REALLOCATION.—Any funds allocated under clauses (i) through (iv) of subparagraph (A) that remain unobligated one year after the end of the fiscal year in which they are first made available shall be reallocated to the priority trade fund under subparagraph (A)(v). To the maximum extent practicable, the Secretary shall allocate such reallocated funds to support exports of those types of United States agricultural commodities eligible for assistance under the program for which the funds were originally allocated under subparagraph (A).

“(4) CUBA.—Notwithstanding section 908 of the Trade Sanctions Reform and Export Enhancement Act of 2000 (22 U.S.C. 7207) or any other provision of law, funds made available under this section may be used to carry out the programs authorized under subsections (b) and (c) in Cuba. Funds may not be used as described in the previous sentence in contravention with directives set forth under the National Security

Presidential Memorandum entitled ‘Strengthening the Policy of the United States Toward Cuba’ issued by the President on June 16, 2017, during the period in which that memorandum is in effect.

“(5) AUTHORIZATION OF APPROPRIATIONS.—In addition to any other amounts provided under this subsection, there are authorized to be appropriated such sums as are necessary to carry out the programs and authorities under paragraph (3)(A)(v) and subsections (b) through (e).”

(b) CONFORMING AMENDMENTS.—

(1) MARKET ACCESS PROGRAM.—

(A) Section 211 of the Agricultural Trade Act of 1978 (7 U.S.C. 5641) is amended by striking subsection (c).

(B) Section 402(a)(1) of the Agricultural Trade Act of 1978 (7 U.S.C. 5662(a)(1)) is amended by striking “203” and inserting “203(b)”.

(C) Section 282(f)(2)(C) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a(f)(2)(C)) is amended by striking “section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623)” and inserting “section 203(b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5623(b))”.

(D) Section 718 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (7 U.S.C. 5623 note; Public Law 105–277) is amended by striking “section 203 of the Agricultural Trade Act of 1978 (7 U.S.C. 5623)” and inserting “section 203(b) of the Agricultural Trade Act of 1978 (7 U.S.C. 5623(b))”.

(E) Section 1302 of the Omnibus Budget Reconciliation Act of 1993 is repealed.

(2) FOREIGN MARKET DEVELOPMENT COOPERATOR PROGRAM.—Title VII of the Agricultural Trade Act of 1978 (7 U.S.C. 5721 et seq.) is repealed.

(3) E (KIKI) DE LA GARZA EMERGING MARKETS PROGRAM.—

(A) Section 1542 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5622 note; Public Law 101–624) is amended—

(i) by striking subsection (d);

(ii) by redesignating subsections (e) and (f) as subsections (d) and (e), respectively; and

(iii) in subsection (e) (as so redesignated)—

(I) in the matter preceding paragraph (1), by striking “country” and inserting “country, foreign territory, customs union, or other economic market”; and

(II) in paragraph (1), by striking “the economy of the country” and inserting “its economy”.

(B) Section 1543(b)(5) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3293(b)(5)) is amended by striking “section 1542(f)” and inserting “section 1542(e)”.

(C) Section 1543A(c)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5679(c)(2)) is amended by inserting “and section 203(d) of the Agricultural Trade Act of 1978” after “section 1542”.

(4) TECHNICAL ASSISTANCE FOR SPECIALTY CROPS.—Section 3205 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5680) is repealed.

Subtitle C—Other Agricultural Trade Laws

SEC. 3301. GROWING AMERICAN FOOD EXPORTS.

Section 1543A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5679) is amended—

(1) in subsection (b)(1)(A), by inserting “or new agricultural production technologies” after “biotechnology”; and

(2) in subsection (d), by striking “\$6,000,000” and all that follows through the period at the end and inserting “\$2,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 3302. FOOD FOR PROGRESS ACT OF 1985.

Section 1110 of the Food Security Act of 1985 (also known as the Food for Progress Act of 1985 (7 U.S.C. 1736o)) is amended—

(1) by striking “President” each place it appears and inserting “Secretary”; and

(2) in subsection (b)—

(A) in paragraph (5)—

(i) by striking “and” at the end of subparagraph (E);

(ii) by redesignating subparagraph (F) as subparagraph (G); and

(iii) by inserting after subparagraph (E) the following new subparagraph:

“(F) a college or university (as such terms are defined in section 1404(4) of the Food and Agriculture Act of 1977 (7 U.S.C. 3103(4)); and”; and

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

“(10) RATE OF RETURN.—For purposes of applying subsection (j)(3), the rate of return for an eligible commodity shall be equal to the proportion that—

“(A) the proceeds eligible entities generate through monetization of such commodity, bears to

“(B) the cost to the Federal Government to procure and ship the commodity to the country where it is monetized.

“(11) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.”;

(3) in subsection (f)(3), by striking “2018” and inserting “2023”;

(4) in subsection (g), by striking “2018” and inserting “2023”;

(5) in subsection (j)(3)—

(A) by striking “December 1” and inserting “April 1”;

(B) by striking “of the Senate a list of programs” and inserting “of the Senate—

“(A) a list of programs”;

(C) by striking “approved to date for the fiscal year” and inserting “approved during the prior fiscal year”;

(D) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following new subparagraphs:

“(B) a description of the actual rate of return for each commodity made available under this section for the previous fiscal year including—

“(i) factors that influenced the rate of return; and

“(ii) with respect to the commodity, the costs of bagging or further processing, ocean transportation, inland transportation, storage costs, and any other information that the Secretary determines to be necessary; and

“(C) for each instance in which a commodity was made available under this section at a rate of return less than 70 percent, an explanation for the rate of return realized.”.

(6) in subsection (k), by striking “2018” and inserting “2023”;

(7) in subsection (l)(1), by striking “2018” and inserting “2023”;

(8) in the heading of subsection (m), by striking “PRESIDENTIAL” and inserting “SECRETARIAL”;

(9) in subsection (o), by striking “(acting through the Secretary)”;

(10) in subsection (o)(1), by striking “subparagraphs (C) and (F)” and inserting “subparagraphs (C) and (G)”;

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

“(p) PILOT AGREEMENTS.—

“(1) IN GENERAL.—For each of fiscal years 2019 through 2023, subject to the availability of appropriations pursuant to the authorization in paragraph (3), the Secretary shall enter into 1 or more pilot agreements with 1 or more eligible entities through which the Secretary shall provide financial assistance to the eligible entities to carry out activities consistent with subsection (l)(4)(A).

“(2) REPORT REQUIRED.—In each of fiscal years 2020 through 2024, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing, with respect to the previous fiscal year—

“(A) the amount provided to eligible entities under each pilot agreement pursuant to paragraph (1) and how the funds were used;

“(B) the activities carried out under each pilot agreement;

“(C) the number of direct and indirect beneficiaries of those activities; and

“(D) the effectiveness of the pilot agreements, including as applicable the impact on food security and agricultural productivity.

“(3) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out pilot agreements pursuant to this subsection \$10,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 3303. BILL EMERSON HUMANITARIAN TRUST ACT.

Section 302 of the Bill Emerson Humanitarian Trust Act (7 U.S.C. 1736f-1) is amended—

(1) in subsection (b)(2)(B)(i), by striking “2018” each place it appears and inserting “2023”; and

(2) in subsection (h), by striking “2018” each place it appears and inserting “2023”.

SEC. 3304. PROMOTION OF AGRICULTURAL EXPORTS TO EMERGING MARKETS.

Section 1542(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5622 note; Public Law 101-624) is amended by striking “2018” and inserting “2023”.

SEC. 3305. COCHRAN FELLOWSHIP PROGRAM.

Section 1543 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3293) is amended—

(1) in subsection (a), by striking “for study in the United States.” and inserting the following: “for study—

“(1) in the United States; or

“(2) at a college or university located in an eligible country that the Secretary determines—

“(A) has sufficient scientific and technical facilities;

“(B) has established a partnership with at least one college or university in the United States; and

“(C) has substantial participation by faculty members of the United States college or university in the design of the fellowship curriculum and classroom instruction under the fellowship.”;

(2) in subsection (c)—

(A) in paragraph (1), by inserting “(which may include agricultural extension services)” after “systems”; and

(B) in paragraph (2)—

(i) by striking “enhance trade” and inserting the following: “enhance—

“(A) trade”;

(ii) in subparagraph (A) (as so designated) by striking the period at the end and inserting “; or”;

(iii) by adding at the end the following:

“(B) linkages between agricultural interests in the United States and regulatory systems governing sanitary and phytosanitary standards for agricultural products that—

“(i) may enter the United States; and

“(ii) may pose risks to human, animal, or plant life or health.”; and

(3) in subsection (f)—

(A) in paragraph (1), by striking “\$3,000,000” and inserting “\$4,000,000”;

(B) in paragraph (2), by striking “\$2,000,000” and inserting “\$3,000,000”; and

(C) in paragraph (3), by striking “\$5,000,000” and inserting “\$6,000,000”.

SEC. 3306. BORLAUG INTERNATIONAL AGRICULTURAL SCIENCE AND TECHNOLOGY FELLOWSHIP PROGRAM.

Section 1473G of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319j) is amended—

(1) in subsection (c)(2)—

(A) in the matter preceding subparagraph (A), by striking “shall support” and inserting “support”;

(B) in subparagraph (C), by striking “and” at the end;

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

(D) by adding at the end the following:

“(E) the development of agricultural extension services in eligible countries.”; and

(2) in subsection (f)—

(A) by striking “The Secretary” and inserting the following:

“(1) **IN GENERAL.**—The Secretary; and

(B) by adding at the end the following:

“(2) **LEVERAGING ALUMNI ENGAGEMENT.**—In carrying out the purposes and programs under this section, the Secretary shall encourage ongoing engagement with fellowship recipients who have completed training under the program to provide advice regarding, and participate in, new or ongoing agricultural development projects, with a priority for capacity-building projects.”.

SEC. 3307. INTERNATIONAL AGRICULTURAL EDUCATION FELLOWSHIP PROGRAM.

(a) **FELLOWSHIP PROGRAM ESTABLISHMENT.**—The Secretary shall establish a fellowship program to be known as the International Agricultural Education Fellowship Program to provide fellowships to citizens of the United States to assist eligible countries in developing school-based agricultural education and youth extension programs.

(b) **ELIGIBLE COUNTRY DESCRIBED.**—For purposes of this section, an eligible country is a developing country, as determined by the Secretary using a gross national income per capita test selected by the Secretary.

(c) **PURPOSE OF FELLOWSHIPS.**—The goals of providing a fellowship under this section are to—

(1) develop globally minded United States agriculturists with experience living abroad;

(2) focus on meeting the food and fiber needs of the domestic population of eligible countries; and

(3) strengthen and enhance trade linkages between eligible countries and the United States agricultural industry.

(d) **ELIGIBLE CANDIDATES.**—The Secretary may provide fellowships to citizens of the United States who—

(1) hold at least a bachelors degree in an agricultural related field of study; and

(2) have an understanding of United States school-based agricultural education and youth extension programs, as determined by the Secretary.

(e) **CANDIDATE IDENTIFICATION.**—The Secretary shall consult with the National FFA Organization, the National 4-H Council, and other entities as the Secretary determines are appropriate to identify candidates for fellowships.

(f) **PROGRAM IMPLEMENTATION.**—The Secretary shall provide for the management, coordination, evaluation, and monitoring of the Fellowship Program, except that the Secretary may contract out the management of the fellowship program to an outside organization with experience in implementing fellowship programs focused on building capacity for school-based agricultural education and youth extension programs in developing countries.

(g) **AUTHORIZATION OF APPROPRIATIONS.**—

(1) **IN GENERAL.**—There are authorized to be appropriated \$5,000,000 to carry out this section for each of fiscal years 2019 through 2023.

(2) **DURATION.**—Any funds made available under this subsection shall remain available until expended.

SEC. 3308. INTERNATIONAL FOOD SECURITY TECHNICAL ASSISTANCE.

The Food, Agriculture, Conservation, and Trade Act of 1990 is amended by inserting after section 1543A (7 U.S.C. 5679) the following:

“SEC. 1543B. INTERNATIONAL FOOD SECURITY TECHNICAL ASSISTANCE.

“(a) **DEFINITION OF INTERNATIONAL FOOD SECURITY.**—In this section, the term ‘international food security’ means access by any person at any time to food and nutrition that is sufficient for a healthy and productive life.

“(b) **COLLECTION OF INFORMATION.**—The Secretary of Agriculture (referred to in this section as the ‘Secretary’) shall compile information

from appropriate mission areas of the Department of Agriculture (including the Food, Nutrition, and Consumer Services mission area) relating to the improvement of international food security.

“(c) **PUBLIC AVAILABILITY.**—To benefit programs for the improvement of international food security, the Secretary shall organize the information described in subsection (b) and make the information available in a format suitable for—

“(1) public education; and

“(2) use by—

“(A) a Federal, State, or local agency;

“(B) an agency or instrumentality of the government of a foreign country;

“(C) a domestic or international organization, including a domestic or international non-governmental organization; and

“(D) an intergovernmental organization.

“(d) **TECHNICAL ASSISTANCE.**—On request by an entity described in subsection (c)(2), the Secretary may provide technical assistance to the entity to implement a program for the improvement of international food security.

“(e) **PROGRAM PRIORITY.**—In carrying out this section, the Secretary shall give priority to programs relating to the development of food and nutrition safety net systems with a focus on food insecure countries.

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$1,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 3309. MCGOVERN-DOLE INTERNATIONAL FOOD FOR EDUCATION AND CHILD NUTRITION PROGRAM.

Section 3107 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1736o-1) is amended—

(1) in subsection (a)—

(A) by striking “that is” and inserting the following: “that—

“(1) is”;

(B) in paragraph (1) (as so designated), by striking the period at the end and inserting “; or”;

and

(C) by adding at the end the following:

“(2)(A) is produced in and procured from—

“(i) a developing country that is a recipient country; or

“(ii) a developing country in the same region as a recipient country; and

“(B) at a minimum, meets each nutritional, quality, and labeling standard of the recipient country, as determined by the Secretary.”;

(2) in subsection (c)(2)(A)—

(A) in clause (v)(IV), by striking “and” at the end;

(B) by redesignating clause (vi) as clause (vii); and

(C) by inserting after clause (v) the following:

“(vi) the costs associated with transporting the commodities described in subsection (a)(2) from a developing country described in subparagraph (A)(ii) of that subsection to any designated point of entry within the recipient country; and”;

(3) in subsection (f)(1)—

(A) by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively; and

(B) by inserting after subparagraph (D) the following:

“(E) ensure to the maximum extent practicable that assistance—

“(i) is provided under this section in a timely manner; and

“(ii) is available when needed throughout the applicable school year.”; and

(4) in subsection (l)—

(A) in paragraph (2), by striking “2018” and inserting “2023”; and

(B) by adding at the end the following:

“(4) **PURCHASE OF COMMODITIES.**—Of the funds made available to carry out this section, not more than 10 percent shall be used to purchase agricultural commodities described in subsection (a)(2).”.

SEC. 3310. GLOBAL CROP DIVERSITY TRUST.

Section 3202 of the Food, Conservation, and Energy Act of 2008 (22 U.S.C. 2220a note; Public Law 110-246) is amended—

(1) by amending subsection (b) to read as follows:

“(b) UNITED STATES CONTRIBUTION LIMIT.—

“(1) IN GENERAL.—The aggregate contributions of funds of the Federal Government provided to the Trust shall not exceed—

“(A) for the period of fiscal years 2014 through 2018, 25 percent of the total amount of funds contributed to the Trust from all sources; and

“(B) subject to paragraph (2), effective beginning with fiscal year 2019, 33 percent of the total amount of funds contributed to the Trust from all sources.

“(2) ANNUAL LIMITATION.—The contributions of funds of the Federal Government provided to the Trust shall not exceed \$5,500,000 for each of fiscal years 2019 through 2023.”; and

(2) in subsection (c), by striking “2018” and inserting “2023”.

SEC. 3311. LOCAL AND REGIONAL FOOD AID PROCUREMENT PROJECTS.

Section 3206(e)(1) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1726c(e)(1)) is amended—

(1) by inserting “to the Secretary” after “appropriated”; and

(2) by striking “2014 through 2018” and inserting “2019 through 2023”.

SEC. 3312. FOREIGN TRADE MISSIONS.

(a) TRIBAL REPRESENTATION ON TRADE MISSIONS.—

(1) IN GENERAL.—The Secretary, in consultation with the Tribal Advisory Committee established under subsection (b)(2) of section 309 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6921(b)(2)) (as added by section 12303(2)) (referred to in this section as the “Advisory Committee”), shall seek—

(A) to support the greater inclusion of Tribal agricultural and food products in Federal trade-related activities; and

(B) to increase the collaboration between Federal trade promotion efforts and other Federal trade-related activities in support of the greater inclusion sought under subparagraph (A).

(2) INTERDEPARTMENTAL COORDINATION.—In carrying out activities to increase the collaboration described in paragraph (1)(B), the Secretary shall coordinate with—

(A) the Secretary of Commerce;

(B) the Secretary of State;

(C) the Secretary of the Interior; and

(D) the heads of any other relevant Federal agencies.

(b) REPORT; GOALS.—

(1) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit a report describing the efforts of the Department of Agriculture and other Federal agencies under this section to—

(A) the Advisory Committee;

(B) the Committee on Agriculture of the House of Representatives;

(C) the Committee on Energy and Commerce of the House of Representatives;

(D) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(E) the Committee on Commerce, Science, and Transportation of the Senate; and

(F) the Committee on Indian Affairs of the Senate.

(2) GOALS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall establish goals for measuring, in an objective and quantifiable format, the extent to which Indian Tribes and Tribal agricultural and food products are included in the trade-related activities of the Department of Agriculture.

TITLE IV—NUTRITION

Subtitle A—Supplemental Nutrition Assistance Program

SEC. 4001. REQUIREMENTS FOR ONLINE ACCEPTANCE OF BENEFITS.

(a) DEFINITION.—Section 3(o)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(o)(1)) is

amended by striking “or house-to-house trade route” and inserting “, house-to-house trade route, or online entity”.

(b) ACCEPTANCE OF BENEFITS.—Section 7(k) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(k)) is amended—

(1) by striking the heading and inserting “ACCEPTANCE OF PROGRAM BENEFITS THROUGH ONLINE TRANSACTIONS”;

(2) in paragraph (4) by striking subparagraph (C), and

(3) by striking paragraph (5).

SEC. 4002. RE-EVALUATION OF THRIFTY FOOD PLAN.

Section 3(u) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(u)) is amended by inserting after the 1st sentence the following:

“By 2022 and at 5-year intervals thereafter, the Secretary shall re-evaluate and publish the market baskets of the thrifty food plan based on current food prices, food composition data, consumption patterns, and dietary guidance.”.

SEC. 4003. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS.

(a) IN GENERAL.—Section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)) is amended—

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

“(4) ADMINISTRATIVE COSTS.—

“(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall pay not less than 80 percent of administrative costs and distribution costs on Indian reservations as the Secretary determines necessary for effective administration of such distribution by a State agency or tribal organization.

“(B) WAIVER.—The Secretary shall waive up to 100 percent of the non-Federal share of the costs described in subparagraph (A) if the Secretary determines that—

“(i) the tribal organization is financially unable to provide a greater non-Federal share of the costs; or

“(ii) providing a greater non-Federal share of the costs would be a substantial burden for the tribal organization.

“(C) LIMITATION.—The Secretary may not reduce any benefits or services under the food distribution program on Indian reservations under this subsection to any tribal organization that is granted a waiver under subparagraph (B).

“(D) TRIBAL CONTRIBUTION.—The Secretary may allow a tribal organization to use funds provided to the tribal organization through a Federal agency or other Federal benefit to satisfy all or part of the non-Federal share of the costs described in subparagraph (A) if that use is otherwise consistent with the purpose of the funds.”.

(2) in paragraph (6)—

(A) in the heading by striking “LOCALLY-GROWN” and inserting “LOCALLY- AND REGIONALLY-GROWN”;

(B) in subparagraph (A) by striking “locally-grown” and inserting “locally- and regionally-grown”;

(C) in subparagraph (C)—

(i) in the heading by striking “LOCALLY-GROWN” and inserting “LOCALLY- AND REGIONALLY-GROWN”; and

(ii) by striking “locally-grown” and inserting “locally- and regionally-grown”;

(D) by amending subparagraph (D) to read as follows:

“(D) PURCHASE OF FOODS.—In carrying out this paragraph, the Secretary shall purchase or offer to purchase those traditional foods that may be procured cost-effectively.”.

(E) by striking subparagraph (E), and

(F) in subparagraph (F)—

(i) by striking “(F)” and inserting “(E)”, and

(ii) by striking “2018” and inserting “2023”, and

(3) by adding at the end the following:

“(7) AVAILABILITY OF FUNDS.—

“(A) IN GENERAL.—Funds made available for a fiscal year to carry out this subsection shall

remain available for obligation for a period of 2 fiscal years.

“(B) ADMINISTRATIVE COSTS.—Funds made available for a fiscal year to carry out paragraph (4) shall remain available for obligation by the State agency or tribal organization for a period of 2 fiscal years.”.

(b) DEMONSTRATION PROJECT FOR TRIBAL ORGANIZATIONS.—

(1) DEFINITIONS.—In this subsection:

(A) DEMONSTRATION PROJECT.—The term “demonstration project” means the demonstration project established under paragraph (2).

(B) FOOD DISTRIBUTION PROGRAM.—The term “food distribution program” means the food distribution program on Indian reservations carried out under section 4(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)).

(C) INDIAN RESERVATION.—The term “Indian reservation” has the meaning given the term “reservation” in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012).

(D) INDIAN TRIBE.—The term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(E) SELF-DETERMINATION CONTRACT.—The term “self-determination contract” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(F) TRIBAL ORGANIZATION.—The term “tribal organization” has the meaning given the term in section 3 of the Food and Nutrition Act of 2008 (7 U.S.C. 2012).

(2) ESTABLISHMENT.—Subject to the availability of appropriations, the Secretary shall establish a demonstration project under which 1 or more tribal organizations may enter into self-determination contracts to purchase agricultural commodities under the food distribution program for the Indian reservation of that tribal organization.

(3) ELIGIBILITY.—

(A) CONSULTATION.—The Secretary shall consult with the Secretary of the Interior and Indian tribes to determine the process and criteria under which a tribal organization may participate in the demonstration project.

(B) CRITERIA.—The Secretary shall select for participation in the demonstration project tribal organizations that—

(i) are successfully administering the food distribution program of the tribal organization under section 4(b)(2)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2013(b)(2)(B)),

(ii) have the capacity to purchase agricultural commodities in accordance with paragraph (4) for the food distribution program of the tribal organization, and

(iii) meet any other criteria determined by the Secretary, in consultation with the Secretary of the Interior and Indian tribes.

(4) PROCUREMENT OF AGRICULTURAL COMMODITIES.—Any agricultural commodities purchased by a tribal organization under the demonstration project shall—

(A) be domestically produced,

(B) supplant, not supplement, the type of agricultural commodities in existing food packages for that tribal organization,

(C) be of similar or higher nutritional value as the type of agricultural commodities that would be supplanted in the existing food package for that tribal organization, and

(D) meet any other criteria determined by the Secretary.

(5) REPORT.—Not later than 1 year after the date on which funds are appropriated under paragraph (6) and annually thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the activities carried out under the demonstration project during the preceding year.

(6) FUNDING.—

(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the

Secretary to carry out this subsection \$5,000,000, to remain available until expended.

(B) APPROPRIATIONS IN ADVANCE.—Only funds appropriated under subparagraph (A) in advance specifically to carry out this subsection shall be available to carry out this subsection.

(c) CONFORMING AMENDMENT.—Section 3(v) of the Food and Nutrition Act of 2008 (7 U.S.C. 2012(v)) is amended by striking “the Indian Self-Determination Act (25 U.S.C. 450b(b))” and inserting “section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)”.

SEC. 4004. SIMPLIFIED HOMELESS HOUSING COSTS.

Section 5(e)(6)(D) of the Food and Nutrition Act of 2008 (7 U.S.C. 2014(e)(6)(D)) is amended—

(1) by redesignating clause (ii) as clause (iii), and

(2) by striking clause (i) and inserting the following:

“(i) ALTERNATIVE DEDUCTION.—The State agency shall allow a deduction of \$143 a month for households—

“(I) in which all members are homeless individuals;

“(II) that are not receiving free shelter throughout the month; and

“(III) that do not opt to claim an excess shelter expense deduction under subparagraph (A).

“(ii) ADJUSTMENT.—For fiscal year 2019 and each subsequent fiscal year the amount of the homeless shelter deduction specified in clause (i) shall be adjusted to reflect changes for the 12-month period ending the preceding November 30 in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”.

SEC. 4005. EMPLOYMENT AND TRAINING FOR SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM.

(a) EMPLOYMENT AND TRAINING PROGRAMS THAT MEET STATE AND LOCAL WORKFORCE NEEDS.—Section 6(d)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(d)(4)) is amended—

(1) in subparagraph (A)—

(A) in clause (i)—

(i) by inserting “, in consultation with the State workforce development board, or, if the State demonstrates that consultation with private employers or employer organizations would be more effective or efficient, in consultation with private employers or employer organizations,” after “designed by the State agency”, and

(ii) by striking “that will increase their ability to obtain regular employment.” and inserting the following: “that will—

“(I) increase the ability of the household members to obtain regular employment; and

“(II) meet State or local workforce needs.”, and

(B) in clause (ii) by inserting “and implemented to meet the purposes of clause (i)” after “under this paragraph”,

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by inserting “case management services such as comprehensive intake assessments, individualized service plans, progress monitoring, or coordination with service providers and” after “contains”,

(B) in clause (iv) by redesignating subclauses (I) and (II) as items (aa) and (bb), respectively, and indenting appropriately,

(C) by redesignating clauses (i) through (vii) and clause (viii) as subclauses (I) through (VII) and subclause (IX), respectively, and indenting appropriately,

(D) by striking subclause (I), as so redesignated, and inserting the following:

“(I) Supervised job search programs that occur at State-approved locations at which the activities of participants shall be directly supervised and the timing and activities of participants tracked in accordance with guidelines issued by the State.”,

(E) in subclause (II), as so redesignated, by striking “jobs skills assessments, job finding clubs, training in techniques for” and inserting “employability assessments, training in techniques to increase”,

(F) in subclause (IV), as so redesignated, in the first sentence, by inserting “, including subsidized employment and apprenticeships” before the period at the end,

(G) in subclause (VII), as so redesignated, by inserting “not less than 30 days but” after “period of”,

(H) by inserting after subclause (VII), as so redesignated, the following:

“(VIII) Programs and activities under clause (iv) of section 16(h)(1)(F) that the Secretary determines, based on results from the independent evaluations conducted under clause (vii)(I) of such section, have the most demonstrable impact on the ability of participants to find and retain employment that leads to increased household income and reduced reliance on public assistance.”.

(I) in the matter preceding subclause (I), as so redesignated—

(i) by striking “this subparagraph” and inserting “this clause”, and

(ii) by striking “(B) For purposes of this Act, an” and inserting the following:

“(B) DEFINITIONS.—In this Act:

“(i) EMPLOYMENT AND TRAINING PROGRAM.—The term”, and

(J) by adding at the end the following:

“(ii) WORKFORCE PARTNERSHIP.—

“(I) IN GENERAL.—The term ‘workforce partnership’ means a program that—

“(aa) is operated by—

“(AA) a private employer, an organization representing private employers, or a nonprofit organization providing services relating to workforce development; or

“(BB) an entity identified as an eligible provider of training services under section 122(d) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3152(d));

“(bb) the Secretary certifies, or the State agency certifies to the Secretary—

“(AA) subject to subparagraph (N)(ii), would assist participants who are members of households participating in the supplemental nutrition assistance program in gaining high-quality, work-relevant skills, training, work, or experience that will increase the ability of the participants to obtain regular employment;

“(BB) subject to subparagraph (N)(ii), would provide participants with not less than 20 hours per week of training, work, or experience under subitem (AA);

“(CC) would not use any funds authorized to be appropriated by this Act;

“(DD) would provide sufficient information, on request by the State agency, for the State agency to determine that participants who are members of households participating in the supplemental nutrition assistance program are fulfilling any applicable work requirement under this subsection or subsection (o);

“(EE) would be willing to serve as a reference for participants who are members of households participating in the supplemental nutrition assistance program for future employment or work-related programs; and

“(FF) meets any other criteria established by the Secretary, on the condition that the Secretary shall not establish any additional criteria that would impose significant paperwork burdens on the workforce partnership; and

“(cc) is in compliance with the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.), if applicable.

“(II) INCLUSION.—The term ‘workforce partnership’ includes a multistate program.”,

(3) in subparagraph (E)—

(A) in the second sentence, by striking “Such requirements” and inserting the following:

“(ii) VARIATION.—The requirements under clause (i)”,

(B) by striking “(E) Each State” and inserting the following:

“(E) REQUIREMENTS FOR PARTICIPATION FOR CERTAIN INDIVIDUALS.—

“(i) IN GENERAL.—Each State”, and

(C) by adding at the end the following:

“(iii) APPLICATION TO WORKFORCE PARTNERSHIPS.—To the extent that a State agency requires an individual to participate in an employment and training program, the State agency shall consider an individual participating in a workforce partnership to be in compliance with the employment and training requirements.”,

(4) in subparagraph (H), by striking “(B)(v)” and inserting “(B)(i)(V)”, and

(5) by adding at the end the following:

“(N) WORKFORCE PARTNERSHIPS.—

“(i) CERTIFICATION.—In certifying that a program meets the requirements of subitems (AA) and (BB) of subparagraph (B)(ii)(I)(bb) to be certified as a workforce partnership, the Secretary or the State agency shall require that the program submit to the Secretary or State agency sufficient information that describes—

“(I) the services and activities of the program that would provide participants with not less than 20 hours per week of training, work, or experience under those subitems; and

“(II) how the program would provide services and activities described in subclause (I) that would directly enhance the employability or job readiness of the participant.

“(ii) SUPPLEMENT, NOT SUPPLANT.—A State agency may use a workforce partnership to supplement, not to supplant, the employment and training program of the State agency.

“(iii) PARTICIPATION.—A State agency—

“(I) shall—

“(aa) maintain a list of workforce partnerships certified under subparagraph (B)(ii)(I)(bb); and

“(bb) not less frequently than at certification and recertification, provide to a household member subject to work requirements under subsection (d)(1) or subsection (o), electronically or by other means, the list described in item (aa); but

“(II) may not require any member of a household participating in the supplemental nutrition assistance program to participate in a workforce partnership.

“(iv) EFFECT.—

“(I) IN GENERAL.—A workforce partnership shall not replace the employment or training of an individual not participating in the workforce partnership.

“(II) SELECTION.—Nothing in this subsection or subsection (o) affects the criteria or screening process for selecting participants by a workforce partnership.

“(v) LIMITATION ON REPORTING REQUIREMENTS.—In carrying out this subparagraph, the Secretary and each applicable State agency shall limit the reporting requirements of a workforce partnership to—

“(I) on notification that an individual is receiving supplemental nutrition assistance program benefits, notifying the applicable State agency that the individual is participating in the workforce partnership;

“(II) identifying participants who have completed or are no longer participating in the workforce partnership;

“(III) identifying changes to the workforce partnership that result in the workforce partnership no longer meeting the certification requirements of the Secretary or the State agency under subparagraph (B)(ii)(I)(bb); and

“(IV) providing sufficient information, on request by the State agency, for the State agency to verify that a participant is fulfilling any applicable work requirements under this subsection or subsection (o).

“(O) REFERRAL OF CERTAIN INDIVIDUALS.—

“(i) IN GENERAL.—In accordance with such regulations as may be issued by the Secretary, with respect to any individual who is not eligible for an exemption under paragraph (2) and who is determined by the operator of an employment and training program component to be ill-

sued to participate in that employment and training program component, the State agency shall—

“(I) refer the individual to an appropriate employment and training program component;

“(II) refer the individual to an appropriate workforce partnership, if available;

“(III) reassess the physical and mental fitness of the individual under paragraph (1)(A); or

“(IV) to the maximum extent practicable, coordinate with other Federal, State, or local workforce or assistance programs to identify work opportunities or assistance for the individual.

“(ii) **PROCESS.**—In carrying out clause (i), the State agency shall ensure that an individual undergoing and complying with the process established under that clause shall not be found to have refused without good cause to participate in an employment and training program.”.

(b) **WORK REQUIREMENTS.**—Section 6(o) of the Food and Nutrition Act of 2008 (7 U.S.C. 2015(o)) is amended—

(1) in paragraph (1)—

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

(B) in subparagraph (C) by striking “job search program or a job search training program.” and inserting “supervised job search program or job search training program;”, and

(C) by adding at the end the following:

“(D) a program of employment and training for veterans operated by the Department of Labor or the Department of Veterans Affairs, and approved by the Secretary; and

“(E) a workforce partnership under subsection (d)(4)(N).”.

(2) in paragraph (4)(A) by inserting “and with the support of the chief executive officer of the State” after “agency”, and

(3) in paragraph (6)—

(A) in the heading by striking “15-PERCENT EXEMPTION” and inserting “EXEMPTIONS”,

(B) in subparagraph (B) by striking “(G)” and inserting “(H)”,

(C) in subparagraph (C) by striking “(E) and (G)” and inserting “(F) and (H)”,

(D) in subparagraph (D)—

(i) in the heading by striking “SUBSEQUENT FISCAL YEARS” and inserting “FISCAL YEARS 1999 THROUGH 2019”,

(ii) by striking “(E) through (G)” and inserting “(F) through (H)”, and

(iii) by striking “year,” and inserting “year through fiscal year 2019.”,

(E) in subparagraph (E) by striking “or (D)” and inserting “, (D), or (E)”,

(F) by redesignating subparagraphs (E), (F), and (G) as subparagraphs (F), (G), and (H), respectively, and

(G) by inserting after subparagraph (D) the following:

“(E) **SUBSEQUENT FISCAL YEARS.**—Subject to subparagraphs (F) through (H), for fiscal year 2020 and each subsequent fiscal year, a State agency may provide a number of exemptions such that the average monthly number of exemptions in effect during the fiscal year does not exceed 12 percent of the number of covered individuals in the State, as estimated by the Secretary under subparagraph (C), adjusted by the Secretary to reflect changes in the State’s caseload and the Secretary’s estimate of changes in the proportion of members of households that receive supplemental nutrition assistance program benefits covered by waivers granted under paragraph (4).”.

(c) **STATE PLANS.**—Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020) is amended—

(1) in subsection (e)(19) by inserting “the extent to which such programs will be carried out in coordination with the activities carried out under title I of the Workforce Innovation and Opportunity Act (29 U.S.C. 3111 et seq.)” before “and the basis.”, and

(2) by adding at the end the following:

“(u) For households containing at least one adult, with no elderly or disabled members and

with no earned income at their last certification or required report, a State agency shall, at the time of recertification, be required to advise members of the household not exempt under section 6(d)(2) regarding available employment and training services.”.

(d) **FUNDING OF EMPLOYMENT AND TRAINING PROGRAMS.**—Section 16(h) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(h)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A) by striking “\$90,000,000” and inserting “\$103,900,000”,

(B) in subparagraph (C)—

(i) in clause (i) by inserting “, subject to clauses (ii) through (v),” after “(B), the Secretary”, and

(ii) by adding at the end the following:

“(iv) **PRIORITY.**—The Secretary shall reallocate funds under this subparagraph as follows:

“(1)(aa) Subject to items (bb) and (cc), not less than 50 percent shall be reallocated to State agencies requesting such funds to conduct employment and training programs and activities for which such State agencies had previously received funding under subparagraph (F)(viii) that the Secretary determines have the most demonstrable impact on the ability of participants to find and retain employment that leads to increased household income and reduced reliance on public assistance.

“(bb) The Secretary shall base the determination under item (aa) on—

“(AA) project results from the independent evaluations conducted under subparagraph (F)(vii)(I); or

“(BB) if the project results from the independent evaluations conducted under subparagraph (F)(vii)(I) are not yet available, the reports under subparagraph (F)(vii)(II) or other information relating to performance of the programs and activities funded under subparagraph (F)(vii).

“(cc) Employment and training activities funded under this subclause are not subject to subparagraph (F)(vii), but are subject to monitoring under paragraph (h)(5).

“(II) Not less than 30 percent shall be reallocated to State agencies requesting such funds to implement or continue employment and training programs and activities under section 6(d)(4)(B)(i) that the Secretary determines have the most demonstrable impact on the ability of participants to find and retain employment that leads to increased household income and reduced reliance on public assistance, including programs and activities that are targeted to—

“(aa) individuals 50 years of age or older;

“(bb) formerly incarcerated individuals;

“(cc) individuals participating in a substance abuse treatment program;

“(dd) homeless individuals;

“(ee) people with disabilities seeking to enter the workforce;

“(ff) other individuals with substantial barriers to employment; or

“(gg) households facing multi-generational poverty, to support employment and workforce participation through an integrated and family-focused approach in providing supportive services.

“(III) The Secretary shall reallocate any remaining funds available under this subparagraph, to State agencies requesting such funds to use for employment and training programs and activities that the Secretary determines have the most demonstrable impact on the ability of participants to find and retain employment that leads to increased household income and reduced reliance on public assistance under section 6(d)(4)(B)(i).

“(v) **CONSIDERATION.**—In reallocating funds under this subparagraph, a State agency that receives reallocated funds under clause (iv)(I) may also be considered for reallocated funding under clause (iv)(II).”, and

(C) in subparagraph (D) by striking “\$50,000” and inserting “\$100,000”, and

(2) in paragraph (5)(B) by adding at the end the following:

“(v) **STATE OPTION.**—The State agency may report relevant data from a workforce partnership carried out under section 6(d)(4)(N) to demonstrate the number of program participants served by the workforce partnership.”.

(e) **EXPIRED AUTHORITY.**—Section 17(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2026(b)) is amended—

(1) by striking paragraph (2), and

(2) by redesignating paragraph (3) as paragraph (2).

SEC. 4006. IMPROVEMENTS TO ELECTRONIC BENEFIT TRANSFER SYSTEM.

(a) **EBT PORTABILITY.**—Section 7(f)(5) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(f)(5)) is amended by adding at the end the following:

“(C) **OPERATION OF INDIVIDUAL POINT OF SALE DEVICE BY FARMERS’ MARKETS AND DIRECT MARKETING FARMERS.**—A farmers’ market or direct marketing farmer that is exempt under paragraph (2)(B)(i) shall be allowed to operate an individual electronic benefit transfer point of sale device at more than 1 location under the same supplemental nutrition assistance program authorization, if—

“(i) the farmers’ market or direct marketing farmer provides to the Secretary information on location and hours of operation at each location; and

“(ii)(I) the point of sale device used by the farmers’ market or direct marketing farmer is capable of providing location information of the device through the electronic benefit transfer system; or

“(II) if the Secretary determines that the technology is not available for a point of sale device to meet the requirement under subclause (I), the farmers’ market or direct marketing farmer provides to the Secretary any other information, as determined by the Secretary, necessary to ensure the integrity of transactions processed using the point of sale device.”.

(b) **MODERNIZATION OF ELECTRONIC BENEFIT TRANSFER REGULATIONS.**—The 1st sentence of section 7(h)(2) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(2)) is amended by inserting “and shall periodically review such regulations and modify such regulations to take into account evolving technology and comparable industry standards” before the period at the end.

(c) **BENEFIT RECOVERY.**—Section 7(h)(12) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(12)) is amended—

(1) in subparagraph (A) by inserting “, or due to the death of all members of the household” after “inactivity”, and

(2) by striking subparagraphs (B) and (C) and inserting the following:

“(B) **BENEFIT STORAGE.**—

“(i) **IN GENERAL.**—A State agency may store recovered electronic benefits off-line in accordance with clause (ii), if the household has not accessed the account after 3 months.

“(ii) **NOTICE OF BENEFIT STORAGE.**—A State agency shall—

“(I) send notice to a household the benefits of which are stored under clause (i); and

“(II) not later than 48 hours after request by the household, make the stored benefits available to the household.

“(C) **BENEFIT EXPUNGING.**—

“(i) **IN GENERAL.**—Subject to clause (ii), a State agency shall expunge benefits that have not been accessed by a household after a period of 9 months, or upon verification that all members of the household are deceased.

“(ii) **NOTICE OF BENEFIT EXPUNGING.**—Not later than 30 days before benefits are to be expunged under clause (i), a State agency shall—

“(I) provide sufficient notice to the household that benefits will be expunged due to inactivity, and the date upon which benefits will be expunged;

“(II) for benefits stored off-line in accordance with subparagraph (B), provide the household an opportunity to request that such benefits be restored to the household; and

“(III) not later than 48 hours after request by the household, make the benefits available to the household.”.

(d) **PROHIBITED FEES.**—Section 7 of the Food and Nutrition Act of 2008 (7 U.S.C. 2016) is amended—

(1) by amending subsection (h)(13) to read as follows:

“(13) FEES.—

“(A) **INTERCHANGE FEES.**—No interchange fees shall apply to electronic benefit transfer transactions under this subsection.

“(B) **OTHER FEES.**—Effective through fiscal year 2023, neither a State, nor any agent, contractor, or subcontractor of a State who facilitates the provision of supplemental nutrition assistance program benefits in such State may impose a fee for switching (as defined in subsection (j)(1)(H)) or routing such benefits.”, and (2) by amending subsection (j)(1)(H) to read as follows:

“(H) **SWITCHING.**—The term ‘switching’ means the routing of an intrastate or interstate transaction that consists of transmitting the details of a transaction electronically recorded through the use of an electronic benefit transfer card in one State to the issuer of the card that may be in the same or different State.”.

(e) **MOBILE TECHNOLOGIES.**—Section 7(h)(14) of the Food and Nutrition Act of 2008 (7 U.S.C. 2016(h)(14)) is amended—

(1) by amending subparagraph (A) to read as follows:

“(A) **IN GENERAL.**—Subject to subparagraph (B), the Secretary shall authorize the use of mobile technologies for the purpose of accessing supplemental nutrition assistance program benefits.”.

(2) in subparagraph (B)—

(A) by striking the heading and inserting “**DEMONSTRATION PROJECTS ON ACCESS OF BENEFITS THROUGH MOBILE TECHNOLOGIES**”,

(B) by amending clause (i) to read as follows:

“(i) **DEMONSTRATION PROJECTS.**—Before authorizing implementation of subparagraph (A) in all States, the Secretary shall approve not more than 5 demonstration project proposals submitted by State agencies that will pilot the use of mobile technologies for supplemental nutrition assistance program benefits access.”.

(C) in clause (ii)—

(i) in the heading by striking “**DEMONSTRATION PROJECTS**” and inserting “**PROJECT REQUIREMENTS**”,

(ii) by striking “retail food store” the first place it appears and inserting “State agency”,

(iii) by striking “includes”,

(iv) by striking subclauses (I), (II), (III), and (IV), and inserting the following:

“(I) provides recipient protections regarding privacy, ease of use, household access to benefits, and support similar to the protections provided under existing methods;

“(II) ensures that all recipients, including those without access to mobile payment technology and those who shop across State borders, have a means of benefit access;

“(III) requires retail food stores, unless exempt under section 7(f)(2)(B), to bear the costs of acquiring and arranging for the implementation of point-of-sale equipment and supplies for the redemption of benefits that are accessed through mobile technologies;

“(IV) requires that foods purchased with benefits issued under this section through mobile technologies are purchased at a price not higher than the price of the same food purchased by other methods used by the retail food store, as determined by the Secretary;

“(V) ensures adequate documentation for each authorized transaction, adequate security measures to deter fraud, and adequate access to retail food stores that accept benefits accessed through mobile technologies, as determined by the Secretary;

“(VI) provides for an evaluation of the demonstration project, including, but not limited to, an evaluation of household access to benefits;

“(VII) requires that the State demonstration projects are voluntary for all retail food stores

and that all recipients are able to use benefits in non-participating retail food stores; and

“(VIII) meets other criteria as established by the Secretary.”.

(D) by amending clause (iii) to read as follows:

“(iv) **DATE OF PROJECT APPROVAL.**—The Secretary shall solicit and approve the qualifying demonstration projects required under subparagraph (B)(i) not later than January 1, 2021.”, and

(E) by inserting after clause (ii) the following: “(iii) **PRIORITY.**—The Secretary may prioritize demonstration project proposals that would—

“(I) reduce fraud;

“(II) encourage positive nutritional outcomes; and

“(III) meet such other criteria as determined by the Secretary.”, and

(3) in subparagraph (C)(i)—

(A) by striking “2017” and inserting “2022”, and

(B) by inserting “requires further study by way of an extended pilot period or” after “States” the 2d place it appears.

(f) **APPROVAL OF RETAIL FOOD STORES.**—Section 9 of the Food and Nutrition Act (7 U.S.C. 2018) is amended—

(1) in subsection (a)(1)—

(A) in the 4th sentence by striking “No retail food store” and inserting the following:

“(D) **VISIT REQUIRED.**—No retail food store”,

(B) in the 3d sentence by striking “Approval” and inserting the following:

“(C) **CERTIFICATE.**—Approval”,

(C) in the 2d sentence—

(i) by striking “food, and (D) the” and inserting the following: “food;

“(iv) any information, if available, about the ability of the anticipated or existing electronic benefit transfer equipment and service provider of the applicant to provide sufficient information through the electronic benefit transfer system to minimize the risk of fraudulent transactions; and

“(v) the”,

(ii) by striking “concern; (C) whether” and inserting the following: “concern;

“(iii) whether”,

(iii) by striking “applicant; (B) the” and inserting the following: “applicant;

“(ii) the”,

(iv) by striking “following: (A) the nature” and inserting the following: “following:

“(i) the nature”, and

(v) in the matter preceding clause (i), as so designated, by striking “In determining” and inserting the following:

“(B) **FACTORS FOR CONSIDERATION.**—In determining”, and

(D) in the 1st sentence by striking “(a)(1) Regulations” and inserting the following:

“(a) **AUTHORIZATION TO ACCEPT AND REDEEM BENEFITS.**—

“(1) **APPLICATIONS.**—

“(A) **IN GENERAL.**—Regulations”,

(2) in subsection (a) by adding at the end the following:

“(4) **ELECTRONIC BENEFIT TRANSFER EQUIPMENT AND SERVICE PROVIDERS.**—Before implementing clause (iv) of paragraph (1)(B), the Secretary shall issue guidance for retail food stores on how to select electronic benefit transfer equipment and service providers that are able to meet the requirements of that clause.”, and

(3) in the 1st sentence of subsection (c) by inserting “records relating to electronic benefit transfer equipment and related services, transaction and redemption data provided through the electronic benefit transfer system,” after “purchase invoices.”.

SEC. 4007. REVIEW OF SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM OPERATIONS.

Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018) is amended by adding at the end the following:

“(i) **REVIEW OF PROGRAM OPERATIONS.**—

“(1) **REVIEW BY THE SECRETARY.**—The Secretary—

“(A) shall review a representative sample of currently authorized facilities referred to in section 3(k)(3) to determine whether benefits are properly used by or on behalf of participating households residing in such facilities and whether such facilities are using more than 1 source of Federal or State funding to meet the food needs of residents;

“(B) may carry out similar reviews for currently participating residential drug and alcohol treatment and rehabilitation programs, and group living arrangements for the blind and disabled, referred to in section 3(k);

“(C) shall gather information, and such facilities, programs, and arrangements shall be required to submit information deemed necessary for a full and thorough review; and

“(D) shall report the results of these reviews to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate not later than 18 months after the date of the enactment of the Agriculture Improvement Act of 2018, along with recommendations regarding—

“(i) any additional requirements or oversight that would be appropriate for such facilities, programs, and arrangements; and

“(ii) whether such facilities, programs, and arrangements should continue to be authorized to participate in the supplemental nutrition assistance program.

“(2) **LIMITATION.**—Nothing in this subsection shall authorize the Secretary to deny any application for continued authorization, any application for authorization, or any request to withdraw the authorization of any such facility, program, or arrangement based on a determination that residents of any such facility or entity are residents of an institution for a period of 18 months from the date of enactment of the Agriculture Improvement Act of 2018.”.

SEC. 4008. RETAIL INCENTIVES.

Section 9 of the Food and Nutrition Act of 2008 (7 U.S.C. 2018), as amended by section 4007, is amended by adding at the end the following:

“(j) **INCENTIVES.**—

“(1) **DEFINITION OF ELIGIBLE INCENTIVE FOOD.**—In this subsection, the term ‘eligible incentive food’ means—

“(A) a staple food that is identified for increased consumption, consistent with the most recent dietary recommendations; and

“(B) a fruit, vegetable, dairy, whole grain, or product thereof.

“(2) **GUIDANCE.**—

“(A) **IN GENERAL.**—The Secretary shall issue guidance to clarify the process by which an approved retail food store may seek a waiver to offer an incentive, which may be used only for the purchase of an eligible incentive food at the point of purchase, to a household purchasing food with benefits issued under this Act.

“(B) **GUIDANCE.**—The guidance under subparagraph (A) shall establish a process under which an approved retail food store, prior to carrying out an incentive program under this subsection, shall provide to the Secretary information describing the incentive program, including—

“(i) the types of incentives that will be offered;

“(ii) the types of foods that will be incentivized for purchase; and

“(iii) an explanation of how the incentive program intends to support meeting dietary intake goals.

“(3) **NO LIMITATION ON BENEFITS.**—A waiver granted under this subsection shall not be used to carry out any activity that limits the use of benefits under this Act or any other Federal nutrition law.

“(4) **EFFECT.**—Guidance provided under this subsection shall not affect any requirements under section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517), including the eligibility of a retail food store to participate in a project funded under such section.

“(5) REPORT.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report describing the types of incentives approved under this subsection.”.

SEC. 4009. REQUIRED ACTION ON DATA MATCH INFORMATION.

Section 11(e) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(e)) is amended—

(1) in paragraph (24) by striking “and” after the semicolon,

(2) in paragraph (25) by striking the period at the end and inserting “; and”, and

(3) by adding at the end the following:

“(26) that for a household participating in the supplemental nutrition assistance program, the State agency shall pursue clarification and verification, if applicable, of information relating to the circumstances of the household received from data matches for the purpose of ensuring an accurate eligibility and benefit determination, only if the information—

“(A) appears to present significantly conflicting information from the information that was used by the State agency at the time of certification of the household;

“(B) is obtained from data matches carried out under subsection (g), (r), or (x); or

“(C)(i) is less than 60 days old relative to the current month of participation of the household; and

“(ii) if accurate, would have been required to be reported by the household based on the reporting requirements assigned to the household by the State agency under section 6(c).”.

SEC. 4010. INCENTIVIZING TECHNOLOGY MODERNIZATION.

Section 11(t) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(t)) is amended—

(1) by striking the heading and inserting “GRANTS FOR SIMPLIFIED APPLICATION AND ELIGIBILITY DETERMINATION SYSTEMS AND IMPROVED ACCESS TO BENEFITS”.

(2) in paragraph (1) by striking “implement—” and all that follows through the period at the end, and inserting “implement supplemental nutrition assistance program simplified application and eligibility determination systems.”, and

(3) in paragraph (2)—

(A) by amending subparagraph (B) to read as follows:

“(B) establishing enhanced technological methods that improve the administrative infrastructure used in processing applications and determining eligibility; or”,

(B) by striking subparagraphs (C) and (D), and

(C) by redesignating subparagraph (E) as subparagraph (C).

SEC. 4011. INTERSTATE DATA MATCHING TO PREVENT MULTIPLE ISSUANCES.

Section 11 of the Food and Nutrition Act of 2008 (7 U.S.C. 2020), as amended by section 4005(c), is amended by adding at the end the following:

“(x) NATIONAL ACCURACY CLEARINGHOUSE.—

“(1) DEFINITION OF INDICATION OF MULTIPLE ISSUANCE.—In this subsection, the term ‘indication of multiple issuance’ means an indication, based on a computer match, that supplemental nutrition assistance program benefits are being issued to an individual by more than 1 State agency simultaneously.

“(2) ESTABLISHMENT.—

“(A) IN GENERAL.—The Secretary shall establish an interstate data system, to be known as the ‘National Accuracy Clearinghouse’, to prevent multiple issuances of supplemental nutrition assistance program benefits to an individual by more than 1 State agency simultaneously.

“(B) DATA MATCHING.—The Secretary shall require that State agencies make available to the National Accuracy Clearinghouse only such information as is necessary for the purpose described in subparagraph (A).

“(C) DATA PROTECTION.—The information made available by State agencies under subparagraph (B)—

“(i) shall be used only for the purpose described in subparagraph (A);

“(ii) shall be exempt from the disclosure requirements of section 552(a) of title 5 of the United States Code pursuant to section 552(b)(3) of title 5 of the United States Code, to the extent such information is obtained or received by the Secretary;

“(iii) shall not be retained for longer than is necessary to accomplish the purpose in subparagraph (A);

“(iv) shall be used in a manner that protects the identity and location of a vulnerable individual (including a victim of domestic violence) that is an applicant for, or recipient of, supplemental nutrition assistance program benefits; and

“(v) shall meet security standards as determined by the Secretary.

“(3) ISSUANCE OF INTERIM FINAL REGULATIONS.—Not later than 18 months after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall promulgate regulations (which shall include interim final regulations) to carry out this subsection that—

“(A) incorporate best practices and lessons learned from the pilot program under section 4032(c) of the Agricultural Act of 2014 (7 U.S.C. 2036c(c));

“(B) require a State agency to take appropriate action, as determined by the Secretary, with respect to each indication of multiple issuance of supplemental nutrition assistance program benefits, or each indication that an individual receiving such benefits in 1 State has applied to receive such benefits in another State, while ensuring timely and fair service to applicants for, and recipients of, such benefits;

“(C) establish standards to limit and protect the information submitted through or retained by the National Accuracy Clearinghouse consistent with paragraph (2)(C);

“(D) establish safeguards to protect—

“(i) the information submitted through or retained by the National Accuracy Clearinghouse, including by limiting the period of time that information is retained to the period necessary to accomplish the purpose described in paragraph (2)(A); and

“(ii) the privacy of information that is submitted through or retained by the National Accuracy Clearinghouse consistent with subsection (e)(8); and

“(E) include such other rules and standards the Secretary determines appropriate to carry out this subsection.

“(4) TIMING.—The initial match and corresponding actions required by paragraph (3)(B) shall occur within 3 years after the date of the enactment of the Agriculture Improvement Act of 2018.”.

SEC. 4012. REQUIREMENT OF LIVE-PRODUCTION ENVIRONMENTS FOR CERTAIN PILOT PROJECTS RELATING TO COST SHARING FOR COMPUTERIZATION.

Section 16(g)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(g)(1)) is amended—

(1) in subparagraph (F) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and indenting appropriately;

(2) by redesignating subparagraphs (A) through (F) as clauses (i) through (vi), respectively, and indenting appropriately;

(3) in the matter preceding clause (i), as so redesignated—

(A) by striking “paragraphs (2) and (3)” and inserting “paragraph (2)”; and

(B) by striking “in the planning” and inserting the following: “in the—

“(A) planning”,

(4) in clause (v), as so redesignated, of subparagraph (A), as so designated, by striking “implementation, including through pilot projects in limited areas for major systems changes as determined under rules promulgated by the Secretary, data from which” and inserting the following: “implementation, including a requirement that—

“(I) such testing shall be accomplished through pilot projects in limited areas for major systems changes (as determined under rules promulgated by the Secretary);

“(II) each pilot project described in subclause (I) that is carried out before the implementation of a system shall be conducted in a live-production environment; and

“(III) the data resulting from each pilot project carried out under this clause”;

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

(6) by adding at the end the following:

“(B) operation of 1 or more automatic data processing and information retrieval systems that the Secretary determines may continue to be operated in accordance with clauses (i) through (vii) of subparagraph (A).”.

SEC. 4013. QUALITY CONTROL IMPROVEMENTS.

(a) RECORDS.—Section 11(a)(3)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2020(a)(3)(B)) is amended—

(1) by striking “Records described” and inserting “All records, and the entire information systems in which records are contained, that are covered”, and

(2) by amending clause (i) to read as follows:

“(i) be made available for inspection and audit by the Secretary, subject to data and security protocols agreed to by the State agency and Secretary.”.

(b) QUALITY CONTROL SYSTEM.—Section 16(c)(1)(B) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(1)(B)) is amended to read as follows:

“(B) QUALITY CONTROL SYSTEM INTEGRITY.—

“(i) IN GENERAL.—Not later than 180 days after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall issue interim final regulations that—

“(I) ensure that the quality control system established under this subsection produces valid statistical results;

“(II) provide for oversight of contracts entered into by a State agency for the purpose of improving payment accuracy;

“(III) ensure the accuracy of data collected under the quality control system established under this subsection; and

“(IV) for each fiscal year, to the maximum extent practicable, provide for the evaluation of the integrity of the quality control process of not fewer than 2 State agencies, selected in accordance with criteria determined by the Secretary.

“(ii) DEBARMENT.—In accordance with the nonprocurement debarment procedures under part 417 of title 2, Code of Federal Regulations, or successor regulations, the Secretary shall debar any person that, in carrying out the quality control system established under this subsection, knowingly submits, or causes to be submitted, false information to the Secretary.”.

(c) REPORTING REQUIREMENTS.—The 1st sentence of section 16(c)(4) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(c)(4)) is amended by inserting “, including providing access to applicable State records and the entire information systems in which the records are contained,” after “necessary”.

(d) STATE PERFORMANCE INDICATORS.—Section 16(d) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(d)) is amended—

(1) by striking the heading and inserting “STATE PERFORMANCE INDICATORS”,

(2) in paragraph (2)—

(A) in the heading by striking “AND THEREAFTER” and inserting “THROUGH 2017”,

(B) in subparagraph (A) by striking “and each fiscal year thereafter” and inserting

“through fiscal year 2017”, and

(C) in subparagraph (B) by striking “and each fiscal year thereafter” and inserting “through fiscal year 2017”, and

(3) by adding at the end the following:

“(6) FISCAL YEAR 2018 AND FISCAL YEARS THEREAFTER.—

“(A) With respect to fiscal year 2018 and each fiscal year thereafter, the Secretary shall estab-

lish, by regulation, performance criteria relating to—

“(i) actions taken to correct errors, reduce rates of error, and improve eligibility determinations; and

“(ii) other indicators of effective administration determined by the Secretary.

“(B) The Secretary shall not award performance bonus payments to State agencies in fiscal year 2019 for fiscal year 2018 performance.”.

(e) COST SHARING FOR COMPUTERIZATION.—Section 16(g)(1)(A) of the Food and Nutrition Act of 2008 (7 U.S.C. 2025(g)(1)(A)), as amended by section 4012, is amended—

(1) in clause (v)(III) by striking “and”, and

(2) by adding at the end the following:

“(vii) would be accessible by the Secretary for inspection and audit under section 11(a)(3)(B); and”.

SEC. 4014. EVALUATION OF CHILD SUPPORT ENFORCEMENT COOPERATION REQUIREMENTS.

Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026) is amended by adding at the end the following:

“(m) EVALUATION OF CHILD SUPPORT ENFORCEMENT COOPERATION REQUIREMENTS.—

“(1) IN GENERAL.—The Secretary, in consultation with the Secretary of Health and Human Services, shall conduct an independent evaluation of a representative sample of States—

“(A) to assess the implementation and impact of the eligibility requirements described in subsections (l) through (n) of section 6 in States that have formerly implemented or continue to implement those requirements, and the feasibility of implementing those requirements in other States;

“(B) to assess the factors that contributed to the decision of States that formerly implemented the eligibility requirements described in each of subsections (l) through (n) of section 6 to cease such implementation;

“(C) to review alternatives to the eligibility requirements described in each of subsections (l) through (n) of section 6 that are used by other States to assist participants in the supplemental nutrition assistance program to make or receive child support payments and the effectiveness of those alternatives; and

“(D) to evaluate the costs and benefits to households and to State agencies, of requiring State agencies to implement each of the eligibility requirements described in subsections (l) through (n) of section 6.

“(2) EVALUATION.—The evaluation under paragraph (1) shall include, to the maximum extent practicable, an assessment of—

“(A) the manner in which applicable State agencies implement and enforce the eligibility requirements described in subparagraph (A) of such paragraph, including—

“(i) the procedures used by each State to determine cooperation, to sanction participants for failure to cooperate, and to determine good cause for noncooperation under each of subsections (l) through (n) of section 6; and

“(ii) the manner in which each State aligns the procedures for implementing those eligibility requirements with procedures for implementing other Federal programs that require cooperation with child support enforcement, including the program of block grants to States for temporary assistance for needy families established under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.), the Medicaid program under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.), and programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9857 et seq.);

“(B) the Federal, State, and local costs associated with implementing those eligibility requirements, including costs incurred under this Act and by child support enforcement agencies for personnel, technology upgrades, and other costs;

“(C) the effect of those eligibility requirements on the establishment of new child support orders, the establishment of paternity, changes in

child support payments to custodial households, and changes in arrears owed on child support orders;

“(D) with respect to the eligibility requirements under each of subsections (l) through (n) of section 6—

“(i) the number of individuals subject to those requirements;

“(ii) the number of individuals in each State who meet those requirements; and

“(iii) the number of individuals in each State who fail to meet those requirements;

“(E) the number of individuals in each State for whom good cause for noncooperation has been found under section 6(l)(2);

“(F) the impact of those eligibility requirements on the supplemental nutrition assistance program eligibility, benefit levels, food security, income, and economic stability of—

“(i) individuals subject to those requirements;

“(ii) the household members of those individuals, including children; and

“(iii) households with nontraditional family structures, including a household in which a grandparent is the primary caretaker of a grandchild of the grandparent.

“(3) STATE AGENCY COOPERATION.—Each State agency selected under paragraph (1) shall provide information to the Secretary necessary to conduct the evaluation under such paragraph.

“(4) REPORT.—Not later than 3 years after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the findings from the evaluation conducted under paragraph (1).”.

SEC. 4015. LONGITUDINAL DATA FOR RESEARCH.

(a) LONGITUDINAL DATA.—Section 17 of the Food and Nutrition Act of 2008 (7 U.S.C. 2026), as amended by section 4014, is amended by adding at the end the following:

“(n) LONGITUDINAL DATA FOR RESEARCH.—

“(1) IN GENERAL.—Subject to paragraphs (3) through (5), a State agency may, on approval by the Secretary, establish a longitudinal database that contains information about households and members of households that receive benefits under the supplemental nutrition assistance program in the State.

“(2) PURPOSE.—Each longitudinal database established under paragraph (1) shall be used solely to conduct research on participation in and the operation of the supplemental nutrition assistance program, including duration of participation in the program.

“(3) REQUIREMENTS FOR DATABASES.—Prior to the approval of State agencies to establish longitudinal databases under paragraph (1), the Secretary shall—

“(A) identify features that shall be standard across States such as database format to facilitate use of longitudinal databases established under paragraph (1) for research purposes;

“(B) identify features of longitudinal databases established under paragraph (1) that may vary across States;

“(C) identify a procedure for States operating longitudinal databases under paragraph (1) to use a unique identifier to provide relevant information on household members who receive benefits under the supplemental nutrition assistance program for the purpose of comparing participation data in multiple participating States over time while protecting participant privacy;

“(D) establish the manner in which data security and privacy protections, as required by Federal law and consistent with other appropriate practices, shall be implemented and maintained;

“(E) provide direction to State agencies on the responsibilities of and funding arrangements for State agencies and any State contractors (including entities providing technical assistance) relating to the establishment and operation of a longitudinal database;

“(F) provide a description of the documentation that States shall submit to the Secretary

prior to allowing researchers access to a longitudinal database;

“(G) consult with other Federal research agencies, including the Bureau of the Census;

“(H) consult with States that have already established databases used for purposes similar to the purposes outlined in this subsection; and

“(I) identify any other requirements determined appropriate by the Secretary.

“(4) INCLUDED DATA.—

“(A) IN GENERAL.—Subject to subparagraph (B), each longitudinal database established under paragraph (1)—

“(i) shall include monthly information about households and members of households that receive benefits under the supplemental nutrition assistance program in the participating State taken from existing information collected by the State agency including, if available,—

“(I) demographic characteristics;

“(II) income and financial resources (as described in section 5(g));

“(III) employment status;

“(IV) household circumstances, such as deductible expenses; and

“(V) the amount of the monthly allotment received under the supplemental nutrition assistance program; and

“(ii) may include information from other State data sources such as—

“(I) earnings and employment data from the State department of labor;

“(II) health insurance program data; or

“(III) data from participation in other programs administered by the State.

“(B) DATA PROTECTION.—Any State that establishes a longitudinal database under paragraph (1) shall, in accordance with all applicable Federal and State privacy standards and requirements—

“(i) protect the privacy of information about each member of each household that receives benefits under the supplemental nutrition assistance program in such State by ensuring that no personally identifiable information (including social security number, home address, or contact information) is included in the longitudinal database; and

“(ii) make the data under this paragraph available to researchers and the Secretary.

“(5) APPROVAL.—The Secretary shall approve the establishment of longitudinal databases under paragraph (1) in States that—

“(A) meet the requirements for databases under paragraph (3) and (4)(B);

“(B) reflect a range of participant numbers, demographics, operational structures, and geographic regions; and

“(C) have the capacity to provide on a periodic and ongoing basis household and participant data derived from the eligibility system and other data sources of the State.

“(6) GRANTS.—

“(A) IN GENERAL.—In carrying out this subsection, the Secretary may provide grants to States that have been approved by the Secretary in accordance with paragraph (5) out of funds made available under paragraph (9).

“(B) METHOD OF AWARDED GRANTS.—Grants awarded under this paragraph shall be made in such amounts and under such terms and conditions as the Secretary determines necessary to carry out the purposes of this subsection.

“(7) REPORT.—

“(A) IN GENERAL.—Not later than 4 years after the effective date of this subsection, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the feasibility of expanding implementation of longitudinal databases to every State.

“(B) CONTENTS.—The report required under subparagraph (A) shall describe—

“(i) the cost of expanding implementation of longitudinal databases with consistent data to every State;

“(ii) the challenges and benefits of using State longitudinal databases with consistent data; and

“(iii) alternatives to expanding implementation of longitudinal databases with consistent data to every State that may achieve similar research outcomes and the advantages and disadvantages of those alternatives.

“(8) EFFECT.—Nothing in this subsection shall be construed to prevent or limit the ability of State agencies to establish or continue operating databases used for purposes similar to the purposes outlined in this subsection.

“(9) FUNDING.—Of the funds made available under section 18, the Secretary shall use to carry out this subsection—

“(A) \$20,000,000 for fiscal year 2019 to remain available through fiscal year 2021; and

“(B) \$5,000,000 for fiscal year 2022 and each fiscal year thereafter.”.

(b) CONFORMING AMENDMENT.—The 1st sentence of section 16(a) of the Food and Nutrition Act of 2008 is amended—

(1) by striking “and (8)” and inserting “(8)”; and

(2) by inserting “, and (9) establishing and operating a longitudinal database in accordance with section 17(n)” before “: Provided”.

SEC. 4016. AUTHORIZATION OF APPROPRIATIONS.

The 1st sentence of section 18(a)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2027(a)(1)) is amended by striking “2018” and inserting “2023”.

SEC. 4017. ASSISTANCE FOR COMMUNITY FOOD PROJECTS.

Section 25(b)(2) of the Food and Nutrition Act of 2008 (7 U.S.C. 2034(b)(2)) is amended—

(1) in subparagraph (B) by striking “and” at the end,

(2) in subparagraph (C) by striking “fiscal year 2015 and each fiscal year thereafter.” and inserting “each of fiscal years 2015 through 2018; and”, and

(3) by adding at the end the following:

“(D) \$5,000,000 for fiscal year 2019 and each fiscal year thereafter.”.

SEC. 4018. EMERGENCY FOOD ASSISTANCE PROGRAM.

(a) STATE PLAN.—Section 202A(b) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7503(b)) is amended—

(1) in paragraph (3), by striking “and” after the semicolon;

(2) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

“(5) at the option of the State agency, describe a plan of operation for 1 or more projects in partnership with 1 or more emergency feeding organizations located in the State to harvest, process, package, or transport donated commodities received under section 203D(d); and

“(6) describe a plan, which may include the use of a State advisory board established under subsection (c), that provides emergency feeding organizations or eligible recipient agencies within the State an opportunity to provide input on the commodity preferences and needs of the emergency feeding organization or eligible recipient agency.”.

(b) STATE AND LOCAL SUPPLEMENTATION OF COMMODITIES.—Section 203D of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507) is amended by adding at the end the following:

“(d) PROJECTS TO HARVEST, PROCESS, PACKAGE, OR TRANSPORT DONATED COMMODITIES.—

“(1) DEFINITION OF PROJECT.—In this subsection, the term ‘project’ means the harvesting, processing, packaging, or transportation of unharvested, unprocessed, or unpackaged commodities donated by agricultural producers, processors, or distributors for use by emergency feeding organizations under subsection (a).

“(2) FEDERAL FUNDING FOR PROJECTS.—

“(A) IN GENERAL.—Subject to subparagraphs (B) and (C) and paragraph (3), using funds made available under paragraph (5), the Secretary may provide funding to States to pay for the costs of carrying out a project.

“(B) FEDERAL SHARE.—The Federal share of the cost of a project under subparagraph (A)

shall not exceed 50 percent of the total cost of the project.

“(C) ALLOCATION.—

“(i) IN GENERAL.—Each fiscal year, the Secretary shall allocate the funds made available under subparagraph (A), based on a formula determined by the Secretary, to States that have submitted a State plan describing a plan of operation for a project under section 202A(b)(5).

“(ii) REALLOCATION.—If the Secretary determines that a State will not expend all of the funds allocated to the State for a fiscal year under clause (i), the Secretary shall reallocate the unexpended funds to other States that have submitted under section 202A(b)(5) a State plan describing a plan of operation for a project during that fiscal year or the subsequent fiscal year, as the Secretary determines appropriate.

“(iii) REPORTS.—Each State to which funds are allocated for a fiscal year under this subparagraph shall, on a regular basis, submit to the Secretary financial reports describing the use of the funds.

“(3) PROJECT PURPOSES.—A State may only use Federal funds received under paragraph (2) for a project the purposes of which are—

“(A) to reduce food waste at the agricultural production, processing, or distribution level through the donation of food;

“(B) to provide food to individuals in need; and

“(C) to build relationships between agricultural producers, processors, and distributors and emergency feeding organizations through the donation of food.

“(4) COOPERATIVE AGREEMENTS.—The Secretary may encourage a State agency that carries out a project using Federal funds received under paragraph (2) to enter into cooperative agreements with State agencies of other States under section 203B(d) to maximize the use of commodities donated under the project.

“(5) FUNDING.—Out of funds not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary to carry out this subsection \$4,000,000 for each of fiscal years 2019 through 2023, to remain available until the end of the subsequent fiscal year.”.

(c) FOOD WASTE.—Section 203D of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507), as amended by subsection (b), is amended by adding at the end the following:

“(e) FOOD WASTE.—The Secretary shall issue guidance outlining best practices to minimize the food waste of the commodities donated under subsection (a).”.

(d) EMERGENCY FOOD PROGRAM INFRASTRUCTURE GRANTS.—Section 209(d) of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7511a(d)) is amended by striking “2018” and inserting “2023”.

(e) AVAILABILITY OF COMMODITIES FOR THE EMERGENCY FOOD ASSISTANCE PROGRAM.—Section 27(a) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036(a)) is amended—

(1) in paragraph (1), by striking “2018” and inserting “2023”; and

(2) in paragraph (2)—

(A) in subparagraph (C), by striking “2018” and inserting “2023”; and

(B) in subparagraph (D)—

(i) in the matter preceding clause (i), by striking “2018” and inserting “2023”; and

(ii) in clause (iii), by striking “and” after the semicolon;

(iii) in clause (iv), by striking “and” after the semicolon;

(iv) by adding at the end the following:

“(v) for fiscal year 2019, \$23,000,000;

“(vi) for fiscal year 2020, \$35,000,000;

“(vii) for fiscal year 2021, \$35,000,000;

“(viii) for fiscal year 2022, \$35,000,000; and

“(ix) for fiscal year 2023, \$35,000,000; and”;

and

(C) in subparagraph (E)—

(i) by striking “2019” and inserting “2024”; and

(ii) by striking “(D)(iv)” and inserting “(D)(ix)”; and

(iii) by striking “June 30, 2017” and inserting “June 30, 2023”.

SEC. 4019. NUTRITION EDUCATION.

Section 28(c) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a(c)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking “Except as provided in subparagraph (C), a” and inserting “A”;

(ii) in clause (ii) by striking “and” after the semicolon,

(iii) by redesignating clause (iii) as clause (iv), and

(iv) by inserting after clause (ii) the following:

“(iii) describe how the State agency shall use an electronic reporting system to—

“(I) measure and evaluate the projects; and

“(II) account for the allowable State agency administrative costs including for—

“(aa) salaries and benefits of State agency personnel;

“(bb) office supplies and equipment;

“(cc) travel costs;

“(dd) development and production of nutrition education materials;

“(ee) memberships, subscriptions, and professional activities;

“(ff) lease or rental costs;

“(gg) maintenance and repair expenses;

“(hh) indirect costs; and

“(ii) cost of using publicly-owned building space; and”, and

(B) by striking subparagraph (C),

(2) in paragraph (3)(B) in the matter preceding clause (i), by inserting “, the Director of the National Institute of Food and Agriculture,” before “and outside stakeholders”,

(3) in paragraph (5) by inserting “the expanded food and nutrition education program or” before “other health promotion”, and

(4) by adding at the end the following:

“(6) INFORMATION CLEARINGHOUSE.—The Secretary shall establish an online clearinghouse that makes available to State agencies, local agencies, institutions of higher education, and community organizations best practices for planning, implementing, and evaluating nutrition education and obesity prevention services to ensure that projects carried out with funds received under this section are appropriate for the target population.

“(7) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to a State agency in developing and implementing a nutrition education State plan, including—

“(A) by identifying common challenges faced by entities described in paragraph (6) that participate in projects carried out with funds received under this section;

“(B) by coordinating efforts to address those common challenges;

“(C) by collecting and disseminating information on evidence-based practices relating to nutrition education and obesity prevention;

“(D) by facilitating communication between and among grantees and subgrantees of funds received under this section;

“(E) by assisting State agencies in creating or maintaining systems to compile program data; and

“(F) by performing or assisting with other activities, as determined by the Secretary.

“(8) ANNUAL STATE REPORT.—Each State agency that delivers nutrition education and obesity prevention services under this subsection shall submit to the Secretary an annual report, which shall be made publicly available by the Secretary, that includes—

“(A) the use of funds on the State agency’s program, including for each category of allowable State agency administrative costs identified in paragraph (2)(B)(iii)(II);

“(B) a description of each project carried out by that agency under this subsection, including, with respect to the project, the target population, interventions, educational materials used, key performance indicators used, and evaluations made;

“(C) a comprehensive analysis of the impacts and outcomes—

“(i) of the project, including with respect to the elements described in subparagraph (A); and
 “(ii) to the extent practicable, of completed multiyear projects; and
 “(D) the status of any ongoing multiyear project.

“(9) ANNUAL FEDERAL REPORT.—The Administrator of the Food and Nutrition Service, in consultation with the Director of the National Institute of Food and Agriculture, shall annually submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—
 “(A) evaluates the level of coordination between—
 “(i) the nutrition education and obesity prevention grant program under this section;
 “(ii) the expanded food and nutrition education program under section 1425 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175); and
 “(iii) any other nutrition education program administered by the Department of Agriculture; and
 “(B) includes the use of funds on such programs including State agency administrative costs reported by States under paragraph (8)(A).”

“(A) evaluates the level of coordination between—

“(i) the nutrition education and obesity prevention grant program under this section;

“(ii) the expanded food and nutrition education program under section 1425 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175); and
 “(iii) any other nutrition education program administered by the Department of Agriculture; and

“(B) includes the use of funds on such programs including State agency administrative costs reported by States under paragraph (8)(A).”

SEC. 4020. RETAIL FOOD STORE AND RECIPIENT TRAFFICKING.

Section 29(c)(1) of the Food and Nutrition Act of 2008 (7 U.S.C. 2036b(c)(1)) is amended by striking “2018” and inserting “2023”.

SEC. 4021. PUBLIC-PRIVATE PARTNERSHIPS.

The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended by adding at the end the following:

“SEC. 30. PILOT PROJECTS TO ENCOURAGE THE USE OF PUBLIC-PRIVATE PARTNERSHIPS COMMITTED TO ADDRESSING FOOD INSECURITY.

“(a) IN GENERAL.—The Secretary may, on application of eligible entities, approve not more than 10 pilot projects to support public-private partnerships that address food insecurity and poverty.

“(b) DEFINITIONS.—For purposes of this section—

“(1) the term ‘eligible entity’ means—

“(A) a nonprofit organization;

“(B) a community-based organization;

“(C) an institution of higher education; or

“(D) a private entity, as determined by the Secretary; and

“(2) the term ‘public agency’ means a department, agency, other unit, or instrumentality of Federal, State, or local government.

“(c) PROJECT REQUIREMENTS.—Projects approved under this section shall—

“(1) be limited to 2 years in length; and

“(2) include a collaboration between one or more public agencies and one or more eligible entities that—

“(A) improves the effectiveness and impact of the supplemental nutrition assistance program;

“(B) develops food security solutions that are specific to the needs of a community or region; and

“(C) strengthens the capacity of communities to address food insecurity and poverty.

“(d) EVALUATION.—The Secretary shall provide for an independent evaluation of pilot projects approved under this section that includes—

“(1) a summary of the activities conducted under the pilot projects;

“(2) an assessment of the effectiveness of the pilot projects; and

“(3) best practices regarding the use of public-private partnerships to improve the effectiveness of public benefit programs to address food insecurity and poverty.

“(e) FUNDING.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$5,000,000 to remain available until expended.

“(2) APPROPRIATION IN ADVANCE.—Only funds appropriated under paragraph (1) in advance specifically to carry out this section shall be available to carry out this section.”

SEC. 4022. TECHNICAL CORRECTIONS.

The Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) is amended—

(1) in section 3—

(A) in subsections (d) and (i) by striking “(7)(i)” and inserting “(7)(h)”, and

(B) in subsection (o)(1)(A) by striking “(r)(1)” and inserting “(q)(1)”,

(2) in section 5(a) by striking “and section” each place it appears and all that follows through “households” the respective next place it appears, and inserting “and section 3(m)(4), households”,

(3) in subsections (e)(1) and (f)(1)(A)(i) of section 8 by striking “3(m)(5)” and inserting “3(m)(5)”,

(4) in the 1st sentence of section 10—

(A) by striking “or the Federal Savings and Loan Insurance Corporation” each place it appears, and

(B) by striking “3(p)(4)” and inserting “3(o)(4)”,

(5) in section 11—

(A) in subsection (a)(2) by striking “3(t)(1)” and inserting “3(s)(1)”, and

(B) in subsection (d)—

(i) by striking “3(t)(1)” each place it appears and inserting “3(s)(1)”, and

(ii) by striking “3(t)(2)” each place it appears and inserting “3(s)(2)”, and

(C) in subsection (e)—

(i) in paragraph (17) by striking “3(t)(1)” inserting “3(s)(1)”, and

(ii) in paragraph (23) by striking “Simplified Supplemental Nutrition Assistance Program” and inserting “simplified supplemental nutrition assistance program”,

(6) in section 15(e) by striking “exchange” and all that follows through “anything”, and inserting “exchange for benefits, or anything”,

(7) in section 17(b)(1)(B)(iv)(III)(aa) by striking “3(n)” and inserting “3(m)”,

(8) in section 25(a)(1)(B)(i)(I) by striking the 2d semicolon at the end, and

(9) in section 26(b) by striking “out” and all that follows through “(referred)”, and inserting “out a simplified supplemental nutrition assistance program (referred)”.

Subtitle B—Commodity Distribution Programs

SEC. 4101. COMMODITY DISTRIBUTION PROGRAM.

The 1st sentence of section 4(a) of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note) is amended by striking “2018” and inserting “2023”.

SEC. 4102. COMMODITY SUPPLEMENTAL FOOD PROGRAM.

Section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93–86) is amended—

(1) in subsection (a)—

(A) in paragraph (1) by striking “2018” and inserting “2023”, and

(B) in paragraph (2)(B), in the matter preceding clause (i), by striking “2018” and inserting “2023”,

(2) in subsection (d)(2), in the 1st sentence, by striking “2018” and inserting “2023”, and

(3) in subsection (g)—

(A) by striking “Except” and inserting the following:

“(1) IN GENERAL.—Except”, and

(B) by adding at the end the following:

“(2) CERTIFICATION.—

“(A) DEFINITION OF CERTIFICATION PERIOD.—

In this paragraph, the term ‘certification period’ means the period during which a participant in the commodity supplemental food program in a State may continue to receive benefits under the commodity supplemental food program without a formal review of the eligibility of the participant.

“(B) MINIMUM CERTIFICATION PERIOD.—Subject to subparagraphs (C) and (D), a State shall

establish for the commodity supplemental food program of the State a certification period of—

“(i) not less than 1 year; but

“(ii) not more than 3 years.

“(C) TEMPORARY CERTIFICATION.—An eligible applicant for the commodity supplemental food program in a State may be provided with a temporary monthly certification to fill any caseload slot resulting from nonparticipation by certified participants.

“(D) APPROVALS.—A certification period of more than 1 year established by a State under subparagraph (B) shall be subject to the approval of the Secretary, who shall approve such a certification period on the condition that, with respect to each participant receiving benefits under the commodity supplemental food program of the State, the local agency in the State administering the commodity supplemental food program, on an annual basis during the certification period applicable to the participant—

“(i) verifies the address and continued interest of the participant; and

“(ii) has sufficient reason to determine that the participant still meets the income eligibility standards under paragraph (1), which may include a determination that the participant has a fixed income.”

SEC. 4103. DISTRIBUTION OF SURPLUS COMMODITIES TO SPECIAL NUTRITION PROJECTS.

Section 1114(a)(2)(A) of the Agriculture and Food Act of 1981 (7 U.S.C. 1431e(a)(2)(A)) is amended by striking “2018” and inserting “2023”.

SEC. 4104. FOOD DONATION STANDARDS.

Section 203D of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7507), as amended by section 4018(c), is amended by adding at the end the following:

“(f) FOOD DONATION STANDARDS.—

“(1) DEFINITIONS.—In this subsection:

“(A) APPARENTLY WHOLESOME FOOD.—The term ‘apparently wholesome food’ has the meaning given the term in section 22(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1791(b)).

“(B) INSTITUTION OF HIGHER EDUCATION.—The term ‘institution of higher education’ has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

“(C) QUALIFIED DIRECT DONOR.—The term ‘qualified direct donor’ means a retail food store, wholesaler, agricultural producer, restaurant, caterer, school food authority, or institution of higher education.

“(2) GUIDANCE.—

“(A) IN GENERAL.—Not later than 180 days after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall issue guidance to promote awareness of donations of apparently wholesome food protected under section 22(c) of the Child Nutrition Act of 1966 (42 U.S.C. 1791(c)) by qualified direct donors in compliance with applicable State and local health, food safety, and food handling laws (including regulations).

“(B) ISSUANCE.—The Secretary shall encourage State agencies and emergency feeding organizations to share the guidance issued under subparagraph (A) with qualified direct donors.”

Subtitle C—Miscellaneous

SEC. 4201. SENIORS FARMERS’ MARKET NUTRITION PROGRAM.

Section 4402(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3007(a)) is amended by striking “2018” and inserting “2023”.

SEC. 4202. PURCHASE OF FRESH FRUITS AND VEGETABLES FOR DISTRIBUTION TO SCHOOLS AND SERVICE INSTITUTIONS.

Section 10603(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 612c-4(b)) is amended by striking “2018” and inserting “2023”.

SEC. 4203. SERVICE OF TRADITIONAL FOODS IN PUBLIC FACILITIES.

Section 4033(d)(1) of the Agricultural Act of 2014 (128 Stat. 818) is amended—

(1) by striking “and” the 1st place it appears,
 (2) by inserting “, a State, a county or county equivalent, a local educational agency, and an entity or person authorized to facilitate the donation, storage, preparation, or serving of traditional food by the operator of a food service program” after “organization”, and
 (3) by inserting “storage, preparation, or” after “donation to or”.

SEC. 4204. HEALTHY FOOD FINANCING INITIATIVE.

Section 243 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6953) is amended—

(1) in subsection (a), by inserting “and enterprises” after “retailers”;
 (2) in subsection (b)(3)(B)(iii), by inserting “and enterprises” after “retailers”; and
 (3) in subsection (c)(2)(B)(ii), by inserting “as applicable,” before “to accept”.

SEC. 4205. THE GUS SCHUMACHER NUTRITION INCENTIVE PROGRAM.

(a) AMENDMENT TO PROGRAM.—Section 4405 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7517) is amended—

(1) by striking the heading and inserting “**THE GUS SCHUMACHER NUTRITION INCENTIVE PROGRAM**”,

(2) in subsection (a)—
 (A) by amending paragraph (1) to read as follows:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means a governmental agency or nonprofit organization.”,

(B) in paragraph (3) by striking “means the” and all that follows through the period at the end, and inserting the following:

“means—

“(A) the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); and

“(B) the programs for nutrition assistance under section 19 of such Act (7 U.S.C. 2028).”, and

(C) by adding at the end the following:

“(4) **HEALTHCARE PARTNER.**—The term ‘healthcare partner’ means a healthcare provider, including—

“(A) a hospital;

“(B) a Federally-qualified health center (as defined in section 1905(l) of the Social Security Act (42 U.S.C. 1396d(l)));

“(C) a hospital or clinic operated by the Secretary of Veterans Affairs; or

“(D) a healthcare provider group.

“(5) **MEMBER.**—The term ‘member’ means, as determined by the applicable eligible entity or healthcare partner carrying out a project under subsection (c) in accordance with procedures established by the Secretary—

“(A) an individual eligible for—

“(i) benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or

“(ii) medical assistance under a State plan or a waiver of such a plan under title XIX of the Social Security Act (42 U.S.C. 1396 et seq.) and enrolled under such plan or waiver; and

“(B) a member of a low-income household that suffers from, or is at risk of developing, a diet-related health condition.”,

(3) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (B) by striking “The” and inserting “Except as provided in subparagraph (D)(iii), the”,

(ii) in subparagraph (C) by adding at the end the following:

“(iii) **TRIBAL AGENCIES.**—The Secretary may allow a Tribal agency to use funds provided to the Indian Tribe of the Tribal agency through a Federal agency (including the Indian Health Service) or other Federal benefit to satisfy all or part of the non-Federal share described in clause (i) if such use is otherwise consistent with the purpose of such funds.”,

(iii) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), and

(iv) by inserting after subparagraph (A) the following:

“(B) **PARTNERS AND COLLABORATORS.**—An eligible entity that receives a grant under this subsection may partner with, or make subgrants to, public, private, nonprofit, or for-profit entities, including—

“(i) an emergency feeding organization;

“(ii) an agricultural cooperative;

“(iii) a producer network or association;

“(iv) a community health organization;

“(v) a public benefit corporation;

“(vi) an economic development corporation;

“(vii) a farmers’ market;

“(viii) a community-supported agriculture program;

“(ix) a buying club;

“(x) a retail food store participating in the supplemental nutrition assistance program;

“(xi) a State, local, or tribal agency;

“(xii) another eligible entity that receives a grant under this subsection; and

“(xiii) any other entity the Secretary designates.”,

(b) in paragraph (2)—

(i) by amending subparagraph (A) to read as follows:

“(A) **IN GENERAL.**—To receive a grant under this subsection, an eligible entity shall—

“(i) meet the application criteria set forth by the Secretary; and

“(ii) propose a project that, at a minimum—

“(I) has the support of the State agency administering the supplemental nutrition assistance program;

“(II) would increase the purchase of fruits and vegetables by low-income households participating in the supplemental nutrition assistance program by providing an incentive for the purchase of fruits and vegetables at the point of purchase to a household purchasing food with supplemental nutrition assistance program benefits;

“(III) except in the case of projects receiving \$100,000 or less over 1 year, would measure the purchase of fruits and vegetables by low-income households participating in the supplemental nutrition assistance program;

“(IV) ensures that the same terms and conditions apply to purchases made by individuals with benefits issued under the Food and Nutrition Act of 2008 and incentives provided for in this subsection as apply to purchases made by individuals who are not members of households receiving benefits, such as provided for in section 278.2(b) of title 7, Code of Federal Regulations (or a successor regulation);

“(V) has adequate plans to collect data for reporting and agrees to provide that information for the report described in subsection (e)(2)(B)(iii); and

“(VI) would share information with the Nutrition Incentive Program Training, Technical Assistance, Evaluation, and Information Centers established under subsection (e).”,

(ii) in subparagraph (B)—

(I) by striking clause (v),

(II) by redesignating clause (vi) as clause (x), and

(III) by inserting after clause (iv) the following:

“(v) include a project design—

“(I) that provides incentives when fruits or vegetables are purchased using supplemental nutrition assistance program benefits; and

“(II) in which the incentives earned may be used only to purchase fruits or vegetables;

“(vi) have demonstrated the ability to provide services to underserved communities;

“(vii) include coordination with multiple stakeholders, such as farm organizations, nutrition education programs, cooperative extension services, public health departments, health providers, private and public health insurance agencies, cooperative grocers, grocery associations, and community-based and nongovernmental organizations;

“(viii) offer supplemental services in high-need communities, including online ordering, transportation between home and store, and delivery services;

“(ix) include food retailers that are open—

“(I) for extended hours; and

“(II) most or all days of the year; or”, and

(C) by striking paragraphs (3) and (4),

(4) in subsection (c)—

(A) in paragraph (1) by striking “subsection (b) \$5,000,000 for each of fiscal years 2014 through 2018” and inserting “this section \$5,000,000 for each of fiscal years 2014 through 2023”, and

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by striking “subsection (b)” and inserting “this section”,

(ii) in subparagraph (B) by striking “and” at the end,

(iii) in subparagraph (C) by striking the period at the end and inserting a semicolon, and

(iv) by adding at the end the following:

“(C) \$45,000,000 for fiscal year 2019;

“(D) \$48,000,000 for fiscal year 2020;

“(E) \$48,000,000 for fiscal year 2021;

“(F) \$53,000,000 for fiscal year 2022; and

“(G) \$56,000,000 for fiscal year 2023 and each fiscal year thereafter.

“(3) **USE OF FUNDS.**—With respect to funds made available under this section for fiscal years 2019 through 2023—

“(A) for each fiscal year the Secretary shall use not more than 10 percent of such funds available for such fiscal year for the produce prescription program described in subsection (c);

“(B) for each fiscal year not more than 8 percent of such funds available for such fiscal year shall be used by the National Institute of Food and Agriculture and the Food and Nutrition Service for administration; and

“(C) the Secretary shall use for the Nutrition Incentive Program Training, Technical Assistance, Evaluation, and Information Centers established under subsection (e) not more than—

“(i) \$17,000,000 in the aggregate for fiscal years 2019 and 2020; and

“(ii) \$7,000,000 for each of the fiscal years 2021 through 2023.”,

(5) by redesignating subsection (c) as subsection (f), and

(6) by inserting after subsection (b) the following:

“(c) **PRODUCE PRESCRIPTION PROGRAM.**—

“(1) **IN GENERAL.**—The Secretary shall establish a grant program under which the Secretary shall award grants to eligible entities to conduct projects that demonstrate and evaluate the impact of the projects on—

“(A) the improvement of dietary health through increased consumption of fruits and vegetables;

“(B) the reduction of individual and household food insecurity; and

“(C) the reduction in healthcare use and associated costs.

“(2) **HEALTHCARE PARTNERS.**—In carrying out a project using a grant received under paragraph (1), an eligible entity shall partner with 1 or more healthcare partners.

“(3) **GRANT APPLICATIONS.**—

“(A) **IN GENERAL.**—To be eligible to receive a grant under paragraph (1), an eligible entity—

“(i) shall—

“(I) prescribe fresh fruits and vegetables to members;

“(II) submit to the Secretary an application containing such information as the Secretary may require, including the information described in subparagraph (B); and

“(ii) may—

“(I) provide financial or non-financial incentives for members to purchase or procure fresh fruits and vegetables;

“(II) provide educational resources on nutrition to members; and

“(III) establish additional accessible locations for members to procure fresh fruits and vegetables.

“(B) **APPLICATION.**—An application shall—

“(i) identify the 1 or more healthcare partners with which the eligible entity is partnering under paragraph (2); and

“(ii) include—
“(I) a description of the methods by which an eligible entity shall—

“(aa) screen and verify eligibility for members for participation in a produce prescription project, in accordance with procedures established under subsection (a)(5);

“(bb) implement an effective produce prescription project, including the role of each healthcare partner in implementing the produce prescription project;

“(cc) evaluate members participating in a produce prescription project with respect to the matters described in subparagraphs (A) through (C) of paragraph (1);

“(dd) provide educational opportunities relating to nutrition to members participating in a produce prescription project; and

“(ee) inform members of the availability of the produce prescription project, including locations at which produce prescriptions may be redeemed;

“(II) a description of any additional nonprofit or emergency feeding organizations that shall be involved in the project and the role of each additional nonprofit or emergency feeding organization in implementing and evaluating an effective produce prescription project;

“(III) documentation of a partnership agreement with a relevant State Medicaid agency or other appropriate entity, as determined by the Secretary, to evaluate the effectiveness of the produce prescription project in reducing healthcare use and associated costs;

“(IV) adequate plans to collect data for reporting and agreement to provide that information for the report described in subsection (e)(2)(B)(iii); and

“(V) agreement to share information with the Nutrition Incentive Program Training, Technical Assistance, Evaluation, and Information Centers established under subsection (e).

“(4) COORDINATION.—In carrying out the grant program established under paragraph (1), the Secretary shall coordinate with the Secretary of Health and Human Services and the heads of other appropriate Federal agencies that carry out activities relating to healthcare partners.

“(5) PARTNERSHIPS.—

“(A) IN GENERAL.—In carrying out the grant program under paragraph (1), the Secretary may enter into 1 or more memoranda of understanding with a Federal agency, a State, or a private entity to ensure the effective implementation and evaluation of each project.

“(B) MEMORANDUM OF UNDERSTANDING.—A memorandum of understanding entered into under subparagraph (A) shall include—

“(i) a description of a plan to provide educational opportunities relating to nutrition to members participating in produce prescription projects;

“(ii) a description of the role of the Federal agency, State, or private entity, as applicable, in implementing and evaluating an effective produce prescription project; and

“(iii) documentation of a partnership agreement with a relevant State Medicaid agency or other appropriate entity, as determined by the Secretary.

“(d) APPLICABILITY.—

“(1) IN GENERAL.—The value of any benefit provided to a participant in any activity funded under subsections (b) or (c) shall be treated as supplemental nutrition benefits under section 8(b) of the Food and Nutrition Act of 2008 (7 U.S.C. 2017(b)).

“(2) PROHIBITION ON COLLECTION OF SALES TAXES.—Each State shall ensure that no State or local tax is collected on a purchase of food with assistance provided under subsections (b) and (c).

“(3) NO LIMITATION ON BENEFITS.—Grants made available under subsections (b) and (c) shall not be used to carry out any project that limits the use of benefits under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.) or any other Federal nutrition law.

“(4) HOUSEHOLD ALLOTMENT.—Assistance provided under subsections (b) and (c) to households receiving benefits under the supplemental nutrition assistance program shall not—

“(A) be considered part of the supplemental nutrition assistance program benefits of the household; or

“(B) be used in the collection or disposition of claims under section 13 of the Food and Nutrition Act of 2008 (7 U.S.C. 2022).

“(e) NUTRITION INCENTIVE PROGRAM TRAINING, TECHNICAL ASSISTANCE, EVALUATION, AND INFORMATION CENTERS.—

“(1) IN GENERAL.—The Secretary shall—

“(A) establish 1 or more Nutrition Incentive Program Training, Technical Assistance, Evaluation, and Information Centers, in consultation with the Director of the National Institute of Food and Agriculture; and

“(B) to the extent practicable, consult on the design and scope of such Centers with grocers, farmers, health professionals, researchers, incentive program managers, and employees of the Department of Agriculture with direct experience with implementation of existing incentive programs or projects.

“(2) ESTABLISHMENT.—The Centers shall be capable of providing services related to grants under subsections (b) and (c), including—

“(A) offering incentive program training and technical assistance to applicants and grantees to the extent practicable, including—

“(i) collecting and providing information on best practices that may include communications, signage, record-keeping, incentive instruments, development and integration of point of sale systems, and reporting;

“(ii) disseminating information and assisting with collaboration among grantee projects, applicable State agencies, and nutrition education programs;

“(iii) facilitating communication between grantees and the Department of Agriculture and applicable State agencies; and

“(iv) providing support for the development of best practices for produce prescription projects and the sharing of information among eligible entities and healthcare providers that participate in a produce prescription project under subsection (c); and

“(v) other services identified by the Secretary; and

“(B) creating a system to collect and compile core data sets from eligible entities that—

“(i) uses standard metrics with consideration of outcome measures for existing projects;

“(ii) includes to the extent practicable grocers, farmers, health professionals, researchers, incentive program managers, and employees of the Department of Agriculture with direct experience with implementation of existing incentive programs in the design of the instrument through which data will be collected and the mechanism for reporting;

“(iii) compiles project data from grantees, and beginning in fiscal year 2020 generates an annual report to Congress on grant outcomes, including—

“(I) the results of the project; and

“(II) the amount of grant funds used for the project; and

“(iv) creates and maintains a publicly accessible online site that makes annual reports and incentive program information available in an anonymized format that protects confidential, personal, or other sensitive data.

“(3) COOPERATIVE AGREEMENT.—

“(A) IN GENERAL.—To carry out paragraph (1), the Secretary may, on a competitive basis, enter into 1 or more cooperative agreements with 1 or more organizations with expertise in developing outcome-based reporting, at least 1 of which has expertise in the food insecurity nutrition incentive program and at least 1 of which has expertise in produce prescription projects.

“(B) INCLUSION.—The organizations referred to in subparagraph (A) may include—

“(i) nongovernmental organizations;

“(ii) State cooperative extension services;

“(iii) regional food system centers;

“(iv) Federal, State, or Tribal agencies;

“(v) institutions of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a))); or

“(vi) other appropriate entities as determined by the Secretary.”.

(b) CONFORMING AMENDMENT.—The table of contents of the Food, Conservation, and Energy Act of 2008 (Public Law 113-188) is amended by striking the item relating to section 4405 and inserting the following:

“Sec. 4405. The Gus Schumacher nutrition incentive program.”.

SEC. 4206. MICRO-GRANTS FOR FOOD SECURITY.

(a) PURPOSE.—The purpose of this section is to increase the quantity and quality of locally grown food through small-scale gardening, herding, and livestock operations in food insecure communities in areas of the United States that have significant levels of food insecurity and import a significant quantity of food.

(b) DEFINITIONS.—In this section:

(1) ELIGIBLE ENTITY.—The term “eligible entity” means an entity that—

(A) is—

(i) an individual;

(ii) an Indian tribe or tribal organization, as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304);

(iii) a nonprofit organization engaged in increasing food security, as determined by the Secretary, including—

(I) a religious organization;

(II) a food bank; or

(III) a food pantry;

(iv) a federally funded educational facility, including—

(I) a Head Start program or an Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.);

(II) a public elementary school or public secondary school;

(III) a public institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

(IV) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))); or

(V) a job training program; or

(v) a local or Tribal government that may not levy local taxes under State or Federal law; and

(B) is located in an eligible State.

(2) ELIGIBLE STATE.—The term “eligible State” means—

(A) the State of Alaska;

(B) the State of Hawaii;

(C) American Samoa;

(D) the Commonwealth of the Northern Mariana Islands;

(E) the Commonwealth of Puerto Rico;

(F) the Federated States of Micronesia;

(G) Guam;

(H) the Republic of the Marshall Islands;

(I) the Republic of Palau; and

(J) the United States Virgin Islands.

(c) ESTABLISHMENT.—The Secretary shall distribute funds to the agricultural department or agency of each eligible State for the competitive distribution of subgrants to eligible entities to increase the quantity and quality of locally grown food in food insecure communities, including through small-scale gardening, herding, and livestock operations.

(d) DISTRIBUTION OF FUNDS.—

(1) IN GENERAL.—Of the amount made available under subsection (g), the Secretary shall distribute—

(A) 40 percent to the State of Alaska;

(B) 40 percent to the State of Hawaii; and

(C) 2.5 percent to each eligible State described in any of subparagraphs (C) through (J) of subsection (b)(2).

(2) CARRYOVER OF FUNDS.—Funds distributed under paragraph (1) shall remain available until expended.

(3) ADMINISTRATIVE FUNDS.—An eligible State that receives funds under paragraph (1) may use not more than 3 percent of those funds—

(A) to administer the competition for providing subgrants to eligible entities in that eligible State;

(B) to provide oversight of the subgrant recipients in that eligible State; and

(C) to collect data and submit a report to the Secretary under subsection (f)(2).

(E) SUBGRANTS TO ELIGIBLE ENTITIES.—

(1) AMOUNT OF SUBGRANTS.—

(A) IN GENERAL.—The amount of a subgrant to an eligible entity under this section shall be—

(i) in the case of an eligible entity that is an individual, not greater than \$5,000 per year; and

(ii) in the case of an eligible entity described in any of clauses (i) through (v) of subsection (b)(1)(A), not greater than \$10,000 per year.

(B) MATCHING REQUIREMENT.—As a condition of receiving a subgrant under this section, an eligible entity shall provide funds equal to 10 percent of the amount received by the eligible entity under the subgrant, to be derived from non-Federal sources. A State may waive the matching requirement for an individual who otherwise meets the requirements to receive a subgrant by the eligible State.

(C) PROJECT PERIOD.—Funds received by an eligible entity that is awarded a subgrant under this section shall remain available for expenditure not later than 3 years after the date the funds are received.

(2) PRIORITY.—In carrying out the competitive distribution of subgrants under subsection (c), an eligible State may give priority to an eligible entity that—

(A) has not previously received a subgrant under this section; or

(B) is located in a community or region in that eligible State with the highest degree of food insecurity, as determined by the agricultural department or agency of the eligible State.

(3) PROJECTS.—An eligible State may provide subgrants to 2 or more eligible entities to carry out the same project.

(4) USE OF SUBGRANT FUNDS BY ELIGIBLE ENTITIES.—An eligible entity that receives a subgrant under this section shall use the funds to engage in activities that will increase the quantity and quality of locally grown food for food insecure individuals, families, neighborhoods, and communities, including by—

(A) purchasing gardening tools or equipment, soil, soil amendments, seeds, plants, animals, canning equipment, refrigeration, or other items necessary to grow and store food;

(B) purchasing or building composting units;

(C) purchasing or building towers designed to grow leafy green vegetables;

(D) expanding an area under cultivation or engaging in other activities necessary to be eligible to receive funding under the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839a et seq.) for a high tunnel;

(E) engaging in an activity that extends the growing season;

(F) starting or expanding hydroponic and aeroponic farming of any scale;

(G) building, buying, erecting, or repairing fencing for livestock, poultry, or reindeer;

(H) purchasing and equipping a slaughter and processing facility approved by the Secretary;

(I) traveling to participate in agricultural education provided by—

(i) a State cooperative extension service;

(ii) a land-grant college or university (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103));

(iii) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b)));;

(iv) an Alaska Native-serving institution or a Native Hawaiian-serving institution (as such terms are defined in section 317(b) of the Higher Education Act of 1965 (20 U.S.C. 1059d(b)));; or

(v) a Federal or State agency;

(J) paying for shipping of purchased items relating to growing or raising food for local consumption or purchase;

(K) creating or expanding avenues for—

(i) the sale of food commodities, specialty crops, and meats that are grown by the eligible entity for sale in the local community; or

(ii) increasing the availability of fresh, locally grown, and nutritious food; and

(L) engaging in other activities relating to increasing food security (including subsistence), as determined by the Secretary.

(5) ELIGIBILITY FOR OTHER FINANCIAL ASSISTANCE.—An eligible entity shall not be ineligible to receive financial assistance under another program administered by the Secretary as a result of receiving a subgrant under this section.

(F) REPORTING REQUIREMENT.—

(1) SUBGRANT RECIPIENTS.—As a condition of receiving a subgrant under this section, an eligible entity shall agree to submit to the eligible State in which the eligible entity is located a report—

(A) not later than 60 days after the end of the project funded by the subgrant; and

(B) that describes the use of the subgrants by eligible entities, the quantity of food grown through small-scale gardening, herding, and livestock operations, and the number of food insecure individuals fed as a result of the subgrant.

(2) REPORT TO THE SECRETARY.—Not later than 120 days after the date on which an eligible State receives a report from each eligible entity in that State under paragraph (1), the eligible State shall submit to the Secretary a report that describes, in the aggregate, the information and data contained in the reports received from those eligible entities.

(G) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary to carry out this section \$10,000,000 for fiscal year 2019 and each fiscal year thereafter, to remain available until expended.

(2) APPROPRIATIONS IN ADVANCE.—Only funds appropriated under paragraph (1) in advance specifically to carry out this section shall be available to carry out this section.

SEC. 4207. BUY AMERICAN REQUIREMENTS.

(a) ENFORCEMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall—

(1) enforce full compliance with the requirements of section 12(n) of the Richard B. Russell National School Lunch Act (42 U.S.C. 1760(n)) for purchases of agricultural commodities, including fish, meats, vegetables, and fruits, and the products thereof, and

(2) ensure that States and school food authorities fully understand their responsibilities under such Act.

(b) REQUIREMENT.—The products of the agricultural commodities described in subsection (a)(1) shall be processed in the United States and substantially contain—

(1) meats, vegetables, fruits, and other agricultural commodities produced in—

(A) a State,

(B) the District of Columbia,

(C) the Commonwealth of Puerto Rico, or

(D) any territory or possession of the United States, or

(2) fish harvested—

(A) within the Exclusive Economic Zone of the United States, as described in Presidential Proclamation 5030 (48 Fed. Reg. 10605; March 10, 1983), or

(B) by a United States flagged vessel.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to Congress a report on the actions the Secretary has taken, and plans to take, to comply with this section.

SEC. 4208. HEALTHY FLUID MILK INCENTIVES PROJECTS.

(a) DEFINITION OF FLUID MILK.—In this section the term “fluid milk” means all varieties of pasteurized cow’s milk that—

(1) is without flavoring or sweeteners,

(2) is consistent with the most recent dietary recommendations,

(3) is packaged in liquid form, and

(4) contains vitamins A and D at levels consistent with the Food and Drug Administration, State, and local standards for fluid milk.

(b) PROJECTS.—The Secretary of Agriculture shall carry out, under such terms and conditions as the Secretary considers to be appropriate, healthy fluid milk incentive projects to develop and test methods to increase the purchase and consumption of fluid milk by members of households that receive supplemental nutrition assistance program benefits by providing an incentive for the purchase of fluid milk at the point of purchase to members of households purchasing food with supplemental nutrition assistance program benefits.

(c) GRANTS OR COOPERATIVE AGREEMENTS.—

(1) IN GENERAL.—To carry out this section, the Secretary, on a competitive basis, shall enter into cooperative agreements with, or provide grants to, governmental entities or nonprofit organizations for projects that meet the purpose and selection criteria specified in this subsection.

(2) APPLICATION.—To be eligible to enter into a cooperative agreement or receive a grant under this subsection, a government entity or nonprofit organization shall submit to the Secretary an application containing such information as the Secretary may require.

(3) SELECTION CRITERIA.—Projects proposed in applications shall be evaluated against publicly disseminated criteria that shall incorporate a scientifically based strategy that is designed to improve diet quality and nutritional outcomes through the increased purchase of fluid milk by members of households that participate in the supplemental nutrition assistance program.

(4) USE OF FUNDS.—Funds made available to carry out this section shall not be used for any project that limits the use of benefits provided under the Food and Nutrition Act of 2008.

(d) EVALUATION AND REPORTING.—

(1) EVALUATION.—

(A) INDEPENDENT EVALUATION.—

(i) IN GENERAL.—The Secretary shall provide for an independent evaluation of projects selected under this section that measures, to the maximum extent practicable, the impact on health and nutrition.

(ii) REQUIREMENT.—The independent evaluation under this subparagraph shall use rigorous methodologies, particularly random assignment or other methods that are capable of producing scientifically valid information regarding which activities are effective.

(B) COSTS.—The Secretary may use funds not to exceed 7 percent of the funding provided to carry out this section to pay costs associated with evaluating the outcomes of the healthy fluid milk incentive projects.

(2) REPORTING.—Not later than December 31 of 2020, and biennially thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes a description of—

(A) the status of each healthy fluid milk incentives project, and

(B) the results of any completed evaluation that—

(i) include, to the maximum extent practicable, the impact of the healthy fluid milk incentive projects on health and nutrition outcomes among households participating in such projects, and

(ii) have not been submitted in a previous report under this paragraph.

(3) PUBLIC DISSEMINATION.—In addition to the reporting requirements under paragraph (2), evaluation results shall be shared publicly to promote wide use of successful strategies.

(e) FUNDING.—

(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated \$20,000,000 to carry out and evaluate the outcomes of projects under this section, to remain available until expended.

(2) APPROPRIATIONS IN ADVANCE.—Only funds appropriated under paragraph (1) in advance

specifically to carry out this section shall be available to carry out this section.

TITLE V—CREDIT

Subtitle A—Farm Ownership Loans

SEC. 5101. MODIFICATION OF THE 3-YEAR EXPERIENCE ELIGIBILITY REQUIREMENT FOR FARM OWNERSHIP LOANS.

Section 302(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922(b)) is amended by adding at the end the following:

“(4) **WAIVER AUTHORITY.**—In the case of a qualified beginning farmer or rancher, the Secretary may—

“(A) reduce the 3-year requirement in paragraph (1) to 1 or 2 years, if the farmer or rancher has—

“(i) not less than 16 credit hours of post-secondary education in a field related to agriculture;

“(ii) successfully completed a farm management curriculum offered by a cooperative extension service, a community college, an adult vocational agriculture program, a nonprofit organization, or a land-grant college or university;

“(iii) at least 1 year of experience as hired farm labor with substantial management responsibilities;

“(iv) successfully completed a farm mentorship, apprenticeship, or internship program with an emphasis on management requirements and day-to-day farm management decisions;

“(v) significant business management experience;

“(vi) been honorably discharged from the armed forces of the United States;

“(vii) successfully repaid a youth loan made under section 311(b); or

“(viii) an established relationship with an individual who has experience in farming or ranching, or is a retired farmer or rancher, and is participating as a counselor in a Service Corps of Retired Executives program authorized under section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B)), or with a local farm or ranch operator or organization, approved by the Secretary, that is committed to mentoring the farmer or rancher; or

“(B) waive the 3-year requirement in paragraph (1) if the farmer or rancher meets the requirements of clauses (iii) and (viii) of subparagraph (A).”.

SEC. 5102. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.

Section 304(h) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(h)) is amended by striking “2018” and inserting “2023”.

SEC. 5103. LIMITATIONS ON AMOUNT OF FARM OWNERSHIP LOANS.

Section 305 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1925) is amended—

(1) in subsection (a)(2)—

(A) by striking “\$300,000” and inserting “\$600,000”;

(B) by striking “\$700,000” and inserting “\$1,750,000”;

(C) by striking “2000” and inserting “2019”;

and

(2) in subsection (c)—

(A) in paragraph (1), by striking “August”

and inserting “July”;

(B) in paragraph (2), by striking “ending on August 31, 1996” and inserting “that immediately precedes the 12-month period described in paragraph (1)”.

SEC. 5104. RELENDING PROGRAM TO RESOLVE OWNERSHIP AND SUCCESSION ON FARMLAND.

Subtitle A of title III of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.) is amended by adding at the end the following:

“SEC. 3101. RELENDING PROGRAM TO RESOLVE OWNERSHIP AND SUCCESSION ON FARMLAND.

“(a) **IN GENERAL.**—The Secretary may make loans to eligible entities described in subsection

(b) so that the eligible entities may relend the funds to individuals and entities for the purposes described in subsection (c).

“(b) **ELIGIBLE ENTITIES.**—Entities eligible for loans described in subsection (a) are cooperatives, credit unions, and nonprofit organizations with—

“(1) certification under section 1805.201 of title 12, Code of Federal Regulations (or successor regulations), to operate as a lender;

“(2) experience assisting socially disadvantaged farmers and ranchers (as defined in subsection (a) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279)) or limited resource or new and beginning farmers and ranchers, rural businesses, cooperatives, or credit unions, including experience in making and servicing agricultural and commercial loans; and

“(3) the ability to provide adequate assurance of the repayment of a loan.

“(c) **ELIGIBLE PURPOSES.**—The proceeds from loans made by the Secretary pursuant to subsection (a) shall be re-lent by eligible entities for projects that assist heirs with undivided ownership interests to resolve ownership and succession on farmland that has multiple owners.

“(d) **PREFERENCE.**—In making loans under subsection (a), the Secretary shall give preference to eligible entities—

“(1) with not less than 10 years of experience serving socially disadvantaged farmers and ranchers; and

“(2) in States that have adopted a statute consisting of an enactment or adoption of the Uniform Partition of Heirs Property Act, as approved and recommended for enactment in all States by the National Conference of Commissioners on Uniform State Laws in 2010, that relend to owners of heirs property (as defined in that Act).

“(e) **LOAN TERMS AND CONDITIONS.**—The following terms and conditions shall apply to loans made under this section:

“(1) The interest rate at which intermediaries may borrow funds under this section shall be determined by the Secretary.

“(2) The rates, terms, and payment structure for borrowers to which intermediaries lend shall be—

“(A) determined by the intermediary in an amount sufficient to cover the cost of operating and sustaining the revolving loan fund; and

“(B) clearly and publicly disclosed to qualified ultimate borrowers.

“(3) Borrowers to which intermediaries lend shall be—

“(A) required to complete a succession plan as a condition of the loan; and

“(B) be offered the opportunity to borrow sufficient funds to cover costs associated with the succession plan under subparagraph (A) and other associated legal and closing costs.

“(f) **REPORT.**—Not later than 1 year after the date of enactment of this section, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the operation and outcomes of the program under this section, with recommendations on how to strengthen the program.

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2019 through 2023.”.

Subtitle B—Operating Loans

SEC. 5201. LIMITATIONS ON AMOUNT OF OPERATING LOANS.

Section 313 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943) is amended—

(1) in subsection (a)(1)—

(A) by striking “\$300,000” and inserting “\$400,000”;

(B) by striking “\$700,000” and inserting “\$1,750,000”;

(C) by striking “2000” and inserting “2019”;

and

(2) in subsection (b)—

(A) in paragraph (1), by striking “August” and inserting “July”;

(B) in paragraph (2), by striking “ending on August 31, 1996” and inserting “that immediately precedes the 12-month period described in paragraph (1)”.

SEC. 5202. MICROLOANS.

Section 313(c)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943(c)(2)) is amended by striking “title” and inserting “subsection”.

SEC. 5203. COOPERATIVE LENDING PILOT PROJECTS.

Section 313(c)(4)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1943(c)(4)(A)) is amended by striking “2018” and inserting “2023”.

Subtitle C—Administrative Provisions

SEC. 5301. BEGINNING FARMER AND RANCHER INDIVIDUAL DEVELOPMENT ACCOUNTS PILOT PROGRAM.

Section 333B(h) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983b(h)) is amended by striking “2018” and inserting “2023”.

SEC. 5302. LOAN AUTHORIZATION LEVELS.

Section 346(b)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(1)) is amended—

(1) in the matter preceding subparagraph (A), by striking “\$4,226,000,000 for each of fiscal years 2008 through 2018” and inserting “\$10,000,000,000 for each of fiscal years 2019 through 2023”; and

(2) by striking subparagraphs (A) and (B) and inserting the following:

“(A) \$3,000,000,000 shall be for direct loans, of which—

“(i) \$1,500,000,000 shall be for farm ownership loans under subtitle A; and

“(ii) \$1,500,000,000 shall be for operating loans under subtitle B; and

“(B) \$7,000,000,000 shall be for guaranteed loans, of which—

“(i) \$3,500,000,000 shall be for farm ownership loans under subtitle A; and

“(ii) \$3,500,000,000 shall be for operating loans under subtitle B.”.

SEC. 5303. LOAN FUND SET-ASIDES.

Section 346(b)(2)(A)(ii)(III) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(2)(A)(ii)(III)) is amended by striking “2018” and inserting “2023”.

SEC. 5304. USE OF ADDITIONAL FUNDS FOR DIRECT OPERATING MICROLOANS UNDER CERTAIN CONDITIONS.

Section 346(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)) is amended by adding at the end the following:

“(5) **USE OF ADDITIONAL FUNDS FOR DIRECT OPERATING MICROLOANS UNDER CERTAIN CONDITIONS.**—

“(A) **IN GENERAL.**—If the Secretary determines that the amount needed for a fiscal year for direct operating loans (including microloans) under subtitle B is greater than the aggregate principal amount authorized for that fiscal year by this Act, an appropriations Act, or any other provision of law, the Secretary shall make additional microloans under subtitle B using amounts made available under subparagraph (C).

“(B) **NOTICE.**—Not later than 15 days before the date on which the Secretary uses the authority under subparagraph (A), the Secretary shall submit a notice of the use of that authority to—

“(i) the Committee on Appropriations of the House of Representatives;

“(ii) the Committee on Appropriations of the Senate;

“(iii) the Committee on Agriculture of the House of Representatives; and

“(iv) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

“(C) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry

out this paragraph \$5,000,000 for each of fiscal years 2019 through 2023.”

SEC. 5305. EQUITABLE RELIEF.

The Consolidated Farm and Rural Development Act is amended by inserting after section 365 (7 U.S.C. 2008) the following:

“SEC. 366. EQUITABLE RELIEF.

“(a) **IN GENERAL.**—Subject to subsection (b), the Secretary may provide a form of relief described in subsection (c) to any farmer or rancher who—

“(1) received a direct farm ownership, operating, or emergency loan under this title; and

“(2) the Secretary determines is not in compliance with the requirements of this title with respect to the loan.

“(b) **LIMITATION.**—The Secretary may only provide relief to a farmer or rancher under subsection (a) if the Secretary determines that the farmer or rancher—

“(1) acted in good faith; and

“(2) relied on an action of, or the advice of, the Secretary (including any authorized representative of the Secretary) to the detriment of the farming or ranching operation of the farmer or rancher.

“(c) **FORMS OF RELIEF.**—The Secretary may provide to a farmer or rancher under subsection (a) any of the following forms of relief:

“(1) The farmer or rancher may retain loans or other benefits received in association with the loan with respect to which the farmer or rancher was determined to be noncompliant under subsection (a)(2).

“(2) The farmer or rancher may receive such other equitable relief as the Secretary determines to be appropriate.

“(d) **CONDITION.**—As a condition of receiving relief under this section, the Secretary may require the farmer or rancher to take actions designed to remedy the noncompliance.

“(e) **ADMINISTRATIVE APPEAL; JUDICIAL REVIEW.**—A determination or action of the Secretary under this section—

“(1) shall be final; and

“(2) shall not be subject to administrative appeal or judicial review under chapter 7 of title 5, United States Code.”.

SEC. 5306. SOCIALLY DISADVANTAGED FARMERS AND RANCHERS; QUALIFIED BEGINNING FARMERS AND RANCHERS.

The Consolidated Farm and Rural Development Act is amended by inserting after section 366 (as added by section 5305) the following:

“SEC. 367. SOCIALLY DISADVANTAGED FARMERS AND RANCHERS; QUALIFIED BEGINNING FARMERS AND RANCHERS.

“In the case of a loan guaranteed by the Secretary under subtitle A or B to a socially disadvantaged farmer or rancher (as defined in section 355(e)) or a qualified beginning farmer or rancher, the Secretary may provide for a standard guarantee plan, which shall cover an amount equal to 95 percent of the outstanding principal of the loan.”.

SEC. 5307. EMERGENCY LOAN ELIGIBILITY.

Section 373(b)(2)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008h(b)(2)(B)) is amended—

(1) by redesignating clauses (i) and (ii) as subclauses (I) and (II), respectively, and indenting appropriately;

(2) in the matter preceding subclause (I) (as so redesignated), by striking “The Secretary” and inserting the following:

“(i) **IN GENERAL.**—The Secretary”; and

(3) by adding at the end the following:

“(ii) **RESTRUCTURED LOANS.**—For purposes of clause (i), a borrower who was restructured with a write-down or restructuring under section 353 shall not be considered to have received debt forgiveness on a loan made or guaranteed under this title.”.

Subtitle D—Miscellaneous

SEC. 5401. TECHNICAL CORRECTIONS TO THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.

(a)(1) Section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)) is

amended in the second sentence by striking “and limited liability companies” and inserting “limited liability companies, and such other legal entities”.

(2) The amendment made by this subsection shall take effect as if included in the enactment of section 5201(2)(C) of the Agricultural Act of 2014 (Public Law 113-79) in lieu of the amendment made by such section.

(b)(1) Section 331D(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981d(e)) is amended by inserting after “within 60 days after receipt of the notice required in this section” the following: “or, in extraordinary circumstances as determined by the applicable State director, after the 60-day period”.

(2) The amendment made by this subsection shall take effect as if included in the enactment of section 10 of the Agricultural Credit Improvement Act of 1992 (Public Law 102-554).

(c)(1) Section 333A(f)(1)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983a(f)(1)(A)) is amended by striking “114” and inserting “339”.

(2) The amendment made by this subsection shall take effect as if included in the enactment of section 14 of the Agricultural Credit Improvement Act of 1992 (Public Law 102-554).

(d) Section 339(d)(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1989(d)(3)) is amended by striking “preferred certified lender” and inserting “Preferred Certified Lender”.

(e)(1) Section 343(a)(11)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(11)(C)) is amended by striking “or joint operators” and inserting “joint operator, or owners”.

(2) The amendment made by this subsection shall take effect as of the effective date of section 5303(a)(2) of the Agricultural Act of 2014 (Public Law 113-79).

(f)(1) Section 343(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(b)) is amended by striking “307(e)” and inserting “307(d)”.

(2) The amendment made by paragraph (1) shall take effect as of the date of enactment of the Agricultural Act of 2014 (Public Law 113-79).

(g) Section 346(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(a)) is amended by striking the last comma.

SEC. 5402. STATE AGRICULTURAL MEDIATION PROGRAMS.

(a) **ISSUES COVERED BY STATE MEDIATION PROGRAMS.**—Section 501(c) of the Agricultural Credit Act of 1987 (7 U.S.C. 5101(c)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)—

(i) in the matter preceding clause (i), by striking “under the jurisdiction of the Department of Agriculture”; and

(ii) in clause (ii), by inserting “and the national organic program established under the Organic Foods Production Act of 1990 (7 U.S.C. 6501 et seq.)” before the period at the end; and

(iii) by striking clause (vii) and inserting the following:

“(vii) Lease issues, including land leases and equipment leases.

“(viii) Family farm transition.

“(ix) Farmer-neighbor disputes.

“(x) Such other issues as the Secretary or the head of the department of agriculture of each participating State considers appropriate for better serving the agricultural community and persons eligible for mediation.”; and

(B) by adding at the end the following:

“(C) **MEDIATION SERVICES.**—Funding provided for the mediation program of a qualifying State may also be used to provide credit counseling to persons described in paragraph (2)—

“(i) prior to the initiation of any mediation involving the Department of Agriculture; or

“(ii) unrelated to any ongoing dispute or mediation in which the Department of Agriculture is a party.”;

(2) in paragraph (2)(A)—

(A) in clause (ii), by striking “and” after the semicolon;

(B) in clause (iii), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(iv) any other persons involved in an issue for which mediation services are provided by a mediation program described in paragraph (1)(B).”; and

(3) in paragraph (3)(F), by striking “that persons” and inserting the following: “that—

“(i) the Department of Agriculture receives adequate notification of those issues; and

“(ii) persons”.

(b) **REPORT REQUIRED.**—Section 505 of the Agricultural Credit Act of 1987 (7 U.S.C. 5105) is amended to read as follows:

“SEC. 505. REPORT.

“Not later than 2 years after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall submit to Congress a report describing—

“(1) the effectiveness of the State mediation programs receiving matching grants under this subtitle;

“(2) recommendations for improving the delivery of mediation services to producers;

“(3) the steps being taken to ensure that State mediation programs receive timely funding under this subtitle; and

“(4) the savings to the States as a result of having a mediation program.”.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—Section 506 of the Agricultural Credit Act of 1987 (7 U.S.C. 5106) is amended by striking “2018” and inserting “2023”.

SEC. 5403. COMPENSATION OF BANK DIRECTORS.

Section 4.21 of the Farm Credit Act of 1971 (12 U.S.C. 2209) is repealed.

SEC. 5404. SHARING OF PRIVILEGED AND CONFIDENTIAL INFORMATION.

Section 5.19 of the Farm Credit Act of 1971 (12 U.S.C. 2254) is amended by adding at the end the following:

“(e) **SHARING OF PRIVILEGED AND CONFIDENTIAL INFORMATION.**—A System institution shall not be considered to have waived the confidentiality of a privileged communication with an attorney or an accountant if the System institution provides the content of the communication to the Farm Credit Administration pursuant to the supervisory or regulatory authorities of the Farm Credit Administration.”.

SEC. 5405. FACILITY HEADQUARTERS.

Section 5.16 of the Farm Credit Act of 1971 (12 U.S.C. 2251) is amended by striking all that precedes “to the rental of quarters” and inserting the following:

“SEC. 5.16. QUARTERS AND FACILITIES FOR THE FARM CREDIT ADMINISTRATION.

“(a) The Farm Credit Administration shall maintain its principal office within the Washington D.C.-Maryland-Virginia standard metropolitan statistical area, and such other offices within the United States as in its judgment are necessary.

“(b) As an alternate”.

SEC. 5406. REMOVAL AND PROHIBITION AUTHORITY; INDUSTRY-WIDE PROHIBITION.

Part C of title V of the Farm Credit Act of 1971 is amended by inserting after section 5.29 (12 U.S.C. 2265) the following:

“SEC. 5.29A. REMOVAL AND PROHIBITION AUTHORITY; INDUSTRY-WIDE PROHIBITION.

“(a) **DEFINITION OF PERSON.**—In this section, the term ‘person’ means—

“(1) an individual; and

“(2) in the case of a specific determination by the Farm Credit Administration, a legal entity.

“(b) **INDUSTRY-WIDE PROHIBITION.**—Except as provided in subsection (c), any person who, pursuant to an order issued under section 5.28 or 5.29, has been removed or suspended from office at a System institution or prohibited from participating in the conduct of the affairs of a System institution shall not, during the period of

effectiveness of the order, continue or commence to hold any office in, or participate in any manner in the conduct of the affairs of—

“(1) any insured depository institution subject to section 8(e)(7)(A)(i) of the Federal Deposit Insurance Act (12 U.S.C. 1818(e)(7)(A)(i));

“(2) any institution subject to section 8(e)(7)(A)(ii) of the Federal Deposit Insurance Act (12 U.S.C. 1818(e)(7)(A)(ii));

“(3) any insured credit union under the Federal Credit Union Act (12 U.S.C. 1751 et seq.);

“(4) any Federal home loan bank;

“(5) any institution chartered under this Act;

“(6) any appropriate Federal financial institutions regulatory agency (as defined in section 8(e)(7)(D) of the Federal Deposit Insurance Act (12 U.S.C. 1818(e)(7)(D)));

“(7) the Federal Housing Finance Agency; or

“(8) the Farm Credit Administration.

“(c) **EXCEPTION FOR INSTITUTION-AFFILIATED PARTY THAT RECEIVES WRITTEN CONSENT.**—

“(1) **IN GENERAL.**—

“(A) **AFFILIATED PARTIES.**—If, on or after the date on which an order described in subsection (b) is issued that removes or suspends an institution-affiliated party from office at a System institution or prohibits an institution-affiliated party from participating in the conduct of the affairs of a System institution, that party receives written consent described in subparagraph (B), subsection (b) shall not apply to that party—

“(i) to the extent provided in the written consent received; and

“(ii) with respect to the institution described in each written consent.

“(B) **WRITTEN CONSENT DESCRIBED.**—The written consent referred to in subparagraph (A) is written consent received from—

“(i) the Farm Credit Administration; and

“(ii) each appropriate Federal financial institutions regulatory agency (as defined in section 8(e)(7)(D) of the Federal Deposit Insurance Act (12 U.S.C. 1818(e)(7)(D))) of the applicable institution described in any of paragraphs (1), (2), (3), or (4) of subsection (b) with respect to which the party proposes to become an affiliated party.

“(2) **DISCLOSURE.**—Any agency described in clause (i) or (ii) of paragraph (1)(B) that provides a written consent under that paragraph shall—

“(A) report the action to the Farm Credit Administration; and

“(B) publicly disclose the action.

“(3) **CONSULTATION BETWEEN AGENCIES.**—The agencies described in clauses (i) and (ii) of paragraph (1)(B) shall consult with each other before providing any written consent under that paragraph.

“(d) **VIOLATIONS.**—A violation of subsection (b) by any person who is subject to an order described in that subsection shall be treated as violation of that order.”.

SEC. 5407. JURISDICTION OVER INSTITUTION-AFFILIATED PARTIES.

Part C of title V of the Farm Credit Act of 1971 is amended by inserting after section 5.31 (12 U.S.C. 2267) the following:

“SEC. 5.31A. JURISDICTION OVER INSTITUTION-AFFILIATED PARTIES.

“(a) **IN GENERAL.**—For purposes of sections 5.25, 5.26, and 5.32, the jurisdiction of the Farm Credit Administration over parties, and the authority of the Farm Credit Administration to initiate actions, shall include enforcement authority over institution-affiliated parties.

“(b) **EFFECT OF SEPARATION ON JURISDICTION AND AUTHORITY.**—Subject to subsection (c), the resignation, termination of employment or participation, or separation of an institution-affiliated party (including a separation caused by the merger, consolidation, conservatorship, or receivership of a Farm Credit System institution) shall not affect the jurisdiction and authority of the Farm Credit Administration to issue any notice or order and proceed under this part against that party.

“(c) **LIMITATION.**—To proceed against a party under subsection (b), the notice or order described in that subsection shall be served not later than 6 years after the date on which the party ceased to be an institution-affiliated party with respect to the applicable Farm Credit System institution.

“(d) **APPLICABILITY.**—The date on which a party ceases to be an institution-affiliated party described in subsection (c) may occur before, on, or after the date of enactment of this section.”.

SEC. 5408. DEFINITION OF INSTITUTION-AFFILIATED PARTY.

Section 5.35 of the Farm Credit Act of 1971 (12 U.S.C. 2271) is amended—

(1) in paragraph (3), by striking “and” at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following:

“(4) the term ‘institution-affiliated party’ means—

“(A) a director, officer, employee, shareholder, or agent of a System institution;

“(B) an independent contractor (including an attorney, appraiser, or accountant) who knowingly or recklessly participates in—

“(i) a violation of law (including regulations) that is associated with the operations and activities of 1 or more System institutions;

“(ii) a breach of fiduciary duty; or

“(iii) an unsafe practice that causes or is likely to cause more than a minimum financial loss to, or a significant adverse effect on, a System institution; and

“(C) any other person, as determined by the Farm Credit Administration (by regulation or on a case-by-case basis) who participates in the conduct of the affairs of a System institution; and”.

SEC. 5409. PROHIBITION ON USE OF FUNDS.

Section 5.65 of the Farm Credit Act of 1971 (12 U.S.C. 2277a-14) is amended by adding at the end the following:

“(e) **PROHIBITION ON USES OF FUNDS RELATED TO FEDERAL AGRICULTURAL MORTGAGE CORPORATION.**—No funds from administrative accounts or from the Farm Credit System Insurance Fund may be used by the Corporation to provide assistance to the Federal Agricultural Mortgage Corporation or to support any activities related to the Federal Agricultural Mortgage Corporation.”.

SEC. 5410. EXPANSION OF ACREAGE EXCEPTION TO LOAN AMOUNT LIMITATION.

(a) **IN GENERAL.**—Section 8.8(c)(2) of the Farm Credit Act of 1971 (12 U.S.C. 2279aa-8(c)(2)) is amended by striking “1,000” and inserting “2,000”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect 1 year after the date a report submitted in accordance with section 5414 of this Act indicates that it is feasible to increase the acreage limitation in section 8.8(c)(2) of the Farm Credit Act of 1971 to 2,000 acres.

SEC. 5411. REPEAL OF OBSOLETE PROVISIONS; TECHNICAL CORRECTIONS.

(1) Section 1.1(c) of the Farm Credit Act of 1971 (12 U.S.C. 2001(c)) is amended in the first sentence by striking “including any costs of defeasance under section 4.8(b).”.

(2) Section 1.2 of the Farm Credit Act of 1971 (12 U.S.C. 2002) is amended by striking subsection (a) and inserting the following:

“(a) **COMPOSITION.**—The Farm Credit System shall include the Farm Credit Banks, the bank for cooperatives, Agricultural Credit Banks, the Federal Land Bank Associations, the Federal Land Credit Associations, the Production Credit Associations, the agricultural credit associations, the Federal Farm Credit Banks Funding Corporation, the Federal Agricultural Mortgage Corporation, service corporations established pursuant to section 4.25, and such other institutions as may be made a part of the Farm Credit System, all of which shall be chartered by and

subject to regulation by the Farm Credit Administration.”.

(3) Section 2.4 of the Farm Credit Act of 1971 (12 U.S.C. 2075) is amended by striking subsection (d).

(4) Section 3.0(a) of the Farm Credit Act of 1971 (12 U.S.C. 2121(a)) is amended—

(A) in the third sentence, by striking “and a Central Bank for Cooperatives”; and

(B) by striking the fifth sentence.

(5) Section 3.2 of the Farm Credit Act of 1971 (12 U.S.C. 2123) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking “not merged into the United Bank for Cooperatives or the National Bank for Cooperatives”; and

(ii) in paragraph (2)(A), in the matter preceding clause (i), by striking “(other than the National Bank for Cooperatives)”; and

(B) by striking subsection (b);

(C) in subsection (a)—

(i) by striking “(a)(1) Each bank” and inserting the following:

“(a) **IN GENERAL.**—Each bank”; and

(ii) by striking “(2)(A) If approved” and inserting the following:

“(b) **NOMINATION AND ELECTION.**—

“(1) **IN GENERAL.**—If approved”; and

(D) in subsection (b)(1) (as so designated)—

(i) in subparagraph (B), by striking “(B) The total” and inserting the following:

“(2) **NUMBER OF VOTES.**—The total”; and

(ii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively, and indenting appropriately; and

(E) in paragraph (2) (as so designated), by striking “paragraph” and inserting “subsection”.

(6) Section 3.5 of the Farm Credit Act of 1971 (12 U.S.C. 2126) is amended in the third sentence by striking “district”.

(7) Section 3.7(a) of the Farm Credit Act of 1971 (12 U.S.C. 2128(a)) is amended by striking the second sentence.

(8) Section 3.8(b)(1)(A) of the Farm Credit Act of 1971 (12 U.S.C. 2129(b)(1)(A)) is amended by inserting “(or any successor agency)” after “Rural Electrification Administration”.

(9) Section 3.9(a) of the Farm Credit Act of 1971 (12 U.S.C. 2130(a)) is amended by striking the third sentence.

(10) Section 3.10 of the Farm Credit Act of 1971 (12 U.S.C. 2131) is amended—

(A) in subsection (c), by striking the second sentence; and

(B) in subsection (d)—

(i) by striking “district” each place it appears; and

(ii) by inserting “for cooperatives (or any successor bank)” before “on account”.

(11) Section 3.11 of the Farm Credit Act of 1971 (12 U.S.C. 2132) is amended—

(A) in subsection (a), in the first sentence, by striking “subsections (b) and (c) of this section” and inserting “subsection (b)”; and

(B) in subsection (b)—

(i) in the first sentence, by striking “district”; and

(ii) in the second sentence, by striking “Except as provided in subsection (c) below, all” and inserting “All”;

(C) by striking subsection (c); and

(D) by redesignating subsections (d) through (f) as subsections (c) through (e), respectively.

(12) Part B of title III of the Farm Credit Act of 1971 (12 U.S.C. 2141 et seq.) is amended in the part heading by striking “UNITED AND”.

(13) Section 3.20 of the Farm Credit Act of 1971 (12 U.S.C. 2141) is amended—

(A) in subsection (a), by striking “or the United Bank for Cooperatives, as the case may be”; and

(B) in subsection (b), by striking “the district banks for cooperatives and the Central Bank for Cooperatives” and inserting “the constituent banks described in section 413(b) of the Agricultural Credit Act of 1987 (12 U.S.C. 2121 note; Public Law 100-233)”.

(14) Section 3.21 of the Farm Credit Act of 1971 (12 U.S.C. 2142) is repealed.

(15) Section 3.28 of the Farm Credit Act of 1971 (12 U.S.C. 2149) is amended by striking “a district bank for cooperatives and the Central Bank for Cooperatives” and inserting “the constituent banks described in section 413(b) of the Agricultural Credit Act of 1987 (12 U.S.C. 2121 note; Public Law 100-233)”.

(16) Section 3.29 of the Farm Credit Act of 1971 (12 U.S.C. 2149a) is repealed.

(17) Section 4.0 of the Farm Credit Act of 1971 (12 U.S.C. 2151) is repealed.

(18) Section 4.8 of the Farm Credit Act of 1971 (12 U.S.C. 2159) is amended—

(A) by striking the section designation and heading and all that follows through “Each bank” in subsection (a) and inserting the following:

“SEC. 4.8. PURCHASE AND SALE OF OBLIGATIONS.

“Each bank”; and

(B) by striking subsection (b).

(19) Section 4.9 of the Farm Credit Act of 1971 (12 U.S.C. 2160) is amended—

(A) in subsection (d)—

(i) by striking paragraph (2) and inserting the following:

“(3) REPRESENTATION OF BOARD.—The Farm Credit System Insurance Corporation shall not have representation on the board of directors of the Corporation.”;

(ii) in the undesignated matter following paragraph (1)(D), by striking “In selecting” and inserting the following:

“(2) CONSIDERATIONS.—In selecting”;

(iii) in paragraph (2) (as so designated), by inserting “of paragraph (1)” after “(A) and (B)”;

(B) by striking subsection (e); and

(C) by redesignating subsection (f) as subsection (e).

(20) Section 4.9A(c) of the Farm Credit Act of 1971 (12 U.S.C. 2162(c)) is amended—

(A) by striking “institution, and—” in the matter preceding paragraph (1) and all that follows through the period at the end of paragraph (2) and inserting “institution.”;

(B) by striking “If an institution” and inserting the following:

“(1) IN GENERAL.—If an institution”;

(C) in paragraph (1) (as so designated), by striking “the receiver of the institution” and inserting “the Farm Credit System Insurance Corporation, acting as receiver.”;

(D) by adding at the end the following:

“(2) FUNDING.—The Farm Credit System Insurance Corporation shall use such funds from the Farm Credit Insurance Fund as are sufficient to carry out this section.”.

(21) Section 4.12A(a) of the Farm Credit Act of 1971 (12 U.S.C. 2184(a)) is amended by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—A Farm Credit System bank or association shall provide to a stockholder of the bank or association a current list of stockholders of the bank or association not later than 7 calendar days after the date on which the bank or association receives a written request for the stockholder list from the stockholder.”.

(22) Section 4.14A of the Farm Credit Act of 1971 (12 U.S.C. 2202a) is amended—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by inserting “and section 4.36” before the colon at the end; and

(ii) in paragraph (5)(B)(ii)(I), by striking “4.14C.”;

(B) by striking subsection (h);

(C) by redesignating subsections (i) through (l) as subsections (h) through (k), respectively; and

(D) in subsection (k) (as so redesignated), by striking “production credit”.

(23) Section 4.14C of the Farm Credit Act of 1971 (12 U.S.C. 2202c) is repealed.

(24) Section 4.17 of the Farm Credit Act of 1971 (12 U.S.C. 2205) is amended in the third sentence by striking “Federal intermediate credit banks and”.

(25) Section 4.19(a) of the Farm Credit Act of 1971 (12 U.S.C. 2207(a)) is amended—

(A) in the first sentence—

(i) by striking “district”;

(ii) by striking “Federal land bank association and production credit”;

(B) in the second sentence, by striking “units” and inserting “institutions”.

(26) Section 4.38 of the Farm Credit Act of 1971 (12 U.S.C. 2219c) is amended by striking “The Assistance Board established under section 6.0 and all” and inserting “All”.

(27) Section 4.39 of the Farm Credit Act of 1971 (12 U.S.C. 2219d) is amended by striking “8.0(7)” and inserting “8.0”.

(28) Section 5.16 of the Farm Credit Act of 1971 (12 U.S.C. 2251) is amended in the undesignated matter following paragraph (5) of subsection (b) (as designated by section 5405)—

(A) in the fifth sentence, by striking “In actions undertaken by the banks pursuant to the foregoing provisions of this section” and inserting the following:

“(5) AGENT FOR BANKS.—In actions undertaken by the banks pursuant to this section”;

(B) in the fourth sentence, by striking “The plans” and inserting the following:

“(4) APPROVAL OF BOARD.—The plans”;

(C) in the third sentence, by striking “The powers” and inserting the following:

“(3) POWERS OF BANKS.—The powers”;

(D) in the second sentence, by striking “Such advances” and inserting the following:

“(2) ADVANCES.—The advances of funds described in paragraph (1)”;

(E) in the first sentence, by striking “The Board” and inserting the following:

“(c) FINANCING.—

“(1) IN GENERAL.—The Board”.

(29) Section 5.17(a)(2) of the Farm Credit Act of 1971 (12 U.S.C. 2252(a)(2)) is amended by striking the second and third sentences.

(30) Section 5.18 of the Farm Credit Act of 1971 (12 U.S.C. 2253) is repealed.

(31) Section 5.19 of the Farm Credit Act of 1971 (12 U.S.C. 2254) is amended—

(A) in subsection (a)—

(i) in the first sentence, by striking “Except for Federal land bank associations, each” and inserting “Each”; and

(ii) by striking the second sentence; and

(B) in subsection (b)—

(i) by striking “(b)(1) Each” and inserting “(b) Each”;

(ii) in the matter preceding paragraph (2) (as so designated)—

(I) in the second sentence, by striking “, except with respect to any actions taken by any banks of the System under section 4.8(b).”;

and

(II) by striking the third sentence; and

(iii) by striking paragraphs (2) and (3).

(32) Section 5.31 of the Farm Credit Act of 1971 (12 U.S.C. 2267) is amended in the second sentence by striking “4.14A(i)” and inserting

“4.14A(h)”.

(33) Section 5.32(h) of the Farm Credit Act of 1971 (12 U.S.C. 2268(h)) is amended by striking

“4.14A(i)” and inserting “4.14A(h)”.

(34) Section 5.35 of the Farm Credit Act of 1971 (12 U.S.C. 2271) is amended in paragraph (5) (as redesignated by section 5408(2))—

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

(B) by striking subparagraph (B);

(C) by redesignating subparagraph (C) as subparagraph (B); and

(D) in subparagraph (B) (as so redesignated)—

(i) by striking “after December 31, 1992.”;

(ii) by striking “by the Farm Credit System Assistance Board under section 6.6 or”.

(35) Section 5.38 of the Farm Credit Act of 1971 (12 U.S.C. 2274) is amended by striking “a farm” and all that follows through “land bank” and inserting “a Farm Credit Bank board, officer, or employee shall not remove any director or officer of any”.

(36) Section 5.44 of the Farm Credit Act of 1971 (12 U.S.C. 2275) is repealed.

(37) Section 5.58(2) of the Farm Credit Act of 1971 (12 U.S.C. 2277a-7(2)) is amended by striking the second sentence.

(38) Section 5.60 of the Farm Credit Act of 1971 (12 U.S.C. 2277a-9) is amended—

(A) in subsection (b), by striking the subsection designation and heading and all that follows through “The Corporation” in paragraph (2) and inserting the following:

“(b) AMOUNTS IN FUND.—The Corporation”;

and

(B) in subsection (c)(2), by striking “Insurance Fund to—” in the matter preceding subparagraph (A) and all that follows through “ensure” in subparagraph (B) and inserting “Insurance Fund to ensure”.

(39) Title VI of the Farm Credit Act of 1971 (12 U.S.C. 2278a et seq.) is repealed.

(40) Section 7.9 of the Farm Credit Act of 1971 (12 U.S.C. 2279c-2) is amended by striking subsection (c).

(41) Section 7.10(a) of the Farm Credit Act of 1971 (12 U.S.C. 2279d(a)) is amended by striking paragraph (4) and inserting the following:

“(4) the institution pays to the Farm Credit Insurance Fund the amount by which the total capital of the institution exceeds 6 percent of the assets.”;

(42) Section 8.0 of the Farm Credit Act of 1971 (12 U.S.C. 2279aa) is amended—

(A) in paragraph (2), by striking “means—” in the matter preceding subparagraph (A) and all that follows through the period at the end of the undesignated matter following subparagraph (B) and inserting “means the board of directors established under section 8.2.”;

(B) by striking paragraphs (6) and (8);

(C) by redesignating paragraphs (7), (9), and (10) as paragraphs (6), (7), and (8), respectively; and

(D) in subparagraph (B)(i) of paragraph (7) (as so redesignated), by striking “(b) through (d)” and inserting “(b) and (c)”.

(43) Section 8.2 of the Farm Credit Act of 1971 (12 U.S.C. 2279aa-2) is amended—

(A) by striking subsection (a);

(B) in subsection (b), by striking the subsection designation and heading and all that follows through the period at the end of paragraph (1) and inserting the following:

“(a) IN GENERAL.—

“(1) ESTABLISHMENT.—The Corporation shall be under the management of the board of directors.”;

(C) in subsection (a) (as so designated)—

(i) by striking “permanent board” each place it appears and inserting “Board”;

(ii) by striking paragraph (3);

(iii) by redesignating paragraphs (4) through (10) as paragraphs (3) through (9), respectively; and

(iv) in paragraph (3)(A) (as so redesignated), by striking “(6)” and inserting “(5)”;

(D) by redesignating subsection (c) as subsection (b).

(44) Section 8.4(a)(1) of the Farm Credit Act of 1971 (12 U.S.C. 2279aa-4(a)(1)) is amended—

(A) in the sixth sentence—

(i) by striking “Class B” and inserting the following:

“(iii) CLASS B STOCK.—Class B”;

(ii) by striking “8.2(b)(2)(B)” and inserting “8.2(a)(2)(B)”;

(B) in the fifth sentence—

(i) by striking “Class A” and inserting the following:

“(ii) CLASS A STOCK.—Class A”;

(ii) by striking “8.2(b)(2)(A)” and inserting “8.2(a)(2)(A)”;

(C) in the fourth sentence, by striking “The stock” and inserting the following:

“(D) CLASSES OF STOCK.—

“(i) IN GENERAL.—The stock”;

(D) by striking the third sentence and inserting the following:

“(C) OFFERS.—

“(i) IN GENERAL.—The Board shall offer the voting common stock to banks, other financial institutions, insurance companies, and System institutions under such terms and conditions as the Board may adopt.

“(ii) REQUIREMENTS.—The voting common stock shall be fairly and broadly offered to ensure that—

"(I) no institution or institutions acquire a disproportionate share of the total quantity of the voting common stock outstanding of a class of stock; and

"(II) capital contributions and issuances of voting common stock for the contributions are fairly distributed between entities eligible to hold class A stock and class B stock.";

(E) in the second sentence, by striking "Each share" and inserting the following:

"(B) NUMBER OF VOTES.—Each share"; and

(F) in the first sentence, by striking "The Corporation" and inserting the following:

"(A) IN GENERAL.—The Corporation".

(45) Section 8.6 of the Farm Credit Act of 1971 (12 U.S.C. 2279aa-6) is amended—

(A) by striking subsection (d);

(B) by redesignating subsection (e) as subsection (d); and

(C) in paragraph (2) of subsection (d) (as so redesignated), by striking "8.0(9))" and inserting "8.0)".

(46) Section 8.9 of the Farm Credit Act of 1971 (12 U.S.C. 2279aa-9) is amended by striking "4.14C," each place it appears.

(47) Section 8.11(e) of the Farm Credit Act of 1971 (12 U.S.C. 2279aa-11(e)) is amended by striking "8.0(7))" and inserting "8.0)".

(48) Section 8.32(a) of the Farm Credit Act of 1971 (12 U.S.C. 2279bb-1(a)) is amended—

(A) in the first sentence of the matter preceding paragraph (1), by striking "Not sooner than the expiration of the 3-year period beginning on the date of enactment of the Farm Credit System Reform Act of 1996, the" and inserting "The"; and

(B) in paragraph (1)(B), by striking "8.0(9)(C)" and inserting "8.0(7)(C)".

(49) Section 8.33(b)(2)(A) of the Farm Credit Act of 1971 (12 U.S.C. 2279bb-2(b)(2)(A)) is amended by striking "8.6(e)" and inserting "8.6(d)".

(50) Section 8.35 of the Farm Credit Act of 1971 (12 U.S.C. 2279bb-4) is amended by striking subsection (e).

(51) Section 8.38 of the Farm Credit Act of 1971 (12 U.S.C. 2279bb-7) is repealed.

(52) Section 4 of the Agricultural Marketing Act (12 U.S.C. 1141b) is repealed.

(53) Section 5 of the Agricultural Marketing Act (12 U.S.C. 1141c) is repealed.

(54) Section 6 of the Agricultural Marketing Act (12 U.S.C. 1141d) is repealed.

(55) Section 7 of the Agricultural Marketing Act (12 U.S.C. 1141e) is repealed.

(56) Section 8 of the Agricultural Marketing Act (12 U.S.C. 1141f) is repealed.

(57) Section 14 of the Agricultural Marketing Act (12 U.S.C. 1141i) is repealed.

(58) The Act of June 22, 1939 (53 Stat. 853, chapter 239; 12 U.S.C. 1141d-1), is repealed.

(59) Section 201(e) of the Emergency Relief and Construction Act of 1932 (12 U.S.C. 1148) is repealed.

(60) Section 2 of the Act of July 14, 1953 (67 Stat. 150, chapter 192; 12 U.S.C. 1148a-4), is repealed.

(61) Section 32 of the Farm Credit Act of 1937 (12 U.S.C. 1148b) is repealed.

(62) Section 33 of the Farm Credit Act of 1937 (12 U.S.C. 1148c) is repealed.

(63) Section 34 of the Farm Credit Act of 1937 (12 U.S.C. 1148d) is repealed.

(64) The Joint Resolution of March 3, 1932 (47 Stat. 60, chapter 70; 12 U.S.C. 1401 et seq.), is repealed.

SEC. 5412. CORPORATION AS CONSERVATOR OR RECEIVER; CERTAIN OTHER POWERS.

Part E of title V of the Farm Credit Act of 1971 is amended by inserting after section 5.61B (12 U.S.C. 2277a-10b) the following:

"SEC. 5.61C. CORPORATION AS CONSERVATOR OR RECEIVER; CERTAIN OTHER POWERS.

"(a) DEFINITION OF INSTITUTION.—In this section, the term 'institution' includes any System institution for which the Corporation has been appointed as conservator or receiver.

"(b) CERTAIN POWERS AND DUTIES OF CORPORATION AS CONSERVATOR OR RECEIVER.—In addition to the powers inherent in the express grant of corporate authority under section 5.58(9), and other powers exercised by the Corporation under this part, the Corporation shall have the following express powers to act as a conservator or receiver:

"(1) RULEMAKING AUTHORITY OF CORPORATION.—The Corporation may prescribe such regulations as the Corporation determines to be appropriate regarding the conduct of conservatorships or receiverships.

"(2) GENERAL POWERS.—

"(A) SUCCESSOR TO SYSTEM INSTITUTION.—The Corporation shall, as conservator or receiver, and by operation of law, succeed to—

"(i) all rights, titles, powers, and privileges of the System institution, and of any stockholder, member, officer, or director of such System institution with respect to the System institution and the assets of the System institution; and

"(ii) title to the books, records, and assets of any previous conservator or other legal custodian of such System institution.

"(B) OPERATE THE SYSTEM INSTITUTION.—The Corporation may, as conservator or receiver—

"(i) take over the assets of and operate the System institution with all the powers of the stockholders or members, the directors, and the officers of the System institution and conduct all business of the System institution;

"(ii) collect all obligations and money due the System institution;

"(iii) perform all functions of the System institution in the name of the System institution which are consistent with the appointment as conservator or receiver;

"(iv) preserve and conserve the assets and property of such System institution; and

"(v) provide by contract for assistance in fulfilling any function, activity, action, or duty of the Corporation as conservator or receiver.

"(C) FUNCTIONS OF SYSTEM INSTITUTION'S OFFICERS, DIRECTORS, MEMBERS, AND STOCKHOLDERS.—The Corporation may, by regulation or order, provide for the exercise of any function by any stockholder, member, director, or officer of any System institution for which the Corporation has been appointed conservator or receiver.

"(D) POWERS AS CONSERVATOR.—Subject to any Farm Credit Administration approvals required under this Act, the Corporation may, as conservator, take such action as may be—

"(i) necessary to put the System institution in a sound and solvent condition; and

"(ii) appropriate to carry on the business of the System institution and preserve and conserve the assets and property of the System institution.

"(E) ADDITIONAL POWERS AS RECEIVER.—The Corporation may, as receiver, liquidate the System institution and proceed to realize upon the assets of the System institution, in such manner as the Corporation determines to be appropriate.

"(F) ORGANIZATION OF NEW SYSTEM BANK.—The Corporation may, as receiver with respect to any System bank, organize a bridge System bank under subsection (h).

"(G) MERGER; TRANSFER OF ASSETS AND LIABILITIES.—

"(i) IN GENERAL.—Subject to clause (ii), the Corporation may, as conservator or receiver—

"(I) merge the System institution with another System institution; and

"(II) transfer or sell any asset or liability of the System institution in default without any approval, assignment, or consent with respect to such transfer.

"(ii) APPROVAL.—No merger or transfer under clause (i) may be made to another System institution (other than a bridge System bank under subsection (h)) without the approval of the Farm Credit Administration.

"(H) PAYMENT OF VALID OBLIGATIONS.—The Corporation, as conservator or receiver, shall, to the extent that proceeds are realized from the performance of contracts or the sale of the as-

sets of a System institution, pay all valid obligations of the System institution in accordance with the prescriptions and limitations of this section.

"(I) INCIDENTAL POWERS.—

"(i) IN GENERAL.—The Corporation may, as conservator or receiver—

"(I) exercise all powers and authorities specifically granted to conservators or receivers, respectively, under this section and such incidental powers as shall be necessary to carry out such powers; and

"(II) take any action authorized by this section, which the Corporation determines is in the best interests of—

"(aa) the System institution in receivership or conservatorship;

"(bb) System institutions;

"(cc) System institution stockholders or investors; or

"(dd) the Corporation.

"(ii) TERMINATION OF RIGHTS AND CLAIMS.—

"(I) IN GENERAL.—Except as provided in subclause (II), notwithstanding any other provision of law, the appointment of the Corporation as receiver for a System institution and the succession of the Corporation, by operation of law, to the rights, titles, powers, and privileges described in subparagraph (A) shall terminate all rights and claims that the stockholders and creditors of the System institution may have, arising as a result of their status as stockholders or creditors, against the assets or charter of the System institution or the Corporation.

"(II) EXCEPTIONS.—Subclause (I) shall not terminate the right to payment, resolution, or other satisfaction of the claims of stockholders and creditors described in that subclause, as permitted under paragraphs (10) and (11) and subsection (d).

"(iii) CHARTER.—Notwithstanding any other provision of law, for purposes of this section, the charter of a System institution shall not be considered to be an asset of the System institution.

"(J) UTILIZATION OF PRIVATE SECTOR.—In carrying out its responsibilities in the management and disposition of assets from System institutions, as conservator, receiver, or in its corporate capacity, the Corporation may utilize the services of private persons, including real estate and loan portfolio asset management, property management, auction marketing, legal, and brokerage services, if the Corporation determines utilization of such services is practicable, efficient, and cost effective.

"(3) AUTHORITY OF RECEIVER TO DETERMINE CLAIMS.—

"(A) IN GENERAL.—The Corporation may, as receiver, determine claims in accordance with the requirements of this subsection and regulations prescribed under paragraph (4).

"(B) NOTICE REQUIREMENTS.—The receiver, in any case involving the liquidation or winding up of the affairs of a closed System institution, shall—

"(i) promptly publish a notice to the System institution's creditors to present their claims, together with proof, to the receiver by a date specified in the notice which shall be not less than 90 days after the publication of such notice; and

"(ii) republish such notice approximately 1 month and 2 months, respectively, after the publication under clause (i).

"(C) MAILING REQUIRED.—The receiver shall mail a notice similar to the notice published under subparagraph (B)(i) at the time of such publication to any creditor shown on the System institution's books—

"(i) at the creditor's last address appearing in such books; or

"(ii) upon discovery of the name and address of a claimant not appearing on the System institution's books within 30 days after the discovery of such name and address.

"(4) RULEMAKING AUTHORITY RELATING TO TERMINATION OF CLAIMS.—The Corporation may prescribe regulations regarding the allowance or disallowance of claims by the receiver and pro-

viding for administrative determination of claims and review of such determination.

“(5) PROCEDURES FOR DETERMINATION OF CLAIMS.—

“(A) DETERMINATION PERIOD.—

“(i) IN GENERAL.—Before the end of the 180-day period beginning on the date any claim against a System institution is filed with the Corporation as receiver, the Corporation shall determine whether to allow or disallow the claim and shall notify the claimant of any determination with respect to such claim.

“(ii) EXTENSION OF TIME.—The period described in clause (i) may be extended by a written agreement between the claimant and the Corporation.

“(iii) MAILING OF NOTICE SUFFICIENT.—The requirements of clause (i) shall be deemed to be satisfied if the notice of any determination with respect to any claim is mailed to the last address of the claimant which appears—

“(I) on the System institution’s books;

“(II) in the claim filed by the claimant; or

“(III) in documents submitted in proof of the claim.

“(iv) CONTENTS OF NOTICE OF DISALLOWANCE.—If any claim filed under clause (i) is disallowed, the notice to the claimant shall contain—

“(I) a statement of each reason for the disallowance; and

“(II) the procedures available for obtaining agency review of the determination to disallow the claim or judicial determination of the claim.

“(B) ALLOWANCE OF PROVEN CLAIMS.—The receiver shall allow any claim received on or before the date specified in the notice published under paragraph (3)(B)(i) by the receiver from any claimant which is proved to the satisfaction of the receiver.

“(C) DISALLOWANCE OF CLAIMS FILED AFTER END OF FILING PERIOD.—

“(i) IN GENERAL.—Except as provided in clause (ii), claims filed after the date specified in the notice published under paragraph (3)(B)(i) shall be disallowed and such disallowance shall be final.

“(ii) CERTAIN EXCEPTIONS.—Clause (i) shall not apply with respect to any claim filed by any claimant after the date specified in the notice published under paragraph (3)(B)(i) and such claim may be considered by the receiver if—

“(I) the claimant did not receive notice of the appointment of the receiver in time to file such claim before such date; and

“(II) such claim is filed in time to permit payment of such claim.

“(D) AUTHORITY TO DISALLOW CLAIMS.—

“(i) IN GENERAL.—The receiver may disallow any portion of any claim by a creditor or claim of security, preference, or priority which is not proved to the satisfaction of the receiver.

“(ii) PAYMENTS TO LESS THAN FULLY SECURED CREDITORS.—In the case of a claim of a creditor against a System institution which is secured by any property or other asset of such System institution, any receiver appointed for any System institution—

“(I) may treat the portion of such claim which exceeds an amount equal to the fair market value of such property or other asset as an unsecured claim against the System institution; and

“(II) may not make any payment with respect to such unsecured portion of the claim other than in connection with the disposition of all claims of unsecured creditors of the System institution.

“(iii) EXCEPTIONS.—No provision of this paragraph shall apply with respect to—

“(I) any extension of credit from any Federal Reserve bank or the United States Treasury to any System institution; or

“(II) any security interest in the assets of the System institution securing any such extension of credit.

“(E) NO JUDICIAL REVIEW OF DETERMINATION PURSUANT TO SUBPARAGRAPH (D).—No court may review the Corporation’s determination pursuant to subparagraph (D) to disallow a claim.

“(F) LEGAL EFFECT OF FILING.—

“(i) STATUTE OF LIMITATION TOLLED.—For purposes of any applicable statute of limitations, the filing of a claim with the receiver shall constitute a commencement of an action.

“(ii) NO PREJUDICE TO OTHER ACTIONS.—Subject to paragraph (12) and the determination of claims by a receiver, the filing of a claim with the receiver shall not prejudice any right of the claimant to continue any action which was filed before the appointment of the receiver.

“(6) PROVISION FOR JUDICIAL DETERMINATION OF CLAIMS.—

“(A) IN GENERAL.—Before the end of the 60-day period beginning on the earlier of—

“(i) the end of the period described in paragraph (5)(A)(i) with respect to any claim against a System institution for which the Corporation is receiver; or

“(ii) the date of any notice of disallowance of such claim pursuant to paragraph (5)(A)(i), the claimant may request administrative review of the claim in accordance with paragraph (7) or file suit on such claim (or continue an action commenced before the appointment of the receiver) in the district or territorial court of the United States for the district within which the System institution’s principal place of business is located or the United States District Court for the District of Columbia (and such court shall have jurisdiction to hear such claim).

“(B) STATUTE OF LIMITATIONS.—If any claimant fails to file suit on such claim (or continue an action commenced before the appointment of the receiver), before the end of the 60-day period described in subparagraph (A), the claim shall be deemed to be disallowed (other than any portion of such claim which was allowed by the receiver) as of the end of such period, such disallowance shall be final, and the claimant shall have no further rights or remedies with respect to such claim.

“(7) REVIEW OF CLAIMS; ADMINISTRATIVE HEARING.—If any claimant requests review under this paragraph in lieu of filing or continuing any action under paragraph (6) and the Corporation agrees to such request, the Corporation shall consider the claim after opportunity for a hearing on the record. The final determination of the Corporation with respect to such claim shall be subject to judicial review under chapter 7 of title 5, United States Code.

“(8) EXPEDITED DETERMINATION OF CLAIMS.—

“(A) ESTABLISHMENT REQUIRED.—The Corporation shall establish a procedure for expedited relief outside of the routine claims process established under paragraph (5) for claimants who—

“(i) allege the existence of legally valid and enforceable or perfected security interests in assets of any System institution for which the Corporation has been appointed receiver; and

“(ii) allege that irreparable injury will occur if the routine claims procedure is followed.

“(B) DETERMINATION PERIOD.—Before the end of the 90-day period beginning on the date any claim is filed in accordance with the procedures established pursuant to subparagraph (A), the Corporation shall—

“(i) determine—

“(I) whether to allow or disallow such claim; or

“(II) whether such claim should be determined pursuant to the procedures established pursuant to paragraph (5); and

“(ii) notify the claimant of the determination, and if the claim is disallowed, provide a statement of each reason for the disallowance and the procedure for obtaining agency review or judicial determination.

“(C) PERIOD FOR FILING OR RENEWING SUIT.—Any claimant who files a request for expedited relief shall be permitted to file a suit, or to continue a suit filed before the appointment of the receiver, seeking a determination of the claimant’s rights with respect to such security interest after the earlier of—

“(i) the end of the 90-day period beginning on the date of the filing of a request for expedited relief; or

“(ii) the date the Corporation denies the claim.

“(D) STATUTE OF LIMITATIONS.—If an action described in subparagraph (C) is not filed, or the motion to renew a previously filed suit is not made, before the end of the 30-day period beginning on the date on which such action or motion may be filed in accordance with subparagraph (B), the claim shall be deemed to be disallowed as of the end of such period (other than any portion of such claim which was allowed by the receiver), such disallowance shall be final, and the claimant shall have no further rights or remedies with respect to such claim.

“(E) LEGAL EFFECT OF FILING.—

“(i) STATUTE OF LIMITATION TOLLED.—For purposes of any applicable statute of limitations, the filing of a claim with the receiver shall constitute a commencement of an action.

“(ii) NO PREJUDICE TO OTHER ACTIONS.—Subject to paragraph (12), the filing of a claim with the receiver shall not prejudice any right of the claimant to continue any action which was filed before the appointment of the receiver.

“(9) AGREEMENT AS BASIS OF CLAIM.—

“(A) REQUIREMENTS.—Except as provided in subparagraph (B), any agreement which does not meet the requirements set forth in section 5.61(d) shall not form the basis of, or substantially comprise, a claim against the receiver or the Corporation.

“(B) EXCEPTION TO CONTEMPORANEOUS EXECUTION REQUIREMENT.—Notwithstanding section 5.61(d), any agreement relating to an extension of credit between a Federal Reserve bank or the United States Treasury and any System institution which was executed before such extension of credit to such System institution shall be treated as having been executed contemporaneously with such extension of credit for purposes of subparagraph (A).

“(10) PAYMENT OF CLAIMS.—

“(A) IN GENERAL.—The receiver may, in the receiver’s discretion and to the extent funds are available from the assets of the System institution, pay creditor claims which are allowed by the receiver, approved by the Corporation pursuant to a final determination pursuant to paragraph (7) or (8), or determined by the final judgment of any court of competent jurisdiction in such manner and amounts as are authorized under this Act.

“(B) LIQUIDATION PAYMENTS.—The receiver may, in the receiver’s sole discretion, pay from the assets of the System institution portions of proved claims at any time, and no liability shall attach to the Corporation (in such Corporation’s corporate capacity or as receiver), by reason of any such payment, for failure to make payments to a claimant whose claim is not proved at the time of any such payment.

“(C) RULEMAKING AUTHORITY OF CORPORATION.—The Corporation may prescribe such rules, including definitions of terms, as it deems appropriate to establish a single uniform interest rate for or to make payments of post insolvency interest to creditors holding proven claims against the receivership estates of System institutions following satisfaction by the receiver of the principal amount of all creditor claims.

“(11) PRIORITY OF EXPENSES AND CLAIMS.—

“(A) IN GENERAL.—Amounts realized from the liquidation or other resolution of any System institution by any receiver appointed for such System institution shall be distributed to pay claims (other than secured claims to the extent of any such security) in the following order of priority:

“(i) Administrative expenses of the receiver.

“(ii) If authorized by the Corporation, wages, salaries, or commissions, including vacation, severance, and sick leave pay earned by an individual—

“(I) in an amount that is not more than \$11,725 for each individual (as indexed for inflation, by regulation of the Corporation); and

“(II) that is earned 180 days or fewer before the date of appointment of the Corporation as receiver.

"(iii) In the case of the resolution of a System bank, all claims of holders of consolidated and System-wide bonds and all claims of the other System banks arising from the payments of the System banks pursuant to—

"(I) section 4.4 on consolidated and System-wide bonds issued under subsection (c) or (d) of section 4.2; or

"(II) an agreement, in writing and approved by the Farm Credit Administration, among the System banks to reallocate the payments.

"(iv) In the case of the resolution of a production credit association or other association making direct loans under section 7.6, all claims of a System bank based on the financing agreement between the association and the System bank—

"(I) including interest accrued before and after the appointment of the receiver; and

"(II) not including any setoff for stock or other equity of that System bank owned by the association, on that condition that, prior to making that setoff, that System bank shall obtain the approval of the Farm Credit Administration Board for the retirement of that stock or equity.

"(v) Any general or senior liability of the System institution (which is not a liability described in clause (vi) or (vii)).

"(vi) Any obligation subordinated to general creditors (which is not an obligation described in clause (vii)).

"(vii) Any obligation to stockholders or members arising as a result of their status as stockholders or members.

"(B) PAYMENT OF CLAIMS.—

"(i) IN GENERAL.—

"(I) PAYMENT.—All claims of each priority described in clauses (i) through (vii) of subparagraph (A) shall be paid in full, or provisions shall be made for that payment, prior to the payment of any claim of a lesser priority.

"(II) INSUFFICIENT FUNDS.—If there are insufficient funds to pay in full all claims in any priority described clauses (i) through (vii) of subparagraph (A), distribution on that priority of claims shall be made on a pro rata basis.

"(ii) DISTRIBUTION OF REMAINING ASSETS.—Following the payment of all claims in accordance with subparagraph (A), the receiver shall distribute the remainder of the assets of the System institution to the owners of stock, participation certificates, and other equities in accordance with the priorities for impairment under the bylaws of the System institution.

"(iii) ELIGIBLE BORROWER STOCK.—Notwithstanding subparagraph (C) or any other provision of this section, eligible borrower stock shall be retired in accordance with section 4.9A.

"(C) EFFECT OF STATE LAW.—

"(i) IN GENERAL.—The provisions of subparagraph (A) shall not supersede the law of any State except to the extent such law is inconsistent with the provisions of such subparagraph, and then only to the extent of the inconsistency.

"(ii) PROCEDURE FOR DETERMINATION OF INCONSISTENCY.—Upon the Corporation's own motion or upon the request of any person with a claim described in subparagraph (A) or any State which is submitted to the Corporation in accordance with procedures which the Corporation shall prescribe, the Corporation shall determine whether any provision of the law of any State is inconsistent with any provision of subparagraph (A) and the extent of any such inconsistency.

"(iii) JUDICIAL REVIEW.—The final determination of the Corporation under clause (ii) shall be subject to judicial review under chapter 7 of title 5, United States Code.

"(D) ACCOUNTING REPORT.—Any distribution by the Corporation in connection with any claim described in subparagraph (A)(vii) shall be accompanied by the accounting report required under paragraph (15)(B).

"(12) SUSPENSION OF LEGAL ACTIONS.—

"(A) IN GENERAL.—After the appointment of a conservator or receiver for a System institution,

the conservator or receiver may request a stay for a period not to exceed—

"(i) 45 days, in the case of any conservator; and

"(ii) 90 days, in the case of any receiver, in any judicial action or proceeding to which such System institution is or becomes a party.

"(B) GRANT OF STAY BY ALL COURTS REQUIRED.—Upon receipt of a request by any conservator or receiver pursuant to subparagraph (A) for a stay of any judicial action or proceeding in any court with jurisdiction of such action or proceeding, the court shall grant such stay as to all parties.

"(13) ADDITIONAL RIGHTS AND DUTIES.—

"(A) PRIOR FINAL ADJUDICATION.—The Corporation shall abide by any final unappealable judgment of any court of competent jurisdiction which was rendered before the appointment of the Corporation as conservator or receiver.

"(B) RIGHTS AND REMEDIES OF CONSERVATOR OR RECEIVER.—In the event of any appealable judgment, the Corporation as conservator or receiver shall—

"(i) have all the rights and remedies available to the System institution (before the appointment of such conservator or receiver) and the Corporation in its corporate capacity, including removal to Federal court and all appellate rights; and

"(ii) not be required to post any bond in order to pursue such remedies.

"(C) NO ATTACHMENT OR EXECUTION.—No attachment or execution may issue by any court on—

"(i) assets in the possession of the receiver; or

"(ii) the charter of a System institution for which the Corporation has been appointed receiver.

"(D) LIMITATION ON JUDICIAL REVIEW.—Except as otherwise provided in this subsection, no court shall have jurisdiction over—

"(i) any claim or action for payment from, or any action seeking a determination of rights with respect to, the assets of any System institution for which the Corporation has been appointed receiver, including assets which the Corporation may acquire from itself as such receiver; or

"(ii) any claim relating to any act or omission of such System institution or the Corporation as receiver.

"(E) DISPOSITION OF ASSETS.—In exercising any right, power, privilege, or authority as receiver in connection with any sale or disposition of assets of any System institution for which the Corporation is acting as receiver, the Corporation shall, to the maximum extent practicable, conduct its operations in a manner which—

"(i) maximizes the net present value return from the sale or disposition of such assets;

"(ii) minimizes the amount of any loss realized in the resolution of cases;

"(iii) ensures adequate competition and fair and consistent treatment of offerors;

"(iv) prohibits discrimination on the basis of race, sex, or ethnic groups in the solicitation and consideration of offers; and

"(v) mitigates the potential for serious adverse effects to the rest of the System.

"(14) STATUTE OF LIMITATIONS FOR ACTIONS BROUGHT BY CONSERVATOR OR RECEIVER.—

"(A) IN GENERAL.—Notwithstanding any provision of any contract, the applicable statute of limitations with regard to any action brought by the Corporation as conservator or receiver shall be—

"(i) in the case of any contract claim, the longer of—

"(I) the 6-year period beginning on the date the claim accrues; or

"(II) the period applicable under State law; and

"(ii) in the case of any tort claim, the longer of—

"(I) the 3-year period beginning on the date the claim accrues; or

"(II) the period applicable under State law.

"(B) DETERMINATION OF THE DATE ON WHICH A CLAIM ACCRUES.—For purposes of subparagraph

(A), the date on which the statute of limitations begins to run on any claim described in such subparagraph shall be the later of—

"(i) the date of the appointment of the Corporation as conservator or receiver; or

"(ii) the date on which the cause of action accrues.

"(C) REVIVAL OF EXPIRED STATE CAUSES OF ACTION.—

"(i) IN GENERAL.—In the case of any tort claim described in clause (ii) for which the statute of limitation applicable under State law with respect to such claim has expired not more than 5 years before the appointment of the Corporation as conservator or receiver, the Corporation may bring an action as conservator or receiver on such claim without regard to the expiration of the statute of limitation applicable under State law.

"(ii) CLAIMS DESCRIBED.—A tort claim referred to in clause (i) is a claim arising from fraud, intentional misconduct resulting in unjust enrichment, or intentional misconduct resulting in substantial loss to the System institution.

"(15) ACCOUNTING AND RECORDKEEPING REQUIREMENTS.—

"(A) IN GENERAL.—The Corporation as conservator or receiver shall, consistent with the accounting and reporting practices and procedures established by the Corporation, maintain a full accounting of each conservatorship and receivership or other disposition of System institutions in default.

"(B) ANNUAL ACCOUNTING OR REPORT.—With respect to each conservatorship or receivership to which the Corporation was appointed, the Corporation shall make an annual accounting or report, as appropriate, available to the Farm Credit Administration Board.

"(C) AVAILABILITY OF REPORTS.—Any report prepared pursuant to subparagraph (B) shall be made available by the Corporation upon request to any stockholder of the System institution for which the Corporation was appointed conservator or receiver or any other member of the public.

"(D) RECORDKEEPING REQUIREMENT.—

"(i) IN GENERAL.—Except as provided in clause (ii), after the end of the 6-year period beginning on the date the Corporation is appointed as receiver of a System institution, the Corporation may destroy any records of such System institution which the Corporation, in the Corporation's discretion, determines to be unnecessary unless directed not to do so by a court of competent jurisdiction or governmental agency, or prohibited by law.

"(ii) OLD RECORDS.—Notwithstanding clause (i), the Corporation may destroy records of a System institution which are at least 10 years old as of the date on which the Corporation is appointed as the receiver of such System institution in accordance with clause (i) at any time after such appointment is final, without regard to the 6-year period of limitation contained in clause (i).

"(16) FRAUDULENT TRANSFERS.—

"(A) IN GENERAL.—The Corporation, as conservator or receiver for any System institution, may avoid a transfer of any interest of a System institution-affiliated party, or any person who the Corporation determines is a debtor of the System institution, in property, or any obligation incurred by such party or person, that was made within 5 years of the date on which the Corporation was appointed conservator or receiver if such party or person voluntarily or involuntarily made such transfer or incurred such liability with the intent to hinder, delay, or defraud the System institution, the Farm Credit Administration, or the Corporation.

"(B) RIGHT OF RECOVERY.—To the extent a transfer is avoided under subparagraph (A), the Corporation may recover, for the benefit of the System institution, the property transferred, or, if a court so orders, the value of such property (at the time of such transfer) from—

"(i) the initial transferee of such transfer or the System institution-affiliated party or person for whose benefit such transfer was made; or

“(ii) any immediate or mediate transferee of any such initial transferee.

“(C) RIGHTS OF TRANSFEEE OR OBLIGEE.—The Corporation may not recover under subparagraph (B) from—

“(i) any transferee that takes for value, including satisfaction or securing of a present or antecedent debt, in good faith; or

“(ii) any immediate or mediate good faith transferee of such transferee.

“(D) RIGHTS UNDER THIS PARAGRAPH.—The rights under this paragraph of the Corporation shall be superior to any rights of a trustee or any other party (other than any party which is a Federal agency) under title 11, United States Code.

“(17) ATTACHMENT OF ASSETS AND OTHER INJUNCTIVE RELIEF.—Subject to paragraph (18), any court of competent jurisdiction may, at the request of the Corporation (in the Corporation’s capacity as conservator or receiver for any System institution or in the Corporation’s corporate capacity with respect to any asset acquired or liability assumed by the Corporation under section 5.61), issue an order in accordance with Rule 65 of the Federal Rules of Civil Procedure, including an order placing the assets of any person designated by the Corporation under the control of the court and appointing a trustee to hold such assets.

“(18) STANDARDS.—

“(A) SHOWING.—Rule 65 of the Federal Rules of Civil Procedure shall apply with respect to any proceeding under paragraph (17) without regard to the requirement of such rule that the applicant show that the injury, loss, or damage is irreparable and immediate.

“(B) STATE PROCEEDING.—If, in the case of any proceeding in a State court, the court determines that rules of civil procedure available under the laws of such State provide substantially similar protections to such party’s right to due process as Rule 65 (as modified with respect to such proceeding by subparagraph (A)), the relief sought by the Corporation pursuant to paragraph (17) may be requested under the laws of such State.

“(19) TREATMENT OF CLAIMS ARISING FROM BREACH OF CONTRACTS EXECUTED BY THE RECEIVER OR CONSERVATOR.—Notwithstanding any other provision of this subsection, any final and unappealable judgment for monetary damages entered against a receiver or conservator for a System institution for the breach of an agreement executed or approved by such receiver or conservator after the date of its appointment shall be paid as an administrative expense of the receiver or conservator. Nothing in this paragraph shall be construed to limit the power of a receiver or conservator to exercise any rights under contract or law, including terminating, breaching, canceling, or otherwise discontinuing such agreement.

“(C) PROVISIONS RELATING TO CONTRACTS ENTERED INTO BEFORE APPOINTMENT OF CONSERVATOR OR RECEIVER.—

“(1) AUTHORITY TO REPUDIATE CONTRACTS.—In addition to any other rights a conservator or receiver may have, the conservator or receiver for a System institution may disaffirm or repudiate any contract or lease—

“(A) to which such System institution is a party;

“(B) the performance of which the conservator or receiver, in the conservator’s or receiver’s discretion, determines to be burdensome; and

“(C) the disaffirmance or repudiation of which the conservator or receiver determines, in the conservator’s or receiver’s discretion, will promote the orderly administration of the System institution’s affairs.

“(2) TIMING OF REPUDIATION.—The Corporation as conservator or receiver for any System institution shall determine whether or not to exercise the rights of repudiation under this subsection within a reasonable period following such appointment.

“(3) CLAIMS FOR DAMAGES FOR REPUDIATION.—

“(A) IN GENERAL.—Except as otherwise provided in subparagraph (C) and paragraphs (4), (5), and (6), the liability of the conservator or receiver for the disaffirmance or repudiation of any contract pursuant to paragraph (1) shall be—

“(i) limited to actual direct compensatory damages; and

“(ii) determined as of—

“(I) the date of the appointment of the conservator or receiver; or

“(II) in the case of any contract or agreement referred to in paragraph (8), the date of the disaffirmance or repudiation of such contract or agreement.

“(B) NO LIABILITY FOR OTHER DAMAGES.—For purposes of subparagraph (A), the term ‘actual direct compensatory damages’ does not include—

“(i) punitive or exemplary damages;

“(ii) damages for lost profits or opportunity; or

“(iii) damages for pain and suffering.

“(C) MEASURE OF DAMAGES FOR REPUDIATION OF FINANCIAL CONTRACTS.—In the case of any qualified financial contract or agreement to which paragraph (8) applies, compensatory damages shall be—

“(i) deemed to include normal and reasonable costs of cover or other reasonable measures of damages utilized in the industries for such contract and agreement claims; and

“(ii) paid in accordance with this subsection and subsection (j), except as otherwise specifically provided in this section.

“(4) LEASES UNDER WHICH THE SYSTEM INSTITUTION IS THE LESSEE.—

“(A) IN GENERAL.—If the conservator or receiver disaffirms or repudiates a lease under which the System institution was the lessee, the conservator or receiver shall not be liable for any damages (other than damages determined pursuant to subparagraph (B)) for the disaffirmance or repudiation of such lease.

“(B) PAYMENTS OF RENT.—Notwithstanding subparagraph (A), the lessor under a lease to which such subparagraph applies shall—

“(i) be entitled to the contractual rent accruing before the later of the date—

“(I) the notice of disaffirmance or repudiation is mailed; or

“(II) the disaffirmance or repudiation becomes effective, unless the lessor is in default or breach of the terms of the lease; and

“(ii) have no claim for damages under any acceleration clause or other penalty provision in the lease; and

“(iii) have a claim for any unpaid rent, subject to all appropriate offsets and defenses, due as of the date of the appointment, which shall be paid in accordance with this subsection and subsection (j).

“(5) LEASES UNDER WHICH THE SYSTEM INSTITUTION IS THE LESSOR.—

“(A) IN GENERAL.—If the conservator or receiver repudiates an unexpired written lease of real property of the System institution under which the System institution is the lessor and the lessee is not, as of the date of such repudiation, in default, the lessee under such lease may either—

“(i) treat the lease as terminated by such repudiation; or

“(ii) remain in possession of the leasehold interest for the balance of the term of the lease, unless the lessee defaults under the terms of the lease after the date of such repudiation.

“(B) PROVISIONS APPLICABLE TO LESSEE REMAINING IN POSSESSION.—If any lessee under a lease described in subparagraph (A) remains in possession of a leasehold interest pursuant to clause (ii) of such subparagraph—

“(i) the lessee—

“(I) shall continue to pay the contractual rent pursuant to the terms of the lease after the date of the repudiation of such lease; and

“(II) may offset against any rent payment which accrues after the date of the repudiation of the lease, any damages which accrue after

such date due to the nonperformance of any obligation of the System institution under the lease after such date; and

“(ii) the conservator or receiver shall not be liable to the lessee for any damages arising after such date as a result of the repudiation, other than the amount of any offset allowed under clause (i)(II).

“(6) CONTRACTS FOR THE SALE OF REAL PROPERTY.—

“(A) IN GENERAL.—If the conservator or receiver repudiates any contract that meets the requirements of paragraphs (1) through (4) of section 5.61(d) for the sale of real property, and the purchaser of such real property under such contract is in possession and is not, as of the date of such repudiation, in default, such purchaser may either—

“(i) treat the contract as terminated by such repudiation; or

“(ii) remain in possession of such real property.

“(B) PROVISIONS APPLICABLE TO PURCHASER REMAINING IN POSSESSION.—If any purchaser of real property under any contract described in subparagraph (A) remains in possession of such property pursuant to clause (ii) of such subparagraph—

“(i) the purchaser—

“(I) shall continue to make all payments due under the contract after the date of the repudiation of the contract; and

“(II) may offset against any such payments any damages which accrue after such date due to the nonperformance (after such date) of any obligation of the System institution under the contract; and

“(ii) the conservator or receiver shall—

“(I) not be liable to the purchaser for any damages arising after that date as a result of the repudiation, other than the amount of any offset allowed under clause (i)(II);

“(II) deliver title to the purchaser in accordance with the contract; and

“(III) have no obligation under the contract, other than the performance required under subclause (II).

“(C) ASSIGNMENT AND SALE ALLOWED.—

“(i) IN GENERAL.—No provision of this paragraph shall be construed as limiting the right of the conservator or receiver to assign the contract described in subparagraph (A) and sell the property subject to the contract and this paragraph.

“(ii) NO LIABILITY AFTER ASSIGNMENT AND SALE.—If an assignment and sale described in clause (i) is consummated, the Corporation, acting as conservator or receiver, shall have no further liability under the applicable contract described in subparagraph (A) or with respect to the real property which was the subject of such contract.

“(7) PROVISIONS APPLICABLE TO SERVICE CONTRACTS.—

“(A) SERVICES PERFORMED BEFORE APPOINTMENT.—In the case of any contract for services between any person and any System institution for which the Corporation has been appointed conservator or receiver, any claim of such person for services performed before the appointment of the conservator or the receiver shall be—

“(i) a claim to be paid in accordance with subsections (b) and (d); and

“(ii) deemed to have arisen as of the date the conservator or receiver was appointed.

“(B) SERVICES PERFORMED AFTER APPOINTMENT AND PRIOR TO REPUDIATION.—If, in the case of any contract for services described in subparagraph (A), the conservator or receiver accepts performance by the other person before the conservator or receiver makes any determination to exercise the right of repudiation of such contract under this section—

“(i) the other party shall be paid under the terms of the contract for the services performed; and

“(ii) the amount of such payment shall be treated as an administrative expense of the conservatorship or receivership.

“(C) ACCEPTANCE OF PERFORMANCE NO BAR TO SUBSEQUENT REPUDIATION.—The acceptance by any conservator or receiver of services referred to in subparagraph (B) in connection with a contract described in such subparagraph shall not affect the right of the conservator or receiver, to repudiate such contract under this section at any time after such performance.

“(8) CERTAIN QUALIFIED FINANCIAL CONTRACTS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) COMMODITY CONTRACT.—The term ‘commodity contract’ means—

“(I) with respect to a futures commission merchant, a contract for the purchase or sale of a commodity for future delivery on, or subject to the rules of, a contract market or board of trade;

“(II) with respect to a foreign futures commission merchant, a foreign future;

“(III) with respect to a leverage transaction merchant, a leverage transaction;

“(IV) with respect to a clearing organization, a contract for the purchase or sale of a commodity for future delivery on, or subject to the rules of, a contract market or board of trade that is cleared by such clearing organization, or commodity option traded on, or subject to the rules of, a contract market or board of trade that is cleared by such clearing organization;

“(V) with respect to a commodity options dealer, a commodity option;

“(VI) any other agreement or transaction that is similar to any agreement or transaction referred to in this clause;

“(VII) any combination of the agreements or transactions referred to in this clause;

“(VIII) any option to enter into any agreement or transaction referred to in this clause;

“(IX) a master agreement that provides for an agreement or transaction referred to in any of subparagraphs (I) through (VIII), together with all supplements to any such master agreement, without regard to whether the master agreement provides for an agreement or transaction that is not a commodity contract under this clause, except that the master agreement shall be considered to be a commodity contract under this clause only with respect to each agreement or transaction under the master agreement that is referred to in subparagraph (I), (II), (III), (IV), (V), (VI), (VII), or (VIII); or

“(X) any security agreement or arrangement or other credit enhancement related to any agreement or transaction referred to in this clause, including any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in this clause.

“(ii) FORWARD CONTRACT.—The term ‘forward contract’ means—

“(I) a contract (other than a commodity contract) for the purchase, sale, or transfer of a commodity or any similar good, article, service, right, or interest which is presently or in the future becomes the subject of dealing in the forward contract trade, or product or byproduct thereof, with a maturity date more than 2 days after the date the contract is entered into, including a repurchase or reverse repurchase transaction (whether or not such repurchase or reverse repurchase transaction is a repurchase agreement), consignment, lease, swap, hedge transaction, deposit, loan, option, allocated transaction, unallocated transaction, or any other similar agreement;

“(II) any combination of agreements or transactions referred to in subparagraphs (I) and (III);

“(III) any option to enter into any agreement or transaction referred to in subparagraph (I) or (II);

“(IV) a master agreement that provides for an agreement or transaction referred to in subparagraphs (I) through (III), together with all supplements to any such master agreement, without regard to whether the master agreement provides for an agreement or transaction that is not a forward contract under this clause, except that the master agreement shall be considered to be a forward contract under this clause only with respect to each agreement or transaction

under the master agreement that is referred to in subparagraph (I), (II), or (III); or

“(V) any security agreement or arrangement or other credit enhancement related to any agreement or transaction referred to in subparagraph (I), (II), (III), or (IV), including any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in any such subparagraph.

“(iii) PERSON.—The term ‘person’—

“(I) has the meaning given the term in section 1 of title 1, United States Code; and

“(II) includes any governmental entity.

“(iv) QUALIFIED FINANCIAL CONTRACT.—The term ‘qualified financial contract’ means any securities contract, commodity contract, forward contract, repurchase agreement, swap agreement, and any similar agreement that the Corporation determines by regulation, resolution, or order to be a qualified financial contract for purposes of this paragraph.

“(v) REPURCHASE AGREEMENT.—

“(I) IN GENERAL.—The term ‘repurchase agreement’ (including with respect to a reverse repurchase agreement)—

“(aa) means—

“(AA) an agreement, including related terms, which provides for the transfer of one or more certificates of deposit, mortgage-related securities (as such term is defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))), mortgage loans, interests in mortgage-related securities or mortgage loans, eligible bankers’ acceptances, qualified foreign government securities or securities that are direct obligations of, or that are fully guaranteed by, the United States or any agency of the United States against the transfer of funds by the transferee of such certificates of deposit, eligible bankers’ acceptances, securities, mortgage loans, or interests with a simultaneous agreement by such transferee to transfer to the transferor thereof certificates of deposit, eligible bankers’ acceptances, securities, mortgage loans, or interests as described above, at a date certain not later than 1 year after such transfers or on demand, against the transfer of funds, or any other similar agreement;

“(BB) any combination of agreements or transactions referred to in subitems (AA) and (CC);

“(CC) any option to enter into any agreement or transaction referred to in subitem (AA) or (BB);

“(DD) a master agreement that provides for an agreement or transaction referred to in subitem (AA), (BB), or (CC), together with all supplements to any such master agreement, without regard to whether the master agreement provides for an agreement or transaction that is not a repurchase agreement under this item, except that the master agreement shall be considered to be a repurchase agreement under this item only with respect to each agreement or transaction under the master agreement that is referred to in subitem (AA), (BB), or (CC); and

“(EE) any security agreement or arrangement or other credit enhancement related to any agreement or transaction referred to in any of subitems (AA) through (DD), including any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in any such subitem; and

“(bb) does not include any repurchase obligation under a participation in a commercial mortgage, loan unless the Corporation determines by regulation, resolution, or order to include any such participation within the meaning of such term.

“(II) RELATED DEFINITION.—For purposes of subparagraph (I)(aa), the term ‘qualified foreign government security’ means a security that is a direct obligation of, or that is fully guaranteed by, the central government of a member of the Organization for Economic Cooperation and Development (as determined by regulation or order adopted by the appropriate Federal banking authority).

“(vi) SECURITIES CONTRACT.—The term ‘securities contract’—

“(I) means—

“(aa) a contract for the purchase, sale, or loan of a security, a certificate of deposit, a mortgage loan, any interest in a mortgage loan, a group or index of securities, certificates of deposit, or mortgage loans or interests therein (including any interest therein or based on the value thereof) or any option on any of the foregoing, including any option to purchase or sell any such security, certificate of deposit, mortgage loan, interest, group or index, or option, and including any repurchase or reverse repurchase transaction on any such security, certificate of deposit, mortgage loan, interest, group or index, or option (whether or not the repurchase or reverse repurchase transaction is a repurchase agreement);

“(bb) any option entered into on a national securities exchange relating to foreign currencies;

“(cc) the guarantee (including by novation) by or to any securities clearing agency of any settlement of cash, securities, certificates of deposit, mortgage loans or interests therein, group or index of securities, certificates of deposit, or mortgage loans or interests therein (including any interest therein or based on the value thereof) or option on any of the foregoing, including any option to purchase or sell any such security, certificate of deposit, mortgage loan, interest, group or index, or option (whether or not the settlement is in connection with any agreement or transaction referred to in any of items (aa), (bb), and (dd) through (kk));

“(dd) any margin loan;

“(ee) any extension of credit for the clearance or settlement of securities transactions;

“(ff) any loan transaction coupled with a securities collar transaction, any prepaid securities forward transaction, or any total return swap transaction coupled with a securities sale transaction;

“(gg) any other agreement or transaction that is similar to any agreement or transaction referred to in this subparagraph;

“(hh) any combination of the agreements or transactions referred to in this subparagraph;

“(ii) any option to enter into any agreement or transaction referred to in this subparagraph;

“(jj) a master agreement that provides for an agreement or transaction referred to in any of items (aa) through (ii), together with all supplements to any such master agreement, without regard to whether the master agreement provides for an agreement or transaction that is not a securities contract under this subparagraph, except that the master agreement shall be considered to be a securities contract under this subparagraph only with respect to each agreement or transaction under the master agreement that is referred to in item (aa), (bb), (cc), (dd), (ee), (ff), (gg), (hh), or (ii); and

“(kk) any security agreement or arrangement or other credit enhancement related to any agreement or transaction referred to in this subparagraph, including any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in this subparagraph; and

“(II) does not include any purchase, sale, or repurchase obligation under a participation in a commercial mortgage loan unless the Corporation determines by regulation, resolution, or order to include any such agreement within the meaning of such term.

“(vii) SWAP AGREEMENT.—The term ‘swap agreement’ means—

“(I) any agreement, including the terms and conditions incorporated by reference in any such agreement, that is—

“(aa) an interest rate swap, option, future, or forward agreement, including a rate floor, rate cap, rate collar, cross-currency rate swap, and basis swap;

“(bb) a spot, same day-tomorrow, tomorrow-next, forward, or other foreign exchange precious metals or other commodity agreement;

“(cc) a currency swap, option, future, or forward agreement;

“(dd) an equity index or equity swap, option, future, or forward agreement;

“(ee) a debt index or debt swap, option, future, or forward agreement;

“(ff) a total return, credit spread or credit swap, option, future, or forward agreement;

“(gg) a commodity index or commodity swap, option, future, or forward agreement;

“(hh) a weather swap, option, future, or forward agreement;

“(ii) an emissions swap, option, future, or forward agreement; or

“(jj) an inflation swap, option, future, or forward agreement;

“(II) any agreement or transaction that is similar to any other agreement or transaction referred to in this clause and that is of a type that has been, is presently, or in the future becomes, the subject of recurrent dealings in the swap or other derivatives markets (including terms and conditions incorporated by reference in such agreement) and that is a forward, swap, future, option or spot transaction on one or more rates, currencies, commodities, equity securities or other equity instruments, debt securities or other debt instruments, quantitative measures associated with an occurrence, extent of an occurrence, or contingency associated with a financial, commercial, or economic consequence, or economic or financial indices or measures of economic or financial risk or value;

“(III) any combination of agreements or transactions referred to in this clause;

“(IV) any option to enter into any agreement or transaction referred to in this clause;

“(V) a master agreement that provides for an agreement or transaction referred to in any of subparagraphs (I) through (IV), together with all supplements to any such master agreement, without regard to whether the master agreement contains an agreement or transaction that is not a swap agreement under this clause, except that the master agreement shall be considered to be a swap agreement under this clause only with respect to each agreement or transaction under the master agreement that is referred to in subparagraph (I), (II), (III), or (IV); and

“(VI) any security agreement or arrangement or other credit enhancement related to any agreements or transactions referred to in any of subparagraphs (I) through (V), including any guarantee or reimbursement obligation in connection with any agreement or transaction referred to in any such subparagraph.

“(viii) TRANSFER.—The term ‘transfer’ means every mode, direct or indirect, absolute or conditional, voluntary or involuntary, of disposing of or parting with property or with an interest in property, including retention of title as a security interest and foreclosure of the equity of redemption of a System institution.

“(ix) TREATMENT OF MASTER AGREEMENT AS 1 AGREEMENT.—For purposes of this subparagraph—

“(I) any master agreement for any contract or agreement described in this subparagraph (or any master agreement for such a master agreement or agreements), together with all supplements to the master agreement, shall be treated as a single agreement and a single qualified financial contract; and

“(II) if a master agreement contains provisions relating to agreements or transactions that are not qualified financial contracts, the master agreement shall be deemed to be a qualified financial contract only with respect to those transactions that are themselves qualified financial contracts.

“(B) RIGHTS OF PARTIES TO CONTRACTS.—Subject to paragraphs (9) and (10), and notwithstanding any other provision of this Act (other than subsection (b)(9) and section 5.61(d)) or any other Federal or State law, no person shall be stayed or prohibited from exercising—

“(i) any right such person has to cause the termination, liquidation, or acceleration of any qualified financial contract with a System institution which arises upon the appointment of the Corporation as receiver for such System institution at any time after such appointment;

“(ii) any right under any security agreement or arrangement or other credit enhancement related to one or more qualified financial contracts described in clause (i); or

“(iii) any right to offset or net out any termination value, payment amount, or other transfer obligation arising under, or in connection with, 1 or more contracts and agreements described in clause (i), including any master agreement for such contracts or agreements.

“(C) APPLICABILITY OF OTHER PROVISIONS.—Subsection (b)(12) shall apply in the case of any judicial action or proceeding brought against any receiver referred to in subparagraph (A), or the System institution for which such receiver was appointed, by any party to a contract or agreement described in subparagraph (B)(i) with such System institution.

“(D) CERTAIN TRANSFERS NOT AVOIDABLE.—

“(i) IN GENERAL.—Notwithstanding paragraph (11) or any other Federal or State law relating to the avoidance of preferential or fraudulent transfers, the Corporation, whether acting as such or as conservator or receiver of a System institution, may not avoid any transfer of money or other property in connection with any qualified financial contract with a System institution.

“(ii) EXCEPTION FOR CERTAIN TRANSFERS.—Clause (i) shall not apply to any transfer of money or other property in connection with any qualified financial contract with a System institution if the Corporation determines that the transferee had actual intent to hinder, delay, or defraud such System institution, the creditors of such System institution, or any conservator or receiver appointed for such System institution.

“(E) CERTAIN PROTECTIONS IN EVENT OF APPOINTMENT OF CONSERVATOR.—Notwithstanding any other provision of this Act (other than subparagraph (G), paragraph (10), subsection (b)(9), and section 5.61(d)) or any other Federal or State law, no person shall be stayed or prohibited from exercising—

“(i) any right such person has to cause the termination, liquidation, or acceleration of any qualified financial contract with a System institution in a conservatorship based upon a default under such financial contract which is enforceable under applicable noninsolvency law;

“(ii) any right under any security agreement or arrangement or other credit enhancement related to one or more qualified financial contracts described in clause (i); and

“(iii) any right to offset or net out any termination values, payment amounts, or other transfer obligations arising under or in connection with such qualified financial contracts.

“(F) CLARIFICATION.—No provision of law shall be construed as limiting the right or power of the Corporation, or authorizing any court or agency to limit or delay, in any manner, the right or power of the Corporation to transfer any qualified financial contract in accordance with paragraphs (9) and (10) or to disaffirm or repudiate any such contract in accordance with paragraph (1).

“(G) WALKAWAY CLAUSES NOT EFFECTIVE.—

“(i) DEFINITION OF WALKAWAY CLAUSE.—In this subparagraph, the term ‘walkaway clause’ means any provision in a qualified financial contract that suspends, conditions, or extinguishes a payment obligation of a party, in whole or in part, or does not create a payment obligation of a party that would otherwise exist—

“(I) solely because of—

“(aa) the status of the party as a non-defaulting party in connection with the insolvency of a System institution that is a party to the contract; or

“(bb) the appointment of, or the exercise of rights or powers by, the Corporation as a conservator or receiver of the System institution; and

“(II) not as a result of the exercise by a party of any right to offset, setoff, or net obligations that exist under—

“(aa) the contract;

“(bb) any other contract between those parties; or

“(cc) applicable law.

“(ii) TREATMENT.—Notwithstanding the provisions of subparagraphs (B) and (E), no walkaway clause shall be enforceable in a qualified financial contract of a System institution in default.

“(iii) LIMITED SUSPENSION OF CERTAIN OBLIGATIONS.—In the case of a qualified financial contract referred to in clause (ii), any payment or delivery obligations otherwise due from a party pursuant to the qualified financial contract shall be suspended from the time the receiver is appointed until the earlier of—

“(I) the time such party receives notice that such contract has been transferred pursuant to subparagraph (B); or

“(II) 5:00 p.m. (eastern time) on the business day following the date of the appointment of the receiver.

“(H) RECORDKEEPING REQUIREMENTS.—The Corporation, in consultation with the Farm Credit Administration, may prescribe regulations requiring more detailed recordkeeping by any System institution with respect to qualified financial contracts (including market valuations), only if such System institution is subject to subclause (I), (III), or (IV) of section 5.61B(a)(1)(A)(ii).

“(9) TRANSFER OF QUALIFIED FINANCIAL CONTRACTS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) CLEARING ORGANIZATION.—The term ‘clearing organization’ has the meaning given the term in section 402 of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 4402).

“(ii) FINANCIAL INSTITUTION.—The term ‘financial institution’ means a System institution, a broker or dealer, a depository institution, a futures commission merchant, or any other institution, as determined by the Corporation by regulation to be a financial institution.

“(B) REQUIREMENT.—In making any transfer of assets or liabilities of a System institution in default which includes any qualified financial contract, the conservator or receiver for such System institution shall either—

“(i) transfer to one financial institution, other than a financial institution for which a conservator, receiver, trustee in bankruptcy, or other legal custodian has been appointed, or that is otherwise the subject of a bankruptcy or insolvency proceeding—

“(I) all qualified financial contracts between any person or any affiliate of such person and the System institution in default;

“(II) all claims of such person or any affiliate of such person against such System institution under any such contract (other than any claim which, under the terms of any such contract, is subordinated to the claims of general unsecured creditors of such System institution);

“(III) all claims of such System institution against such person or any affiliate of such person under any such contract; and

“(IV) all property securing or any other credit enhancement for any contract described in subclause (I) or any claim described in subclause (II) or (III) under any such contract; or

“(ii) transfer none of the qualified financial contracts, claims, property or other credit enhancement referred to in clause (i) (with respect to such person and any affiliate of such person).

“(C) TRANSFER TO FOREIGN BANK, FOREIGN FINANCIAL INSTITUTION, OR BRANCH OR AGENCY OF A FOREIGN BANK OR FINANCIAL INSTITUTION.—In transferring any qualified financial contracts and related claims and property under subparagraph (B)(i), the conservator or receiver for the System institution shall not make such transfer to a foreign bank, financial institution organized under the laws of a foreign country, or a branch or agency of a foreign bank or financial institution unless, under the law applicable to such bank, financial institution, branch or agency, to the qualified financial contracts, and

to any netting contract, any security agreement or arrangement or other credit enhancement related to one or more qualified financial contracts, the contractual rights of the parties to such qualified financial contracts, netting contracts, security agreements or arrangements, or other credit enhancements are enforceable substantially to the same extent as permitted under this section.

“(D) TRANSFER OF CONTRACTS SUBJECT TO THE RULES OF A CLEARING ORGANIZATION.—In the event that a conservator or receiver transfers any qualified financial contract and related claims, property, and credit enhancements pursuant to subparagraph (B)(i) and such contract is cleared by or subject to the rules of a clearing organization, the clearing organization shall not be required to accept the transferee as a member by virtue of the transfer.

“(10) NOTIFICATION OF TRANSFER.—

“(A) DEFINITION OF BUSINESS DAY.—In this paragraph, the term ‘business day’ means any day other than any Saturday, Sunday, or any day on which either the New York Stock Exchange or the Federal Reserve Bank of New York is closed.

“(B) NOTIFICATION.—If—

“(i) the conservator or receiver for a System institution in default makes any transfer of the assets and liabilities of such System institution; and

“(ii) the transfer includes any qualified financial contract, the conservator or receiver shall notify any person who is a party to any such contract of such transfer by 5:00 p.m. (eastern time) on the business day following the date of the appointment of the receiver in the case of a receivership, or the business day following such transfer in the case of a conservatorship.

“(C) CERTAIN RIGHTS NOT ENFORCEABLE.—

“(i) RECEIVERSHIP.—A person who is a party to a qualified financial contract with a System institution may not exercise any right that such person has to terminate, liquidate, or net such contract under paragraph (8)(B) of this subsection, solely by reason of or incidental to the appointment of a receiver for the System institution (or the insolvency or financial condition of the System institution for which the receiver has been appointed)—

“(I) until 5:00 p.m. (eastern time) on the business day following the date of the appointment of the receiver; or

“(II) after the person has received notice that the contract has been transferred pursuant to paragraph (9)(B).

“(ii) CONSERVATORSHIP.—A person who is a party to a qualified financial contract with a System institution may not exercise any right that such person has to terminate, liquidate, or net such contract under paragraph (8)(E) of this subsection, solely by reason of or incidental to the appointment of a conservator for the System institution (or the insolvency or financial condition of the System institution for which the conservator has been appointed).

“(iii) NOTICE.—For purposes of this paragraph, the Corporation as receiver or conservator of a System institution shall be deemed to have notified a person who is a party to a qualified financial contract with such System institution if the Corporation has taken steps reasonably calculated to provide notice to such person by the time specified in subparagraph (B).

“(D) TREATMENT OF BRIDGE SYSTEM INSTITUTIONS.—The following System institutions shall not be considered to be a financial institution for which a conservator, receiver, trustee in bankruptcy, or other legal custodian has been appointed or which is otherwise the subject of a bankruptcy or insolvency proceeding for purposes of paragraph (9):

“(i) A bridge System bank.

“(ii) A System institution organized by the Corporation or the Farm Credit Administration, for which a conservator is appointed either—

“(I) immediately upon the organization of the System institution; or

“(II) at the time of a purchase and assumption transaction between the System institution

and the Corporation as receiver for a System institution in default.

“(11) DISAFFIRMANCE OR REPUDIATION OF QUALIFIED FINANCIAL CONTRACTS.—In exercising the rights of disaffirmance or repudiation of a conservator or receiver with respect to any qualified financial contract to which a System institution is a party, the conservator or receiver for such System institution shall either—

“(A) disaffirm or repudiate all qualified financial contracts between—

“(i) any person or any affiliate of such person; and

“(ii) the System institution in default; or

“(B) disaffirm or repudiate none of the qualified financial contracts referred to in subparagraph (A) (with respect to such person or any affiliate of such person).

“(12) CERTAIN SECURITY INTERESTS NOT AVOIDABLE.—No provision of this subsection shall be construed as permitting the avoidance of any legally enforceable or perfected security interest in any of the assets of any System institution except where such an interest is taken in contemplation of the System institution’s insolvency or with the intent to hinder, delay, or defraud the System institution or the creditors of such System institution.

“(13) AUTHORITY TO ENFORCE CONTRACTS.—

“(A) IN GENERAL.—The conservator or receiver may enforce any contract, other than a director’s or officer’s liability insurance contract or a System institution bond, entered into by the System institution notwithstanding any provision of the contract providing for termination, default, acceleration, or exercise of rights upon, or solely by reason of, insolvency or the appointment of or the exercise of rights or powers by a conservator or receiver.

“(B) CERTAIN RIGHTS NOT AFFECTED.—No provision of this paragraph may be construed as impairing or affecting any right of the conservator or receiver to enforce or recover under a director’s or officer’s liability insurance contract or institution bond under other applicable law.

“(C) CONSENT REQUIREMENT.—

“(i) IN GENERAL.—Except as otherwise provided by this section, no person may exercise any right or power to terminate, accelerate, or declare a default under any contract to which the System institution is a party, or to obtain possession of or exercise control over any property of the System institution or affect any contractual rights of the System institution, without the consent of the conservator or receiver, as appropriate, during the 45-day period beginning on the date of the appointment of the conservator, or during the 90-day period beginning on the date of the appointment of the receiver, as applicable.

“(ii) CERTAIN EXCEPTIONS.—No provision of this subparagraph shall apply to a director or officer liability insurance contract or an institution bond, to the rights of parties to certain qualified financial contracts pursuant to paragraph (8), or shall be construed as permitting the conservator or receiver to fail to comply with otherwise enforceable provisions of such contract.

“(14) EXCEPTION FOR FEDERAL RESERVE AND THE UNITED STATES TREASURY.—No provision of this subsection shall apply with respect to—

“(A) any extension of credit from any Federal Reserve bank or the United States Treasury to any System institution; or

“(B) any security interest in the assets of the System institution securing any such extension of credit.

“(15) SAVINGS CLAUSE.—The meanings of terms used in this subsection—

“(A) are applicable for purposes of this subsection only; and

“(B) shall not be construed or applied so as to challenge or affect the characterization, definition, or treatment of any similar terms under any other law, regulation, or rule, including—

“(i) the Gramm-Leach-Bliley Act (12 U.S.C. 1811 note; Public Law 106-102);

“(ii) the Legal Certainty for Bank Products Act of 2000 (7 U.S.C. 27 et seq.);

“(iii) the securities laws (as that term is defined in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a))); and

“(iv) the Commodity Exchange Act (7 U.S.C. 1 et seq.).

“(d) VALUATION OF CLAIMS IN DEFAULT.—

“(1) IN GENERAL.—Notwithstanding any other provision of Federal law or the law of any State and regardless of the method which the Corporation determines to utilize with respect to a System institution in default or in danger of default, including transactions authorized under subsection (h) and section 5.61(a), this subsection shall govern the rights of the creditors of such System institution.

“(2) MAXIMUM LIABILITY.—The maximum liability of the Corporation, acting as receiver or in any other capacity, to any person having a claim against the receiver or the System institution for which such receiver is appointed shall equal the amount such claimant would have received if the Corporation had liquidated the assets and liabilities of such System institution without exercising the Corporation’s authority under subsection (h) or section 5.61(a).

“(3) ADDITIONAL PAYMENTS AUTHORIZED.—

“(A) IN GENERAL.—The Corporation may, in its discretion and in the interests of minimizing its losses, use its own resources to make additional payments or credit additional amounts to or with respect to or for the account of any claimant or category of claimants. Notwithstanding any other provision of Federal or State law, or the constitution of any State, the Corporation shall not be obligated, as a result of having made any such payment or credited any such amount to or with respect to or for the account of any claimant or category of claimants, to make payments to any other claimant or category of claimants.

“(B) MANNER OF PAYMENT.—The Corporation may make the payments or credit the amounts specified in subparagraph (A) directly to the claimants or may make such payments or credit such amounts to an open System institution to induce such System institution to accept liability for such claims.

“(e) LIMITATION ON COURT ACTION.—Except as provided in this section, no court may take any action, except at the written request of the Board of Directors, to restrain or affect the exercise of powers or functions of the Corporation as a conservator or a receiver.

“(f) LIABILITY OF DIRECTORS AND OFFICERS.—

“(1) IN GENERAL.—A director or officer of a System institution may be held personally liable for monetary damages in any civil action—

“(A) brought by, on behalf of, or at the request or direction of the Corporation;

“(B) prosecuted wholly or partially for the benefit of the Corporation—

“(i) acting as conservator or receiver of that System institution;

“(ii) acting based on a suit, claim, or cause of action purchased from, assigned by, or otherwise conveyed by that receiver or conservator; or

“(iii) acting based on a suit, claim, or cause of action purchased from, assigned by, or otherwise conveyed in whole or in part by a System institution or an affiliate of a System institution in connection with assistance provided under section 5.61(a); and

“(C) for, as determined under the applicable State law—

“(i) gross negligence; or

“(ii) any similar conduct, including conduct that demonstrates a greater disregard of a duty of care than gross negligence, such as intentional tortious conduct.

“(2) EFFECT.—Nothing in paragraph (1) impairs or affects any right of the Corporation under any other applicable law.

“(g) DAMAGES.—In any proceeding related to any claim against a System institution’s director, officer, employee, agent, attorney, accountant, appraiser, or any other party employed by or providing services to a System institution, recoverable damages determined to result from the

improvident or otherwise improper use or investment of any System institution's assets shall include principal losses and appropriate interest.

"(h) BRIDGE FARM CREDIT SYSTEM BANKS.—

"(1) ORGANIZATION.—

"(A) PURPOSE.—

"(i) IN GENERAL.—When 1 or more System banks are in default, or when the Corporation anticipates that 1 or more System banks may become in default, the Corporation may, in its discretion, organize, and the Farm Credit Administration may, in its discretion, charter, 1 or more System banks, with the powers and attributes of System banks, subject to the provisions of this subsection, to be referred to as 'bridge System banks'.

"(ii) INTENT OF CONGRESS.—It is the intent of the Congress that, in order to prevent unnecessary hardship or losses to the customers of any System bank in default with respect to which a bridge System bank is chartered, the Corporation should—

"(I) continue to honor commitments made by the System bank in default to creditworthy customers; and

"(II) not interrupt or terminate adequately secured loans which are transferred under this subsection and are being repaid by the debtor in accordance with the terms of the loan instrument.

"(B) AUTHORITIES.—Once chartered by the Farm Credit Administration, the bridge System bank may—

"(i) assume such liabilities of the System bank or banks in default or in danger of default as the Corporation may, in its discretion, determine to be appropriate;

"(ii) purchase such assets of the System bank or banks in default or in danger of default as the Corporation may, in its discretion, determine to be appropriate; and

"(iii) perform any other temporary function which the Corporation may, in its discretion, prescribe in accordance with this Act.

"(C) ARTICLES OF ASSOCIATION.—The articles of association and organization certificate of a bridge System bank as approved by the Corporation shall be executed by 3 representatives designated by the Corporation.

"(D) INTERIM DIRECTORS.—A bridge System bank shall have an interim board of directors consisting of not fewer than 5 nor more than 10 members appointed by the Corporation.

"(2) CHARTERING.—

"(A) CONDITIONS.—The Farm Credit Administration may charter a bridge System bank only if the Board of Directors determines that—

"(i) the amount which is reasonably necessary to operate such bridge System bank will not exceed the amount which is reasonably necessary to save the cost of liquidating 1 or more System banks in default or in danger of default with respect to which the bridge System bank is chartered;

"(ii) the continued operation of such System bank or banks in default or in danger of default with respect to which the bridge System bank is chartered is essential to provide adequate farm credit services in the 1 or more communities where each such System bank in default or in danger of default is or was providing those farm credit services; or

"(iii) the continued operation of such System bank or banks in default or in danger of default with respect to which the bridge System bank is chartered is in the best interest of the Farm Credit System or the public.

"(B) BRIDGE SYSTEM BANK TREATED AS BEING IN DEFAULT FOR CERTAIN PURPOSES.—A bridge System bank shall be treated as being in default at such times and for such purposes as the Corporation may, in its discretion, determine.

"(C) MANAGEMENT.—A bridge System bank, upon the granting of its charter, shall be under the management of a board of directors consisting of not fewer than 5 nor more than 10 members appointed by the Corporation, in consultation with the Farm Credit Administration.

"(D) BYLAWS.—The board of directors of a bridge System bank shall adopt such bylaws as may be approved by the Corporation.

"(3) TRANSFER OF ASSETS AND LIABILITIES.—

"(A) TRANSFER UPON GRANT OF CHARTER.—Upon the granting of a charter to a bridge System bank pursuant to this subsection, the Corporation, as receiver, may transfer any assets and liabilities of the System bank to the bridge System bank in accordance with paragraph (1).

"(B) SUBSEQUENT TRANSFERS.—At any time after a charter is granted to a bridge System bank, the Corporation, as receiver, may transfer any assets and liabilities of such System bank in default as the Corporation may, in its discretion, determine to be appropriate in accordance with paragraph (1).

"(C) EFFECTIVE WITHOUT APPROVAL.—The transfer of any assets or liabilities of a System bank in default or danger of default transferred to a bridge System bank shall be effective without any further approval under Federal or State law, assignment, or consent with respect thereto.

"(4) POWERS OF BRIDGE SYSTEM BANKS.—Each bridge System bank chartered under this subsection shall, to the extent described in the charter of the System bank in default with respect to which the bridge System bank is chartered, have all corporate powers of, and be subject to the same provisions of law as, any System bank, except that—

"(A) the Corporation may—

"(i) remove the interim directors and directors of a bridge System bank;

"(ii) fix the compensation of members of the interim board of directors and the board of directors and senior management, as determined by the Corporation in its discretion, of a bridge System bank; and

"(iii) waive any requirement established under Federal or State law which would otherwise be applicable with respect to directors of a bridge System bank, on the condition that the waiver of any requirement established by the Farm Credit Administration shall require the concurrence of the Farm Credit Administration;

"(B) the Corporation may indemnify the representatives for purposes of paragraph (1)(B) and the interim directors, directors, officers, employees, and agents of a bridge System bank on such terms as the Corporation determines to be appropriate;

"(C) no requirement under any provision of law relating to the capital of a System institution shall apply with respect to a bridge System bank;

"(D) the Farm Credit Administration Board may establish a limitation on the extent to which any person may become indebted to a bridge System bank without regard to the amount of the bridge System bank's capital or surplus;

"(E)(i) the board of directors of a bridge System bank shall elect a chairperson who may also serve in the position of chief executive officer, except that such person shall not serve either as chairperson or as chief executive officer without the prior approval of the Corporation; and

"(ii) the board of directors of a bridge System bank may appoint a chief executive officer who is not also the chairperson, except that such person shall not serve as chief executive officer without the prior approval of the Corporation;

"(F) the Farm Credit Administration may waive any requirement for a fidelity bond with respect to a bridge System bank at the request of the Corporation;

"(G) any judicial action to which a bridge System bank becomes a party by virtue of its acquisition of any assets or assumption of any liabilities of a System bank in default shall be stayed from further proceedings for a period of up to 45 days at the request of the bridge System bank;

"(H) no agreement which tends to diminish or defeat the right, title or interest of a bridge System bank in any asset of a System bank in default acquired by it shall be valid against the bridge System bank unless such agreement—

"(i) is in writing;

"(ii) was executed by such System bank in default and the person or persons claiming an ad-

verse interest thereunder, including the obligor, contemporaneously with the acquisition of the asset by such System bank in default;

"(iii) was approved by the board of directors of such System bank in default or its loan committee, which approval shall be reflected in the minutes of said board or committee; and

"(iv) has been, continuously from the time of its execution, an official record of such System bank in default;

"(I) notwithstanding subsection 5.61(d)(2), any agreement relating to an extension of credit between a System bank, Federal Reserve bank, or the United States Treasury and any System institution which was executed before the extension of credit by such lender to such System institution shall be treated as having been executed contemporaneously with such extension of credit for purposes of subparagraph (H); and

"(J) except with the prior approval of the Corporation and the concurrence of the Farm Credit Administration, a bridge System bank may not, in any transaction or series of transactions, issue capital stock or be a party to any merger, consolidation, disposition of substantially all of the assets or liabilities of the bridge System bank, sale or exchange of capital stock, or similar transaction, or change its charter.

"(5) CAPITAL.—

"(A) NO CAPITAL REQUIRED.—The Corporation shall not be required to—

"(i) issue any capital stock on behalf of a bridge System bank chartered under this subsection; or

"(ii) purchase any capital stock of a bridge System bank, except that notwithstanding any other provision of Federal or State law, the Corporation may purchase and retain capital stock of a bridge System bank in such amounts and on such terms as the Corporation, in its discretion, determines to be appropriate.

"(B) OPERATING FUNDS IN LIEU OF CAPITAL.—Upon the organization of a bridge System bank, and thereafter, as the Corporation may, in its discretion, determine to be necessary or advisable, the Corporation may make available to the bridge System bank, upon such terms and conditions and in such form and amounts as the Corporation may in its discretion determine, funds for the operation of the bridge System bank in lieu of capital.

"(C) AUTHORITY TO ISSUE CAPITAL STOCK.—Whenever the Farm Credit Administration Board determines it is advisable to do so, the Corporation shall cause capital stock of a bridge System bank to be issued and offered for sale in such amounts and on such terms and conditions as the Corporation may, in its discretion, determine.

"(6) EMPLOYEE STATUS.—Representatives for purposes of paragraph (1)(C), interim directors, directors, officers, employees, or agents of a bridge System bank are not, solely by virtue of service in any such capacity, officers or employees of the United States. Any employee of the Corporation, the Farm Credit Administration, or any Federal instrumentality who serves at the request of the Corporation as a representative for purposes of paragraph (1)(C), interim director, director, officer, employee, or agent of a bridge System bank shall not—

"(A) solely by virtue of service in any such capacity lose any existing status as an officer or employee of the United States for purposes of any provision of law; or

"(B) receive any salary or benefits for service in any such capacity with respect to a bridge System bank in addition to such salary or benefits as are obtained through employment with the Corporation or such Federal instrumentality.

"(7) ASSISTANCE AUTHORIZED.—The Corporation may, in its discretion, provide assistance under section 5.61(a) to facilitate any merger or consolidation of a bridge System bank in the same manner and to the same extent as such assistance may be provided to a qualifying insured System bank (as defined in section 5.61(a)(2)(B)) or to facilitate a bridge System bank's acquisi-

tion of any assets or the assumption of any liabilities of a System bank in default or in danger of default.

“(8) DURATION OF BRIDGE SYSTEM BANKS.—Subject to paragraphs (10) and (11), the status of a bridge System bank as such shall terminate at the end of the 2-year period following the date it was granted a charter. The Farm Credit Administration Board may, in its discretion, extend the status of the bridge System bank as such for 3 additional 1-year periods.

“(9) TERMINATION OF BRIDGE SYSTEM BANKS STATUS.—The status of any bridge System bank as such shall terminate upon the earliest of—

“(A) the merger or consolidation of the bridge System bank with a System institution that is not a bridge System bank, on the condition that the merger or consolidation shall be subject to the approval of the Farm Credit Administration;

“(B) at the election of the Corporation and with the approval of the Farm Credit Administration, the sale of a majority or all of the capital stock of the bridge System bank to a System institution or another bridge System bank;

“(C) at the election of the Corporation, and with the approval of the Farm Credit Administration, either the assumption of all or substantially all of the liabilities of the bridge System bank, or the acquisition of all or substantially all of the assets of the bridge System bank, by a System institution that is not a bridge System bank or other entity as permitted under applicable law; and

“(D) the expiration of the period provided in paragraph (8), or the earlier dissolution of the bridge System bank as provided in paragraph (11).

“(10) EFFECT OF TERMINATION EVENTS.—

“(A) MERGER OR CONSOLIDATION.—A bridge System bank that participates in a merger or consolidation as provided in paragraph (9)(A) shall be for all purposes a System institution, with all the rights, powers, and privileges thereof, and such merger or consolidation shall be conducted in accordance with, and shall have the effect provided in, the provisions of applicable law.

“(B) CHARTER CONVERSION.—Following the sale of a majority or all of the capital stock of the bridge System bank as provided in paragraph (9)(B), the Farm Credit Administration Board may amend the charter of the bridge System bank to reflect the termination of the status of the bridge System bank as such, whereupon the System bank shall remain a System bank, with all of the rights, powers, and privileges thereof, subject to all laws and regulations applicable thereto.

“(C) ASSUMPTION OF LIABILITIES AND SALE OF ASSETS.—Following the assumption of all or substantially all of the liabilities of the bridge System bank, or the sale of all or substantially all of the assets of the bridge System bank, as provided in paragraph (9)(C), at the election of the Corporation, the bridge System bank may retain its status as such for the period provided in paragraph (8).

“(D) AMENDMENTS TO CHARTER.—Following the consummation of a transaction described in subparagraph (A), (B), or (C) of paragraph (9), the charter of the resulting System institution shall be amended by the Farm Credit Administration to reflect the termination of bridge System bank status, if appropriate.

“(11) DISSOLUTION OF BRIDGE SYSTEM BANK.—

“(A) IN GENERAL.—Notwithstanding any other provision of State or Federal law, if the bridge System bank's status as such has not previously been terminated by the occurrence of an event specified in subparagraph (A), (B), or (C) of paragraph (9)—

“(i) the Corporation, after consultation with the Farm Credit Administration, may, in its discretion, dissolve a bridge System bank in accordance with this paragraph at any time; and

“(ii) the Corporation, after consultation with the Farm Credit Administration, shall promptly commence dissolution proceedings in accordance with this paragraph upon the expiration of the

2-year period following the date the bridge System bank was chartered, or any extension thereof, as provided in paragraph (8).

“(B) PROCEDURES.—The Farm Credit Administration Board shall appoint the Corporation as receiver for a bridge System bank upon determining to dissolve the bridge System bank. The Corporation as such receiver shall wind up the affairs of the bridge System bank in conformity with the provisions of law relating to the liquidation of closed System banks. With respect to any such bridge System bank, the Corporation as such receiver shall have all the rights, powers, and privileges and shall perform the duties related to the exercise of such rights, powers, or privileges granted by law to a receiver of any insured System bank and, notwithstanding any other provision of law in the exercise of such rights, powers, and privileges, the Corporation shall not be subject to the direction or supervision of any State agency or other Federal agency.

“(12) MULTIPLE BRIDGE SYSTEM BANKS.—The Corporation may, in the Corporation's discretion, organize, and the Farm Credit Administration may, in its discretion, charter, 2 or more bridge System banks under this subsection to assume any liabilities and purchase any assets of a single System institution in default.

“(i) CERTAIN SALES OF ASSETS PROHIBITED.—

“(1) PERSONS WHO ENGAGED IN IMPROPER CONDUCT WITH, OR CAUSED LOSSES TO, SYSTEM INSTITUTIONS.—The Corporation shall prescribe regulations which, at a minimum, shall prohibit the sale of assets of a failed System institution by the Corporation to—

“(A) any person who—

“(i) has defaulted, or was a member of a partnership or an officer or director of a corporation that has defaulted, on 1 or more obligations the aggregate amount of which exceed \$1,000,000, to such failed System institution;

“(ii) has been found to have engaged in fraudulent activity in connection with any obligation referred to in clause (i); and

“(iii) proposes to purchase any such asset in whole or in part through the use of the proceeds of a loan or advance of credit from the Corporation or from any System institution for which the Corporation has been appointed as conservator or receiver;

“(B) any person who participated, as an officer or director of such failed System institution or of any affiliate of such System institution, in a material way in transactions that resulted in a substantial loss to such failed System institution;

“(C) any person who has been removed from, or prohibited from participating in the affairs of, such failed System institution pursuant to any final enforcement action by the Farm Credit Administration;

“(D) any person who has demonstrated a pattern or practice of defalcation regarding obligations to such failed System institution; or

“(E) any person who is in default on any loan or other extension of credit from such failed System institution which, if not paid, will cause substantial loss to the System institution or the Corporation.

“(2) DEFAULTED DEBTORS.—Except as provided in paragraph (3), any person who is in default on any loan or other extension of credit from the System institution, which, if not paid, will cause substantial loss to the System institution or the Corporation, may not purchase any asset from the conservator or receiver.

“(3) SETTLEMENT OF CLAIMS.—Paragraph (1) shall not apply to the sale or transfer by the Corporation of any asset of any System institution to any person if the sale or transfer of the asset resolves or settles, or is part of the resolution or settlement, of—

“(A) 1 or more claims that have been, or could have been, asserted by the Corporation against the person; or

“(B) obligations owed by the person to any System institution, or the Corporation.

“(4) DEFINITION OF DEFAULT.—For purposes of this subsection, the term ‘default’ means a

failure to comply with the terms of a loan or other obligation to such an extent that the property securing the obligation is foreclosed upon.

“(j) EXPEDITED PROCEDURES FOR CERTAIN CLAIMS.—

“(1) TIME FOR FILING NOTICE OF APPEAL.—The notice of appeal of any order, whether interlocutory or final, entered in any case brought by the Corporation against a System institution's director, officer, employee, agent, attorney, accountant, or appraiser or any other person employed by or providing services to a System institution shall be filed not later than 30 days after the date of entry of the order. The hearing of the appeal shall be held not later than 120 days after the date of the notice of appeal. The appeal shall be decided not later than 180 days after the date of the notice of appeal.

“(2) SCHEDULING.—A court of the United States shall expedite the consideration of any case brought by the Corporation against a System institution's director, officer, employee, agent, attorney, accountant, or appraiser or any other person employed by or providing services to a System institution. As far as practicable the court shall give such case priority on its docket.

“(3) JUDICIAL DISCRETION.—The court may modify the schedule and limitations stated in paragraphs (1) and (2) in a particular case, based on a specific finding that the ends of justice that would be served by making such a modification would outweigh the best interest of the public in having the case resolved expeditiously.

“(k) BOND NOT REQUIRED; AGENTS; FEE.—The Corporation as conservator or receiver of a System institution shall not be required to furnish bond and may appoint an agent or agents to assist in its duties as such conservator or receiver. All fees, compensation, and expenses of liquidation and administration shall be fixed by the Corporation and may be paid by it out of funds coming into its possession as such conservator or receiver.

“(l) CONSULTATION REGARDING CONSERVATORSHIPS AND RECEIVERSHIPS.—To the extent practicable—

“(1) the Farm Credit Administration shall consult with the Corporation prior to taking a preresolution action concerning a System institution that may result in a conservatorship or receivership; and

“(2) the Corporation, acting in the capacity of the Corporation as a conservator or receiver, shall consult with the Farm Credit Administration prior to taking any significant action impacting System institutions or service to System borrowers.

“(m) APPLICABILITY.—This section shall become applicable with respect to the power of the Corporation to act as a conservator or receiver on the date on which the Farm Credit Administration appoints the Corporation as a conservator or receiver under section 4.12 or 8.41.”.

SEC. 5413. REPORTING.

(a) DEFINITION OF FARM LOAN.—In this section, the term “farm loan” means—

(1) a farm ownership loan under subtitle A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1922 et seq.); and

(2) an operating loan under subtitle B of that Act (7 U.S.C. 1941 et seq.).

(b) REPORTS.—

(1) PREPARATION.—For each fiscal year, the Secretary shall prepare a report that includes—

(A) aggregate data based on a review of each outstanding farm loan made or guaranteed by the Secretary describing, for the United States and for each State and county in the United States—

(i) the age of the recipient producer;

(ii) the duration that the recipient producer has engaged in agricultural production;

(iii) the size of the farm or ranch of the recipient producer;

(iv) the race, ethnicity, and gender of the recipient producer;

(v) the agricultural commodity or commodities, or type of enterprise, for which the loan was secured;

(vi) the amount of the farm loan made or guaranteed;

(vii) the type of the farm loan made or guaranteed; and

(viii) the default rate of the farm loan made or guaranteed;

(B) for each State and county in the United States, data demonstrating the number of outstanding farm loans made or guaranteed, according to loan size cohort; and

(C) an assessment of actual loans made or guaranteed as measured against target participation rates for beginning and socially disadvantaged farmers, broken down by State, as described in sections 346(b)(2) and 355 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1994(b)(2), 2003).

(2) **SUBMISSION OF REPORT.**—The report described in paragraph (1) shall be—

(A) submitted—

(i) to—

(I) the Committee on Agriculture of the House of Representatives;

(II) the Committee on Appropriations of the House of Representatives;

(III) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(IV) the Committee on Appropriations of the Senate; and

(ii) not later than December 30, 2019, and annually thereafter; and

(B) made publicly available not later than 90 days after the date described in subparagraph (A)(ii).

(C) **COMPREHENSIVE REVIEW.**—

(1) **IN GENERAL.**—Not later than 4 years after the date of enactment of this Act (and every 5 years thereafter), the Secretary shall—

(A) prepare a comprehensive review of all reports submitted under subsection (b)(2);

(B) identify trends within data outlined in subsection (b)(1), including the extent to which target annual participation rates for beginning and socially disadvantaged farmers (as defined by the Secretary) are being met for each loan type; and

(C) provide specific actions the Department will take to improve the performance of direct and guaranteed loans with respect to underserved producers and any recommendations the Secretary may make for further congressional action.

(2) **SUBMISSION OF COMPREHENSIVE REVIEW.**—The comprehensive review described in paragraph (1) shall be—

(A) submitted to—

(i) the Committee on Agriculture of the House of Representatives;

(ii) the Committee on Appropriations of the House of Representatives;

(iii) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

(iv) the Committee on Appropriations of the Senate; and

(B) made publicly available not later than 90 days after the date of submission under subparagraph (A).

(d) **PRIVACY.**—In preparing any report or review under this section, the Secretary shall aggregate or de-identify the data in a manner sufficient to ensure that the identity of a recipient producer associated with the data cannot be ascertained.

SEC. 5414. STUDY ON LOAN RISK.

(a) **STUDY.**—The Farm Credit Administration shall conduct a study that—

(1) analyzes and compares the financial risks inherent in loans made, held, securitized, or purchased by Farm Credit banks, associations, and the Federal Agricultural Mortgage Corporation and how such risks are required to be capitalized under statute and regulations in effect as of the date of the enactment of this Act; and

(2) assesses the feasibility of increasing the acreage exception provided in section 8.8(c)(2) of the Farm Credit Act of 1971 to 2,000 acres.

(b) **TIMELINE.**—The Farm Credit Administration shall provide the results of the study required by subsection (a) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate no later than 180 days after the date of the enactment of this Act.

SEC. 5415. GAO REPORT ON ABILITY OF THE FARM CREDIT SYSTEM TO MEET THE AGRICULTURAL CREDIT NEEDS OF INDIAN TRIBES AND THEIR MEMBERS.

(a) **IN GENERAL.**—The Comptroller General of the United States shall—

(1) study the agricultural credit needs of farms, ranches, and related agricultural businesses that are owned or operated by—

(A) Indian tribes on tribal lands; or

(B) enrolled members of Indian tribes on Indian allotments; and

(2) determine whether the institutions of the Farm Credit System have sufficient authority and resources to meet the needs.

(b) **DEFINITION OF INDIAN TRIBE.**—In subsection (a), the term “Indian tribe” means an Indian tribal entity that is eligible for funding and services from the Bureau of Indian Affairs by virtue of the status of the entity as an Indian tribe.

(c) **REPORT TO THE CONGRESS.**—Within 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall prepare and submit to the Committees on Agriculture and on Natural Resources of the House of Representatives a written report that contains the findings of the study conducted under subsection (a). If the Comptroller General finds that the institutions of the Farm Credit System do not have sufficient authority or resources to meet the needs referred to in subsection (a), the report shall include such legislative and other recommendations as the Comptroller General determines would result in a system under which the needs are met in an equitable and effective manner.

SEC. 5416. GAO REPORT ON CREDIT SERVICE TO SOCIALLY DISADVANTAGED FARMERS AND RANCHERS.

(a) **DEFINITIONS.**—In this section:

(1) **AGRICULTURAL CREDIT PROVIDER.**—The term “agricultural credit provider” means—

(A) a Farm Credit System institution;

(B) a commercial bank;

(C) the Federal Agricultural Mortgage Corporation;

(D) a life insurance company; and

(E) any other individual or entity, as determined by the Comptroller General of the United States.

(2) **SOCIALLY DISADVANTAGED FARMER OR RANCHER.**—The term “socially disadvantaged farmer or rancher” has the meaning given the term in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)).

(b) **STUDY.**—The Comptroller General of the United States shall—

(1) conduct a study—

(A) to assess the credit and related services provided by agricultural credit providers to socially disadvantaged farmers and ranchers;

(B) to review the overall participation of socially disadvantaged farmers and ranchers in the services described in subparagraph (A); and

(C) to identify barriers that limit the availability of agricultural credit to socially disadvantaged farmers and ranchers; and

(2) provide recommendations on how agricultural credit providers may improve outreach to socially disadvantaged farmers and ranchers relating to the availability of credit and related services.

(c) **REPORT.**—Not later than 120 days after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains the findings of the study conducted under subsection (b)(1) and the recommendations described in subsection (b)(2).

TITLE VI—RURAL DEVELOPMENT

Subtitle A—Improving Health Outcomes in Rural America

SEC. 6101. COMBATING SUBSTANCE USE DISORDER IN RURAL AMERICA; PRIORITIZATIONS.

(a) **COMBATING SUBSTANCE USE DISORDER IN RURAL AMERICA.**—

(1) **PRIORITIZATIONS.**—The Secretary shall make the following prioritizations and set asides for fiscal years 2019 through 2025:

(A) **DISTANCE LEARNING AND TELEMEDICINE.**—

(i) **SUBSTANCE USE DISORDER SET-ASIDE.**—Subject to clause (ii), the Secretary shall make available not less than 20 percent of amounts made available under section 2335A of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa-2) for financial assistance under chapter 1 of subtitle D of title XXIII of such Act for telemedicine projects that provide substance use disorder treatment services.

(ii) **EXCEPTION.**—In the case of a fiscal year for which the Secretary determines that there are not sufficient qualified applicants to receive financial assistance for projects providing substance use disorder treatment services to reach the 20-percent requirement under clause (i), the Secretary may make available less than 20 percent of amounts made available under such section 2335A for those services.

(B) **COMMUNITY FACILITIES DIRECT LOANS AND GRANTS.**—

(i) **SUBSTANCE USE DISORDER SELECTION PRIORITY.**—In selecting recipients of direct loans or grants for the development of essential community facilities under section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)), the Secretary shall give priority to entities eligible for those direct loans or grants—

(I) to develop facilities to provide substance use disorder (including opioid substance use disorder)—

(aa) prevention services;

(bb) treatment services;

(cc) recovery services; or

(dd) any combination of those services; and

(II) that employ staff that have appropriate expertise and training in how to identify and treat individuals with substance use disorders.

(ii) **USE OF FUNDS.**—An eligible entity described in clause (i) that receives a direct loan or grant described in that clause may use the direct loan or grant funds for the development of telehealth facilities and systems to provide telehealth services for substance use disorder treatment.

(C) **RURAL HEALTH AND SAFETY EDUCATION PROGRAMS; SUBSTANCE USE DISORDER SELECTION PRIORITY.**—In making grants under section 502(i) of the Rural Development Act of 1972 (7 U.S.C. 2662(i)), the Secretary shall give priority to an applicant that will use the grant for substance use disorder education and treatment and the prevention of substance use disorder.

(2) **LIMITATION ON OTHER REPRIORITIZATIONS.**—For fiscal years 2019 through 2025, the Secretary shall not make any national reprioritizations within the Rural Health and Safety Education Programs, the Community Facilities direct loan and grant programs, or the Distance Learning and Telemedicine programs under section 608 of the Rural Development Act of 1972.

(3) **TECHNICAL AMENDMENTS.**—Title V of the Rural Development Act of 1972 (7 U.S.C. 2661 et seq.) is amended—

(A) in section 502, in the matter preceding subsection (a), by inserting “(referred to in this title as the ‘Secretary’)” after “Agriculture”; and

(B) by striking “Secretary of Agriculture” each place it appears (other than in section 502 in the matter preceding subsection (a)) and inserting “Secretary”.

(b) **TEMPORARY PRIORITIZATION OF RURAL HEALTH ASSISTANCE.**—Title VI of the Rural Development Act of 1972 (7 U.S.C. 2204a–2204b) is amended by adding at the end the following:

“SEC. 608. TEMPORARY PRIORITIZATION OF RURAL HEALTH ASSISTANCE.

“(a) **AUTHORITY TO TEMPORARILY PRIORITIZE CERTAIN RURAL DEVELOPMENT APPLICATIONS.**—Notwithstanding any other provision of law, the Secretary, after consultation with such public health officials as may be necessary, may announce through a Federal Register notice pursuant to section 553(b)(3)(B) of title 5, United States Code, a temporary reprioritization, on a national or multistate basis, for certain rural development loan and grant applications to assist rural communities in responding to a significant public health disruption.

“(b) **PUBLIC HEALTH DISRUPTION.**—For the purposes of this section, the term ‘public health disruption’ means an unanticipated increase in mortality or morbidity in rural communities, when compared to non-rural communities, caused by identifiable events, actions, or behavioral trends, which can be remediated by the programs of the Rural Development mission area. When measuring a public health disruption, the Secretary may analyze data on a national or multi-state basis.

“(c) **CONTENT OF ANNOUNCEMENT.**—In the announcement, the Secretary shall—

“(1) describe the nature of the public health disruption, including the causes, effects, affected populations, and affected States;

“(2) explain how the programs of the Department of Agriculture will work in remedying the public health disruption;

“(3) identify the services, treatments, or infrastructure best suited to address the public health disruption;

“(4) establish—

“(A) the start and end dates of the reprioritization;

“(B) the programs subject to reprioritization and the modifications to the application process;

“(C) the process for making reprioritizations for applicable programs;

“(D) the amount of funds set-aside for applicable programs, except that a set-aside for such a program shall not be greater than 20 percent of the amounts appropriated for the program for the fiscal year involved; and

“(E) the region in which the reprioritization is in effect; and

“(5) instruct program administrators to implement the reprioritization during the application window or announcement after the announcement takes effect.

“(d) **LIMITATIONS ON REPRIORITIZATIONS.**—When announcing the reprioritization, the Secretary shall—

“(1) establish an initial total time period of less than 4 years, except as provided for in subsection (e);

“(2) implement only 1 nationally applicable reprioritization at a time;

“(3) implement only 1 regionally applicable reprioritization per State at a time; and

“(4) not use reprioritizations to allocate additional funds to an affected State.

“(e) **EXTENSION.**—The Secretary may extend an announcement under subsection (a) for no more than 6 years in total, except that nothing shall prevent the Secretary from renewing reprioritizations by making a new announcement under subsection (a).

“(f) **RESCINDING THE ANNOUNCEMENT.**—The Secretary may rescind a reprioritization announcement made under subsection (a) at any time the Secretary determines that the temporary reprioritizations are no longer needed or effective.

“(g) **NOTICE.**—Not later than 48 hours after making, extending, or rescinding an announcement under this section, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and transmit to the Secretary of Health and Human Services, a written notice of the declaration, extension, or rescission.”.

SEC. 6102. DISTANCE LEARNING AND TELEMEDICINE.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Section 2335A of the Food, Agriculture, Conserva-

tion, and Trade Act of 1990 (7 U.S.C. 950aaa–5) is amended by striking “\$75,000,000 for each of fiscal years 2014 through 2018” and inserting “\$82,000,000 for each of fiscal years 2019 through 2023”.

(b) **CONFORMING AMENDMENT.**—Section 1(b) of Public Law 102–551 (7 U.S.C. 950aaa note) is amended by striking “2018” and inserting “2023”.

SEC. 6103. REFINANCING OF CERTAIN RURAL HOSPITAL DEBT.

Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981 et seq.) is amended by inserting after section 341 the following:

“SEC. 342. REFINANCING OF CERTAIN RURAL HOSPITAL DEBT.

“Assistance under section 306(a) for a community facility, or under section 310B, may include the refinancing of a debt obligation of a rural hospital as an eligible loan or loan guarantee purpose if the assistance would help preserve access to a health service in a rural community, meaningfully improve the financial position of the hospital, and otherwise meet the financial feasibility and adequacy of security requirements of the Rural Development Agency.”.

Subtitle B—Connecting Rural Americans to High Speed Broadband**SEC. 6201. ACCESS TO BROADBAND TELECOMMUNICATIONS SERVICES IN RURAL AREAS.**

Section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) is amended—

(1) in subsection (a), by striking “provide loans and loan guarantees” and inserting “provide grants, provide loans, and provide loan guarantees”;

(2) in subsection (b)(3)(A)(ii), by inserting “in the case of a grant or direct loan,” before “a city”;

(3) in subsection (c)—

(A) in the subsection heading, by striking “LOANS AND” and inserting “GRANTS, LOANS, AND”;

(B) in paragraph (1), by striking “shall make or guarantee loans” and inserting “shall make grants, shall make loans, and shall guarantee loans”;

(C) by striking paragraph (2) and inserting the following:

“(2) **PRIORITY.**—

“(A) **IN GENERAL.**—In making grants, making loans, and guaranteeing loans under paragraph (1), the Secretary shall—

“(i) give the highest priority to applications for projects to provide broadband service to unserved rural communities that do not have any residential broadband service of at least—

“(I) a 10-Mbps downstream transmission capacity; and

“(II) a 1-Mbps upstream transmission capacity;

“(ii) give priority to applications for projects to provide the maximum level of broadband service to the greatest proportion of rural households in the proposed service area identified in the application;

“(iii) provide equal consideration to all eligible entities, including those that have not previously received grants, loans, or loan guarantees under paragraph (1); and

“(iv) with respect to 2 or more applications that are given the same priority under clause (i), give priority to an application that requests less grant funding than loan funding.

“(B) **OTHER.**—After giving priority to the applications described in clauses (i) and (ii) of subparagraph (A), the Secretary shall then give priority to applications—

“(i) for projects to provide broadband service to rural communities—

“(I) with a population of less than 10,000 permanent residents;

“(II) that are experiencing outmigration and have adopted a strategic community investment plan under section 379H(d) that includes considerations for improving and expanding broadband service;

“(III) with a high percentage of low income families or persons (as defined in section 501(b) of the Housing Act of 1949 (42 U.S.C. 1471(b));

“(IV) that are isolated from other significant population centers; or

“(V) that provide rapid and expanded deployment of fixed and mobile broadband on cropland and rangeland within a service territory for use in various applications of precision agriculture; and

“(ii) that were developed with the participation of, and will receive a substantial portion of the funding for the project from, 2 or more stakeholders, including—

“(I) State, local, and tribal governments;

“(II) nonprofit institutions;

“(III) community anchor institutions, such as—

“(aa) public libraries;

“(bb) elementary schools and secondary schools (as defined in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

“(cc) institutions of higher education; and

“(dd) health care facilities;

“(IV) private entities;

“(V) philanthropic organizations; and

“(VI) cooperatives.

“(3) **GRANT AMOUNTS.**—

“(A) **DEFINITION OF DEVELOPMENT COSTS.**—In this paragraph, the term ‘development costs’ means costs of—

“(i) construction, including labor and materials;

“(ii) project applications; and

“(iii) other development activities, as determined by the Secretary.

“(B) **ELIGIBILITY.**—To be eligible for a grant under this section, in addition to the requirements of subsection (d), the project that is the subject of the grant shall—

“(i) be carried out in a proposed service territory in which not less than 90 percent of the households are unserved; and

“(ii) not concurrently receive any other broadband grant administered by the Rural Utilities Service.

“(C) **MAXIMUM.**—Except as provided in subparagraph (D), the amount of any grant made under this section shall not exceed—

“(i) 75 percent of the total project cost with respect to an area with a density of fewer than 7 people per square mile;

“(ii) 50 percent of the total project cost with respect to an area with a density of 7 or more and fewer than 12 people per square mile; and

“(iii) 25 percent of the total project cost with respect to an area with a density of 12 or more and 20 or fewer people per square mile.

“(D) **SECRETARIAL AUTHORITY TO ADJUST.**—The Secretary may—

“(i) make grants of up to 75 percent of the development costs of the project for which the grant is provided to an eligible entity if the Secretary determines that the project serves—

“(I) an area of rural households described in paragraph (2)(A)(i); or

“(II) a rural community described in any of subclauses (I) through (IV) of paragraph (2)(B)(i); and

“(ii) make modifications of the density thresholds described in subparagraph (C), in order to ensure that funds provided under this section are best utilized to provide broadband service in communities that are the most rural in character.

“(E) **APPLICATIONS.**—The Secretary shall establish an application process for grants under this section that—

“(i) permits a single application for a grant and a loan under title I, II, or this title that is associated with such grant; and

“(ii) provides a single decision to award such grant and such loan.

“(F) **DENSITY DETERMINATIONS.**—When determining population density under this section, the Secretary shall prescribe a calculation method which—

“(i) utilizes publicly available data; and

“(ii) includes only those areas in which the applicant is able to meet the service requirements under this section, as determined by the Secretary.

“(4) FEES.—In the case of loan guarantees issued or modified under this section, the Secretary shall charge and collect from the lender fees in such amounts as to bring down the costs of subsidies for guaranteed loans, except that such fees shall not act as a bar to participation in the programs nor be inconsistent with current practices in the marketplace.”;

(4) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking “loan or” and inserting “grant, loan, or”;

(II) by striking clause (i) and inserting the following:

“(i) demonstrate the ability to furnish or improve service in order to meet the broadband buildout requirements established under subsection (e)(4) in all or part of an unserved or underserved rural area.”;

(III) in clause (ii), by striking “a loan application” and inserting “an application”; and

(IV) in clause (iii)—

(aa) by striking “service” and inserting “infrastructure”;

(bb) by striking “loan” the first place it appears;

(cc) by striking “3” and inserting “5”; and

(dd) by striking “proceeds from the loan made or guaranteed under this section are” and inserting “assistance under this section is”; and

(ii) in subparagraph (B), by striking “(k)” and inserting “(j)”; and

(B) in paragraph (2)(A)—

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

(I) by striking “the proceeds of a loan made or guaranteed” and inserting “assistance”; and

(II) by striking “for the loan or loan guarantee” and inserting “of the eligible entity”; and

(ii) in clause (i)—

(I) by striking “15 percent” and inserting “50 percent (in the case of loans or loan guarantees provided in accordance with subsection (g)(1)(A))”; and

(II) by striking “level of broadband service” and inserting “level of fixed broadband service, whether terrestrial or wireless.”;

(C) in paragraph (3)(A), by striking “loan or” and inserting “grant, loan, or”;

(D) in paragraph (4), by striking “a loan or loan guarantee” and inserting “assistance”; and

(E) by striking paragraphs (5) through (10) and inserting the following:

“(5) TECHNICAL ASSISTANCE AND TRAINING.—

“(A) IN GENERAL.—The Secretary may provide to eligible entities described in paragraph (1) that are applying for assistance under this section for a project described in subsection (c)(2)(A)(i) technical assistance and training—

“(i) to prepare reports and surveys necessary to request grants, loans, and loan guarantees under this section for broadband deployment;

“(ii) to improve management, including financial management, relating to the proposed broadband deployment;

“(iii) to prepare applications for grants, loans, and loan guarantees under this section; or

“(iv) to assist with other areas of need identified by the Secretary.

“(B) FUNDING.—Not less than 3 percent and not more than 5 percent of amounts appropriated to carry out this section for a fiscal year shall be used for technical assistance and training under this paragraph.”;

(5) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “4-Mbps” and inserting “25-Mbps”; and

(ii) in subparagraph (B), by striking “1-Mbps” and inserting “3-Mbps”;

(B) in paragraph (2)—

(i) by—

(I) striking the following:

“(2) ADJUSTMENTS.—

“(A) IN GENERAL.—At”;

(II) inserting the following:

“(2) ADJUSTMENTS.—At”;

(ii) by inserting “and broadband buildout requirements under paragraph (4)” after “(1)”;

and

(iii) by striking subparagraph (B); and

(C) by adding at the end the following:

“(4) BROADBAND BUILDOUT REQUIREMENTS.—

“(A) IN GENERAL.—The term ‘broadband buildout requirement’ means the level of internet service an applicant receiving assistance under this section must agree, at the time the application is finalized, to provide for the duration of any project-related agreement between the applicant and the Department.

“(B) BROADBAND BUILDOUT REQUIREMENTS FURTHER DEFINED.—Subject to subparagraph (C), the Secretary shall establish broadband buildout requirements for projects with agreement lengths of—

“(i) 5 to 10 years;

“(ii) 11 to 15 years;

“(iii) 16 to 20 years; and

“(iv) more than 20 years.

“(C) REQUIREMENTS.—In establishing the broadband buildout requirements under subparagraph (B), the Secretary shall—

“(i) utilize the same metrics used to define the minimum acceptable level of broadband service under paragraph (1);

“(ii) establish such requirements to reasonably ensure—

“(I) the repayment of all loans and loan guarantees; and

“(II) the financed network is technically capable of providing broadband service for the lifetime of any project-related agreement.

“(D) SUBSTITUTE SERVICE STANDARDS FOR UNIQUE SERVICE TERRITORIES.—If an applicant shows that it would be cost prohibitive to meet the broadband buildout requirements established under this paragraph for the entirety of a proposed service territory due to the unique characteristics of the proposed service territory, the Secretary and the applicant may agree to utilize substitute standards for any unserved portion of the project. Any substitute service standards should continue to consider the best technology available to meet the needs of the residents in the unserved area.”;

(6) in subsection (f), by striking “make a loan or loan guarantee” and inserting “provide assistance”;

(7) in subsection (g), by striking paragraph (2) and redesignating paragraph (3) as paragraph (2);

(8) by striking subsections (i) and (j) and inserting the following:

“(i) PAYMENT ASSISTANCE FOR CERTAIN LOAN AND GRANT RECIPIENTS.—

“(1) USE OF GRANT FUNDS.—The Secretary may use the funds appropriated for a grant under this title for the cost (as defined by section 502 of the Congressional Budget Act of 1974) of providing assistance under paragraph (2).

“(2) PAYMENT ASSISTANCE.—When providing a grant under this title, the Secretary, at the sole discretion of the Secretary, may make—

“(A) a subsidized loan, which shall bear a reduced interest rate at such a rate as the Secretary determines appropriate to meet the objectives of the program; or

“(B) a payment assistance loan, which shall—

“(i) require no interest and principal payments while the borrower is—

“(I) in material compliance with the loan agreement; and

“(II) meeting the milestones and objectives of the project agreed to under paragraph (3); and

“(ii) require such nominal periodic payments as the Secretary determines to be appropriate.

“(3) AGREEMENT ON MILESTONES AND OBJECTIVES.—With respect to payment assistance provided under paragraph (2), before entering into the agreement under which the payment assistance will be provided, the applicant and the

Secretary shall agree to milestones and objectives of the project.

“(4) AMENDMENT OF MILESTONES AND OBJECTIVES.—The Secretary and the applicant may jointly agree to amend the milestones and objectives agreed to under paragraph (3).

“(5) CONSIDERATIONS.—When deciding to utilize the payment assistance authority under paragraph (2) the Secretary shall consider whether or not the payment assistance will—

“(A) improve the compliance of the grantee with any commitments made through the grant agreement;

“(B) promote the completion of the broadband project;

“(C) protect taxpayer resources; and

“(D) support the integrity of the broadband programs administered by the Secretary.

“(6) LIMITATIONS ON PAYMENT ASSISTANCE.—The Secretary may not make a payment assistance loan under paragraph (2)(B) to an entity receiving a grant under this section that is also the recipient of a loan under title I or II that is associated with such grant.”;

(9) in subsection (k)(1)—

(A) by striking “\$25,000,000” and inserting “\$350,000,000”; and

(B) by striking “2008 through 2018” and inserting “2019 through 2023”;

(10) in subsection (l)—

(A) by striking “loan or” and inserting “grant, or loan, or”; and

(B) by striking “2018” and inserting “2023”; and

(11) by redesignating subsections (k) and (l) as subsections (j) and (k), respectively.

SEC. 602. EXPANSION OF MIDDLE MILE INFRASTRUCTURE INTO RURAL AREAS.

Section 602 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb–1) is amended to read as follows:

“SEC. 602. EXPANSION OF MIDDLE MILE INFRASTRUCTURE INTO RURAL AREAS.

“(a) PURPOSE.—The purpose of this section is to encourage the expansion and extension of middle mile broadband infrastructure to connect unserved rural areas to the backbone of the Internet.

“(b) MIDDLE MILE INFRASTRUCTURE.—For the purposes of this section, the term ‘middle mile infrastructure’ means any broadband infrastructure that does not connect directly to end-user locations (including anchor institutions) and may include interoffice transport, backhaul, Internet connectivity, data centers, or special access transport to rural areas.

“(c) GRANTS, LOANS, AND LOAN GUARANTEES.—The Secretary shall make grants, loans, and loan guarantees to eligible applicants described in subsection (d) to provide funds for the construction, improvement, or acquisition of middle mile infrastructure to serve rural areas.

“(d) ELIGIBILITY.—

“(1) ELIGIBLE APPLICANTS.—

“(A) IN GENERAL.—To be eligible to obtain assistance under this section, an eligible entity shall—

“(i) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require;

“(ii) agree to complete build-out of the middle mile infrastructure described in the application by not later than 5 years after the initial date on which proceeds from the assistance provided under this section are made available; and

“(iii) submit to the Secretary a plan to ensure the viability of the project by—

“(I) connecting, assisting with connecting, or enabling the connection of retail broadband systems that serve rural areas within the proposed service territory to the middle mile infrastructure project in an affordable and economically competitive manner;

“(II) leasing or selling sufficient capacity prior to project approval; and

“(III) complying with any other requirements imposed by the Secretary.

“(B) ADDITIONAL END USER BROADBAND PROGRAMS.—Entities that receive assistance to con-

struct, improve, or acquire middle mile infrastructure under this section shall be eligible to apply for additional funds under this title to provide for retail broadband service to end users.

“(2) **ELIGIBLE SERVICE TERRITORIES.**—The proceeds of assistance provided under this section may be used to carry out a project in a proposed service territory only if, as of the date the application for assistance under this section is submitted, there is not adequate middle mile infrastructure available to support broadband service for eligible rural communities that would be provided access to the middle mile infrastructure.

“(3) **ELIGIBLE PROJECTS.**—A project shall be eligible for assistance under this section if at the time of the application—

“(A) at least 75 percent of the interconnection points serve such eligible rural areas; and

“(B) the Secretary determines that the proposed middle mile network will be capable of supporting retail broadband service meeting the maximum broadband buildout requirement established under section 601(e)(4) for the residents within the proposed service territory.

“(e) **LIMITATION ON GRANTS.**—In making grants under this section, the Secretary shall—

“(1) not provide any grant in excess of 20 percent of the total project cost; and

“(2) provide grants only to those projects which serve rural areas where population density or geographic characteristics make it infeasible to construct middle mile broadband systems without grant assistance.

“(f) **TERMS, CONDITIONS, AND ADEQUACY OF SECURITY.**—All loans and loan guarantees provided under this section shall be made subject to such terms, conditions, and adequacy of security requirements as may be imposed by the Secretary. If the middle mile infrastructure would not provide adequate security due to long-term leasing arrangements, the Secretary shall require substitute security in such form and substance as are acceptable to the Secretary.

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2018 through 2023.”.

SEC. 6203. MODIFICATIONS TO THE RURAL GIGABIT PROGRAM.

Section 603 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb-2) is amended—

(1) in the section heading, by striking “**RURAL GIGABIT NETWORK PILOT**” and inserting “**INNOVATIVE BROADBAND ADVANCEMENT**”;

(2) in subsection (d), by striking “2014 through 2018” and inserting “2019 through 2023”;

(3) by redesignating subsection (d) as subsection (e); and

(4) by striking subsections (a) through (c) and inserting the following:

“(a) **IN GENERAL.**—The Secretary shall establish a program to be known as the ‘Innovative Broadband Advancement Program’, under which the Secretary may provide a grant, a loan, or both to an eligible entity for the purpose of demonstrating innovative broadband technologies or methods of broadband deployment that significantly decrease the cost of broadband deployment, and provide substantially faster broadband speeds than are available in a rural area.

“(b) **RURAL AREA.**—In this section, the term ‘rural area’ has the meaning provided in section 601(b)(3).

“(c) **ELIGIBILITY.**—To be eligible to obtain assistance under this section for a project, an entity shall—

“(1) submit to the Secretary an application—

“(A) that describes a project designed to decrease the cost of broadband deployment, and substantially increase broadband speed to not less than the maximum broadband buildout requirements established under section 601(e)(4), in a rural area to be served by the project; and

“(B) at such time, in such manner, and containing such other information as the Secretary may require;

“(2) demonstrate that the entity is able to carry out the project; and

“(3) agree to complete the project build-out within 5 years after the date the assistance is first provided for the project.

“(d) **PRIORITIZATION.**—In awarding assistance under this section, the Secretary shall give priority to proposals for projects that—

“(1) involve partnerships between or among multiple entities;

“(2) would provide broadband service to the greatest number of rural entities at or above the broadband requirements referred to in subsection (c)(1)(A); and

“(3) the Secretary determines could be replicated in rural areas described in paragraph (2).”.

SEC. 6204. COMMUNITY CONNECT GRANT PROGRAM.

Title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.) is amended by adding at the end the following:

“SEC. 604. COMMUNITY CONNECT GRANT PROGRAM.

“(a) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE BROADBAND SERVICE.**—The term ‘eligible broadband service’ means broadband service that has the capability to transmit data at a speed specified by the Secretary, which may not be less than the applicable minimum download and upload speeds established by the Federal Communications Commission in defining the term ‘advanced telecommunications capability’ for purposes of section 706 of the Telecommunications Act of 1996 (47 U.S.C. 1302).

“(2) **ELIGIBLE SERVICE AREA.**—The term ‘eligible service area’ means an area in which broadband service capacity is less than—

“(A) a 10-Mbps downstream transmission capacity; and

“(B) a 1-Mbps upstream transmission capacity.

“(3) **ELIGIBLE ENTITY.**—

“(A) **IN GENERAL.**—The term ‘eligible entity’ means a legally organized entity that—

“(i) is—

“(I) an incorporated organization;

“(II) an Indian Tribe or Tribal organization;

“(III) a State;

“(IV) a unit of local government; or

“(V) any other legal entity, including a cooperative, a private corporation, or a limited liability company, that is organized on a for-profit or a not-for-profit basis; and

“(ii) has the legal capacity and authority to enter into a contract, to comply with applicable Federal laws, and to own and operate broadband facilities, as proposed in the application submitted by the entity for a grant under the Program.

“(B) **EXCLUSIONS.**—The term ‘eligible entity’ does not include—

“(i) an individual; or

“(ii) a partnership.

“(4) **RURAL AREA.**—The term ‘rural area’ has the meaning given the term in section 601(b)(3)(A).

“(b) **ESTABLISHMENT.**—The Secretary shall establish a program, to be known as the ‘Community Connect Grant Program’, to provide grants to eligible entities to finance broadband transmission in rural areas.

“(c) **ELIGIBLE PROJECTS.**—An eligible entity that receives a grant under the Program shall use the grant to carry out a project that—

“(1) provides eligible broadband service to, within the proposed eligible service area described in the application submitted by the eligible entity—

“(A) each essential community facility as defined pursuant to section 306(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)); and

“(B) any required facilities necessary to offer that eligible broadband service to each residential and business customer within such proposed eligible service area; and

“(2) for not less than 2 years—

“(A) furnishes free eligible broadband service to a community center described in subsection (d)(1)(B);

“(B) provides not fewer than 2 computer access points for that free eligible broadband service; and

“(C) covers the cost of bandwidth to provide free eligible broadband service to each essential community facility that requests broadband services within the proposed eligible service area described in the application submitted by the eligible entity.

“(d) **USES OF GRANT FUNDS.**—

“(1) **IN GENERAL.**—An eligible entity that receives a grant under the Program may use the grant for—

“(A) the construction, acquisition, or leasing of facilities (including spectrum), land, or buildings to deploy eligible broadband service; and

“(B) the improvement, expansion, construction, or acquisition of a community center within the proposed eligible service area described in the application submitted by the eligible entity.

“(2) **INELIGIBLE USES.**—An eligible entity that receives a grant under the Program shall not use the grant for—

“(A) the duplication of any existing eligible broadband service provided by another entity in the eligible service area; or

“(B) operating expenses, except as provided in—

“(i) subsection (c)(2)(C) with respect to free eligible broadband service; and

“(ii) paragraph (1)(A) with respect to spectrum.

“(3) **FREE ACCESS FOR COMMUNITY CENTERS.**—Of the amounts provided to an eligible entity under a grant under the Program, the eligible entity shall use to carry out paragraph (1)(B) not greater than the lesser of—

“(A) 10 percent; and

“(B) \$150,000.

“(e) **MATCHING FUNDS.**—

“(1) **IN GENERAL.**—An eligible entity that receives a grant under the Program shall provide a cash contribution in an amount that is not less than 15 percent of the amount of the grant.

“(2) **REQUIREMENTS.**—A cash contribution described in paragraph (1)—

“(A) shall be used solely for the project for which the eligible entity receives a grant under the Program; and

“(B) shall not include any Federal funds, unless a Federal statute specifically provides that those Federal funds may be considered to be from a non-Federal source.

“(f) **APPLICATIONS.**—

“(1) **IN GENERAL.**—To be eligible to receive a grant under the Program, an eligible entity shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(2) **REQUIREMENT.**—An application submitted by an eligible entity under paragraph (1) shall include documentation sufficient to demonstrate the availability of funds to satisfy the requirement of subsection (e).

“(g) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 6205. OUTDATED BROADBAND SYSTEMS.

(a) **IN GENERAL.**—Title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.) is further amended by adding at the end the following:

“SEC. 605. OUTDATED BROADBAND SYSTEMS.

“(a) **IN GENERAL.**—Except as provided in subsection (b), the Secretary shall consider any portion of a service territory that is subject to an outstanding grant agreement between the Secretary and a broadband provider to be unserved for the purposes of all broadband assistance programs under this Act, if the broadband service in that portion of a service territory is less than 10 Mbps downstream transmission capacity or less than 1 Mbps upstream transmission capacity.

“(b) **EXCEPTION.**—The Secretary shall not consider a portion of a service territory described in subsection (a) to be unserved if the broadband service provider has constructed or begun to construct broadband facilities that meet the minimum acceptable level of service established under section 601(e), in that portion of the service territory.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall not take effect until October 1, 2020.

SEC. 6206. DEFAULT AND DEOBLIGATION; DEFERRAL.

Title VI of such Act (7 U.S.C. 950bb et seq.) is further amended by adding at the end the following:

“SEC. 606. DEFAULT AND DEOBLIGATION; DEFERRAL.

“(a) **DEFAULT AND DEOBLIGATION.**—In addition to other authority under applicable law, the Secretary shall establish written procedures for all broadband programs so that, to the maximum extent practicable, the programs are administered to—

“(1) recover funds from loan and grant defaults;

“(2) deobligate any awards, less allowable costs that demonstrate an insufficient level of performance (including metrics determined by the Secretary) or fraudulent spending, to the extent funds with respect to the award are available in the account relating to the program established by this title;

“(3) award those funds, on a competitive basis, to new or existing applicants consistent with this title; and

“(4) minimize overlap among the programs.

“(b) **DEFERRAL PERIOD.**—In determining the terms and conditions of assistance provided under this title, the Secretary may establish a deferral period of not shorter than the buildout period established for the project involved in order to support the financial feasibility and long-term sustainability of the project.”.

SEC. 6207. PUBLIC NOTICE, ASSESSMENTS, AND REPORTING REQUIREMENTS.

The Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.) is amended by adding at the end the following new title:

“TITLE VII—GENERAL AND ADMINISTRATIVE PROVISIONS

“SEC. 701. PUBLIC NOTICE, ASSESSMENTS, AND REPORTING REQUIREMENTS.

“(a) **NOTICE REQUIREMENTS.**—The Secretary shall promptly make available to the public, a fully searchable database on the website of the Rural Utilities Service that contains information on all retail broadband projects provided assistance or for which assistance is sought that are administered by the Secretary, including, at a minimum—

“(1) notice of each application for assistance describing the application, including—

“(A) the identity of the applicant;

“(B) a description of each application, including—

“(i) a map of the proposed service area of the applicant; and

“(ii) the amount and type of support requested by each applicant;

“(C) the status of each application; and

“(D) the estimated number and proportion of service points in the proposed service territory without fixed broadband service, whether terrestrial or wireless;

“(2) notice of each entity receiving assistance administered by the Secretary, including—

“(A) the name of the entity;

“(B) the type of assistance being received;

“(C) the purpose for which the entity is receiving the assistance; and

“(D) each annual report submitted under subsection (c) (redacted to protect any proprietary information in the report); and

“(3) such other information as is sufficient to allow the public to understand assistance provided.

“(b) **SERVICE AREA ASSESSMENT.**—

“(1) **IN GENERAL.**—The Secretary shall, with respect to a retail broadband application for assistance, which is outside an area in which the applicant receives Federal universal service support—

“(A) after giving notice required by subsection (a)(1), afford service providers not less than 45 days to voluntarily submit information required by the Secretary onto the agency’s online mapping tool with respect to areas that are coterminous with the proposed service area of the application (or any parts thereof), such that the Secretary may assess whether the application submitted meets the eligibility requirements under this title; and

“(B) if no broadband service provider submits information under paragraph (1), consider the number of providers in the proposed service area to be established by using any other data regarding the availability of broadband service that the Secretary may collect or obtain through reasonable efforts.

“(2) **ASSESSMENT OF UNSERVED COMMUNITIES.**—In the case of an application given the highest priority under section 601(c)(2)(A)(i), the Secretary shall confirm that each unserved rural community identified in the application is eligible for funding by—

“(A) conferring with, and obtaining data from, the Chair of the Federal Communications Commission and the Administrator of the National Telecommunications and Information Administration with respect to the service level in the service area proposed in the application;

“(B) reviewing any other source that is relevant to service data validation, as determined by the Secretary; and

“(C) performing site-specific testing to verify the unavailability of any retail broadband service.

“(3) **FOIA EXEMPTION.**—For purposes of section 552 of title 5, United States Code, information received by the Secretary pursuant to paragraph (1)(A) of this subsection shall be exempt from disclosure pursuant to subsection (b)(2)(B) of such section 552.

“(c) **REPORTING BROADBAND IMPROVEMENTS TO USDA.**—

“(1) **IN GENERAL.**—The Secretary shall require any entity receiving assistance for a project which provides retail broadband service to submit an annual report for 3 years after completion of the project, in a format specified by the Secretary, that describes—

“(A) the use by the entity of the assistance, including new equipment and capacity enhancements that support high-speed broadband access for educational institutions, health care providers, and public safety service providers (including the estimated number of end users who are currently using or forecasted to use the new or upgraded infrastructure); and

“(B) the progress towards fulfilling the objectives for which the assistance was granted, including—

“(i) the number of service points that will receive new broadband service, existing network service improvements, and facility upgrades resulting from the Federal assistance;

“(ii) the speed of broadband service;

“(iii) the average price of the most subscribed tier of broadband service in a proposed service area;

“(iv) new subscribers generated from the project; and

“(v) any metrics the Secretary determines to be appropriate.

“(2) **ADDITIONAL REPORTING.**—

“(A) **BROADBAND BUILDOUT DATA.**—As a condition of receiving assistance under section 601, a recipient of assistance shall provide to the Secretary complete, reliable, and precise geolocation information that indicates the location of new broadband service that is being provided or upgraded within the service territory supported by the grant, loan, or loan guarantee not later than 30 days after the earlier of—

“(i) the date of completion of any project milestone established by the Secretary; or

“(ii) the date of completion of the project.

“(B) **REPORTING FOR MIDDLE MILE PROJECTS.**—The Secretary shall require any entity receiving assistance under section 602 to submit a semiannual report for 5 years after completion of the project, in a format specified by the Secretary, that describes—

“(i) the use by the entity of the assistance to construct, improve, or acquire middle mile infrastructure;

“(ii) the progress towards meeting the end-user connection plan submitted under section 602(d)(1)(A)(iii); and

“(iii) any additional metrics the Secretary determines to be appropriate.

“(C) **ADDITIONAL REPORTING.**—The Secretary may require any additional reporting and information by any recipient of any broadband assistance under this act so as to ensure compliance with this section.

“(d) **ANNUAL REPORT ON BROADBAND PROJECTS AND SERVICE TO CONGRESS.**—Each year, the Secretary shall submit to the Congress a report that describes the extent of participation in the broadband assistance programs administered by the Secretary for the preceding fiscal year, including a description of—

“(1) the number of applications received and accepted, including any special loan terms or conditions for which the Secretary provided additional assistance to unserved areas;

“(2)(A) the communities proposed to be served in each application submitted for the fiscal year; and

“(B) the communities served by projects funded by broadband assistance programs;

“(3) the period of time required to approve each loan application under broadband programs;

“(4) any outreach activities carried out by the Secretary to encourage entities in rural areas without broadband service to submit applications under this Act;

“(5) the method by which the Secretary determines that a service enables a subscriber to originate and receive high-quality voice, data, graphics, and video for purposes of providing broadband service under this Act;

“(6) each broadband service, including the type and speed of broadband service, for which assistance was sought, and each broadband service for which assistance was provided, under this Act; and

“(7) the overall progress towards fulfilling the goal of improving the quality of rural life by expanding rural broadband access, as demonstrated by metrics, including—

“(A) the number of residences and businesses receiving new broadband services;

“(B) network improvements, including facility upgrades and equipment purchases;

“(C) average broadband speeds and prices on a local and statewide basis;

“(D) any changes in broadband adoption rates; and

“(E) any specific activities that increased high speed broadband access for educational institutions, health care providers, and public safety service providers.

“(e) **LIMITATIONS ON RESERVATION OF FUNDS.**—Not less than 3 but not more than 5 percent of program level amounts available pursuant to amounts appropriated to carry out title VI shall be set aside to be used for—

“(1) conducting oversight under such title;

“(2) implementing accountability measures and related activities authorized under such title; and

“(3) carrying out this section.”.

SEC. 6208. ENVIRONMENTAL REVIEWS.

Title VII of the Rural Electrification Act of 1936, as added by section 6207 of this Act, is amended by adding at the end the following:

“SEC. 702. ENVIRONMENTAL REVIEWS.

“The Secretary may obligate, but not disperse, funds under this Act before the completion of otherwise required environmental, historical, or other types of reviews if the Secretary deter-

mines that a subsequent site-specific review shall be adequate and easily accomplished for the location of towers, poles, or other broadband facilities in the service area of the borrower without compromising the project or the required reviews.”.

SEC. 6209. USE OF LOAN PROCEEDS TO REFINANCE LOANS FOR DEPLOYMENT OF BROADBAND SERVICE.

Title VII of the Rural Electrification Act of 1936, as added by section 6207 and amended by section 6208 of this Act, is amended by adding at the end the following:

“SEC. 703. USE OF LOAN PROCEEDS TO REFINANCE LOANS FOR DEPLOYMENT OF BROADBAND SERVICE.

“Notwithstanding any other provision of this Act, the proceeds of any loan made or guaranteed by the Secretary under this Act may be used by the recipient of the loan for the purpose of refinancing an outstanding obligation of the recipient on another telecommunications loan made under this Act, or on any other loan if that loan would have been for an eligible telecommunications purpose under this Act.”.

SEC. 6210. SMART UTILITY AUTHORITY FOR BROADBAND.

(a) Section 331 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981) is amended by adding at the end the following:

“(e)(1) Except as provided in paragraph (2), the Secretary may allow a recipient of a grant, loan, or loan guarantee provided by the Office of Rural Development under this title to use not more than 10 percent of the amount so provided—

“(A) for any activity for which assistance may be provided under section 601 of the Rural Electrification Act of 1936; or

“(B) to construct other broadband infrastructure.

“(2) Paragraph (1) of this subsection shall not apply to a recipient who is seeking to provide retail broadband service in any area where retail broadband service is available at the minimum broadband speeds, as defined under section 601(e) of the Rural Electrification Act of 1936.

“(3) The Secretary shall not provide funding under paragraph (1) if the funding would result in competitive harm to any grant, loan, or loan guarantee provided under the Rural Electrification Act of 1936.”.

(b) Title I of the Rural Electrification Act of 1936 (7 U.S.C. 901–918a) is amended by inserting after section 7 the following:

“SEC. 8. LIMITATIONS ON USE OF ASSISTANCE.

“(a) Subject to subsections (b) and (c) of this section, the Secretary may allow a recipient of a grant, loan, or loan guarantee under this title to set aside not more than 10 percent of the amount so received to provide retail broadband service.

“(b) A recipient who sets aside funds under subsection (a) of this section may use the funds only in an area that is not being provided with the minimum acceptable level of broadband service established under section 601(e), unless the recipient meets the requirements of section 601(d).

“(c) Nothing in this section shall be construed to limit the ability of any borrower to finance or deploy services authorized under this Act.

“(d) The Secretary shall not provide funding under subsection (a) if the funding would result in competitive harm to any grant, loan, or loan guarantee referred to in subsection (a).”.

SEC. 6211. REFINANCING OF TELEPHONE LOANS.

Section 201 of the Rural Electrification Act of 1936 (7 U.S.C. 922) is amended, in the fifth sentence, by striking “furnishing telephone service in rural areas:” and all that follows through “40 per centum of any loan made under this title.” and inserting “furnishing telephone service in rural areas, including indebtedness of recipients on another telecommunications loan made under this Act.”.

SEC. 6212. FEDERAL BROADBAND PROGRAM COORDINATION.

(a) CONSULTATION BETWEEN USDA AND NTIA.—The Secretary shall consult with the Assistant Secretary to assist in the verification of eligibility of the broadband loan and grant programs of the Department of Agriculture. In providing assistance under the preceding sentence, the Assistant Secretary shall make available the broadband assessment and mapping capabilities of the National Telecommunications and Information Administration.

(b) CONSULTATION BETWEEN USDA AND FCC.—

(1) BY USDA.—The Secretary shall consult with the Commission before providing broadband assistance for a project to serve an area with respect to which another entity is receiving Connect America Fund or Mobility Fund support under the Federal universal service support mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

(2) BY FCC.—The Commission shall consult with the Secretary before offering or providing Connect America Fund or Mobility Fund support under the Federal universal service support mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254) to serve an area with respect to which another entity has received broadband assistance under a loan or grant program of the Department of Agriculture.

(c) REPORT TO CONGRESS.—Not later than 1 year after the date of the enactment of this Act, the Secretary, the Commission, and the Assistant Secretary shall submit to the Committee on Agriculture and the Committee on Energy and Commerce of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Commerce, Science, and Transportation of the Senate a report on how best to coordinate federally supported broadband programs and activities in order to achieve the following objectives:

(1) Promote high-quality broadband service that meets the long-term needs of rural residents and businesses, by evaluating the broadband service needs in rural areas for each decade through 2050.

(2) Support the long-term viability, sustainability, and utility of federally supported rural broadband infrastructure, by analyzing the technical capabilities of the technologies currently available and reasonably expected to be available by 2035 to meet the broadband service needs of rural residents identified under paragraph (1), including by analyzing the following:

(A) The real-world performance of such technologies, including data rates, latency, data usage restrictions, and other aspects of service quality, as defined by the Commission.

(B) The suitability of each such technology for residential, agricultural, educational, healthcare, commercial, and industrial purposes in rural areas.

(C) The cost to deploy and support such technologies in several rural geographies.

(D) The costs associated with online platforms, specifically the resulting constraints on rural network bandwidth.

(3) Identify and quantify the availability of broadband service and ongoing broadband deployment in rural areas, including ways to do the following:

(A) Harmonize broadband notification and reporting requirements and develop common verification procedures across all federally supported broadband programs.

(B) Consolidate and utilize the existing broadband service data.

(C) Collect and share data on those projects in rural areas where Federal programs are currently supporting broadband deployment, including areas with respect to which an entity is receiving—

(i) support under a broadband assistance program of the Department of Agriculture; or

(ii) Connect America Fund or Mobility Fund support under the Federal universal service sup-

port mechanisms established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

(D) Leverage support technologies and services from online platforms for providers of broadband service in rural areas.

(d) DEFINITIONS.—In this section:

(1) ASSISTANT SECRETARY.—The term “Assistant Secretary” means the Assistant Secretary of Commerce for Communications and Information.

(2) COMMISSION.—The term “Commission” means the Federal Communications Commission.

(3) RURAL AREA.—The term “rural area” has the meaning given the term in section 601(b)(3) of the Rural Electrification Act of 1936.

SEC. 6213. TRANSITION RULE.

For the period beginning on the date of the enactment of this Act and ending on the date that is one year after such date of enactment, with respect to the implementation of the rural broadband access program under section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) and the Community Connect Grant Program under section 604 of such Act, as added by section 6204 of this Act, the Secretary shall use the regulations in existence as of the day before the date of enactment of this Act that are applicable to the program involved, until the Secretary issues a final rule implementing the provisions of, and amendments made by, this title that apply to that program.

SEC. 6214. RURAL BROADBAND INTEGRATION WORKING GROUP.

(a) IN GENERAL.—

(1) ESTABLISHMENT.—There is established the Rural Broadband Integration Working Group (referred to in this subsection as the “Working Group”).

(2) MEMBERSHIP.—The membership of the Working Group shall be composed of the heads, or their designees, of—

(A) the Department of Agriculture, acting through the Administrator of the Rural Utilities Service;

(B) the Department of Commerce, acting through the Assistant Secretary for Communications and Information;

(C) the Department of Defense;

(D) the Department of State;

(E) the Department of the Interior;

(F) the Department of Labor;

(G) the Department of Health and Human Services;

(H) the Department of Homeland Security;

(I) the Department of Housing and Urban Development;

(J) the Department of Justice;

(K) the Department of Transportation;

(L) the Department of the Treasury;

(M) the Department of Energy;

(N) the Department of Education;

(O) the Department of Veterans Affairs;

(P) the Environmental Protection Agency;

(Q) the General Services Administration;

(R) the Small Business Administration;

(S) the Institute of Museum and Library Services;

(T) the National Science Foundation;

(U) the Council on Environmental Quality;

(V) the Office of Science and Technology Policy;

(W) the Office of Management and Budget;

(X) the Council of Economic Advisers;

(Y) the Domestic Policy Council;

(Z) the National Economic Council; and

(AA) such other Federal agencies or entities as are determined appropriate by the co-chairs.

(3) CO-CHAIRS.—The following individuals, or their designees, shall serve as co-chairs of the Working Group:

(A) The Administrator of the Rural Utilities Service.

(B) The Assistant Secretary for Communications and Information.

(C) The Director of the National Economic Council.

(D) The Director of the Office of Science and Technology Policy.

(4) **CONSULTATION; COORDINATION.**—The Working Group shall consult, as appropriate, with other relevant agencies, including the Federal Communications Commission. The Working Group shall coordinate with existing Federal working groups and committees involved with broadband.

(5) **MEMBERSHIP CHANGES.**—The Director of the National Economic Council and the Director of the Office of Science and Technology Policy shall review, on a periodic basis, the membership of the Working Group to ensure that the Working Group—

(A) includes necessary Federal Government entities; and

(B) is an effective mechanism for coordinating among agencies on the policy described in subsection (b).

(b) **FUNCTIONS OF WORKING GROUP.**—

(1) **CONSULTATION.**—The Working Group shall consult with State, local, Tribal, and territorial governments, telecommunications companies, utilities, trade associations, philanthropic entities, policy experts, and other interested parties to identify, assess, and determine possible actions relating to barriers and opportunities for broadband deployment in rural areas.

(2) **POINT OF CONTACT.**—Not later than 15 days after the date of enactment of this Act, each member of the Working Group shall—

(A) designate a representative to serve as the main point of contact for matters relating to the Working Group; and

(B) notify the co-chairs of the Working Group of that designee.

(3) **SURVEY.**—Not later than 60 days after the date of enactment of this Act, based on information provided by the members of the Working Group, the Working Group shall publish a comprehensive survey of—

(A) Federal programs, including the allocated funding amounts, that currently support or could reasonably be modified to support broadband deployment and adoption; and

(B) all Federal agency-specific policies and rules with the direct or indirect effect of facilitating or regulating investment in, or deployment of, wired and wireless broadband networks.

(4) **LIST OF ACTIONS.**—Not later than 120 days after the date of enactment of this Act, the members of the Working Group shall submit to the Working Group an initial list of actions that each of the agencies could take to identify and address regulatory barriers to, incentivize investment in, promote best practices within, align funding decisions with respect to, and otherwise support, wired broadband deployment and adoption.

(5) **REPORT.**—Not later than 150 days after the date of enactment of this Act, the Working Group shall submit to the President an agreed-to and prioritized list of recommendations of the Working Group on actions that Federal agencies can take to support broadband deployment and adoption, including—

(A) a list of priority actions and rulemakings; and

(B) timelines to complete the priority actions and rulemakings.

Subtitle C—Miscellaneous

SEC. 6301. EXCLUSION OF CERTAIN POPULATIONS FROM DEFINITION OF RURAL AREA.

(a) **IN GENERAL.**—Section 343(a)(13) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)) is amended—

(1) in subparagraph (A), by striking “(G)” and inserting “(I)”;

(2) by adding at the end the following:

“(H) **EXCLUSION OF INCARCERATED POPULATIONS.**—Populations of individuals incarcerated on a long-term or regional basis shall not be included in determining whether an area is ‘rural’ or a ‘rural area’.

“(I) **LIMITED EXCLUSION OF MILITARY BASE POPULATIONS.**—The first 1,500 individuals who reside in housing located on a military base

shall not be included in determining whether an area is ‘rural’ or a ‘rural area’.”.

(b) **BROADBAND.**—Section 601(b)(3) of the Rural Electrification Act of 1936 (7 U.S.C. 950b(b)(3)) is amended by adding at the end the following:

“(C) **EXCLUSION OF CERTAIN POPULATIONS.**—Such term does not include any population described in subparagraph (H) or (I) of section 343(a)(13) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)).”.

(c) **DISTANCE LEARNING AND TELEMEDICINE LOANS AND GRANTS.**—Section 2332 of the Food Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 950aaa–1) is amended by adding at the end the following:

“(4) **RURAL AREA.**—The term ‘rural area’ has the meaning given the term in section 601(b)(3) of the Rural Electrification Act of 1936.”.

SEC. 6302. ESTABLISHMENT OF TECHNICAL ASSISTANCE PROGRAM.

(a) **DEFINITION.**—In this section, the term ‘tribally designated housing entity’ has the meaning given the term in section 4 of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103).

(b) **IN GENERAL.**—The Secretary shall, in coordination with the Office of Tribal Relations established under section 309 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6921), provide technical assistance to improve access by Tribal entities to rural development programs funded by the Department of Agriculture through available cooperative agreement authorities of the Secretary.

(c) **TECHNICAL ASSISTANCE.**—Technical assistance provided under subsection (b) shall address the unique challenge of Tribal governments, Tribal producers, Tribal businesses, Tribal business entities, and tribally designated housing entities in accessing Department of Agriculture-supported rural infrastructure, rural cooperative development, rural business and industry, rural housing, and other rural development activities.

SEC. 6303. RURAL ENERGY SAVINGS PROGRAM.

Section 6407 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107a) is amended—

(1) in subsection (b)(2), by striking “efficiency,” and inserting “efficiency (including cost-effective on- or off-grid renewable energy or energy storage systems).”;

(2) in subsection (c)—

(A) by redesignating paragraphs (4) through (7) as paragraphs (5) through (8), respectively;

(B) by inserting after paragraph (3) the following:

“(4) **ELIGIBILITY FOR OTHER LOANS.**—The Secretary shall not include any debt incurred by a borrower under this section in the calculation of the debt-equity ratio of the borrower for purposes of eligibility for loans under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.).”;

(C) in subparagraph (B) of paragraph (5) (as so redesignated), by striking “(6)” and inserting “(7)”;

(D) by adding at the end the following:

“(9) **ACCOUNTING.**—The Secretary shall take appropriate steps to streamline the accounting requirements on borrowers under this section while maintaining adequate assurances of the repayment of the loans.”;

(3) in subsection (d)(1)—

(A) in subparagraph (A), by striking “3 percent” and inserting “5 percent”;

(B) in subparagraph (D), by striking “electric” and inserting “recurring service”;

(4) by redesignating subsection (h) as subsection (i);

(5) by inserting after subsection (g) the following:

“(h) **PUBLICATION.**—Not later than 120 days after the end of each fiscal year, the Secretary shall publish a description of—

“(1) the number of applications received under this section for that fiscal year;

“(2) the number of loans made to eligible entities under this section for that fiscal year; and

“(3) the recipients of the loans described in paragraph (2).”;

(6) in subsection (i) (as so redesignated), by striking “2018” and inserting “2023”.

SEC. 6304. NORTHERN BORDER REGIONAL COMMISSION REAUTHORIZATION.

(a) **ADMINISTRATIVE EXPENSES OF REGIONAL COMMISSIONS.**—Section 15304(c)(3)(A) of title 40, United States Code, is amended by striking “unanimous” and inserting “majority”.

(b) **ECONOMIC AND INFRASTRUCTURE DEVELOPMENT GRANTS.**—Section 15501 of title 40, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (7), by striking “and” at the end;

(B) by redesignating paragraph (8) as paragraph (9); and

(C) by inserting after paragraph (7) the following:

“(8) to grow the capacity for successful community economic development in its region; and”;

(2) in subsection (b), by striking “paragraphs (1) through (3)” and inserting “paragraph (1), (2), (3), or (7)”;

(3) in subsection (f), by striking the period at the end and inserting “, except that financial assistance may be used as otherwise authorized by this subtitle to attract businesses to the region from outside the United States.”.

(c) **STATE CAPACITY BUILDING GRANT PROGRAM.**—

(1) **DEFINITIONS.**—In this subsection:

(A) **COMMISSION.**—The term “Commission” means the Northern Border Regional Commission established by section 15301(a)(3) of title 40, United States Code.

(B) **COMMISSION STATE.**—The term “Commission State” means each of the States of Maine, New Hampshire, New York, and Vermont.

(C) **ELIGIBLE COUNTY.**—The term “eligible county” means a county described in section 15733 of title 40, United States Code.

(D) **PROGRAM.**—The term “program” means the State capacity building grant program established under paragraph (2).

(2) **ESTABLISHMENT.**—Not later than 180 days after the date of enactment of this Act, the Commission shall establish a State capacity building grant program to provide grants to Commission States to carry out the purpose under paragraph (3).

(3) **PURPOSE.**—The purpose of the program is to support the efforts of the Commission—

(A) to better support business retention and expansion in eligible counties;

(B) to create programs to encourage job creation and workforce development in eligible counties;

(C) to prepare economic and infrastructure plans for eligible counties;

(D) to expand access to high-speed broadband in eligible counties;

(E) to provide technical assistance that results in Commission investments in transportation, water, wastewater, and other critical infrastructure;

(F) to create initiatives to increase the effectiveness of local development districts in eligible counties; and

(G) to implement new or innovative economic development practices that will better position the eligible counties of Commission States to compete in the global economy.

(4) **USE OF FUNDS.**—

(A) **IN GENERAL.**—Funds from a grant under the program may be used to support a project, program, or related expense of the Commission State in an eligible county.

(B) **LIMITATION.**—Funds from a grant under the program shall not be used for—

(i) the purchase of furniture, fixtures, or equipment;

(ii) the compensation of—

(1) any State member of the Commission (as described in section 15301(b)(1)(B) of title 40, United States Code); or

(II) any State alternate member of the Commission (as described in section 15301(b)(2)(B) of title 40, United States Code); or
 (iii) the cost of supplanting existing State programs.

(5) ANNUAL WORK PLAN.—

(A) IN GENERAL.—For each fiscal year, before providing a grant under the program, each Commission State shall provide to the Commission an annual work plan that includes the proposed use of the grant.

(B) APPROVAL.—No grant under the program shall be provided to a Commission State unless the Commission has approved the annual work plan of the State.

(6) AMOUNT OF GRANT.—

(A) IN GENERAL.—The amount of a grant provided to a Commission State under the program for a fiscal year shall be based on the proportion that—

(i) the amount paid by the Commission State (including any amounts paid on behalf of the Commission State by a nonprofit organization) for administrative expenses for the applicable fiscal year (as determined under section 15304(c) of title 40, United States Code); bears to

(ii) the amount paid by all Commission States (including any amounts paid on behalf of a Commission State by a nonprofit organization) for administrative expenses for that fiscal year (as determined under that section).

(B) REQUIREMENT.—To be eligible to receive a grant under the program for a fiscal year, a Commission State (or a nonprofit organization on behalf of the Commission State) shall pay the amount of administrative expenses of the Commission State for the applicable fiscal year (as determined under section 15304(c) of title 40, United States Code).

(C) APPROVAL.—For each fiscal year, a grant provided under the program shall be approved and made available as part of the approval of the annual budget of the Commission.

(7) GRANT AVAILABILITY.—Funds from a grant under the program shall be available only during the fiscal year for which the grant is provided.

(8) REPORT.—Each fiscal year, each Commission State shall submit to the Commission and make publicly available a report that describes the use of the grant funds and the impact of the program in the State.

(9) FUNDING.—

(A) IN GENERAL.—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2019 through 2023.

(B) SUPPLEMENT, NOT SUPPLANT.—Funds made available to carry out this subsection shall supplement and not supplant funds made available for the Commission and other activities of the Commission.

(d) NORTHERN BORDER REGIONAL COMMISSION.—Section 15733 of title 40, United States Code, is amended—

(1) in paragraph (2)—

(A) by inserting “Belknap,” before “Carroll,”; and

(B) by inserting “Cheshire,” before “Coos,”;

(2) by striking paragraph (3) and inserting the following new paragraph:

“(3) NEW YORK.—The counties of Cayuga, Clinton, Essex, Franklin, Fulton, Genesee, Greene, Hamilton, Herkimer, Jefferson, Lewis, Livingston, Madison, Montgomery, Niagara, Oneida, Orleans, Oswego, Rensselaer, Saratoga, Schenectady, Seneca, St. Lawrence, Sullivan, Washington, Warren, Wayne, and Yates in the State of New York.”; and

(3) in paragraph (4)—

(A) by inserting “Addison, Bennington,” before “Caledonia,”;

(B) by inserting “Chittenden,” before “Essex,”;

(C) by striking “and” and inserting “Orange,” and

(D) by inserting “, Rutland, Washington, Windham, and Windsor” after “Orleans”.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 15751(a) of title 40, United States Code, is

amended by striking “\$30,000,000 for each of fiscal years 2008 through 2018” and inserting “\$33,000,000 for each of fiscal years 2019 through 2023”.

(f) VACANCIES.—Section 15301 of title 40, United States Code, is amended by adding at the end the following:

“(f) SUCCESSION.—Subject to the time limitations under section 3346 of title 5, the Federal Cochairperson may designate a Federal employee of the Commission to perform the functions and duties of the office of the Federal Cochairperson temporarily in an acting capacity if both the Federal Cochairperson and the alternate Federal Cochairperson die, resign, or otherwise are unable to perform the functions and duties of their offices.”.

(g) TECHNICAL AMENDMENTS.—Chapters 1, 2, 3, and 4 of subtitle V of title 40, United States Code, are redesignated as chapters 151, 153, 155, and 157, respectively.

SEC. 6305. DEFINITION OF RURAL AREA FOR PURPOSES OF THE HOUSING ACT OF 1949.

The second sentence of section 520 of the Housing Act of 1949 (42 U.S.C. 1490) is amended—

(1) by striking “or 2010 decennial census” and inserting “2010, or 2020 decennial census”;

(2) by striking “December 31, 2010,” and inserting “December 31, 2020,”; and

(3) by striking “year 2020” and inserting “year 2030”.

SEC. 6306. COUNCIL ON RURAL COMMUNITY INNOVATION AND ECONOMIC DEVELOPMENT.

(a) PURPOSE.—The purpose of this section is to enhance the efforts of the Federal Government to address the needs of rural areas in the United States by—

(1) establishing a council to better coordinate Federal programs directed to rural communities;

(2) maximizing the impact of Federal investment to promote economic prosperity and quality of life in rural communities in the United States; and

(3) using innovation to resolve local and regional challenges faced by rural communities.

(b) ESTABLISHMENT.—

(1) There is established a Council on Rural Community Innovation and Economic Development (referred to in this section as the “Council”).

(2) The Council shall be the successor to the Interagency Task Force on Agriculture and Rural Prosperity established by Executive Order 13790.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The membership of the Council shall be composed of the heads of the following executive branch departments, agencies, and offices:

(A) The Department of Agriculture.

(B) The Department of the Treasury.

(C) The Department of Defense.

(D) The Department of Justice.

(E) The Department of the Interior.

(F) The Department of Commerce.

(G) The Department of Labor.

(H) The Department of Health and Human Services.

(I) The Department of Housing and Urban Development.

(J) The Department of Transportation.

(K) The Department of Energy.

(L) The Department of Education.

(M) The Department of Veterans Affairs.

(N) The Department of Homeland Security.

(O) The Environmental Protection Agency.

(P) The Federal Communications Commission.

(Q) The Office of Management and Budget.

(R) The Office of Science and Technology Policy.

(S) The Office of National Drug Control Policy.

(T) The Council of Economic Advisers.

(U) The Domestic Policy Council.

(V) The National Economic Council.

(W) The Small Business Administration.

(X) The Council on Environmental Quality.

(Y) The White House Office of Public Engagement.

(Z) The White House Office of Cabinet Affairs.

(AA) Such other executive branch departments, agencies, and offices as the President or the Secretary may, from time to time, designate.

(2) CHAIR.—The Secretary shall serve as the Chair of the Council.

(3) DESIGNEES.—A member of the Council may designate, to perform the Council functions of the member, a senior-level official who is—

(A) part of the department, agency, or office of the member; and

(B) a full-time officer or employee of the Federal Government.

(4) ADMINISTRATION.—The Council shall coordinate policy development through the rural development mission area.

(d) FUNDING.—The Secretary shall provide funding and administrative support for the Council to the extent permitted by law and within existing appropriations.

(e) MISSION AND FUNCTION OF THE COUNCIL.—The Council shall work across executive departments, agencies, and offices to coordinate development of policy recommendations—

(1) to maximize the impact of Federal investment on rural communities;

(2) to promote economic prosperity and quality of life in rural communities; and

(3) to use innovation to resolve local and regional challenges faced by rural communities.

(f) DUTIES.—The Council shall—

(1) make recommendations to the President, acting through the Director of the Domestic Policy Council and the Director of the National Economic Council, on streamlining and leveraging Federal investments in rural areas, where appropriate, to increase the impact of Federal dollars and create economic opportunities to improve the quality of life in rural areas in the United States;

(2) coordinate and increase the effectiveness of Federal engagement with rural stakeholders, including agricultural organizations, small businesses, education and training institutions, health-care providers, telecommunications services providers, electric service providers, transportation providers, research and land grant institutions, law enforcement, State, local, and tribal governments, and nongovernmental organizations regarding the needs of rural areas in the United States;

(3) coordinate Federal efforts directed toward the growth and development of rural geographic regions that encompass both metropolitan and nonmetropolitan areas;

(4) identify and facilitate rural economic opportunities associated with energy development, outdoor recreation, and other conservation related activities; and

(5) identify common economic and social challenges faced by rural communities that could be served through—

(A) better coordination of existing Federal and non-Federal resources; and

(B) innovative solutions utilizing governmental and nongovernmental resources.

(g) EXECUTIVE DEPARTMENTS AND AGENCIES.—

(1) IN GENERAL.—The heads of executive departments and agencies shall assist and provide information to the Council, consistent with applicable law, as may be necessary to carry out the functions of the Council.

(2) EXPENSES.—Each executive department or agency shall be responsible for paying any expenses of the executive department or agency for participating in the Council.

(h) COUNCIL WORKING GROUPS.—

(1) IN GENERAL.—The Council may establish, in addition to the working groups established under paragraph (3), such other working groups as necessary.

(2) MEMBERSHIP.—The Secretary shall include as members of each working group such Council members, other heads of Federal agencies (or their designees as defined in (d)(3)), and non-

Federal partners as determined appropriate to the subject matter.

(3) **REQUIRED WORKING GROUPS.**—The working groups specified in this paragraph are each of the following:

(A) **THE RURAL SMART COMMUNITIES WORKING GROUP.**—

(i) **ESTABLISHMENT.**—The Council shall establish a Rural Smart Communities Working Group.

(ii) **DUTIES.**—The Rural Smart Communities Working Group shall—

(I) not later than 1 year after the establishment of such Working Group, submit to Congress a report describing efforts of rural areas to integrate smart technology into their communities to solve challenges relating to governance, economic development, quality of life, or other relevant rural issues, as determined by the Secretary; and

(II) create, publish, and maintain a resource guide designed to assist States and other rural communities in developing and implementing rural smart community programs.

(iii) **SMART COMMUNITY DEFINED.**—For the purposes of this subparagraph, the term “smart community” means a community that has the ability to integrate multiple technological solutions, in a secure fashion, to manage a community’s assets, including local government information systems, schools, libraries, transportation systems, hospitals, power plants, law enforcement, and other community services with the goal of promoting quality of life through the use of technology in ways that improve the efficiency of services and meet residents’ needs.

(B) **JOBS ACCELERATOR WORKING GROUP.**—

(i) **ESTABLISHMENT.**—The Council shall establish a Jobs Accelerator Working Group.

(ii) **GOALS.**—The Jobs Accelerator Working Group shall support rural jobs accelerators (as defined in section 3791(a)(4) of the Consolidated Farm and Rural Development Act)—

(I) to improve the ability of rural communities to create high-wage jobs, accelerate the formation of new businesses with high-growth potential, and strengthen regional economies, including by helping to build capacity in the applicable region to achieve those goals; and

(II) to help rural communities identify and maximize local assets and connect to regional opportunities, networks, and industry clusters that demonstrate high growth potential.

(iii) **DUTIES.**—The Jobs Accelerator Working Group shall—

(I) provide the public with available information and technical assistance on Federal resources relevant to a project and region;

(II) establish a Federal support team comprised of staff from participating agencies in the working group that shall provide coordinated and dedicated support services to rural jobs accelerators; and

(III) provide opportunities for rural jobs accelerators to share best practices and further collaborate with one another.

Subtitle D—Additional Amendments to the Consolidated Farm and Rural Development Act

SEC. 6401. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.

Section 379H of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008v) is amended to read as follows:

“SEC. 379H. STRATEGIC ECONOMIC AND COMMUNITY DEVELOPMENT.

“(a) **IN GENERAL.**—In the case of any program under this title or administered by the Secretary, acting through the rural development mission area, as determined by the Secretary (referred to in this section as a “covered program”), the Secretary shall give priority to an application for a project that, as determined and approved by the Secretary—

“(1) meets the applicable eligibility requirements of this title or the other applicable authorizing law;

“(2) will be carried out in a rural area; and

“(3) supports the implementation of a strategic community investment plan described in subsection (d) on a multisectoral and multijurisdictional basis, to include considerations for improving and expanding broadband services as needed.

“(b) **RESERVE.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), the Secretary shall reserve not more than 15 percent of the funds made available for a fiscal year for covered programs for projects that support the implementation of a strategic community investment plan described in subsection (d) on a multisectoral and multijurisdictional basis.

“(2) **PERIOD.**—Any funds reserved under paragraph (1) shall only be reserved for the 1-year period beginning on the date on which the funds were first made available, as determined by the Secretary.

“(c) **APPROVED APPLICATIONS.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), any applicant who submitted an application under a covered program that was approved before the date of enactment of this section may amend the application to qualify for the funds reserved under subsection (b).

“(2) **RURAL UTILITIES.**—Any applicant who submitted an application under paragraph (2), (14), or (24) of section 306(a), or section 306A or 310B(b), that was approved by the Secretary before the date of enactment of this section shall be eligible for the funds reserved under subsection (b)—

“(A) on the same basis as an application submitted under this section; and

“(B) until September 30, 2019.

“(d) **STRATEGIC COMMUNITY INVESTMENT PLANS.**—

“(1) **IN GENERAL.**—The Secretary shall provide assistance to rural communities in developing strategic community investment plans.

“(2) **PLANS.**—A strategic community investment plan described in paragraph (1) shall include—

“(A) a variety of activities designed to facilitate the vision of a rural community for the future, including considerations for improving and expanding broadband services as needed;

“(B) participation by multiple stakeholders, including local and regional partners;

“(C) leverage of applicable regional resources;

“(D) investment from strategic partners, such as—

“(i) private organizations;

“(ii) cooperatives;

“(iii) other government entities;

“(iv) Indian Tribes; and

“(v) philanthropic organizations;

“(E) clear objectives with the ability to establish measurable performance metrics;

“(F) action steps for implementation; and

“(G) any other elements necessary to ensure that the plan results in a comprehensive and strategic approach to rural economic development, as determined by the Secretary.

“(3) **COORDINATION.**—The Secretary shall coordinate with Indian Tribes and local, State, regional, and Federal partners to develop strategic community investment plans under this subsection.

“(4) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2019 through 2023, to remain available until expended.”.

SEC. 6402. EXPANDING ACCESS TO CREDIT FOR RURAL COMMUNITIES.

(a) **CERTAIN PROGRAMS UNDER THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.**—Section 343(a)(13) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)(13)) is amended—

(1) in subparagraph (B)—

(A) in the heading, by striking “AND GUARANTEED”; and

(B) in the text—

(i) by striking “and guaranteed”; and

(ii) by striking “(1), (2), and (24)” and inserting “(1) and (2)”; and

(2) in subparagraph (C)—

(A) by striking “and guaranteed”; and

(B) by striking “(21), and (24)” and inserting “and (21)”.

(b) **POPULATION CAPS FOR GUARANTEED LENDING.**—Section 306(a)(24) of such Act (7 U.S.C. 1926(a)(24)) is amended by adding at the end the following:

“(D) **PRIORITY.**—

“(i) **WATER OR WASTE FACILITY.**—The Secretary shall prioritize water and waste facility projects under this paragraph in rural areas with a population of not more than 10,000 people.

“(ii) **COMMUNITY FACILITY.**—Of the funds made available to carry out this paragraph for community facility loan guarantees for a fiscal year the following amounts shall be reserved for projects in rural areas with a population of not more than 20,000 inhabitants:

“(I) 100 percent of the first \$200,000,000 so made available;

“(II) 50 percent of the next \$200,000,000 so made available; and

“(III) 25 percent of all amounts exceeding \$400,000,000 so made available, except that, to the extent that the Secretary demonstrates that the funds so reserved are not needed to finance a community facility project in such a rural area, the Secretary may use the funds for other community facility projects in accordance with this paragraph.”.

SEC. 6403. WATER, WASTE DISPOSAL, AND WASTE-WATER FACILITY GRANTS.

Section 306(a)(2)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(2)(B)) is amended—

(1) in clause (iii), by striking “\$100,000” each place it appears and inserting “\$200,000”; and

(2) in clause (vii), by striking “\$30,000,000 for each of fiscal years 2008 through 2018” and inserting “\$15,000,000 for each of fiscal years 2019 through 2023”.

SEC. 6404. RURAL WATER AND WASTEWATER TECHNICAL ASSISTANCE AND TRAINING PROGRAMS.

Section 306(a)(14) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(14)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii), by striking “and” at the end;

(B) in clause (iii), by striking the period and inserting a semicolon; and

(C) by adding at the end the following:

“(iv) identify options to enhance the long-term sustainability of rural water and waste systems, including operational practices, revenue enhancements, partnerships, consolidation, regionalization, or contract services; and

“(v) address the contamination of drinking water and surface water supplies by emerging contaminants, including per- and polyfluoroalkyl substances.”; and

(2) in subparagraph (C)—

(A) by striking “1 nor more than 3” and inserting “3 percent and not more than 5”; and

(B) by striking “1 per centum” and inserting “3 percent”.

SEC. 6405. RURAL WATER AND WASTEWATER CIRCUIT RIDER PROGRAM.

Section 306(a)(22)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(22)(B)) is amended by striking “\$20,000,000 for fiscal year 2014 and each fiscal year thereafter” and inserting “\$25,000,000 for each of fiscal years 2019 through 2023”.

SEC. 6406. TRIBAL COLLEGE AND UNIVERSITY ESSENTIAL COMMUNITY FACILITIES.

Section 306(a)(25)(C) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(25)(C)) is amended by striking “2018” and inserting “2023”.

SEC. 6407. EMERGENCY AND IMMINENT COMMUNITY WATER ASSISTANCE GRANT PROGRAM.

(a) **IN GENERAL.**—Section 306A of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926a) is amended—

(1) in subsection (b)(1), by striking “; and” and inserting the following: “, particularly to projects to address contamination that—

“(A) poses a threat to human health or the environment; and

“(B) was caused by circumstances beyond the control of the applicant for a grant, including circumstances that occurred over a period of time; and”;

(2) in subsection (d)(1)(D), by inserting “, other than those covered above for not to exceed 120 days when a more permanent solution is not feasible in a shorter time frame. Where drinking water supplies are inadequate due to an event, as determined by the Secretary, including drought, severe weather, or contamination, the Secretary may provide potable water for an additional period of time not to exceed an additional 120 days in order to protect public health” before the period;

(3) in subsection (e)(1)(B), by striking “according to the most recent decennial census of the United States”;

(4) in subsection (f)(1), by striking “\$500,000” and inserting “\$1,000,000”; and

(5) in subsection (i)—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking “3 nor more than 5” and inserting “5 percent and not more than 7”; and

(ii) by striking subparagraph (B) and inserting the following:

“(B) RELEASE.—

“(i) IN GENERAL.—Funds reserved under subparagraph (A) for a fiscal year shall be reserved only until July 1 of the fiscal year.

“(ii) EXCEPTION.—Notwithstanding clause (i), in response to an eligible community where the drinking water supplies are inadequate, as determined by the Secretary, due to an event, including drought, severe weather, or contamination, the Secretary may use funds described in subparagraph (A) from July 1 through September 30 each fiscal year to provide potable water under this section in order to protect public health.”; and

(B) in paragraph (2), by striking “\$35,000,000 for each of fiscal years 2008 through 2018” and inserting “\$50,000,000 for each of fiscal years 2019 through 2023”.

(b) INTERAGENCY TASK FORCE ON RURAL WATER QUALITY.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this section, the Secretary shall coordinate an interagency task force to examine drinking water and surface water contamination in rural communities, particularly rural communities that are in close proximity to active or decommissioned military installations in the United States.

(2) MEMBERSHIP.—The interagency task force shall consist of—

(A) the Secretary;

(B) the Secretary of the Army, acting through the Chief of Engineers;

(C) the Secretary of Health and Human Services, acting through—

(i) the Director of the Agency for Toxic Substances and Disease Registry; and

(ii) the Director of the Centers for Disease Control and Prevention;

(D) the Secretary of Housing and Urban Development;

(E) the Secretary of the Interior, acting through—

(i) the Director of the United States Fish and Wildlife Service; and

(ii) the Director of the United States Geological Survey;

(F) the Administrator of the Environmental Protection Agency; and

(G) representatives from rural drinking and wastewater entities, State and community regulators, and appropriate scientific experts that reflect a diverse cross-section of the rural communities described in paragraph (1).

(3) REPORT.—

(A) IN GENERAL.—Not later than 360 days after the date of enactment of this section, the

task force shall submit to the committees described in subparagraph (B) a report that—

(i) examines, and identifies issues relating to, water contamination in rural communities, particularly rural communities that are in close proximity to active or decommissioned military installations in the United States;

(ii) reviews the extent to which Federal, State, and local government agencies coordinate with one another to address the issues identified under clause (i);

(iii) recommends how Federal, State, and local government agencies can work together in the most effective, efficient, and cost-effective manner practicable, to address the issues identified under clause (i); and

(iv) recommends changes to existing statutory requirements, regulatory requirements, or both, to improve interagency coordination and responsiveness to address the issues identified under clause (i).

(B) COMMITTEES DESCRIBED.—The committees referred to in subparagraph (A) are—

(i) the Committee on Agriculture of the House of Representatives;

(ii) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

(iii) the Committee on Energy and Commerce of the House of Representatives;

(iv) the Committee on Environment and Public Works of the Senate;

(v) the Committee on Armed Services of the House of Representatives; and

(vi) the Committee on Armed Services of the Senate.

SEC. 6408. WATER SYSTEMS FOR RURAL AND NATIVE VILLAGES IN ALASKA.

Section 306D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926d) is amended—

(1) in subsection (a), by striking “Alaska for” and inserting “Alaska, a consortium formed pursuant to section 325 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (Public Law 105–83; 111 Stat. 1597), and Native villages (as defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)) for”;

(2) in subsection (b), by inserting “for any grant awarded under subsection (a)” before the period at the end; and

(3) in subsection (d)—

(A) in paragraph (1), by striking “2018” and inserting “2023”; and

(B) in paragraph (2), by striking “Alaska” and inserting “Alaska, and not more than 2 percent of the amount made available under paragraph (1) for a fiscal year may be used by a consortium formed pursuant to section 325 of the Department of the Interior and Related Agencies Appropriations Act, 1998 (Public Law 105–83; 111 Stat. 1597).”.

SEC. 6409. RURAL DECENTRALIZED WATER SYSTEMS.

Section 306E of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926e) is amended—

(1) by striking the section heading and inserting “RURAL DECENTRALIZED WATER SYSTEMS”;

(2) in subsection (a), by striking “100” and inserting “60”;

(3) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting “and subgrants” after “loans”; and

(ii) by inserting “and individually owned household decentralized wastewater systems” after “well systems”;

(B) by striking paragraph (2) and inserting the following:

“(2) TERMS AND AMOUNTS.—

“(A) TERMS OF LOANS.—A loan made with grant funds under this section—

“(i) shall have an interest rate of 1 percent; and

“(ii) shall have a term not to exceed 20 years.

“(B) AMOUNTS.—A loan or subgrant made with grant funds under this section shall not ex-

ceed \$15,000 for each water well system or decentralized wastewater system described in paragraph (1).”; and

(C) by adding at the end the following:

“(4) GROUND WELL WATER CONTAMINATION.—In the event of ground well water contamination, the Secretary shall allow a loan or subgrant to be made with grant funds under this section for the installation of water treatment where needed beyond the point of entry, with or without the installation of a new water well system.”;

(4) in subsection (c), by striking “productive use of individually-owned household water well systems” and inserting “effective use of individually owned household water well systems, individually owned household decentralized wastewater systems.”; and

(5) in subsection (d)—

(A) by striking “\$5,000,000” and inserting “\$20,000,000”; and

(B) by striking “2014 through 2018” and inserting “2019 through 2023”.

SEC. 6410. SOLID WASTE MANAGEMENT GRANTS.

Section 310B(b)(2) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(b)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 6411. RURAL BUSINESS DEVELOPMENT GRANTS.

Section 310B(c)(4)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(c)(4)(A)) is amended by striking “2018” and inserting “2023”.

SEC. 6412. RURAL COOPERATIVE DEVELOPMENT GRANTS.

(a) IN GENERAL.—Section 310B(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)) is amended—

(1) in paragraph (10), by inserting “(including research and analysis based on data from the latest available Economic Census conducted by the Bureau of the Census)” after “conduct research”; and

(2) in paragraph (13), by striking “2018” and inserting “2023”.

(b) TECHNICAL CORRECTION.—Section 310B(e)(11)(B)(i) of such Act (7 U.S.C. 1932(e)(11)(B)(i)) is amended by striking “(12)” and inserting “(13)”.

SEC. 6413. LOCALLY OR REGIONALLY PRODUCED AGRICULTURAL FOOD PRODUCTS.

Section 310B(g)(9)(B)(iv)(I) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(g)(9)(B)(iv)(I)) is amended by striking “2018” and inserting “2023”.

SEC. 6414. APPROPRIATE TECHNOLOGY TRANSFER FOR RURAL AREAS PROGRAM.

Section 310B(i)(4) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(i)(4)) is amended by striking “2018” and inserting “2023”.

SEC. 6415. RURAL ECONOMIC AREA PARTNERSHIP ZONES.

Section 310B(j) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(j)) is amended by striking “2018” and inserting “2023”.

SEC. 6416. INTERMEDIARY RELENDING PROGRAM.

Section 310H of the Consolidated Farm and Rural Development Act (7 U.S.C. 1936b) is amended—

(1) by redesignating subsection (e) as subsection (i);

(2) by inserting after subsection (d) the following:

“(e) LIMITATION ON LOAN AMOUNTS.—The maximum amount of a loan by an eligible entity described in subsection (b) to individuals and entities for a project under subsection (c), including the unpaid balance of any existing loans, shall be the lesser of—

“(1) \$400,000; and

“(2) 50 percent of the loan to the eligible entity under subsection (a).

“(f) APPLICATIONS.—

“(1) IN GENERAL.—To be eligible to receive a loan or loan guarantee under subsection (a), an

eligible entity described in subsection (b) shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

“(2) **EVALUATION.**—In evaluating applications submitted under paragraph (1), the Secretary shall—

“(A)(i) take into consideration the previous performance of an eligible entity in carrying out projects under subsection (c); and

“(ii) in the case of satisfactory performance under clause (i), require the eligible entity to contribute less equity for subsequent loans without modifying the priority given to subsequent applications; and

“(B) in assigning priorities to applications, require an eligible entity to demonstrate that it has a governing or advisory board made up of business, civic, and community leaders who are representative of the communities of the service area, without limitation to the size of the service area.

“(g) **RETURN OF EQUITY.**—The Secretary shall establish a schedule that is consistent with the amortization schedules of the portfolio of loans made or guaranteed under subsection (a) for the return of any equity contribution made under this section by an eligible entity described in subsection (b), if the eligible entity is—

“(1) current on all principal and interest payments; and

“(2) in compliance with loan covenants.

“(h) **REGULATIONS.**—The Secretary shall promulgate regulations and establish procedures reducing the administrative requirements on eligible entities described in subsection (b), including regulations to carry out the amendments made to this section by the Agriculture Improvement Act of 2018.”; and

(3) in subsection (i) (as so redesignated), by striking “2018” and inserting “2023”.

SEC. 6417. ACCESS TO INFORMATION TO VERIFY INCOME FOR PARTICIPANTS IN CERTAIN RURAL HOUSING PROGRAMS.

Section 331 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981), as amended by section 6210(a) of this Act, is amended by adding at the end the following:

“(f) **ACCESS TO INFORMATION TO VERIFY INCOME FOR PARTICIPANTS IN CERTAIN RURAL HOUSING PROGRAMS.**—The Secretary and the designees of the Secretary are hereby granted the same access to information and subject to the same requirements applicable to the Secretary of Housing and Urban Development as provided in section 453 of the Social Security Act (42 U.S.C. 653) and section 6103(l)(7)(D)(ix) of the Internal Revenue Code of 1986 (26 U.S.C. 6103(l)(7)(D)(ix)) to verify income for individuals participating in sections 502, 504, 521, and 542 of the Housing Act of 1949 (42 U.S.C. 1472, 1474, 1490a, and 1490r), notwithstanding section 453(l) of the Social Security Act.”.

SEC. 6418. PROVIDING FOR ADDITIONAL FEES FOR GUARANTEED LOANS UNDER THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.

Section 333 of the Consolidated Farm and Rural Development Act (7 U.S.C. 1983) is amended—

(1) by striking “and” at the end of paragraph (5);

(2) by striking the period at the end of paragraph (6) and inserting “; and”; and

(3) by adding at the end the following:

“(7) in the case of an insured or guaranteed loan issued or modified under section 306(a), charge and collect from the lender fees in such amounts as to bring down the costs of subsidies for the insured or guaranteed loan, except that the fees shall not act as a bar to participation in the programs nor be inconsistent with current practices in the marketplace.”.

SEC. 6419. RURAL BUSINESS-COOPERATIVE SERVICE PROGRAMS TECHNICAL ASSISTANCE AND TRAINING.

The Consolidated Farm and Rural Development Act is amended by inserting after section 367, as added by section 5306 of this Act, the following:

“SEC. 368. RURAL BUSINESS-COOPERATIVE SERVICE PROGRAMS TECHNICAL ASSISTANCE AND TRAINING.

“(a) **IN GENERAL.**—The Secretary may make grants to public bodies, private nonprofit corporations, economic development authorities, institutions of higher education, federally recognized Indian Tribes, and rural cooperatives for the purpose of providing or obtaining technical assistance and training to support funding applications for programs carried out by the Secretary, acting through the Administrator of the Rural Business-Cooperative Service.

“(b) **PURPOSES.**—A grant under subsection (a) may be used—

“(1) to assist communities in identifying and planning for business and economic development needs;

“(2) to identify public and private resources to finance business and small and emerging business needs;

“(3) to prepare reports and surveys necessary to request financial assistance for businesses in rural communities; and

“(4) to prepare applications for financial assistance.

“(c) **SELECTION PRIORITY.**—In selecting recipients of grants under this section, the Secretary shall give priority to grants serving persistent poverty counties and high poverty communities, as determined by the Secretary.

“(d) **FUNDING.**—

“(1) **IN GENERAL.**—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2019 through 2023, to remain available until expended.

“(2) **AVAILABILITY.**—Any amounts authorized to be appropriated under paragraph (1) for any fiscal year that are not appropriated for that fiscal year may be appropriated for the immediately succeeding fiscal year.”.

SEC. 6420. NATIONAL RURAL DEVELOPMENT PARTNERSHIP.

Section 378 of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008m) is amended in each of subsections (g)(1) and (h), by striking “2018” and inserting “2023” each place it appears.

SEC. 6421. GRANTS FOR NOAA WEATHER RADIO TRANSMITTERS.

Section 379B(d) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008p(d)) is amended by striking “2018” and inserting “2023”.

SEC. 6422. RURAL MICROENTREPRENEUR ASSISTANCE PROGRAM.

Section 379E of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008s) is amended—

(1) in subsection (b)(4)(B)(ii)—

(A) in the clause heading, by striking “MAXIMUM AMOUNT” and inserting “AMOUNT”;

(B) by inserting “not less than 20 percent and” before “not more than 25 percent”; and

(C) by striking the period at the end and inserting the following: “, subject to—

“(1) satisfactory performance by the microenterprise development organization under this section, and

“(II) the availability of funding.”; and

(2) by striking subsection (d) and inserting the following:

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 6423. HEALTH CARE SERVICES.

Section 379G(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2008u(e)) is amended by striking “2018” and inserting “2023”.

SEC. 6424. RURAL INNOVATION STRONGER ECONOMIC GRANT PROGRAM.

Subtitle D of the Consolidated Farm and Rural Development Act (7 U.S.C. 1981 et seq.) is amended by adding at the end the following:

“SEC. 379I. RURAL INNOVATION STRONGER ECONOMY GRANT PROGRAM.

“(a) **DEFINITIONS.**—In this section:

“(1) **ELIGIBLE ENTITY.**—The term ‘eligible entity’ means a rural jobs accelerator partnership established after the date of enactment of this section that—

“(A) organizes key community and regional stakeholders into a working group that—

“(i) focuses on the shared goals and needs of the industry clusters that are objectively identified as existing, emerging, or declining;

“(ii) represents a region defined by the partnership in accordance with subparagraph (B);

“(iii) includes 1 or more representatives of—

“(I) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001));

“(II) a private entity; or

“(III) a government entity; and

“(iv) has, as a lead applicant—

“(I) a District Organization (as defined in section 300.3 of title 13, Code of Federal Regulations (or a successor regulation));

“(II) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)), or a consortium of Indian tribes;

“(III) a State or a political subdivision of a State, including a special purpose unit of a State or local government engaged in economic development activities, or a consortium of political subdivisions;

“(IV) an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) or a consortium of institutions of higher education; or

“(V) a public or private nonprofit organization; and

“(B) subject to approval by the Secretary, may—

“(i) serve a region that is—

“(I) a single jurisdiction; or

“(II) if the region is a rural area, multijurisdictional; and

“(ii) define the region that the partnership represents, if the region—

“(I) is large enough to contain critical elements of the industry cluster prioritized by the partnership;

“(II) is small enough to enable close collaboration among members of the partnership;

“(III) includes a majority of communities that are located in—

“(aa) a nonmetropolitan area that qualifies as a low-income community (as defined in section 45D(e) of the Internal Revenue Code of 1986); and

“(bb) an area that has access to or has a plan to achieve broadband service (within the meaning of title VI of the Rural Electrification Act of 1936 (7 U.S.C. 950bb et seq.)); and

“(IV)(aa) has a population of 50,000 or fewer inhabitants; or

“(bb) for a region with a population of more than 50,000 inhabitants, is the subject of a positive determination by the Secretary with respect to a rural-in-character petition, including such a petition submitted concurrently with the application of the partnership for a grant under this section.

“(2) **INDUSTRY CLUSTER.**—The term ‘industry cluster’ means a broadly defined network of interconnected firms and supporting institutions in related industries that accelerate innovation, business formation, and job creation by taking advantage of assets and strengths of a region in the business environment.

“(3) **HIGH-WAGE JOB.**—The term ‘high-wage job’ means a job that provides a wage that is greater than the median wage for the applicable region, as determined by the Secretary.

“(4) **JOBS ACCELERATOR.**—The term ‘jobs accelerator’ means a jobs accelerator center or program located in or serving a low-income rural community that may provide co-working space, in-demand skills training, entrepreneurship support, and any other services described in subsection (d)(1)(B).

“(5) **SMALL AND DISADVANTAGED BUSINESS.**—The term ‘small and disadvantaged business’ has the meaning given the term ‘small business

concern owned and controlled by socially and economically disadvantaged individuals' in section 8(d)(3)(C) of the Small Business Act (15 U.S.C. 637(d)(3)(C)).

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall establish a grant program under which the Secretary shall award grants, on a competitive basis, to eligible entities to establish jobs accelerators, including related programming, that—

“(A) improve the ability of distressed rural communities to create high-wage jobs, accelerate the formation of new businesses with high-growth potential, and strengthen regional economies, including by helping to build capacity in the applicable region to achieve those goals; and

“(B) help rural communities identify and maximize local assets and connect to regional opportunities, networks, and industry clusters that demonstrate high growth potential.

“(2) COST-SHARING.—

“(A) IN GENERAL.—The Federal share of the cost of any activity carried out using a grant made under paragraph (1) shall be not greater than 80 percent.

“(B) IN-KIND CONTRIBUTIONS.—The non-Federal share of the total cost of any activity carried out using a grant made under paragraph (1) may be in the form of donations or in-kind contributions of goods or services fairly valued.

“(3) SELECTION CRITERIA.—In selecting eligible entities to receive grants under paragraph (1), the Secretary shall consider—

“(A) the commitment of participating core stakeholders in the jobs accelerator partnership, including a demonstration that—

“(i) investment organizations, including venture development organizations, venture capital firms, revolving loan funders, angel investment groups, community lenders, community development financial institutions, rural business investment companies, small business investment companies (as defined in section 103 of the Small Business Investment Act of 1958 (15 U.S.C. 662)), philanthropic organizations, and other institutions focused on expanding access to capital, are committed partners in the jobs accelerator partnership and willing to potentially invest in projects emerging from the jobs accelerator; and

“(ii) institutions of higher education, applied research institutions, workforce development entities, and community-based organizations are willing to partner with the jobs accelerator to provide workers with skills relevant to the industry cluster needs of the region, with an emphasis on the use of on-the-job training, registered apprenticeships, customized training, classroom occupational training, or incumbent worker training;

“(B) the ability of the eligible entity to provide the non-Federal share as required under paragraph (2);

“(C) the identification of a targeted industry cluster;

“(D) the ability of the partnership to link rural communities to markets, networks, industry clusters, and other regional opportunities and assets;

“(E) other grants or loans of the Secretary and other Federal agencies that the jobs accelerator would be able to leverage; and

“(F) prospects for the proposed center and related programming to have sustainability beyond the full maximum length of assistance under this subsection, including the maximum number of renewals.

“(4) GRANT TERM AND RENEWALS.—

“(A) TERM.—The initial term of a grant under paragraph (1) shall be 4 years.

“(B) RENEWAL.—The Secretary may extend the term of a grant under paragraph (1) for an additional period of not longer than 2 years if the Secretary is satisfied, using the evaluation under subsection (e)(2), that the grant recipient has successfully established a jobs accelerator and related programming.

“(5) GEOGRAPHIC DISTRIBUTION.—To the maximum extent practicable, the Secretary shall

provide grants under paragraph (1) for jobs accelerators and related programming in not fewer than 25 States at any time.

“(c) GRANT AMOUNT.—A grant awarded under subsection (b) may be in an amount equal to—

“(1) not less than \$500,000; and

“(2) not more than \$2,000,000.

“(d) USE OF FUNDS.—

“(1) IN GENERAL.—Subject to paragraph (2), funds from a grant awarded under subsection (b) may be used—

“(A) to construct, purchase, or equip a building to serve as an innovation center;

“(B) to support programs to be carried out at, or in direct partnership with, the jobs accelerator that support the objectives of the jobs accelerator, including—

“(i) linking rural communities and entrepreneurs to markets, networks, industry clusters, and other regional opportunities to support high-wage job creation, new business formation, business expansion, and economic growth;

“(ii) integrating small businesses into a supply chain;

“(iii) creating or expanding commercialization activities for new business formation;

“(iv) identifying and building assets in rural communities that are crucial to supporting regional economies;

“(v) facilitating the repatriation of high-wage jobs to the United States;

“(vi) supporting the deployment of innovative processes, technologies, and products;

“(vii) enhancing the capacity of small businesses in regional industry clusters, including small and disadvantaged businesses;

“(viii) increasing United States exports and business interaction with international buyers and suppliers;

“(ix) developing the skills and expertise of local workforces, entrepreneurs, and institutional partners to meet the needs of employers and prepare workers for high-wage jobs in the identified industry clusters, including the upskilling of incumbent workers;

“(x) ensuring rural communities have the capacity and ability to carry out projects relating to housing, community facilities, infrastructure, or community and economic development to support regional industry cluster growth; or

“(xi) any other activities that the Secretary may determine to be appropriate.

“(2) REQUIREMENT.—

“(A) IN GENERAL.—Subject to subparagraph (B), not more than 10 percent of a grant awarded under subsection (b) shall be used for indirect costs associated with administering the grant.

“(B) INCREASE.—The Secretary may increase the percentage described in subparagraph (A) on a case-by-case basis.

“(e) ANNUAL ACTIVITY REPORT AND EVALUATION.—Not later than 1 year after receiving a grant under this section, and annually thereafter for the duration of the grant, an eligible entity shall—

“(1) report to the Secretary on the activities funded with the grant; and

“(2)(A) evaluate the progress that the eligible entity has made toward the strategic objectives identified in the application for the grant; and

“(B) measure that progress using performance measures during the project period, which may include—

“(i) high-wage jobs created;

“(ii) high-wage jobs retained;

“(iii) private investment leveraged;

“(iv) businesses improved;

“(v) new business formations;

“(vi) new products or services commercialized;

“(vii) improvement of the value of existing products or services under development;

“(viii) regional collaboration, as measured by such metrics as—

“(I) the number of organizations actively engaged in the industry cluster;

“(II) the number of symposia held by the industry cluster, including organizations that are not located in the immediate region defined by the partnership; and

“(III) the number of further cooperative agreements;

“(ix) the number of education and training activities relating to innovation;

“(x) the number of jobs relocated from outside of the United States to the region;

“(xi) the amount and number of new equity investments in industry cluster firms;

“(xii) the amount and number of new loans to industry cluster firms;

“(xiii) the dollar increase in exports resulting from the project activities;

“(xiv) the percentage of employees for which training was provided;

“(xv) improvement in sales of participating businesses;

“(xvi) improvement in wages paid at participating businesses;

“(xvii) improvement in income of participating workers; or

“(xviii) any other measure the Secretary determines to be appropriate.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 6425. DELTA REGIONAL AUTHORITY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 382M(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–12(a)) is amended by striking “2008 through 2018” and inserting “2019 through 2023”.

(b) TERMINATION OF AUTHORITY.—Section 382N of such Act (7 U.S.C. 2009aa–13) is amended by striking “2018” and inserting “2023”.

SEC. 6426. RURAL BUSINESS INVESTMENT PROGRAM.

(a) DEFINITIONS.—Section 384A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc) is amended—

(1) in paragraph (2)—

(A) in the paragraph heading, by striking “VENTURE”; and

(B) by striking “venture”; and

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

“(4) EQUITY CAPITAL.—The term ‘equity capital’ means—

“(A) common or preferred stock or a similar instrument, including subordinated debt with equity features; and

“(B) any other type of equity-like financing that might be necessary to facilitate the purposes of this Act, excluding financing such as senior debt or other types of financing that competes with routine loanmaking of commercial lenders.”.

(b) PURPOSES.—Section 384B of such Act (7 U.S.C. 2009cc–1) is amended—

(1) in paragraph (1), by striking “venture”; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “venture”; and

(B) in subparagraph (B), by striking “venture”.

(c) SELECTION OF RURAL BUSINESS INVESTMENT COMPANIES.—Section 384D(b)(1) of such Act (7 U.S.C. 2009cc–3(b)(1)) is amended by striking “developmental venture” and inserting “developmental”.

(d) FEES.—Section 384G of such Act (7 U.S.C. 2009cc–6) is amended—

(1) in subsections (a) and (b), by striking “a fee that does not exceed \$500” each place it appears and inserting “such fees as the Secretary considers appropriate, so long as those fees are proportionally equal for each rural business investment company,”; and

(2) in subsection (c)(2)—

(A) in subparagraph (B), by striking “solely to cover the costs of licensing examinations” and inserting “as the Secretary considers appropriate”; and

(B) by striking subparagraph (C) and inserting the following:

“(C) shall be in such amounts as the Secretary considers appropriate.”.

(e) **LIMITATION ON RURAL BUSINESS INVESTMENT COMPANIES CONTROLLED BY FARM CREDIT SYSTEM INSTITUTIONS.**—Section 384J(c) of such Act (7 U.S.C. 2009cc–9(c)) is amended by striking “25” and inserting “50”.

(f) **FLEXIBILITY ON SOURCES OF INVESTMENT OR CAPITAL.**—Section 384J(a) of such Act (7 U.S.C. 2009cc–9(a)) is amended—

(1) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively, and indenting appropriately;

(2) by striking the subsection designation and heading and all that follows through “Except as” in the matter preceding subparagraph (A) (as so redesignated) and inserting the following:

“(a) INVESTMENT.—

“(1) IN GENERAL.—Except as”; and

(3) by adding at the end the following:

“(2) **LIMITATION ON REQUIREMENTS.**—The Secretary may not require that an entity described in paragraph (1) provide investment or capital that is not required of other companies eligible to apply to operate as a rural business investment company under section 384D(a).”.

SEC. 6427. RURAL BUSINESS INVESTMENT PROGRAM.

Section 384S of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009cc–18) is amended by striking “2018” and inserting “2023”.

Subtitle E—Additional Amendments to the Rural Electrification Act of 1936

SEC. 6501. AMENDMENTS TO SECTION 2 OF THE RURAL ELECTRIFICATION ACT OF 1936.

(a) **ELECTRIC LOAN REFINANCING.**—Section 2(a) of the Rural Electrification Act of 1936 (7 U.S.C. 902(a)) is amended by striking “loans in” and inserting “loans, or refinance loans made by the Secretary under this Act, in”.

(b) **TECHNICAL ASSISTANCE FOR RURAL ELECTRIFICATION LOANS.**—Section 2 of such Act (7 U.S.C. 902) is amended by adding at the end the following:

“(c) **TECHNICAL ASSISTANCE.**—Not later than 180 days after the date of enactment of this subsection, the Secretary shall enter into a memorandum of understanding with the Secretary of Energy under which the Secretary of Energy shall provide technical assistance to the Rural Utilities Service on loans to be made under subsection (a) of this section and section 4(a).”.

SEC. 6502. LOANS FOR TELEPHONE SERVICE.

Section 201 of the Rural Electrification Act of 1936 (7 U.S.C. 922) is amended—

(1) by striking the section designation and all that follows through “From such sums” and inserting the following:

“SEC. 201. LOANS FOR TELEPHONE SERVICE.

“From such sums”;

(2) in the second sentence, by striking “associations:” and all that follows through “same subscribers.” and inserting “associations.”; and

(3) in the sixth sentence, by striking “, nor shall such loan be made in any State” and all that follows through “writing)” in the seventh sentence and inserting the following: “and”.

SEC. 6503. CUSHION OF CREDIT PAYMENTS PROGRAM.

Section 313(a) of the Rural Electrification Act of 1936 (7 U.S.C. 940c(a)) is amended—

(1) in paragraph (1)—

(A) by striking “(1) IN GENERAL.—The” and inserting the following:

“(1) IN GENERAL.—

“(A) **DEVELOPMENT AND PROMOTION OF PROGRAM.**—The”; and

(B) by adding after and below the end the following:

“(B) **TERMINATION.**—Effective on the date of enactment of this subparagraph, no deposits may be made under subparagraph (A).”;

(2) in paragraph (2)—

(A) by striking “(2) **INTEREST.**—Amounts” and inserting the following:

“(2) **INTEREST.**—

“(A) IN GENERAL.—Amounts”; and

(B) by adding after and below the end the following:

“(B) **REDUCTION.**—Notwithstanding subparagraph (A), amounts in each cushion of credit account shall accrue interest to the borrower at a rate equal to—

“(i) 4 percent per annum in fiscal year 2021; and

“(ii) the then applicable 1-year Treasury rate thereafter.”; and

(3) in paragraph (3)—

(A) by striking “(3) **BALANCE.**—A” and inserting the following:

“(3) **BALANCE.**—

“(A) IN GENERAL.—A”; and

(B) by after and below the end the following:

“(B) **PREPAYMENT.**—Notwithstanding subparagraph (A) and subject to subparagraph (C), beginning on the date of the enactment of this subparagraph and ending with September 30, 2020, a borrower may, at the sole discretion of the borrower, reduce the balance of its cushion of credit account if the amount obtained from the reduction is used to prepay loans made or guaranteed under this Act.

“(C) **NO PREPAYMENT PREMIUM.**—Notwithstanding any other provision of this Act, no prepayment premium shall be imposed or collected with respect to that portion of a loan that is prepaid by a borrower in accordance with subparagraph (B).

“(D) **MANDATORY FUNDING.**—Notwithstanding section 504 of the Federal Credit Reform Act of 1990, out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall make available such sums as necessary to cover any loan modification costs as defined in section 502 of such Act.”.

SEC. 6504. EXTENSION OF THE RURAL ECONOMIC DEVELOPMENT LOAN AND GRANT PROGRAM.

(a) Section 12(b)(3)(D) of the Rural Electrification Act of 1936 (7 U.S.C. 912(b)(3)(D)) is amended by striking “313(b)(2)(A)” and inserting “313(b)(2)”.

(b) Section 313(b)(2) of such Act (7 U.S.C. 940c(b)(2)) is amended—

(1) by striking all that precedes “shall maintain” and inserting the following:

“(2) **RURAL ECONOMIC DEVELOPMENT SUBACCOUNT.**—The Secretary”; and

(2) by striking “the 5 percent” and all that follows through subparagraph (E) and inserting “5 percent.”.

(c) Title III of such Act (7 U.S.C. 931–940h) is amended by inserting after section 313A the following:

“SEC. 313B. RURAL DEVELOPMENT LOANS AND GRANTS.

“(a) IN GENERAL.—The Secretary shall provide grants or zero interest loans to borrowers under this Act for the purpose of promoting rural economic development and job creation projects, including funding for project feasibility studies, start-up costs, incubator projects, and other reasonable expenses for the purpose of fostering rural development.

“(b) **REPAYMENTS.**—In the case of zero interest loans, the Secretary shall establish such reasonable repayment terms as will encourage borrower participation.

“(c) **PROCEEDS.**—All proceeds from the repayment of such loans made under this section shall be returned to the subaccount that the Secretary shall maintain in accordance with sections 313(b)(2) and 313B(f).

“(d) **NUMBER OF GRANTS.**—Loans and grants required under this section shall be made to the full extent of the amounts made available under subsection (e).

“(e) **FUNDING.**—

“(1) **DISCRETIONARY FUNDING.**—In addition to other funds that are available to carry out this section, there is authorized to be appropriated not more than \$10,000,000 for each of fiscal years 2019 through 2023 to carry out this section, to remain available until expended.

“(2) **MANDATORY FUNDING.**—Of the funds of the Commodity Credit Corporation, the Sec-

retary shall credit to the subaccount to use for the cost of grants and loans under this section \$5,000,000 for each of fiscal years 2022 and 2023, to remain available until expended.

“(3) **OTHER FUNDS.**—In addition to the funds described in paragraphs (1) and (2), the Secretary shall use, without fiscal year limitation, to provide grants and loans under this section—

“(A) the interest differential sums credited to the subaccount described in subsection (c); and

“(B) subject to section 313A(e)(2), the fees described in subsection (c)(4) of such section.

“(f) **MAINTENANCE OF ACCOUNT.**—The Secretary shall maintain the subaccount described in section 313(b)(2), as in effect in fiscal year 2017, for purposes of carrying out this section.”.

(d) Section 313A of the Rural Electrification Act of 1936 (7 U.S.C. 940c–1) is amended—

(1) in subsection (c)(4)—

(A) in subparagraph (A), by striking “maintained under section 313(b)(2)(A)” and inserting “that shall be maintained as required by sections 313(b)(2) and 313B(f)”;

(B) in subparagraph (B), by striking “313(b)(2)(B)” and inserting “313(b)(2)”;

(2) in subsection (e)(2), by striking “maintained under section 313(b)(2)(A)” and inserting “required to be maintained by sections 313(b)(2) and 313B(f)”.

(e)(1) Subject to section 313B(e) of the Rural Electrification Act of 1936 (as added by this section), the Secretary of Agriculture shall carry out the loan and grant program required under such section in the same manner as the loan and grant program under section 313(b)(2) of such Act is carried out on the day before the date of the enactment of this Act, until such time as any regulations necessary to carry out the amendments made by this section are fully implemented.

(2) Paragraph (1) shall take effect on the date of the enactment of this Act.

SEC. 6505. GUARANTEES FOR BONDS AND NOTES ISSUED FOR ELECTRIFICATION OR TELEPHONE PURPOSES.

(a) IN GENERAL.—Section 313A of the Rural Electrification Act of 1936 (7 U.S.C. 940c–1) is amended—

(1) in subsection (a)—

(A) by striking “Subject to” and inserting the following:

“(1) **GUARANTEES.**—Subject to”;

(B) in paragraph (1) (as so designated), by striking “basis” and all that follows through the period at the end and inserting “basis, if the proceeds of the bonds or notes are used to make utility infrastructure loans, or refinance bonds or notes issued for those purposes, to a borrower that has at any time received, or is eligible to receive, a loan under this Act.”; and

(C) by adding at the end the following:

“(2) **TERMS.**—A bond or note guaranteed under this section shall, by agreement between the Secretary and the borrower—

“(A) be for a term of 30 years (or another term of years that the Secretary determines is appropriate); and

“(B) be repaid by the borrower—

“(i) in periodic installments of principal and interest;

“(ii) in periodic installments of interest and, at the end of the term of the bond or note, as applicable, by the repayment of the outstanding principal; or

“(iii) through a combination of the methods described in clauses (i) and (ii).”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “electrification” and all that follows through the period at the end and inserting “purposes described in subsection (a)(1).”;

(B) by striking paragraph (2);

(C) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(D) in paragraph (2) (as so redesignated)—

(i) in subparagraph (A), by striking “for electrification or telephone purposes” and inserting “for eligible purposes described in subsection

(a)(1).”; and

(ii) in subparagraph (C), by striking “subsection (a)” and inserting “subsection (a)(1)”;

(3) in subsection (f), by striking “2018” and inserting “2023”.

(b) **ADMINISTRATION.**—Beginning on the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall continue to carry out section 313A of the Rural Electrification Act of 1936 (7 U.S.C. 940c–1) (as amended by subsection (a)) under a Notice of Solicitation of Applications until the date on which any regulations necessary to carry out the amendments made by subsection (a) are fully implemented.

SEC. 6506. EXPANSION OF 911 ACCESS.

Section 315 of the Rural Electrification Act of 1936 (7 U.S.C. 940e) is amended—

(1) in subsection (a)(2), by striking “commercial or transportation” and inserting “critical transportation-related”;

(2) in subsection (d), by striking “2018” and inserting “2023”.

SEC. 6507. CYBERSECURITY AND GRID SECURITY IMPROVEMENTS.

Title III of the Rural Electrification Act of 1936 (7 U.S.C. 931 et seq.) is amended by adding at the end the following:

“SEC. 319. CYBERSECURITY AND GRID SECURITY IMPROVEMENTS.

“(a) **DEFINITION OF CYBERSECURITY AND GRID SECURITY IMPROVEMENTS.**—In this section, the term ‘cybersecurity and grid security improvements’ means investment in the development, expansion, and modernization of rural utility infrastructure that addresses known cybersecurity and grid security risks.

“(b) **LOANS AND LOAN GUARANTEES.**—The Secretary may make or guarantee loans under this title and title I for cybersecurity and grid security improvements.”.

Subtitle F—Program Repeals

SEC. 6601. ELIMINATION OF UNFUNDED PROGRAMS.

(a) **CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.**—

(1) **REPEALERS.**—The following provisions of the Consolidated Farm and Rural Development Act are hereby repealed:

(A) Section 306(a)(23) (7 U.S.C. 1926(a)(23)).

(B) Section 310B(f) (7 U.S.C. 1932(f)).

(C) Section 379 (7 U.S.C. 2008n).

(D) Section 379A (7 U.S.C. 2008o).

(E) Section 379C (7 U.S.C. 2008g).

(F) Section 379D (7 U.S.C. 2008r).

(G) Section 379F (7 U.S.C. 2008t).

(H) Subtitle I (7 U.S.C. 2009dd–2009dd–7).

(2) **CONFORMING AMENDMENT.**—Section 333A(h) of such Act (7 U.S.C. 1983a(h)) is amended by striking “310B(f)”,

(b) **RURAL ELECTRIFICATION ACT OF 1936.**—Section 314 of the Rural Electrification Act of 1936 (7 U.S.C. 940d) is hereby repealed.

SEC. 6602. REPEAL OF RURAL TELEPHONE BANK.

(a) **REPEAL.**—Title IV of the Rural Electrification Act of 1936 (7 U.S.C. 941–950b) is repealed.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 18 of such Act (7 U.S.C. 918) is amended in each of subsections (a) and (b) by striking “and the Governor of the telephone bank”.

(2) Section 204 of such Act (7 U.S.C. 925) is amended by striking “and the Governor of the telephone bank”.

(3) Section 205(a) of such Act (7 U.S.C. 926) is amended—

(A) in the matter preceding paragraph (1), by striking “and the Governor of the telephone bank”;

(B) in paragraph (2), by striking “or the Governor of the telephone bank”.

(4) Section 206(a) of such Act (7 U.S.C. 927(a)) is amended—

(A) in the matter preceding paragraph (1), by striking “and the Governor of the telephone bank”;

(B) by striking paragraph (1);

(C) in paragraph (4), by striking “or 408”;

(D) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

(5) Section 206(b) of such Act (7 U.S.C. 927(b)) is amended—

(A) in the matter preceding paragraph (1), by striking “and the Governor of the telephone bank”;

(B) in paragraph (1), by striking “, or a Rural Telephone Bank loan,”;

(C) in paragraph (2), by striking “, the Rural Telephone Bank,”.

(6) Section 207(1) of such Act (7 U.S.C. 928(1)) is amended—

(A) by striking “305,” and inserting “305 or”;

(B) by striking “, or a loan under section 408,”.

(7) Section 301 of such Act (7 U.S.C. 931) is amended—

(A) in paragraph (3), by striking “except for net collection proceeds previously appropriated for the purchase of class A stock in the Rural Telephone Bank,”;

(B) by adding “or” at the end of paragraph (4);

(C) by striking “; and” at the end of paragraph (5) and inserting a period;

(D) by striking paragraph (6).

(8) Section 305(d)(2)(B) of such Act (7 U.S.C. 935(d)(2)(B)) is amended—

(A) in clause (i), by striking “and a loan under section 408”;

(B) in clause (ii), by striking “and under section 408” each place it appears.

(9) Section 305(d)(3)(C) of such Act (7 U.S.C. 935(d)(3)(C)) is amended by striking “and section 408(b)(4)(C), the Secretary and the Governor of the telephone bank” and inserting “the Secretary”.

(10) Section 306 of such Act (7 U.S.C. 936) is amended by striking “the Rural Telephone Bank, National Rural Utilities Cooperative Finance Corporation,” and inserting “the National Rural Utilities Cooperative Finance Corporation”.

(11) Section 309 of such Act (7 U.S.C. 739) is amended by striking the last sentence.

(12) Section 2352(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 901 note) is amended by striking “the Rural Telephone Bank and”.

(13) The first section of Public Law 92–12 (7 U.S.C. 921a) is repealed.

(14) The first section of Public Law 92–324 (7 U.S.C. 921b) is repealed.

(15) Section 1414 of the Omnibus Budget Reconciliation Act of 1987 (7 U.S.C. 944a) is repealed.

(16) Section 1411 of the Omnibus Budget Reconciliation Act of 1987 (7 U.S.C. 948 notes) is amended by striking subsections (a) and (b).

(17) Section 3.8(b)(1)(A) of the Farm Credit Act of 1971 (12 U.S.C. 2129(b)(1)(A)) is amended by striking “or a loan or loan commitment from the Rural Telephone Bank,”.

(18) Section 105(d) of the National Consumer Cooperative Bank Act (12 U.S.C. 3015(d)) is amended by striking “the Rural Telephone Bank,”.

(19) Section 9101 of title 31, United States Code, is amended—

(A) in paragraph (2), by striking subparagraph (H) and redesignating subparagraphs (I), (J), and (K) as subparagraphs (H), (I), and (J), respectively;

(B) in paragraph (3), by striking subparagraphs (K) and (O) and redesignating subparagraphs (L) through (N) and (P) through (R) as subparagraphs (K) through (P), respectively.

(20) Section 9108(d)(2) of title 31, United States Code, is amended by striking “the Rural Telephone Bank (when the ownership, control, and operation of the Bank are converted under section 410(a) of the Rural Electrification Act of 1936 (7 U.S.C. 950(a))),”.

SEC. 6603. AMENDMENTS TO LOCAL TV ACT.

The Launching Our Communities’ Access to Local Television Act of 2000 (title X of H.R. 5548

of the 106th Congress, as enacted by section 1(a)(2) of Public Law 106–553; 114 Stat. 2762A–128) is amended—

(1) by striking the title heading and inserting the following:

“TITLE X—SATELLITE CARRIER RETRANSMISSION ELIGIBILITY”;

(2) by striking sections 1001 through 1007 and 1009 through 1012; and

(3) by redesignating section 1008 as section 1001.

Subtitle G—Technical Corrections

SEC. 6701. CORRECTIONS RELATING TO THE CONSOLIDATED FARM AND RURAL DEVELOPMENT ACT.

(a)(1) Section 306(a)(19)(A) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(19)(A)) is amended by inserting after “nonprofit corporations” the following: “, Indian Tribes (as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act)”.

(2) The amendment made by this subsection shall take effect as if included in section 773 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2001 (H.R. 5426 of the 106th Congress, as enacted by Public Law 106–387 (114 Stat. 1549A–45)) in lieu of the amendment made by such section.

(b)(1) Section 309A(b) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1929a(b)) is amended by striking “and section 308”.

(2) The amendment made by this subsection shall take effect as if included in the enactment of section 661(c)(2) of the Federal Agricultural Improvement and Reform Act of 1996 (Public Law 104–127).

(c) Section 310B(c)(3)(A)(v) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(c)(3)(A)(v)) is amended by striking “and” after the semicolon and inserting “or”.

(d)(1) Section 310B(e)(5)(F) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1932(e)(5)(F)) is amended by inserting “, except that the Secretary shall not require non-Federal financial support in an amount that is greater than 5 percent in the case of a 1994 institution (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382))” before the period at the end.

(2) The amendment made by this subsection shall take effect as if included in the enactment of section 6015 of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171).

(e)(1) Section 381E(d)(3) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009d(d)(3)) is amended by striking subparagraph (A) and redesignating subparagraphs (B) and (C) as subparagraphs (A) and (B), respectively.

(2) The amendment made by paragraph (1) shall take effect as if included in the enactment of section 6012(b) of the Agricultural Act of 2014 (Public Law 113–79).

(f)(1) Section 382A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa) is amended by adding at the end the following:

“(4) Notwithstanding any other provision of law, the State of Alabama shall be a full member of the Delta Regional Authority and shall be entitled to all rights and privileges that said membership affords to all other participating States in the Delta Regional Authority.”.

(2) The amendment made by this subsection shall take effect as if included in the enactment of section 153(b) of division B of H.R. 5666, as introduced in the 106th Congress, and as enacted by section 1(4) of the Consolidated Appropriations Act, 2001 (Appendix D of Public Law 106–554; 114 Stat. 2763A–252).

(g) Section 382E(a)(1)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009aa–4(a)(1)(B)) is amended by moving clause (iv) 2 ems to the right.

(h) Section 383G(c) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009bb–5(c)) is amended—

(1) in the subsection heading by striking “TELECOMMUNICATION RENEWABLE ENERGY,” and inserting “TELECOMMUNICATION, RENEWABLE ENERGY,”; and

(2) in the text, by striking “,” and inserting a comma.

SEC. 6702. CORRECTIONS RELATING TO THE RURAL ELECTRIFICATION ACT OF 1936.

Section 201 of the Rural Electrification Act of 1936 (7 U.S.C. 922) is amended—

(1) in the 3rd sentence by striking “wildest” and inserting “widest”; and

(2) in the 6th sentence, by striking “certifies” and inserting “certifies”.

TITLE VII—RESEARCH, EXTENSION, AND RELATED MATTERS

Subtitle A—National Agricultural Research, Extension, and Teaching Policy Act of 1977

SEC. 7101. PURPOSES OF AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION.

Section 1402 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101) is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(9) support international collaboration that leverages resources and advances priority food and agricultural interests of the United States, such as—

“(A) addressing emerging plant and animal diseases;

“(B) improving crop varieties and animal breeds; and

“(C) developing safe, efficient, and nutritious food systems.”.

SEC. 7102. MATTERS RELATED TO CERTAIN SCHOOL DESIGNATIONS AND DECLARATIONS.

(a) IN GENERAL.—Section 1404(14) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)) is amended—

(1) by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—

“(i) DEFINITION.—The terms ‘NLGCA Institution’ and ‘non-land-grant college of agriculture’ mean a public college or university offering a baccalaureate or higher degree in the study of agricultural sciences, forestry, or both in any area of study specified in clause (ii).

“(ii) CLARIFICATION.—For purposes of clause (i), an area of study specified in this clause is any of the following:

“(I) Agriculture.

“(II) Agricultural business and management.

“(III) Agricultural economics.

“(IV) Agricultural mechanization.

“(V) Agricultural production operations.

“(VI) Aquaculture.

“(VII) Agricultural and food products processing.

“(VIII) Agricultural and domestic animal services.

“(IX) Equestrian or equine studies.

“(X) Applied horticulture or horticulture operations.

“(XI) Ornamental horticulture.

“(XII) Greenhouse operations and management.

“(XIII) Turf and turfgrass management.

“(XIV) Plant nursery operations and management.

“(XV) Floriculture or floristry operations and management.

“(XVI) International agriculture.

“(XVII) Agricultural public services.

“(XVIII) Agricultural and extension education services.

“(XIX) Agricultural communication or agricultural journalism.

“(XX) Animal sciences.

“(XXI) Food science.

“(XXII) Plant sciences.

“(XXIII) Soil sciences.

“(XXIV) Forestry.

“(XXV) Forest sciences and biology.

“(XXVI) Natural resources or conservation.

“(XXVII) Natural resources management and policy.

“(XXVIII) Natural resource economics.

“(XXIX) Urban forestry.

“(XXX) Wood science and wood products or pulp or paper technology.

“(XXXI) Range science and management.

“(XXXII) Agricultural engineering.

“(XXXIII) Any other area, as determined appropriate by the Secretary.”; and

(2) in subparagraph (C)—

(A) in the matter preceding clause (i), by inserting “any institution designated under” after “include”;

(B) by striking clause (i); and

(C) in clause (ii)—

(i) by striking “(ii) any institution designated under—”; and

(ii) by striking subclause (IV);

(iii) in subclause (II), by adding “or” at the end;

(iv) in subclause (III), by striking “; or” at the end and inserting a period; and

(v) by redesignating subclauses (I), (II), and (III) (as so amended) as clauses (i), (ii), and (iii), respectively, and by moving the margins of such clauses (as so redesignated) two ems to the left.

(b) DESIGNATION REVIEW.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall establish a process to review each designated NLGCA Institution (as defined in section 1404(14)(A) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103(14)(A))) to ensure compliance with such section, as amended by this subsection.

(2) REVOCATION.—An NLGCA Institution that the Secretary determines under subparagraph (A) to be not in compliance shall have the designation of such institution revoked.

SEC. 7103. NATIONAL AGRICULTURAL RESEARCH, EXTENSION, EDUCATION, AND ECONOMICS ADVISORY BOARD.

Section 1408 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123) is amended—

(1) in subsection (b)—

(A) in paragraph (1), by striking “25” and inserting “15”; and

(B) by amending paragraph (3) to read as follows:

“(3) MEMBERSHIP CATEGORIES.—The Advisory Board shall consist of members from each of the following categories:

“(A) 3 members representing national farm or producer organizations, which may include members—

“(i) representing farm cooperatives;

“(ii) who are producers actively engaged in the production of a food animal commodity and who are recommended by a coalition of national livestock organizations;

“(iii) who are producers actively engaged in the production of a plant commodity and who are recommended by a coalition of national crop organizations; or

“(iv) who are producers actively engaged in aquaculture and who are recommended by a coalition of national aquacultural organizations.

“(B) 2 members representing academic or research societies, which may include members representing—

“(i) a national food animal science society;

“(ii) a national crop, soil, agronomy, horticulture, plant pathology, or weed science society;

“(iii) a national food science organization;

“(iv) a national human health association; or

“(v) a national nutritional science society.

“(C) 5 members representing agricultural research, extension, and education, which shall include each of the following:

“(i) 1 member representing the land-grant colleges and universities eligible to receive funds under the Act of July 2, 1862 (7 U.S.C. 301 et seq.).

“(ii) 1 member representing the land-grant colleges and universities eligible to receive funds under the Act of August 30, 1890 (7 U.S.C. 321 et seq.), including Tuskegee University.

“(iii) 1 member representing the 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)).

“(iv) 1 member representing NLGCA Institutions or Hispanic-serving institutions.

“(v) 1 member representing American colleges of veterinary medicine.

“(D) 5 members representing industry, consumer, or rural interests, including members representing—

“(i) entities engaged in transportation of food and agricultural products to domestic and foreign markets;

“(ii) food retailing and marketing interests;

“(iii) food and fiber processors;

“(iv) rural economic development interests;

“(v) a national consumer interest group;

“(vi) a national forestry group;

“(vii) a national conservation or natural resource group;

“(viii) a national social science association;

“(ix) private sector organizations involved in international development; or

“(x) a national association of agricultural economists.”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “review and” and inserting “make recommendations, review, and”; and

(ii) by striking subparagraph (A) and inserting the following new subparagraph:

“(A) long-term and short-term national policies and priorities consistent with the—

“(i) purposes specified in section 1402 for agricultural research, extension, education, and economics; and

“(ii) priority areas of the Agriculture and Food Research Initiative specified in subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157(b)(2));”;

(iii) by amending subparagraph (B) to read as follows:

“(B) the annual establishment of national priorities that are in accordance with the priority areas of the Agriculture and Food Research Initiative specified in subsection (b)(2) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157(b)(2)).”;

(B) in paragraph (2), by inserting “and make recommendations to the Secretary based on such evaluation” after “priorities”; and

(C) in paragraph (4), by inserting “and make recommendations on” after “review”; and

(3) in subsection (h), by striking “2018” and inserting “2023”.

SEC. 7104. SPECIALTY CROP COMMITTEE.

Section 1408A(a)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3123a(a)(2)) is amended—

(1) in subparagraph (A), by striking “specialty” and inserting “specialty”;

(2) in subparagraph (B)—

(A) in the matter preceding clause (i), by striking “9” and inserting “11”; and

(B) in clause (i), by striking “Three” and inserting “Five”; and

(3) in subparagraph (D), by striking “2018” and inserting “2023”.

SEC. 7105. RENEWABLE ENERGY COMMITTEE DISCONTINUED.

Subtitle B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3121 et seq.) is amended by striking section 1408B.

SEC. 7106. VETERINARY SERVICES GRANT PROGRAM.

Section 1415B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151b) is amended—

(1) in subsection (d)(1), by adding at the end the following:

“(F) To expose students in grades 11 and 12 to education and career opportunities in food animal medicine.”; and

(2) in subsection (h)—

(A) by striking the subsection designation and heading and inserting the following:

“(h) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—”; and

(B) by adding at the end the following:

“(2) PRIORITY.—From amounts made available for grants under this section, the Secretary shall prioritize grant awards for programs or activities with a focus on the practice of food animal medicine.”.

SEC. 7107. GRANTS AND FELLOWSHIPS FOR FOOD AND AGRICULTURE SCIENCES EDUCATION.

Section 1417(m)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3152(m)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7108. AGRICULTURAL AND FOOD POLICY RESEARCH CENTERS.

Section 1419A(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3155(e)) is amended by striking “2018” and inserting “2023”.

SEC. 7109. EDUCATION GRANTS TO ALASKA NATIVE SERVING INSTITUTIONS AND NATIVE HAWAIIAN SERVING INSTITUTIONS.

Section 1419B of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3156) is amended—

(1) in subsection (a)(3), by striking “2018” and inserting “2023”; and

(2) in subsection (b)(3), by striking “2018” and inserting “2023”.

SEC. 7110. NEXT GENERATION AGRICULTURE TECHNOLOGY CHALLENGE.

Subtitle C of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151 et seq.) is amended by adding at the end the following:

“SEC. 1419C. NEXT GENERATION AGRICULTURE TECHNOLOGY CHALLENGE.

“(a) IN GENERAL.—The Secretary shall establish a next generation agriculture technology challenge competition to provide an incentive for the development of innovative mobile technology that removes barriers to entry in the marketplace for beginning farmers and ranchers (as defined in subsection (a) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279)).

“(b) AMOUNT.—The Secretary may award not more than \$1,000,000 in the aggregate to 1 or more winners of the competition under subsection (a).”.

SEC. 7111. LAND-GRANT DESIGNATION.

Subtitle C of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151 et seq.), as amended by section 7110, is further amended by adding at the end the following new section:

“SEC. 1419D. LAND-GRANT DESIGNATION.

“(a) PROHIBITION ON DESIGNATION.—

“(1) IN GENERAL.—Notwithstanding any other provision of law and except as provided in paragraphs (2) and (3), beginning on the date of the enactment of this section, no additional entity may be designated as eligible to receive funds under a covered program.

“(2) 1994 INSTITUTIONS.—The prohibition under paragraph (1) with respect to the designation of an entity eligible to receive funds under a covered program shall not apply in the case of the certification of a 1994 Institution under section 2 of Public Law 87-788 (commonly known as the ‘McIntire-Stennis Cooperative Forestry Act’) (16 U.S.C. 582a-1).

“(3) EXTRAORDINARY CIRCUMSTANCES.—In the case of extraordinary circumstances or a situation that would lead to an inequitable result, as determined by the Secretary, the Secretary may determine that an entity designated after the

date of enactment of this section is eligible to receive funds under a covered program.

“(b) STATE FUNDING.—No State shall receive an increase in funding under a covered program as a result of the State’s designation of additional entities as eligible to receive such funding.

“(c) COVERED PROGRAM DEFINED.—For purposes of this section, the term ‘covered program’ means agricultural research, extension, education, and related programs or grants established or available under any of the following:

“(1) Subsections (b), (c), and (d) of section 3 of the Smith-Lever Act (7 U.S.C. 343).

“(2) The Hatch Act of 1887 (7 U.S.C. 361a et seq.).

“(3) Sections 1444, 1445, and 1447.

“(4) Public Law 87-788 (commonly known as the McIntire-Stennis Cooperative Forestry Act; 16 U.S.C. 582a et seq.).

“(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting eligibility for a capacity and infrastructure program specified in section 251(f)(1)(C) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(C)) that is not a covered program.”.

SEC. 7112. NUTRITION EDUCATION PROGRAM.

Section 1425 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3175) is amended—

(1) by redesignating subsection (f) as subsection (g);

(2) by inserting after subsection (e) the following:

“(f) COORDINATION.—Projects carried out with funds made available under section 3(d) of the Act of May 8, 1914 (7 U.S.C. 343(d)), to carry out the program established under subsection (b) may be coordinated with the nutrition education and obesity prevention grant program under section 28 of the Food and Nutrition Act of 2008 (7 U.S.C. 2036a) or another health promotion or nutrition improvement strategy, whether publicly or privately funded, as determined by the Secretary.”; and

(3) in subsection (g) (as so redesignated), by striking “2018” and inserting “2023”.

SEC. 7113. CONTINUING ANIMAL HEALTH AND DISEASE RESEARCH PROGRAMS.

Section 1433(c)(1) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3195(c)(1)) is amended by striking “2018” and inserting “2023”.

SEC. 7114. CARRYOVER OF FUNDS FOR EXTENSION AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

Section 1444(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221(a)) is amended by striking paragraph (4).

SEC. 7115. EXTENSION AND AGRICULTURAL RESEARCH AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

(a) EXTENSION.—Section 1444(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221(b)) is amended—

(1) in the undesignated matter following paragraph (2)(B)—

(A) by striking “paragraph (2) of this subsection” and inserting “this paragraph”; and

(B) by striking “In computing” and inserting the following:

“(C) In computing”; and

(2) in paragraph (2)—

(A) in subparagraph (B), by striking “Of the remainder” and inserting “Except as provided in paragraph (4), of the remainder”; and

(B) by striking “(2) any funds” and inserting the following:

“(3) ADDITIONAL AMOUNT.—Any funds”; and

(3) in paragraph (1)—

(A) by striking “are allocated” and inserting “were allocated”; and

(B) by striking “; and” and inserting “, as so designated as of that date.”;

(4) by striking “(b) Beginning” in the matter preceding paragraph (1) and all that follows through “any funds” in paragraph (1) and inserting the following:

“(b) DISTRIBUTION OF FUNDS.—

“(1) IN GENERAL.—Funds made available under this section shall be distributed among eligible institutions in accordance with this subsection.

“(2) BASE AMOUNT.—Any funds”; and

(5) by adding at the end the following:

“(4) SPECIAL AMOUNTS.—

“(A) DEFINITIONS.—In this paragraph:

“(i) COVERED FISCAL YEAR.—The term ‘covered fiscal year’ means the fiscal year for which the qualified eligible institution first received an allocation of \$3,000,000 under subparagraph (B)(i).

“(ii) OTHER ELIGIBLE INSTITUTION.—The term ‘other eligible institution’ means an eligible institution, other than the qualified eligible institution, receiving an allocation of funds under this section.

“(iii) QUALIFIED ELIGIBLE INSTITUTION.—The term ‘qualified eligible institution’ means the eligible institution described in subparagraph (B)(i).

“(B) FISCAL YEAR 2019, 2020, 2021, OR 2022.—

“(i) IN GENERAL.—Subject to clause (ii), for 1 of fiscal year 2019, 2020, 2021, or 2022, if the calculation under paragraph (3)(B) would result in a distribution for a fiscal year of less than \$3,000,000 to an eligible institution that first received funds under this section on a date occurring after the date of enactment of the Agricultural Act of 2014 (Public Law 113-79; 128 Stat. 649) and before September 30, 2018, that institution shall receive an allocation of \$3,000,000 for that fiscal year.

“(ii) LIMITATION.—Clause (i) shall apply only if amounts are appropriated under this section in an amount sufficient to provide that each other eligible institution receiving an allocation of funds under this section for fiscal year 2019, 2020, 2021, or 2022, as applicable, receives not less than the amount of funds received by that other eligible institution under this section for the preceding fiscal year.

“(C) SUBSEQUENT FISCAL YEARS.—

“(i) MINIMUM ADDITIONAL FUNDING AMOUNTS.—Subject to clauses (ii) and (iii), for each fiscal year following the covered fiscal year—

“(I) the qualified eligible institution shall receive an allocation under this subsection of at least \$3,000,000; and

“(II) each other eligible institution shall receive an allocation under this subsection of at least the amount received by such other eligible institution under this subsection for the covered fiscal year.

“(ii) SHORTFALL OF SPECIAL AMOUNTS.—

“(I) APPLICABILITY.—This clause shall apply to any fiscal year following the covered fiscal year and for which the total amount appropriated under this section is insufficient to provide for the minimum additional funding amounts described in clause (i).

“(II) REDUCTIONS IN ALLOCATIONS.—In the case of a fiscal year to which this clause applies, reductions in allocations shall be made proportionally from the qualified eligible institution and from each other eligible institution based on the increased amounts (if any) that the qualified eligible institution and each other eligible institution were allocated for the covered fiscal year as compared to the fiscal year immediately preceding the covered fiscal year.

“(iii) EFFECT OF CENSUS.—Clauses (i) and (ii) shall not apply in any fiscal year for which a shortfall in the minimum additional funding amounts described in clause (i) is attributable to the incorporation of new census data into the calculation under paragraph (3), as determined by the Secretary.”.

(b) RESEARCH.—Section 1445(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222(b)) is amended—

(1) in paragraph (2)—

(A) by adding at the end the following:

“(D) SPECIAL AMOUNTS.—

“(i) DEFINITIONS.—In this subparagraph:

“(I) COVERED FISCAL YEAR.—The term ‘covered fiscal year’ means the fiscal year for which the qualified eligible institution first received an allocation of \$3,000,000 under clause (ii)(I).

“(II) OTHER ELIGIBLE INSTITUTION.—The term ‘other eligible institution’ means an eligible institution, other than the qualified eligible institution, receiving an allocation of funds under this section.

“(III) QUALIFIED ELIGIBLE INSTITUTION.—The term ‘qualified eligible institution’ means the eligible institution described in clause (ii)(I).

“(ii) FISCAL YEAR 2019, 2020, 2021, OR 2022.—

“(I) IN GENERAL.—Subject to subclause (II), for 1 of fiscal year 2019, 2020, 2021, or 2022, if the calculation under subparagraph (C) would result in a distribution for a fiscal year of less than \$3,000,000 to an eligible institution that first received funds under this section on a date occurring after the date of enactment of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 649) and before September 30, 2018, that institution shall receive an allocation of \$3,000,000 for that fiscal year.

“(II) LIMITATION.—Subclause (I) shall apply only if amounts are appropriated under this section in an amount sufficient to provide that each other eligible institution receiving an allocation of funds under this section for fiscal year 2019, 2020, 2021, or 2022, as applicable, receives not less than the amount of funds received by that other eligible institution under this section for the preceding fiscal year.

“(iii) SUBSEQUENT FISCAL YEARS.—

“(I) MINIMUM ADDITIONAL FUNDING AMOUNTS.—Subject to subclauses (II) and (III), for each fiscal year following the covered fiscal year—

“(aa) the qualified eligible institution shall receive an allocation under this paragraph of at least \$3,000,000; and

“(bb) each other eligible institution shall receive an allocation under this paragraph of at least the amount received by such other eligible institution under this subsection for the covered fiscal year.

“(II) SHORTFALL OF SPECIAL AMOUNTS.—

“(aa) APPLICABILITY.—This subclause shall apply to any fiscal year following the covered fiscal year and for which the total amount appropriated under this subsection is insufficient to provide for the minimum additional funding amounts described in subclause (I).

“(bb) REDUCTIONS IN ALLOCATIONS.—In the case of a fiscal year to which this subclause applies, reductions in allocations shall be made proportionally from the qualified eligible institution and from each other eligible institution based on the increased amounts (if any) that the qualified eligible institution and each other eligible institution were allocated for the covered fiscal year as compared to the fiscal year immediately preceding the covered fiscal year.

“(III) EFFECT OF CENSUS.—Subclauses (I) and (II) shall not apply in any fiscal year for which a shortfall in the minimum additional funding amounts described in subclause (I) is attributable to the incorporation of new census data into the calculation under paragraph (3)(C), as determined by the Secretary.”;

(B) in subparagraph (B), by striking “(B) Of funds” and inserting the following:

“(C) ADDITIONAL AMOUNT.—Except as provided in subparagraph (D), of funds”;

(C) in subparagraph (A)—

(i) by striking “are allocated” and inserting “were allocated”;

(ii) by inserting “, as so designated as of that date” before the period at the end; and

(iii) by striking “(A) Funds” and inserting the following:

“(B) BASE AMOUNT.—Funds”; and

(D) in the matter preceding subparagraph (B) (as so designated), by striking “(2) The” and all that follows through “follows:” and inserting the following:

“(3) DISTRIBUTIONS.—

“(A) IN GENERAL.—After allocating amounts under paragraph (2), the remainder shall be allotted among the eligible institutions in accordance with this paragraph.”;

(2) in paragraph (1), by striking “(1) Three per centum” and inserting the following:

“(2) ADMINISTRATION.—3 percent”; and

(3) in the matter preceding paragraph (2) (as so designated), by striking “(b) Beginning” and all that follows through “follows:” and inserting the following:

“(b) DISTRIBUTION OF FUNDS.—

“(1) IN GENERAL.—Funds made available under this section shall be distributed among eligible institutions in accordance with this subsection.”.

SEC. 7116. REPORTS ON DISBURSEMENT OF FUNDS FOR AGRICULTURAL RESEARCH AND EXTENSION AT 1862 AND 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

Not later than September 30, 2019, and each year thereafter, the Secretary shall annually submit to Congress a report describing the allocations made to, and matching funds received by, 1890 Institutions and 1862 Institutions (as those terms are defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601) for each of the agricultural research, extension, education, and related programs established under—

(1) section 1444 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221);

(2) section 1445 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222);

(3) subsections (b) and (c) of section 3 of the Smith-Lever Act (7 U.S.C. 343); and

(4) the Hatch Act of 1887 (7 U.S.C. 361a et seq.).

SEC. 7117. SCHOLARSHIPS FOR STUDENTS AT 1890 INSTITUTIONS.

Subtitle G of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1445 (7 U.S.C. 3222) the following new section:

“SEC. 1446. SCHOLARSHIPS FOR STUDENTS AT 1890 INSTITUTIONS.

“(a) IN GENERAL.—

“(1) SCHOLARSHIP GRANT PROGRAM ESTABLISHED.—The Secretary shall make grants to each college or university eligible to receive funds under the Act of August 30, 1890 (commonly known as the Second Morrill Act; 7 U.S.C. 322 et seq.), including Tuskegee University, for purposes of awarding scholarships to individuals who—

“(A) have been accepted for admission at such college or university;

“(B) will be enrolled at such college or university not later than one year after the date of such acceptance; and

“(C) intend to pursue a career in the food and agricultural sciences, including a career in—

“(i) agribusiness;

“(ii) energy and renewable fuels; or

“(iii) financial management.

“(2) CONDITION.—The Secretary may only award a grant under this subsection to a college or university described in paragraph (1) if the Secretary determines that such college or university has established a competitive scholarship awards process for the award of scholarships to individuals described in such paragraph.

“(3) ANNUAL LIMITATION.—Of the funds made available under subsection (b)(1), the Secretary may use not more than \$10,000,000 to award grants under this subsection for the academic year beginning on July 1, 2020, and each of the three succeeding academic years.

“(4) AMOUNT OF GRANT.—Each grant made under this section shall be in an amount of not less than \$500,000.

“(b) FUNDING.—

“(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this sec-

tion \$40,000,000 not later than October 1, 2019, to remain available until expended.

“(2) DISCRETIONARY FUNDING.—In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2020 through 2023.

“(3) ADMINISTRATIVE EXPENSES.—Of the funds made available under paragraphs (1) and (2) to carry out this section for a fiscal year, not more than 4 percent may be used for expenses related to administering the program under this section.

“(c) REPORT.—Beginning on the date that is two years after the date on which the first grant is awarded under subsection (a), and every two years thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report detailing—

“(1) the amount of funds provided to each eligible college or university under this section;

“(2) the number of scholarships awarded under each grant each fiscal year; and

“(3) the amount of each such scholarship.”.

SEC. 7118. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AT 1890 LAND-GRANT COLLEGES, INCLUDING TUSKEGEE UNIVERSITY.

Section 1447(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b(b)) is amended by striking “2018” and inserting “2023”.

SEC. 7119. GRANTS TO UPGRADE AGRICULTURAL AND FOOD SCIENCES FACILITIES AND EQUIPMENT AT INSULAR AREA LAND-GRANT INSTITUTIONS.

Section 1447(d) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222b–2(d)) is amended by striking “2018” and inserting “2023”.

SEC. 7120. NEW BEGINNING FOR TRIBAL STUDENTS.

Subtitle G of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221 et seq.) is amended by adding at the end the following:

“SEC. 1450. NEW BEGINNING FOR TRIBAL STUDENTS.

“(a) DEFINITIONS.—In this section:

“(1) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given such term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(2) LAND-GRANT COLLEGE OR UNIVERSITY.—The term ‘land-grant college or university’ includes a 1994 Institution (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (Public Law 103–382; 7 U.S.C. 301 note)).

“(3) TRIBAL STUDENT.—The term ‘Tribal student’ means a student at a land-grant college or university that is a member of an Indian tribe.

“(b) NEW BEGINNING INITIATIVE.—

“(1) AUTHORIZATION.—The Secretary may make competitive grants to land-grant colleges and universities to provide identifiable support specifically targeted for Tribal students.

“(2) APPLICATION.—A land-grant college or university that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

“(3) USE OF FUNDS.—A land-grant college or university that receives a grant under this section shall use the grant funds to support Tribal students through—

“(A) recruiting;

“(B) tuition and related fees;

“(C) experiential learning; and

“(D) student services, including—

“(i) tutoring;

“(ii) counseling;

“(iii) academic advising; and

“(iv) other student services that would increase the retention and graduation rate of Tribal students enrolled at the land-grant college or university, as determined by the Secretary.

“(4) **MATCHING FUNDS.**—A land-grant college or university that receives a grant under this section shall provide matching funds toward the cost of carrying out the activities described in this section in an amount equal to not less than 100 percent of the grant award.

“(5) **MAXIMUM AMOUNT PER STATE.**—No State shall receive, through grants made under this section to land-grant colleges and universities located in the State, more than \$500,000 per year.

“(c) **REPORT.**—Not later than 3 years after the date of enactment of this section, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry and the Committee on Indian Affairs of the Senate a report that includes an itemized list of grant funds distributed under this section, including the specific form of assistance provided under subsection (b)(3), and the number of Tribal students assisted and the graduation rate of Tribal students at land-grant colleges and universities receiving grants under this section.

“(d) **AUTHORIZATION OF APPROPRIATION.**—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2019 through 2023.”

SEC. 7121. HISPANIC-SERVING INSTITUTIONS.

Section 1455(c) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3241(c)) is amended by striking “2018” and inserting “2023”.

SEC. 7122. BINATIONAL AGRICULTURAL RESEARCH AND DEVELOPMENT.

Section 1458(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3291(e)) is amended—

(1) in the subsection heading, by striking “FULL PAYMENT OF FUNDS MADE AVAILABLE FOR CERTAIN” and inserting “CERTAIN”;

(2) by striking “Notwithstanding” and inserting the following:

“(1) **FULL PAYMENT OF FUNDS.**—Notwithstanding”;

(3) in paragraph (1) (as so designated)—

(A) by striking “Israel-United States” and inserting “United States-Israel”; and

(B) by inserting “(referred to in this subsection as the ‘BARD Fund’)” after “Development Fund”; and

(4) by adding at the end the following:

“(2) **ACTIVITIES.**—Activities under the BARD Fund to promote and support agricultural research and development that are of mutual benefit to the United States and Israel shall—

“(A) accelerate the demonstration, development, and application of agricultural solutions resulting from or relating to BARD Fund programs, including BARD Fund-sponsored research and innovations in drip irrigation, pesticides, aquaculture, livestock, poultry, disease control, and farm equipment; and

“(B) encourage research carried out by governmental, nongovernmental, and private entities, including through collaboration with colleges and universities, research institutions, and the private sector.”

SEC. 7123. PARTNERSHIPS TO BUILD CAPACITY IN INTERNATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1458 (7 U.S.C. 3291) the following:

“SEC. 1458A. PARTNERSHIPS TO BUILD CAPACITY IN INTERNATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING.

“(a) **DEFINITIONS.**—In this section:

“(1) **1862 INSTITUTION;** 1890 INSTITUTION; 1994 INSTITUTION.—The terms ‘1862 Institution’, ‘1890 Institution’, and ‘1994 Institution’ have the meanings given the terms in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601).

“(2) **COVERED INSTITUTION.**—The term ‘covered Institution’ means—

“(A) an 1862 Institution;

“(B) an 1890 Institution;

“(C) a 1994 Institution;

“(D) an NLGCA Institution;

“(E) a Hispanic-serving agricultural college or university; and

“(F) a cooperating forestry school.

“(3) **DEVELOPING COUNTRY.**—The term ‘developing country’ means a country, as determined by the Secretary using a gross national income per capita test selected by the Secretary.

“(4) **INTERNATIONAL PARTNER INSTITUTION.**—The term ‘international partner institution’ means an agricultural higher education institution in a developing country that is performing, or desiring to perform, activities similar to agricultural research, extension, and teaching activities carried out through covered Institutions in the United States.

“(b) **AUTHORITY OF THE SECRETARY.**—The Secretary may promote cooperation and coordination between covered Institutions and international partner institutions through—

“(1) improving extension by—

“(A) encouraging the exchange of research materials and results between covered Institutions and international partner institutions;

“(B) facilitating the broad dissemination of agricultural research through extension; and

“(C) assisting with efforts to plan and initiate extension services in developing countries;

“(2) improving agricultural research by—

“(A) in partnership with international partner institutions, encouraging research that addresses problems affecting food production and security, human nutrition, agriculture, forestry, livestock, and fisheries, including local challenges; and

“(B) supporting and strengthening national agricultural research systems in developing countries;

“(3) supporting the participation of covered Institutions in programs of international organizations, such as the United Nations, the World Bank, regional development banks, and international agricultural research centers;

“(4) improving agricultural teaching and education by—

“(A) in partnership with international partner institutions, supporting education and teaching relating to food and agricultural sciences, including technical assistance, degree training, research collaborations, classroom instruction, workforce training, and education programs; and

“(B) assisting with efforts to increase student capacity, including to encourage equitable access for women and other underserved populations, at international partner institutions by promoting partnerships with, and improving the capacity of, covered Institutions;

“(5) assisting covered Institutions in strengthening their capacity for food, agricultural, and related research, extension, and teaching programs relevant to agricultural development activities in developing countries to promote the application of new technology to improve education delivery;

“(6) providing support for the internationalization of resident instruction programs of covered Institutions;

“(7) establishing a program, to be coordinated by the Director of the National Institute of Food and Agriculture and the Administrator of the Foreign Agricultural Service, to place interns from covered Institutions in, or in service to benefit, developing countries; and

“(8) establishing a program to provide fellowships to students at covered Institutions to study at foreign agricultural colleges and universities.

“(c) **ENHANCING LINKAGES.**—The Secretary shall enhance the linkages among covered Institutions, the Federal Government, international research centers, counterpart research, extension, and teaching agencies and institutions in developed countries and developing countries—

“(1) to carry out the activities described in subsection (b); and

“(2) to make a substantial contribution to the cause of improved food and agricultural progress throughout the world.

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2019 through 2023.”

SEC. 7124. COMPETITIVE GRANTS FOR INTERNATIONAL AGRICULTURAL SCIENCE AND EDUCATION PROGRAMS.

Section 1459A(c)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3292b(c)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7125. LIMITATION ON INDIRECT COSTS FOR AGRICULTURAL RESEARCH, EDUCATION, AND EXTENSION PROGRAMS.

Section 1462 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310) is amended—

(1) in subsection (a), by striking “22 percent” and inserting “30 percent”;

(2) in subsection (b), by striking “Subsection (a)” and inserting “Subsections (a) and (c)”; and

(3) by adding at the end the following:

“(c) **TREATMENT OF SUBGRANTS.**—In the case of a grant described in subsection (a), the limitation on indirect costs specified in such subsection shall be applied to both the initial grant award and any subgrant of the Federal funds provided under the initial grant award so that the total of all indirect costs charged against the total of the Federal funds provided under the initial grant award does not exceed such limitation.”

SEC. 7126. RESEARCH EQUIPMENT GRANTS.

The National Agricultural Research, Extension, and Teaching Policy Act of 1977 is amended by inserting after section 1462 (7 U.S.C. 3310) the following new section:

“SEC. 1462A. RESEARCH EQUIPMENT GRANTS.

“(a) **IN GENERAL.**—The Secretary may make competitive grants for the acquisition of special purpose scientific research equipment for use in the food and agricultural sciences programs of eligible institutions.

“(b) **MAXIMUM AMOUNT.**—The amount of a grant made to an eligible institution under this section may not exceed \$500,000.

“(c) **PROHIBITION ON CHARGE OR EQUIPMENT AS INDIRECT COSTS.**—The cost of acquisition or depreciation of equipment purchased with a grant under this section shall not be—

“(1) charged as an indirect cost against another Federal grant; or

“(2) included as part of the indirect cost pool for purposes of calculating the indirect cost rate of an eligible institution.

“(d) **ELIGIBLE INSTITUTIONS DEFINED.**—In this section, the term ‘eligible institution’ means—

“(1) a college or university; or

“(2) a State cooperative institution.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2019 through 2023.”

SEC. 7127. UNIVERSITY RESEARCH.

Section 1463 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3311) is amended by striking “2018” each place it appears in subsections (a) and (b) and inserting “2023”.

SEC. 7128. EXTENSION SERVICE.

Section 1464 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3312) is amended by striking “2018” and inserting “2023”.

SEC. 7129. SUPPLEMENTAL AND ALTERNATIVE CROPS; HEMP.

Section 1473D of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319d) is amended—

(1) in subsection (a)—

(A) by striking “2018” and inserting “2023”; and

(B) by striking “crops,” and inserting “crops (including canola).”;

(2) in subsection (b)—
 (A) by inserting “for agronomic rotational purposes and as a habitat for honey bees and other pollinators” after “alternative crops”; and

(B) by striking “commodities whose” and all that follows through the period at the end and inserting “commodities.”;

(3) in subsection (c)(3)(E), by inserting “(including hemp (as defined in section 297A of the Agricultural Marketing Act of 1946))” after “material”; and

(4) in subsection (e)—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

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

“(3) \$2,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 7130. NEW ERA RURAL TECHNOLOGY PROGRAM.

Section 1473E of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319e) is amended—

(1) in subsection (b)(1)(B)—

(A) in clause (ii), by striking “and” at the end;

(B) in clause (iii), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(iv) precision agriculture.”; and

(2) in subsection (d), by striking “2008 through 2012” and inserting “2019 through 2023”.

SEC. 7131. CAPACITY BUILDING GRANTS FOR NLGCA INSTITUTIONS.

Section 1473F(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3319i(b)) is amended by striking “2018” and inserting “2023”.

SEC. 7132. AGRICULTURE ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY PILOT.

Subtitle K of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3310 et seq.) is amended by adding at the end the following:

“SEC. 1473H. AGRICULTURE ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY PILOT.

“(a) **DEFINITIONS.**—In this section:

“(1) **ADVANCED RESEARCH AND DEVELOPMENT.**—The term ‘advanced research and development’ means research and development activities used to address research challenges in agriculture and food through—

“(A) targeted acceleration of novel, early stage innovative agricultural research with promising technology applications and products; or

“(B) development of qualified products and projects, agricultural technologies, or innovative research tools, which may include—

“(i) prototype testing, preclinical development, or field experimental use;

“(ii) assessing and assisting with product approval, clearance, or need for a license under an applicable law, as determined by the Director; or

“(iii) manufacturing and commercialization of a product.

“(2) **AGRICULTURAL TECHNOLOGY.**—The term ‘agricultural technology’ means machinery and other equipment engineered for an applicable and novel use in agriculture, natural resources, and food relating to the research and development of qualified products and projects.

“(3) **DIRECTOR.**—The term ‘Director’ means the Director of the Agriculture Advanced Research and Development Authority established under subsection (b)(1).

“(4) **OTHER TRANSACTION.**—The term ‘other transaction’ means a transaction other than a procurement contract, grant, or cooperative agreement, including a transaction described in subsection (b)(6)(A).

“(5) **PERSON.**—The term ‘person’ means—

“(A) an individual;

“(B) a partnership;

“(C) a corporation;

“(D) an association;

“(E) an entity;

“(F) a public or private corporation;

“(G) a Federal, State, or local government agency or department; and

“(H) an institution of higher education, including a land-grant college or university and a non-land-grant college of agriculture.

“(6) **QUALIFIED PRODUCT OR PROJECT.**—The term ‘qualified product or project’ means—

“(A) engineering, mechanization, or technology improvements that will address challenges relating to growing, harvesting, handling, processing, storing, packing, and distribution of agricultural products;

“(B) plant disease or plant pest recovery countermeasures to intentional or unintentional biological threats (including naturally occurring threats), including—

“(i) replacement or resistant plant cultivars or varieties;

“(ii) other enhanced management strategies, including novel chemical, biological, or cultural approaches; or

“(iii) diagnostic or surveillance technology; and

“(C) veterinary countermeasures to intentional or unintentional biological threats (including naturally occurring threats), including—

“(i) animal vaccine or therapeutic products (including anti-infective products); or

“(ii) diagnostic or surveillance technology.

“(7) **RESEARCH TOOL.**—The term ‘research tool’ means a device, technology, procedure, biological material, reagent, computer system, computer software, or analytical technique that is developed to assist in the discovery, development, or manufacture of a qualified product or project.

“(b) **AGRICULTURE ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.**—

“(1) **ESTABLISHMENT.**—There is established within the Department of Agriculture a pilot program that shall be known as the Agriculture Advanced Research and Development Authority (referred to in this section as the ‘AGARDA’) to carry out advanced research and development.

“(2) **GOALS.**—The goals of the AGARDA are—

“(A) to develop and deploy advanced solutions to prevent, prepare, and protect against unintentional and intentional threats to agriculture and food in the United States;

“(B) to overcome barriers in the development of agricultural technologies, research tools, and qualified products and projects that enhance export competitiveness, environmental sustainability, and resilience to extreme weather;

“(C) to ensure that the United States maintains and enhances its position as a leader in developing and deploying agricultural technologies, research tools, and qualified projects and products that increase economic opportunities and security for farmers, ranchers, and rural communities; and

“(D) to undertake advanced research and development in areas in which industry by itself is not likely to do so because of the technological or financial uncertainty.

“(3) **LEADERSHIP.**—

“(A) **IN GENERAL.**—The AGARDA shall be a component of the Office of the Chief Scientist.

“(B) **DIRECTOR.**—

“(i) **IN GENERAL.**—The AGARDA shall be headed by a Director, who shall be appointed by the Chief Scientist.

“(ii) **QUALIFICATIONS.**—The Director shall be an individual who, by reason of professional background and experience, is exceptionally qualified to advise the Chief Scientist on, and manage advanced research and development programs and other matters pertaining to—

“(I) qualified products and projects;

“(II) agricultural technologies;

“(III) research tools; and

“(IV) challenges relating to the matters described in subclauses (I) through (III).

“(iii) **RELATIONSHIP WITHIN THE DEPARTMENT OF AGRICULTURE.**—The Director shall report to the Chief Scientist.

“(4) **DUTIES.**—To achieve the goals described in paragraph (2), the Secretary, acting through the Director, shall accelerate advanced research and development by—

“(A) identifying and promoting advances in basic sciences;

“(B) translating scientific discoveries and inventions into technological innovations;

“(C) collaborating with other agencies, relevant industries, academia, international agencies, the Foundation for Food and Agriculture Research, and other relevant persons to carry out the goals described in paragraph (2), including convening, at a minimum, annual meetings or working groups to demonstrate the operation and effectiveness of advanced research and development of qualified products and projects, agricultural technologies, and research tools;

“(D) conducting ongoing searches for, and support calls for, potential advanced research and development of agricultural technologies, qualified products and projects, and research tools;

“(E) awarding grants and entering into contracts, cooperative agreements, or other transactions under paragraph (6) for advanced research and development of agricultural technology, qualified products and projects, and research tools;

“(F) establishing issue-based multidisciplinary teams to reduce the time and cost of solving specific problems that—

“(i) are composed of representatives from Federal and State agencies, professional groups, academia, and industry;

“(ii) seek novel and effective solutions; and

“(iii) encourage data sharing and translation of research to field use; and

“(G) serving as a resource for interested persons regarding requirements under relevant laws that impact the development, commercialization, and technology transfer of qualified products and projects, agricultural technologies, and research tools.

“(5) **PRIORITY.**—In awarding grants and entering into contracts, cooperative agreements, or other transactions under paragraph (4)(E), the Secretary shall give priority to projects that accelerate the advanced research and development of qualified products and projects that—

“(A) address critical research and development needs for technology for specialty crops; or

“(B) prevent, protect, and prepare against intentional and unintentional threats to agriculture and food.

“(6) **OTHER TRANSACTION AUTHORITIES.**—

“(A) **IN GENERAL.**—In carrying out the pilot program under this section, the Secretary shall have the authority to enter into other transactions in the same manner and subject to the same terms and conditions as transactions that the Secretary of Defense may enter into under section 2371 of title 10, United States Code.

“(B) **SCOPE.**—The authority of the Secretary to enter into contracts, cooperative agreements, and other transactions under this subsection shall be in addition to the authorities under this Act and title I of the Department of Agriculture and Related Agencies Appropriation Act, 1964 (7 U.S.C. 3318a), to use contracts, cooperative agreements, and grants in carrying out the pilot program under this section.

“(C) **GUIDELINES.**—The Secretary shall establish guidelines regarding the use of the authority under subparagraph (A).

“(D) **TECHNOLOGY TRANSFER.**—In entering into other transactions, the Secretary may negotiate terms for technology transfer in the same manner as a Federal laboratory under paragraphs (1) through (4) of section 12(b) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710a(b)).

“(7) **AVAILABILITY OF DATA.**—

“(A) **IN GENERAL.**—The Secretary shall require that, as a condition of being awarded a contract or grant or entering into a cooperative agree-

ment or other transaction under paragraph (4)(E), a person shall make available to the Secretary on an ongoing basis, and submit to the Secretary on request of the Secretary, all data relating to or resulting from the activities carried out by the person pursuant to this section.

“(B) EXEMPTION FROM DISCLOSURE.—

“(i) IN GENERAL.—This subparagraph shall be considered a statute described in section 552(b)(3)(B) of title 5, United States Code.

“(ii) EXEMPTION.—The following information shall be exempt from disclosure under section 552 of title 5, United States Code, and withheld from the public:

“(I) Specific technical data or scientific information that is created or obtained under this section that reveals significant and not otherwise publicly known vulnerabilities of existing agriculture and food defenses against biological, chemical, nuclear, or radiological threats.

“(II) Trade secrets or commercial or financial information that is privileged or confidential (within the meaning of section 552(b)(4) of title 5, United States Code) and obtained in the conduct of research or as a result of activities under this section from a non-Federal party participating in a contract, grant, cooperative agreement, or other transaction under this section.

“(iii) LIMITATION.—Information that results from research and development activities conducted under this section and that would be a trade secret or commercial or financial information that is privileged or confidential if the information had been obtained from a non-Federal party participating in a cooperative agreement or other transaction shall be withheld from disclosure under subchapter II of chapter 5 of title 5, United States Code, for 5 years.

“(8) MILESTONE-BASED PAYMENTS ALLOWED.—In awarding contracts and grants and entering into cooperative agreements or other transactions under paragraph (4)(E), the Secretary may—

“(A) use milestone-based awards and payments; and

“(B) terminate a project for not meeting technical milestones.

“(9) USE OF EXISTING PERSONNEL AUTHORITIES.—In carrying out this subsection, the Secretary may appoint highly qualified individuals to scientific or professional positions on the same terms and conditions as provided in subsections (b)(3), (b)(4), (c), (d), (e), and (f) of section 620 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7657).

“(10) REPORT AND EVALUATION.—

“(A) REPORT.—The Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate an annual report examining the actions undertaken and results generated by the AGARDA.

“(B) EVALUATION.—After the date on which the AGARDA has been in operation for 3 years, the Comptroller General of the United States shall conduct an evaluation—

“(i) to be completed and submitted to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate not later than 1 year after the date on which the Comptroller General began conducting the evaluation;

“(ii) describing the extent to which the AGARDA is achieving the goals described in paragraph (2); and

“(iii) including a recommendation on whether the AGARDA should be continued, terminated, or expanded.

“(C) STRATEGIC PLAN.—

“(I) IN GENERAL.—Not later than 360 days after the date of enactment of this section, the Secretary shall develop and make publicly available a strategic plan describing the strategic vision that the AGARDA shall use—

“(A) to make determinations for future investments during the period of effectiveness of this section; and

“(B) to achieve the goals described in subsection (b)(2).

“(2) DISSEMINATION.—The Secretary shall disseminate the information contained in the strategic plan under paragraph (1) to persons who may have the capacity to substantially contribute to the activities described in that strategic plan.

“(3) COORDINATION; CONSULTATION.—The Secretary shall—

“(A) update and coordinate the strategic coordination plan under section 221(d)(7) of the Department of Agriculture Reorganization Act of 1994 with the strategic plan developed under paragraph (1) for activities relating to agriculture and food defense countermeasure development and procurement; and

“(B) in developing the strategic plan under paragraph (1), consult with—

“(i) the National Agricultural Research, Extension, Education, and Economics Advisory Board established under section 1408(a);

“(ii) the specialty crops committee established under section 1408A(a)(1);

“(iii) relevant agriculture research agencies of the Federal Government;

“(iv) the National Academies of Sciences, Engineering, and Medicine;

“(v) the National Veterinary Stockpile Intra-Government Advisory Committee for Strategic Steering; and

“(vi) other appropriate parties, as determined by the Secretary.

“(d) FUNDS.—

“(1) ESTABLISHMENT.—There is established in the Treasury the Agriculture Advanced Research and Development Fund, which shall be administered by the Secretary, acting through the Director—

“(A) for the purpose of carrying out this section; and

“(B) in the same manner and subject to the same terms and conditions as are applicable to the Secretary of Defense under section 2371 of title 10, United States Code.

“(2) DEPOSITS INTO FUND.—

“(A) IN GENERAL.—The Secretary, acting through the Director, may accept and deposit into the Fund monies received pursuant to cost recovery, contribution, or royalty payments under a contract, grant, cooperative agreement, or other transaction under this section.

“(B) AVAILABILITY OF AMOUNTS IN FUND.—Amounts deposited into the fund shall remain available until expended, without further appropriation, and may be used to carry out the purposes of this section.

“(C) CLARIFICATION.—Nothing in this paragraph authorizes the use of the funds of the Commodity Credit Corporation to carry out this section.

“(3) FUNDING.—In addition to funds otherwise deposited in the Fund under paragraph (1) or (2), there is authorized to be appropriated to the Fund \$50,000,000 for each of fiscal years 2019 through 2023, to remain available until expended.

“(e) TERMINATION OF EFFECTIVENESS.—

“(1) IN GENERAL.—Except as provided under paragraph (2), the authority provided by this section terminates on the date that is 5 years after the date of the enactment of the Agriculture Improvement Act of 2018.

“(2) EXCEPTIONS.—Paragraph (1) shall not apply with respect to—

“(A) subsection (b)(7)(B); and

“(B) grants awarded or contracts, cooperative agreements, or other transactions entered into before the end of the 5-year period referred to in such clause.”.

SEC. 7133. AQUACULTURE ASSISTANCE PROGRAMS.

Section 1477(a)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3324(a)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7134. RANGELAND RESEARCH PROGRAMS.

Section 1483(a)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3336(a)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7135. SPECIAL AUTHORIZATION FOR BIOSECURITY PLANNING AND RESPONSE.

Section 1484 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3351) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

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

“(3) \$30,000,000 for each of fiscal years 2019 through 2023.”; and

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by inserting “and cooperative agreements” after “competitive grants”; and

(B) in paragraph (3), by striking “make competitive grants” and inserting “award competitive grants and cooperative agreements”; and

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

“(5) To coordinate the tactical science activities of the Research, Education, and Economics mission area of the Department that protect the integrity, reliability, sustainability, and profitability of the food and agricultural system of the United States against biosecurity threats from pests, diseases, contaminants, and disasters.”.

SEC. 7136. DISTANCE EDUCATION AND RESIDENT INSTRUCTION GRANTS PROGRAM FOR INSULAR AREA INSTITUTIONS OF HIGHER EDUCATION.

(a) DISTANCE EDUCATION GRANTS FOR INSULAR AREAS.—Section 1490(f)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3362(f)(2)) is amended by striking “2018” and inserting “2023”.

(b) RESIDENT INSTRUCTION GRANTS FOR INSULAR AREAS.—Section 1491(c)(2) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3363(c)(2)) is amended by striking “2018” and inserting “2023”.

Subtitle B—Food, Agriculture, Conservation, and Trade Act of 1990

SEC. 7201. BEST UTILIZATION OF BIOLOGICAL APPLICATIONS.

Section 1624 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5814) is amended in the first sentence by striking “2018” and inserting “2023”.

SEC. 7202. INTEGRATED MANAGEMENT SYSTEMS.

Section 1627(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5821(d)) is amended by striking “2018” and inserting “2023”.

SEC. 7203. SUSTAINABLE AGRICULTURE TECHNOLOGY DEVELOPMENT AND TRANSFER PROGRAM.

Section 1628(f)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5831(f)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7204. NATIONAL TRAINING PROGRAM.

Section 1629(i) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5832(i)) is amended by striking “2018” and inserting “2023”.

SEC. 7205. NATIONAL STRATEGIC GERMPASM AND CULTIVAR COLLECTION ASSESSMENT AND UTILIZATION PLAN.

(a) IN GENERAL.—Section 1632(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5841(d)) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) by redesignating paragraph (6) as paragraph (7); and

(3) by inserting after paragraph (5) the following:

“(6) develop and implement a national strategic germplasm and cultivar collection assessment and utilization plan that takes into consideration the resources and research necessary to address the significant backlog of character-

ization and maintenance of existing accessions considered to be critical to preserve the viability of, and public access to, germplasm and cultivars; and”.

(b) **PLAN PUBLICATION.**—Section 1633 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5842) is amended by adding at the end the following:

“(f) **PLAN PUBLICATION.**—On completion of the development of the plan described in section 1632(d)(6), the Secretary shall make the plan available to the public.”.

SEC. 7206. NATIONAL GENETICS RESOURCES PROGRAM.

(a) **ADVISORY COUNCIL.**—Section 1634 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5843) is amended—

(1) in subsection (a)—

(A) in the first sentence, by striking “The Secretary” and inserting the following:

“(1) **IN GENERAL.**—The Secretary”;

(B) in the second sentence of paragraph (1) (as so designated), by striking “The advisory” and inserting the following:

“(2) **MEMBERSHIP.**—The advisory”;

(C) in paragraph (2) (as so designated), by striking “nine” and inserting “13”; and

(D) by adding at the end the following:

“(3) **RECOMMENDATIONS.**—

“(A) **IN GENERAL.**—In making recommendations under paragraph (1), the advisory council shall include recommendations on—

“(i) the state of public cultivar development, including—

“(I) an analysis of existing cultivar research investments;

“(II) the research gaps relating to the development of cultivars across a diverse range of crops; and

“(III) an assessment of the state of commercialization of federally funded cultivars;

“(ii) the training and resources needed to meet future breeding challenges;

“(iii) the appropriate levels of Federal funding for cultivar development for underserved crops and geographic areas; and

“(iv) the development of the plan described in section 1632(d)(6).”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) by striking “Two-thirds” and inserting “6”; and

(ii) by inserting “economics and policy,” after “agricultural sciences,”;

(B) in paragraph (2)—

(i) by striking “One-third” and inserting “3”; and

(ii) by inserting “community development,” after “public policy,”; and

(C) by adding at the end the following:

“(3) 4 of the members shall be appointed from among individuals with expertise in public cultivar and animal breed development.

“(4) 4 of the members shall be appointed from among individuals representing—

“(A) 1862 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601));

“(B) 1890 Institutions (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601));

“(C) Hispanic-serving institutions (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)); or

“(D) 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)).”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 1635(b)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5844(b)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7207. NATIONAL AGRICULTURAL WEATHER INFORMATION SYSTEM.

Section 1641(c) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C.

5855(c)) is amended by striking “2018” and inserting “2023”.

SEC. 7208. AGRICULTURAL GENOME TO PHENOME INITIATIVE.

Section 1671 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5924) is amended—

(1) in the section heading, by inserting “**TO PHENOME**” after “**GENOME**”;

(2) by striking subsection (a) and inserting the following:

“(a) **GOALS.**—The goals of this section are—

“(1) to expand knowledge concerning genomes and phenomes of crops and animals of importance to the agriculture sector of the United States;

“(2) to understand how variable weather, environments, and production systems impact the growth and productivity of specific varieties of crops and species of animals in order to provide greater accuracy in predicting crop and animal performance under variable conditions;

“(3) to support research that leverages plant and animal genomic information with phenotypic and environmental data through an interdisciplinary framework, leading to a novel understanding of plant and animal processes that affect growth, productivity, and the ability to predict performance, which will result in the deployment of superior varieties and species to producers and improved crop and animal management recommendations for farmers and ranchers;

“(4) to catalyze and coordinate research that links genomics and predictive phenomics at different sites across the United States to achieve advances in crops and animals that generate societal benefits;

“(5) to combine fields such as genetics, genomics, plant physiology, agronomy, climatology, and crop modeling with computation and informatics, statistics, and engineering;

“(6) to combine fields such as genetics, genomics, animal physiology, meat science, animal nutrition, and veterinary science with computation and informatics, statistics, and engineering;

“(7) to focus on crops and animals that will yield scientifically important results that will enhance the usefulness of many other crops and animals;

“(8) to build on genomic research, such as the Plant Genome Research Project and the National Animal Genome Research Program, to understand gene function in production environments that is expected to have considerable returns for crops and animals of importance to the agriculture of the United States;

“(9) to develop improved data analytics to enhance understanding of the biological function of genes;

“(10) to allow resources developed under this section, including data, software, germplasm, and other biological materials, to be openly accessible to all persons, subject to any confidentiality requirements imposed by law; and

“(11) to encourage international partnerships with each partner country responsible for financing its own research.”;

(3) by striking subsection (b) and inserting the following:

“(b) **DUTIES OF SECRETARY.**—The Secretary of Agriculture (referred to in this section as the ‘Secretary’) shall conduct a research initiative, to be known as the ‘Agricultural Genome to Phenome Initiative’, for the purpose of—

“(1) studying agriculturally significant crops and animals in production environments to achieve sustainable and secure agricultural production;

“(2) ensuring that current gaps in existing knowledge of agricultural crop and animal genetics and phenomics are filled;

“(3) identifying and developing a functional understanding of relevant genes from animals and agronomically relevant genes from crops that are of importance to the agriculture sector of the United States;

“(4) ensuring future genetic improvement of crops and animals of importance to the agriculture sector of the United States;

“(5) studying the relevance of diverse germplasm as a source of unique genes that may be of importance in the future;

“(6) enhancing genetics to reduce the economic impact of pathogens on crops and animals of importance to the agriculture sector of the United States;

“(7) disseminating findings to relevant audiences; and

“(8) otherwise carrying out this section.”;

(4) in subsection (c)(1), by inserting “, acting through the National Institute of Food and Agriculture,” after “The Secretary”;

(5) in subsection (e), by inserting “to Phenome” after “Genome”; and

(6) by adding at the end the following:

“(f) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$40,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 7209. HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.

Section 1672 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925) is amended—

(1) in subsection (d)—

(A) in paragraph (8)—

(i) in the heading, by striking “ALFALFA AND FORAGE” and inserting “ALFALFA SEED AND ALFALFA FORAGE SYSTEMS”;

(ii) by striking “alfalfa and forage” and inserting “alfalfa seed and alfalfa forage systems”; and

(iii) by striking “alfalfa and other forages, and” and inserting “alfalfa seed and other alfalfa forage”; and

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

“(11) **MACADAMIA TREE HEALTH INITIATIVE.**—Research and extension grants may be made under this section for the purposes of—

“(A) developing and disseminating science-based tools and treatments to combat the macadamia felted coccid (*Eriococcus ironsidei*); and

“(B) establishing an areawide integrated pest management program in areas affected by, or areas at risk of being affected by, the macadamia felted coccid.

“(12) **NATIONAL TURFGRASS RESEARCH INITIATIVE.**—Research and extension grants may be made under this section for the purposes of—

“(A) carrying out or enhancing research related to turfgrass and sod issues;

“(B) enhancing production and uses of turfgrass for the general public;

“(C) identifying new turfgrass varieties with superior drought, heat, cold, and pest tolerance to reduce water, fertilizer, and pesticide use;

“(D) selecting genetically superior turfgrasses and developing improved technologies for managing commercial, residential, and recreational turfgrass areas;

“(E) producing turfgrasses that—

“(i) aid in mitigating soil erosion;

“(ii) protect against pollutant runoff into waterways; or

“(iii) provide other environmental benefits;

“(F) investigating, preserving, and protecting native plant species, including grasses not currently utilized in turfgrass systems;

“(G) creating systems for more economical and viable turfgrass seed and sod production throughout the United States; and

“(H) investigating the turfgrass phytobiome and developing biologic products to enhance soil, enrich plants, and mitigate pests.

“(13) **FERTILIZER MANAGEMENT INITIATIVE.**—

“(A) **IN GENERAL.**—Research and extension grants may be made under this section for the purpose of carrying out research to improve fertilizer use efficiency in crops—

“(i) to maximize crop yield; and

“(ii) to minimize nutrient losses to surface and groundwater and the atmosphere.

“(B) **PRIORITY.**—In awarding grants under subparagraph (A), the Secretary shall give pri-

ority to research examining the impact of the source, rate, timing, and placement of plant nutrients.

“(14) **CATTLE FEVER TICK PROGRAM.**—Research and extension grants may be made under this section to study cattle fever ticks—

“(A) to facilitate the understanding of the role of wildlife in the persistence and spread of cattle fever ticks;

“(B) to develop advanced methods for eradication of cattle fever ticks, including—

“(i) alternative treatment methods for cattle and other susceptible species;

“(ii) field treatment for premises, including corral pens and pasture loafing areas;

“(iii) methods for treatment and control on infested wildlife;

“(iv) biological control agents; and

“(v) new and improved vaccines;

“(C) to evaluate rangeland vegetation that impacts the survival of cattle fever ticks;

“(D) to improve management of diseases relating to cattle fever ticks that are associated with wildlife, livestock, and human health;

“(E) to improve diagnostic detection of tick-infested or infected animals and pastures; and

“(F) to conduct outreach to impacted ranchers, hunters, and landowners to integrate tactics and document sustainability of best practices.

“(15) **LAYING HEN AND TURKEY RESEARCH PROGRAM.**—Research grants may be made under this section for the purpose of improving the efficiency and sustainability of laying hen and turkey production through integrated, collaborative research and technology transfer. Emphasis may be placed on laying hen and turkey disease prevention, antimicrobial resistance, nutrition, gut health, and alternative housing systems under extreme seasonal weather conditions.

“(16) **CHRONIC WASTING DISEASE.**—Research and extension grants may be made under this section for the purposes of supporting research projects at land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)) with established deer research programs for the purposes of treating, mitigating, or eliminating chronic wasting disease.

“(17) **ALGAE AGRICULTURE RESEARCH PROGRAM.**—Research and extension grants may be made under this section for the development and testing of algae and algae systems (including micro- and macro-algae systems).

“(18) **NUTRIENT MANAGEMENT.**—Research and extension grants may be made under this section for the purposes of examining nutrient management based on the source, rate, timing, and placement of crop nutrients.

“(19) **DRYLAND FARMING AGRICULTURAL SYSTEMS.**—Research and extension grants may be made under this section for the purposes of carrying out or enhancing research on the utilization of big data for more precise management of dryland farming agricultural systems.

“(20) **HOP PLANT HEALTH INITIATIVE.**—Research and extension grants may be made under this section for the purposes of developing and disseminating science-based tools and treatments to combat diseases of hops caused by the plant pathogens *Podosphaera macularis* and *Pseudoperonospora humuli*.”

(2) in subsection (e)(5), by striking “2018” and inserting “2023”;

(3) in subsection (f)(5), by striking “2018” and inserting “2023”;

(4) in subsection (g)—

(A) in paragraphs (1)(B), (2)(B), and (3), by striking “2018” each place it appears and inserting “2023”;

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the following new paragraph:

“(4) **ENHANCED COORDINATION OF HONEYBEE AND POLLINATOR RESEARCH.**—

“(A) **IN GENERAL.**—The Chief Scientist of the Department of Agriculture shall coordinate re-

search, extension, education, and economic activities in the Department of Agriculture relating to native and managed pollinator health and habitat.

“(B) **DUTIES.**—In carrying out subparagraph (A), the Chief Scientist shall—

“(i) assign an individual to serve in the Office of the Chief Scientist as a Honeybee and Pollinator Research Coordinator who shall be responsible for leading the efforts of the Chief Scientist in carrying out such subparagraph;

“(ii) implement and coordinate pollinator health research efforts of the Department, as recommended by the Pollinator Health Task Force;

“(iii) establish annual strategic priorities and goals for the Department for native and managed pollinator research;

“(iv) communicate such priorities and goals to each agency or office of the Department of Agriculture, the managed pollinator industry, and relevant grant recipients under programs administered by the Secretary; and

“(v) coordinate and identify all research on native and managed pollinator health needed and conducted by the Department of Agriculture and relevant grant recipients under programs administered by the Secretary to ensure consistency and reduce unintended duplication of effort.

“(C) **RESEARCH.**—In coordinating research activities under subparagraph (A), the Chief Scientist shall ensure that such research—

“(i) identifies and addresses the multiple stressors on pollinator health, including pests and pathogens, reduced habitat, lack of nutritional resources, and exposure to pesticides;

“(ii) evaluates stewardship and management practices of managed pollinators that would impact managed pollinator health;

“(iii) documents the prevalence of major pests, such as varroa destructor (commonly referred to as the varroa mite), and diseases that are transported between States through practices involving managed pollinators;

“(iv) evaluates the impact of overcrowding of colonies for pollination services and the impact of such overcrowding on pollinator health status and pollinator health recovery;

“(v) evaluates and reports on the health differences of managed pollinators in—

“(I) crops not requiring contract pollination;

“(II) crops requiring contract pollination; and

“(III) native habitat;

“(vi) evaluates the impact of horticultural and agricultural pest management practices on native and managed pollinator colonies in diverse agroecosystems;

“(vii) documents pesticide residues that are—

“(I) found in native and managed pollinator colonies; and

“(II) associated with typical localized commercial crop pest management practices;

“(viii) with respect to native and managed pollinator colonies visiting crops for crop pollination or honey production purposes, documents—

“(I) the strength and health of such colonies;

“(II) the survival, growth, reproduction, and production of such colonies;

“(III) pests, pathogens, and viruses that affect such colonies;

“(IV) environmental conditions of such colonies;

“(V) beekeeper practices; and

“(VI) any other relevant information, as determined by the Chief Scientist;

“(ix) documents, with respect to healthy populations of managed pollinators, best management practices and other practices for managed pollinators and crop managers;

“(x) evaluates the effectiveness of—

“(I) conservation practices that target the specific needs of native and managed pollinator habitats;

“(II) incentives that allow for the expansion of native and managed pollinator forage acreage; and

“(III) managed pollinator breeding practices and efforts to, with respect to managed polli-

nators, avoid creating a genetic bottleneck and improve genetic diversity;

“(xi) in the case of commercially managed pollinator colonies, continues to gather data—

“(I) on an annual basis with respect to losses of such colonies, splits of such colonies, and the total number of pollinator colonies;

“(II) on rising input costs; and

“(III) overall economic value to the food economy; and

“(xii) addresses any other issue relating to native and managed pollinators, as determined by the Chief Scientist, in consultation with scientific experts.

“(D) **PUBLICATION.**—The Chief Scientist, to the maximum extent practicable, shall—

“(i) make publicly available the results of the research described in subparagraph (C); and

“(ii) in the case of the research described in subparagraph (C)(vi), publish any data or reports that were produced by the Department of Agriculture but not made publicly available during the period beginning on January 1, 2008, and ending on the date of the enactment of the Agriculture Improvement Act of 2018.”; and

(5) in subsection (h), by striking “2018” and inserting “2023”.

SEC. 7210. ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.

Section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1)—

(i) by inserting “using funds made available under subsection (e),” after “Board,”; and

(ii) by inserting “in each of fiscal years 2019 through 2023” after “grants”; and

(B) in paragraph (7), by inserting “, soil health,” after “conservation”; and

(2) in subsection (e)—

(A) in paragraph (1)—

(i) in subparagraph (B), by striking “and” at the end;

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

(iii) by adding at the end the following new subparagraphs:

“(D) \$20,000,000 for each of fiscal years 2019 through 2020;

“(E) \$25,000,000 for fiscal year 2021;

“(F) \$30,000,000 for fiscal year 2022; and

“(G) \$50,000,000 for fiscal year 2023 and each fiscal year thereafter.”; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “FOR FISCAL YEARS 2014 THROUGH 2018”; and

(ii) by striking “2018” and inserting “2023”.

SEC. 7211. FARM BUSINESS MANAGEMENT.

Section 1672D of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925f) is amended—

(1) by amending subsection (a) to read as follows:

“(a) **IN GENERAL.**—The Secretary may make competitive research and extension grants for the purpose of improving the farm management knowledge and skills of agricultural producers by maintaining and expanding a national, publicly available farm financial management database to support improved farm management.”;

(2) in subsection (b)—

(A) in paragraph (2), by striking “and producer” and inserting “educational programs and”; and

(B) in paragraph (4), by striking “use and support” and inserting “contribute data to”; and

(3) in subsection (d)(2), by striking “2018” and inserting “2023”.

SEC. 7212. URBAN, INDOOR, AND OTHER EMERGING AGRICULTURAL PRODUCTION RESEARCH, EDUCATION, AND EXTENSION INITIATIVE.

(a) **IN GENERAL.**—The Food, Agriculture, Conservation, and Trade Act of 1990 is amended by inserting after section 1672D (7 U.S.C. 5925f) the following:

“SEC. 1672E. URBAN, INDOOR, AND OTHER EMERGING AGRICULTURAL PRODUCTION RESEARCH, EDUCATION, AND EXTENSION INITIATIVE.

“(a) COMPETITIVE RESEARCH AND EXTENSION GRANTS AUTHORIZED.—In consultation with the Urban Agriculture and Innovative Production Advisory Committee established under section 222(b) of the Department of Agriculture Reorganization Act of 1994, the Secretary may make competitive grants to support research, education, and extension activities for the purposes of facilitating the development of urban, indoor, and other emerging agricultural production, harvesting, transportation, aggregation, packaging, distribution, and markets, including by—

“(1) assessing and developing strategies to remediate contaminated sites;

“(2) determining and developing the best production management and integrated pest management practices;

“(3) identifying and promoting the horticultural, social, and economic factors that contribute to successful urban, indoor, and other emerging agricultural production;

“(4) analyzing the means by which new agricultural sites are determined, including an evaluation of soil quality, condition of a building, or local community needs;

“(5) exploring new technologies that minimize energy, lighting systems, water, and other inputs for increased food production;

“(6) examining building material efficiencies and structural upgrades for the purpose of optimizing growth of agricultural products;

“(7) developing new crop varieties and agricultural products to connect to new markets; or

“(8) examining the impacts of crop exposure to urban elements on environmental quality and food safety.

“(b) GRANT TYPES AND PROCESS.—Subparagraphs (A) through (E) of paragraph (4), paragraph (7), and paragraph (11)(B) of subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157) shall apply with respect to the making of grants under this section.

“(c) PRIORITY.—The Secretary may give priority to grant proposals that involve—

“(1) the cooperation of multiple entities; or

“(2) States or regions with a high concentration of or significant interest in urban farms, rooftop farms, and indoor production facilities.

“(d) FUNDING.—

“(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$10,000,000 for fiscal year 2019, to remain available until expended.

“(2) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts made available under paragraph (1), there is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2019 through 2023.”.

(b) DATA COLLECTION ON URBAN, INDOOR, AND EMERGING AGRICULTURAL PRODUCTION.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Secretary shall conduct as a follow-on study to the census of agriculture conducted in the calendar year 2017 under section 2 of the Census of Agriculture Act of 1997 (7 U.S.C. 2204g) a census of urban, indoor, and other emerging agricultural production, including information about—

(A) community gardens and farms located in urban areas, suburbs, and urban clusters;

(B) rooftop farms, outdoor vertical production, and green walls;

(C) indoor farms, greenhouses, and high-tech vertical technology farms;

(D) hydroponic, aeroponic, and aquaponic farm facilities; and

(E) other innovations in agricultural production, as determined by the Secretary.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$14,000,000 for the period of fiscal years 2019 through 2021.

SEC. 7213. CENTERS OF EXCELLENCE AT 1890 INSTITUTIONS.

Section 1673 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5926) is amended by adding at the end the following:

“(d) CENTERS OF EXCELLENCE AT 1890S INSTITUTIONS.—

“(1) RECOGNITION.—The Secretary shall recognize not less than 3 centers of excellence, each led by an 1890 Institution (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)), to focus on 1 or more of the areas described in paragraph (2).

“(2) AREAS OF FOCUS.—

“(A) STUDENT SUCCESS AND WORKFORCE DEVELOPMENT.—A center of excellence established under paragraph (1) may engage in activities to ensure that students have the skills and education needed to work in agriculture and food industries, agriculture science, technology, engineering, mathematics, and related fields of study.

“(B) NUTRITION, HEALTH, WELLNESS, AND QUALITY OF LIFE.—A center of excellence established under paragraph (1) may carry out research, education, and extension programs that increase access to healthy food, improve nutrition, mitigate preventive disease, and develop strategies to assist limited resource individuals in accessing health and nutrition resources.

“(C) FARMING SYSTEMS, RURAL PROSPERITY, AND ECONOMIC SUSTAINABILITY.—A center of excellence established under paragraph (1) may share best practices with farmers to improve agricultural production, processing, and marketing, reduce urban food deserts, examine new uses for traditional and nontraditional crops, animals, and natural resources, and continue activities carried out by the Center for Innovative and Sustainable Small Farms, Ranches, and Forest Lands.

“(D) GLOBAL FOOD SECURITY AND DEFENSE.—A center of excellence established under paragraph (1) may engage in international partnerships that strengthen agricultural development in developing countries, partner with international researchers regarding new and emerging animal and plant pests and diseases, engage in agricultural disaster recovery, and continue activities carried out by the Center for International Engagement.

“(E) NATURAL RESOURCES, ENERGY, AND ENVIRONMENT.—A center of excellence established under paragraph (1) may focus on protecting and managing domestic natural resources for current and future production of food and agricultural products.

“(F) EMERGING TECHNOLOGIES.—A center of excellence established under paragraph (1) may focus on the development of emerging technologies to increase agricultural productivity, enhance small farm economic viability, and improve rural communities by developing genetic and sensor technologies for food and agriculture and providing technology training to farmers.

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection \$10,000,000 for each of fiscal years 2019 through 2023.

“(4) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, and every year thereafter, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing—

“(A) the resources invested in the centers of excellence established under paragraph (1); and

“(B) the work being done by those centers of excellence.”.

SEC. 7214. CLARIFICATION OF VETERAN ELIGIBILITY FOR ASSISTIVE TECHNOLOGY PROGRAM FOR FARMERS WITH DISABILITIES.

Section 1680 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5933) is amended—

(1) in subsection (a), by adding at the end the following new paragraph:

“(7) CLARIFICATION OF APPLICATION OF PROVISIONS TO VETERANS WITH DISABILITIES.—This subsection shall apply with respect to veterans with disabilities, and their families, who—

“(A) are engaged in farming or farm-related occupations; or

“(B) are pursuing new farming opportunities.”.

(2) in subsection (b)—

(A) by inserting “(including veterans)” after “individuals”; and

(B) by inserting “or, in the case of veterans with disabilities, who are pursuing new farming opportunities” before the period at the end; and

(3) in subsection (c)(1)(B), by striking “2018” and inserting “2023”.

SEC. 7215. NATIONAL RURAL INFORMATION CENTER CLEARINGHOUSE.

Section 2381(e) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 3125b(e)) is amended by striking “2018” and inserting “2023”.

Subtitle C—Agricultural Research, Extension, and Education Reform Act of 1998

SEC. 7301. NATIONAL FOOD SAFETY TRAINING, EDUCATION, EXTENSION, OUTREACH, AND TECHNICAL ASSISTANCE PROGRAM.

(a) ENDING LIMITATION ON FUNDING.—Section 405(e)(3) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7625(e)(3)) is amended to read as follows:

“(3) TERM OF GRANT.—A grant under this section shall have a term that is not more than 3 years.”.

(b) NATIONAL FOOD SAFETY TRAINING, EDUCATION, EXTENSION, OUTREACH, AND TECHNICAL ASSISTANCE PROGRAM.—Section 405(j) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7625(j)) is amended by striking “there are authorized” and all that follows through the period at the end and inserting “there is authorized to be appropriated \$10,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 7302. INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE GRANTS PROGRAM.

Section 406(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626(e)) is amended by striking “2018” and inserting “2023”.

SEC. 7303. SUPPORT FOR RESEARCH REGARDING DISEASES OF WHEAT, TRITICALE, AND BARLEY CAUSED BY FUSARIUM GRAMINEARUM OR BY TILLETIA INDICA.

Section 408 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7628) is amended—

(1) in subsection (e)—

(A) in paragraph (1), by striking “and” at the end;

(B) in paragraph (2), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(3) \$15,000,000 for each of fiscal years 2019 through 2023.”; and

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

“(f) LIMITATION ON INDIRECT COSTS.—A recipient of a grant under this section may not use more than 10 percent of the funds provided by the grant for the indirect costs of carrying out the initiatives described in subsection (a).”.

SEC. 7304. GRANTS FOR YOUTH ORGANIZATIONS.

Section 410(d)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7630(d)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7305. SPECIALTY CROP RESEARCH INITIATIVE.

(a) INDUSTRY NEEDS.—Section 412(b) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(b)) is amended—

(1) in paragraph (1)—

(A) by redesignating subparagraphs (B) through (E) as subparagraphs (C) through (F); and

(B) by inserting after subparagraph (A) the following:

“(B) size-controlling rootstock systems for perennial crops;”;

(2) in paragraph (2), by striking “including threats to specialty crop pollinators;” and inserting the following: “including—

“(A) threats to specialty crop pollinators;

“(B) emerging and invasive species; and

“(C) a more effective understanding and utilization of existing natural enemy complexes;”;

(3) in paragraph (3)—

(A) by striking “efforts to improve” and inserting the following: “efforts—

“(A) to improve”;

(B) in subparagraph (A) (as so designated), by adding “and” at the end; and

(C) by adding at the end the following:

“(B) to achieve a better understanding of—

“(i) the soil rhizosphere microbiome;

“(ii) pesticide application systems and certified drift-reduction technologies; and

“(iii) systems to improve and extend the storage life of specialty crops;”;

(4) in paragraph (4), by striking “including improved mechanization and technologies that delay or inhibit ripening; and” and inserting the following: “including—

“(A) mechanization and automation of labor-intensive tasks in production and processing;

“(B) technologies that delay or inhibit ripening;

“(C) decision support systems driven by phenology and environmental factors;

“(D) improved monitoring systems for agricultural pests; and

“(E) effective systems for preharvest and postharvest management of quarantine pests; and”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 412(k)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(k)(2)) is amended—

(1) in the subsection heading, by striking “2018” and inserting “2023”; and

(2) by striking “2018” and inserting “2023”.

SEC. 7306. FOOD ANIMAL RESIDUE AVOIDANCE DATABASE PROGRAM.

Section 604(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7642(e)) is amended by striking “2018” and inserting “2023”.

SEC. 7307. OFFICE OF PEST MANAGEMENT POLICY.

Section 614(f)(2) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7653(f)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7308. FORESTRY PRODUCTS ADVANCED UTILIZATION RESEARCH.

Section 617(f)(1) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7655b(f)(1)) is amended by striking “2018” and inserting “2023”.

Subtitle D—Food, Conservation, and Energy Act of 2008

PART I—AGRICULTURAL SECURITY

SEC. 7401. AGRICULTURAL BIOSECURITY COMMUNICATION CENTER.

Section 14112(c)(2) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8912(c)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7402. ASSISTANCE TO BUILD LOCAL CAPACITY IN AGRICULTURAL BIOSECURITY PLANNING, PREPARATION, AND RESPONSE.

Section 14113 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8913) is amended—

(1) in subsection (a)(2)(B), by striking “2018” and inserting “2023”; and

(2) in subsection (b)(2)(B), by striking “2018” and inserting “2023”.

SEC. 7403. RESEARCH AND DEVELOPMENT OF AGRICULTURAL COUNTERMEASURES.

Section 14121(b)(2) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8921(b)(2)) is

amended by striking “2018” and inserting “2023”.

SEC. 7404. AGRICULTURAL BIOSECURITY GRANT PROGRAM.

Section 14122(e)(2) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8922(e)(2)) is amended by striking “2018” and inserting “2023”.

PART II—MISCELLANEOUS

SEC. 7411. GRAZINGLANDS RESEARCH LABORATORY.

Section 7502 of the Food, Conservation, and Energy Act of 2008 (Public Law 110-246; 122 Stat. 2019) is amended by striking “10-year period” and inserting “15-year period”.

SEC. 7412. FARM AND RANCH STRESS ASSISTANCE NETWORK.

Section 7522 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5936) is amended—

(1) in subsection (a), by striking “to support cooperative programs between State cooperative extension services and nonprofit organizations” and inserting “to eligible entities described in subsection (c)”;

(2) in subsection (b)—

(A) by striking paragraph (5);

(B) by redesignating paragraphs (1) through (4) as subparagraphs (A) through (D), respectively, and indenting the subparagraphs appropriately;

(C) by striking subparagraph (B) (as so redesignated) and inserting the following:

“(B) training, including training programs and workshops, for—

“(i) advocates for individuals who are engaged in farming, ranching, and other occupations relating to agriculture; and

“(ii) other individuals and entities that may assist individuals who—

“(I) are engaged in farming, ranching, and other occupations relating to agriculture; and

“(II) are in crisis;”;

(D) in subparagraph (C) (as so redesignated), by adding “and” after the semicolon at the end;

(E) in subparagraph (D) (as so redesignated), by striking “activities; and” and inserting “activities, including the dissemination of information and materials; or”;

(F) in the matter preceding subparagraph (A) (as so redesignated), by striking “be used to initiate” and inserting the following: “be used—

“(1) to initiate”; and

(G) by adding at the end the following:

“(2) to enter into contracts, on a multiyear basis, with community-based, direct-service organizations to initiate, expand, or sustain programs described in paragraph (1) and subsection (a).”; and

(3) by striking subsections (c) and (d) and inserting the following:

“(c) **ELIGIBLE RECIPIENTS.**—The Secretary may award a grant under this section to—

“(1) an Indian tribe (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304));

“(2) a State department of agriculture;

“(3) a State cooperative extension service;

“(4) a qualified nonprofit organization, as determined by the Secretary;

“(5) an entity providing appropriate services, as determined by the Secretary, in 1 or more States; or

“(6) a partnership carried out by 2 or more entities described in paragraphs (1) through (5).

“(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to the Secretary to carry out this section \$10,000,000 for each of fiscal years 2019 through 2023.

“(e) **REPORT TO CONGRESS.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this subsection, the Secretary, in coordination with the Secretary of Health and Human Services, shall submit to Congress and any other relevant Federal department or agency, and make publicly available, a report describing the state of behavioral and mental health of individuals who are engaged in farming, ranching, and other occupations relating to agriculture.

“(2) **CONTENTS.**—The report under paragraph (1) shall include—

“(A) an inventory and assessment of efforts to support the behavioral and mental health of individuals who are engaged in farming, ranching, and other occupations relating to agriculture by—

“(i) the Federal Government, States, and units of local government;

“(ii) communities comprised of those individuals;

“(iii) health care providers;

“(iv) State cooperative extension services; and

“(v) other appropriate entities, as determined by the Secretary;

“(B) a description of the challenges faced by individuals who are engaged in farming, ranching, and other occupations relating to agriculture that may impact the behavioral and mental health of farmers and ranchers;

“(C) a description of how the Department of Agriculture can improve coordination and cooperation with Federal health departments and agencies, including the Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the Health Resources and Services Administration, the Centers for Disease Control and Prevention, and the National Institutes of Health, to best address the behavioral and mental health of individuals who are engaged in farming, ranching, and other occupations relating to agriculture;

“(D) a long-term strategy for responding to the challenges described under subparagraph (B) and recommendations based on best practices for further action to be carried out by appropriate Federal departments or agencies to improve Federal Government response and seek to prevent suicide among individuals who are engaged in farming, ranching, and other occupations relating to agriculture; and

“(E) an evaluation of the impact that behavioral and mental health challenges and outcomes (including suicide) among individuals who are engaged in farming, ranching, and other agriculture related occupations have on—

“(i) the agricultural workforce;

“(ii) agricultural production;

“(iii) rural families and communities; and

“(iv) succession planning.

“(f) **STATE DEFINED.**—For purposes of this section, the term ‘State’ has the meaning given such term in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103).”.

SEC. 7413. NATURAL PRODUCTS RESEARCH PROGRAM.

Section 7525(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 5937(e)) is amended by striking “2018” and inserting “2023”.

SEC. 7414. SUN GRANT PROGRAM.

Section 7526(g) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114(g)) is amended by striking “2018” and inserting “2023”.

Subtitle E—Amendments to Other Laws

SEC. 7501. CRITICAL AGRICULTURAL MATERIALS ACT.

(a) **HEMP RESEARCH.**—Section 5(b)(9) of the Critical Agricultural Materials Act (7 U.S.C. 178c(b)(9)) is amended by inserting “, and including hemp (as defined in section 297A of the Agricultural Marketing Act of 1946)” after “hydrocarbon-containing plants”.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—Section 16(a)(2) of the Critical Agricultural Materials Act (7 U.S.C. 178n(a)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 7502. EQUITY IN EDUCATIONAL LAND-GRANT STATUS ACT OF 1994.

(a) **1994 INSTITUTION DEFINED.**—

(1) **IN GENERAL.**—Section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended to read as follows:

“**SEC. 532. DEFINITION OF 1994 INSTITUTION.**

“In this part, the term ‘1994 Institution’ means any of the following colleges:

“(1) Aaniiih Nakoda College.
 “(2) Bay Mills Community College.
 “(3) Blackfeet Community College.
 “(4) Cankdeska Cikana Community College.
 “(5) Chief Dull Knife College.
 “(6) College of Menominee Nation.
 “(7) College of the Muscogee Nation.
 “(8) D-Q University.
 “(9) Dine College.
 “(10) Fond du Lac Tribal and Community College.
 “(11) Fort Peck Community College.
 “(12) Haskell Indian Nations University.
 “(13) Ilisagvik College.
 “(14) Institute of American Indian and Alaska Native Culture and Arts Development.
 “(15) Keweenaw Bay Ojibwa Community College.
 “(16) Lac Courte Oreilles Ojibwa Community College.
 “(17) Leech Lake Tribal College.
 “(18) Little Big Horn College.
 “(19) Little Priest Tribal College.
 “(20) Navajo Technical University.
 “(21) Nebraska Indian Community College.
 “(22) Northwest Indian College.
 “(23) Nueta Hidatsa Sahnish College.
 “(24) Oglala Lakota College.
 “(25) Red Lake Nation College.
 “(26) Saginaw Chippewa Tribal College.
 “(27) Salish Kootenai College.
 “(28) Sinte Gleska University.
 “(29) Sisseton Wahpeton College.
 “(30) Sitting Bull College.
 “(31) Southwestern Indian Polytechnic Institute.
 “(32) Stone Child College.
 “(33) Tohono O’odham Community College.
 “(34) Turtle Mountain Community College.
 “(35) United Tribes Technical College.
 “(36) White Earth Tribal and Community College.”

(2) **EFFECTIVE DATE.**—The amendment made by paragraph (1) shall take effect on the date of the enactment of this Act.

(b) **ENDOWMENT FOR 1994 INSTITUTIONS.**—Section 533(b) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended in the first sentence by striking “2018” and inserting “2023”.

(c) **INSTITUTIONAL CAPACITY BUILDING GRANTS.**—Section 535 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended by striking “2018” each place it appears in subsections (b)(1) and (c) and inserting “2023”.

(d) **RESEARCH GRANTS.**—Section 536(c) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103–382) is amended in the first sentence by striking “2018” and inserting “2023”.

SEC. 7503. RESEARCH FACILITIES ACT.

(a) **AGRICULTURAL RESEARCH FACILITY DEFINED.**—The Research Facilities Act is amended—

(1) in section 2(1) (7 U.S.C. 390(1)) by striking “a college, university, or nonprofit institution” and inserting “an entity eligible to receive funds under a capacity and infrastructure program (as defined in section 251(f)(1)(C) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(C)))”; and

(2) in section 3(c)(2)(D) (7 U.S.C. 390a(c)(2)(D)), by striking “recipient college, university, or nonprofit institution” and inserting “recipient entity”.

(b) **LONG-TERM SUPPORT.**—Section 3(c)(2)(D) of the Research Facilities Act (7 U.S.C. 390a(c)(2)(D)), as amended by subsection (a), is further amended by striking “operating costs” and inserting “operating and maintenance costs”.

(c) **COMPETITIVE GRANT PROGRAM.**—The Research Facilities Act is amended by inserting after section 3 (7 U.S.C. 390a) the following new section:

“SEC. 4. COMPETITIVE GRANT PROGRAM.

“The Secretary shall establish a program to make competitive grants to assist in the con-

struction, alteration, acquisition, modernization, renovation, or remodeling of agricultural research facilities.”.

(d) **AUTHORIZATION OF APPROPRIATIONS AND FUNDING LIMITATIONS.**—Section 6 of the Research Facilities Act (7 U.S.C. 390d) is amended—

(1) in subsection (a)—

(A) by striking “subsection (b),” and inserting “subsections (b), (c), and (d),”; and

(B) by striking “2018” and inserting “2023”; and

(C) by adding at the end the following new sentence: “Funds appropriated pursuant to the preceding sentence shall be available until expended.”; and

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

“(c) **MAXIMUM AMOUNT.**—Not more than 25 percent of the funds made available pursuant to subsection (a) for any fiscal year shall be used for any single agricultural research facility project.

“(d) **PROJECT LIMITATION.**—An entity eligible to receive funds under this Act may receive funds for only one project at a time.”.

SEC. 7504. AGRICULTURE AND FOOD RESEARCH INITIATIVE.

Subsection (b) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) by redesignating clauses (iii) through (vii) as clauses (iv) through (viii), respectively; and

(ii) by inserting after clause (ii) the following new clause:

“(iii) soil health;”; and

(B) in subparagraph (E)—

(i) in clause (iii), by striking “and” at the end;

(ii) in clause (iv), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following new clause:

“(v) tools that accelerate the use of automation or mechanization for labor-intensive tasks in the production and distribution of crops.”; and

(C) in subparagraph (F)—

(i) in clause (vi), by striking “and” at the end;

(ii) in clause (vii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following new clause:

“(viii) barriers and bridges to entry and farm viability for young, beginning, socially disadvantaged, veteran, and immigrant farmers and ranchers, including farm succession, transition, transfer, entry, and profitability issues.”;

(2) in paragraph (6)—

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

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

(C) by adding at the end the following:

“(F) to an institution to carry out collaboration in biomedical and agricultural research using existing research models.”; and

(3) in paragraph (11)(A)—

(A) in the matter preceding clause (i), by striking “2018” and inserting “2023”; and

(B) in clause (ii), by striking “4” and inserting “5”.

SEC. 7505. EXTENSION DESIGN AND DEMONSTRATION INITIATIVE.

(a) **IN GENERAL.**—The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157) is amended by inserting after subsection (c) the following:

“(d) **EXTENSION DESIGN AND DEMONSTRATION INITIATIVE.**—

“(1) **PURPOSE.**—The purpose of this subsection is to encourage the design of adaptive prototype systems for improving extension and education that seek to advance the application, translation, and demonstration of scientific discov-

eries and other agricultural research for the adoption and understanding of food, agricultural, and natural resources practices, techniques, methods, and technologies using digital or other novel platforms.

“(2) **GRANTS.**—The Secretary shall award grants each fiscal year on a competitive basis—

“(A) for the design of 1 or more extension and education prototype systems—

“(i) that leverage digital platforms or other novel means of translating, delivering, or demonstrating agricultural research; and

“(ii) to adapt, apply, translate, or demonstrate scientific findings, data, technology, and other research outcomes to producers, the agricultural industry, and other interested persons or organizations; and

“(B) to demonstrate, by incorporating analytics and specific metrics, the value, impact, and return on the Federal investment of a prototype system designed under subparagraph (A) as a model for use by other eligible entities described in paragraph (3) for improving, modernizing, and adapting applied research, demonstration, and extension services.

“(3) **ELIGIBLE ENTITIES.**—An entity that is eligible to receive a grant under paragraph (2) is—

“(A) a State agricultural experiment station (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103));

“(B) a cooperative extension service (as defined in such section); and

“(C) a land-grant college or university (as defined in such section). ”

“(4) **REQUIREMENT.**—The Secretary shall award grants under paragraph (2) to not fewer than 2 and not more than 5 eligible entities described in paragraph (3) that represent a diversity of regions, commodities, and agricultural or food production issues.

“(5) **TERM.**—The term of a grant awarded under paragraph (2) shall be not longer than 5 years.

“(6) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$5,000,000 for each of fiscal years 2019 through 2023, to remain available until expended.”.

(b) **TECHNICAL AND CONFORMING AMENDMENTS.**—The Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157) is amended—

(1) in subsection (c)(2), in the matter preceding subparagraph (A), by striking “subsection—” and all that follows through “for the planning” in subparagraph (B) and inserting “subsection for the planning”; and

(2) in subsection (h), by inserting “, (d),” after “subsections (b)”.

SEC. 7506. REPEAL OF REVIEW OF AGRICULTURAL RESEARCH SERVICE.

Section 7404 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3101 note; Public Law 107–171) is repealed.

SEC. 7507. BIOMASS RESEARCH AND DEVELOPMENT.

Section 9008 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8108) is amended—

(1) in subsection (a)(1)—

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

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

(C) by adding at the end the following:

“(C) carbon dioxide that—

“(i) is intended for permanent sequestration or utilization; and

“(ii) is a byproduct of the production of the products described in subparagraphs (A) and (B).”;

(2) in subsection (d)(2)(A)—

(A) in clause (xii), by striking “and” at the end;

(B) by redesignating clause (xiii) as clause (xiv); and

(C) by inserting after clause (xii) the following:

“(xiii) an individual with expertise in carbon dioxide capture, utilization, and sequestration; and”;

(3) in subsection (e)—

(A) in paragraph (2)(B)—

(i) in clause (ii), by striking “and” at the end; and

(ii) by adding at the end the following:

“(iv) to permanently sequester or utilize carbon dioxide described in subsection (a)(1)(C); and”;

(B) in paragraph (3)(B)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period at the end and inserting “; and”;

(iii) by adding at the end the following:

“(iii) the development of technologies to permanently sequester or utilize carbon dioxide described in subsection (a)(1)(C).”; and

(4) in subsection (h)(2), by striking “2018” and inserting “2023”.

SEC. 7508. REINSTATEMENT OF MATCHING REQUIREMENT FOR FEDERAL FUNDS USED IN EXTENSION WORK AT THE UNIVERSITY OF THE DISTRICT OF COLUMBIA.

(a) **IN GENERAL.**—Section 209(c) of the District of Columbia Public Postsecondary Education Reorganization Act (Public Law 93–471; sec. 38–1202.09(c), D.C. Official Code) is amended by inserting after the first sentence the following: “Such sums may be used to pay not more than ½ of the total cost of providing such extension work.”.

(b) **EFFECTIVE DATE.**—The amendment made by subsection (a) shall take effect on the date of the enactment of this Act.

SEC. 7509. RENEWABLE RESOURCES EXTENSION ACT OF 1978.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—Section 6 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1675) is amended in the first sentence by striking “2018” and inserting “2023”.

(b) **TERMINATION DATE.**—Section 8 of the Renewable Resources Extension Act of 1978 (16 U.S.C. 1671 note; Public Law 95–306) is amended by striking “2018” and inserting “2023”.

SEC. 7510. NATIONAL AQUACULTURE ACT OF 1980.

Section 10 of the National Aquaculture Act of 1980 (16 U.S.C. 2809) is amended by striking “2018” each place it appears and inserting “2023”.

SEC. 7511. FEDERAL AGRICULTURE RESEARCH FACILITIES.

Section 1431 of the National Agricultural Research, Extension, and Teaching Policy Act Amendments of 1985 (title XIV of Public Law 99–198; 99 Stat. 1556) is amended by striking “2018” and inserting “2023”.

Subtitle F—Other Matters

SEC. 7601. ENHANCED USE LEASE AUTHORITY PROGRAM.

(a) **TRANSITION TO PERMANENT PROGRAM.**—Section 308 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 3125a note) is amended—

(1) in the section heading, by striking “PILOT”; and

(2) in subsection (a), by striking “pilot”.

(b) **TERMINATION OF AUTHORITY EXTENDED.**—Section 308(b)(6)(A) of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 3125a note) is amended by striking “on the date that is 10 years after the date of enactment of this section” and inserting “on September 30, 2023”.

(c) **REPORTS.**—Section 308(d)(2) of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 3125a note) is amended by striking “Not later than 6, 8, and 10 years after the date of enactment of this section” and inserting “Not later than September 30, 2021”.

SEC. 7602. TRANSFER OF ADMINISTRATIVE JURISDICTION OVER PORTION OF HENRY A. WALLACE BELTSVILLE AGRICULTURAL RESEARCH CENTER, BELTSVILLE, MARYLAND.

(a) **TRANSFER AUTHORIZED.**—Subject to subsection (e), the Secretary may transfer to the Secretary of the Treasury administrative jurisdiction over a parcel of real property at the Henry A. Wallace Beltsville Agricultural Research Center consisting of approximately 100 acres, which was originally acquired by the United States through land acquisitions in 1910 and 1925, and is generally located off of Poultry Road lying between Powder Mill Road and Odell Road in Beltsville, Maryland, for the purpose of facilitating the establishment of Bureau of Engraving and Printing facilities on the parcel.

(b) **LEGAL DESCRIPTION AND MAP.**—

(1) **PREPARATION.**—The Secretary shall prepare a legal description and map of the parcel of real property to be transferred under subsection (a).

(2) **FORCE OF LAW.**—The legal description and map prepared under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct errors in the legal description and map.

(c) **TERMS AND CONDITIONS.**—The transfer of administrative jurisdiction under subsection (a) shall be subject to easements, valid existing rights, and such other reservations, terms, and conditions as the Secretary considers to be necessary.

(d) **WAIVER.**—The parcel of real property under subsection (a) is exempt from Federal screening for other possible use due to an identified Federal need for the parcel as the site of Bureau of Engraving and Printing facilities.

(e) **CONDITIONS FOR TRANSFER.**—As a condition of the transfer of administrative jurisdiction under subsection (a) with respect to the parcel described in such subsection—

(1) the Secretary of the Treasury shall agree to pay the Secretary the costs incurred to carry out such transfer, including the costs for—

(A) any environmental or administrative analysis required by law with respect to the parcel to be so transferred;

(B) a survey of such parcel, if necessary; and

(C) any hazardous substances assessment of the parcel to be so transferred; and

(2) except as provided in subsection (d), the Secretary shall enter into a binding memorandum of agreement with the Secretary of the Treasury regarding the responsibilities, including financial responsibilities, of each party for evaluating and, if necessary, remediating or otherwise addressing hazardous substances, pollutants, or contaminants found at the parcel described in subsection (a).

(f) **HAZARDOUS MATERIALS.**—Nothing in this section, or the amendments made by this section, amends, alters, or affects the relevant Federal and State environmental laws, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.), or the application of such laws to the parcel of real property transferred under subsection (a).

SEC. 7603. FOUNDATION FOR FOOD AND AGRICULTURE RESEARCH.

Section 7601 of the Agricultural Act of 2014 (7 U.S.C. 5939) is amended—

(1) in subsection (d)(1)—

(A) in subparagraph (B)—

(i) in clause (ii), by striking “conflicts;” and inserting “conflicts, specifically at the Department of Agriculture; and”;

(ii) by adding at the end the following new clause:

“(iii) document the consultation process and include a summary of the results in the annual report required in subsection (f)(3)(B);”;

(B) in subparagraph (D), by inserting “and agriculture stakeholders” after “community”;

(2) in subsection (e)—

(A) in paragraph (2)(C)(ii)(I), by inserting “agriculture or” before “agricultural research”; and

(B) in paragraph (4)(A)—

(i) in clause (iii), by striking “and” at the end;

(ii) by redesignating clause (iv) as clause (v); and

(iii) by inserting after clause (iii) the following:

“(iv) actively solicit and accept funds, gifts, grants, devises, or bequests of real or personal property made to the Foundation, including from private entities; and”;

(3) in subsection (f)—

(A) in paragraph (2)(A)(iii), by striking “any”; and

(B) in paragraph (3)(B)—

(i) in clause (i)(I)—

(I) in the matter preceding item (aa), by inserting “and post online” before “a report”;

(II) in item (aa), by striking “accomplishments; and” and inserting “accomplishments and how those activities align to the challenges identified in the strategic plan under clause (iv).”; and

(III) in item (bb), by striking the period at the end and inserting “; and”;

(IV) by adding at the end the following:

“(cc) a description of available agricultural research programs and priorities for the upcoming fiscal year.”; and

(ii) by adding at the end the following:

“(iii) **STAKEHOLDER NOTICE.**—The Foundation shall publish an annual notice with a description of agricultural research priorities under this section for the upcoming fiscal year, including—

“(I) a schedule for funding competitions;

“(II) a discussion of how applications for funding will be evaluated; and

“(III) how the Foundation will communicate information about funded awards to the public to ensure that grantees and partners understand the objectives of the Foundation.

“(iv) **STRATEGIC PLAN.**—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Foundation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a strategic plan describing a path for the Foundation to become self-sustaining, including—

“(I) a forecast of major agricultural challenge opportunities identified by the scientific advisory councils of the Foundation and approved by the Board, including short- and long-term objectives;

“(II) an overview of the efforts that the Foundation will take to be transparent in each of the processes of the Foundation, including—

“(aa) processes relating to grant awards, including the selection, review, and notification processes;

“(bb) communication of past, current, and future research priorities; and

“(cc) plans to solicit and respond to public input on the opportunities identified in the strategic plan;

“(III) a description of financial goals and benchmarks for the next 10 years, including a detailed plan for—

“(aa) raising funds in amounts greater than the amounts required under subsection (g)(1)(B);

“(bb) soliciting additional resources pursuant to subsections (e)(4)(A)(iv) and (f)(2)(A)(iii); and

“(cc) managing and leveraging such resources pursuant to subsection (f)(2)(A)(vii); and

“(IV) other related issues, as determined by the Board.”; and

(4) in subsection (g)(1)—

(A) in the paragraph heading, by striking “MANDATORY FUNDING” and inserting “FUNDING”;

(B) in subparagraph (A)—

(i) by striking “On the date” and inserting the following:

“(i) **ESTABLISHMENT FUNDING.**—On the date”; and

(ii) by adding at the end the following:

“(ii) **ENHANCED FUNDING.**—On the date on which the strategic plan described in subsection

(f)(3)(B)(iv) is submitted, of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Foundation to carry out this section \$185,000,000, to remain available until expended.”; and

(C) in subparagraph (B)—

(i) by striking “The Foundation” and inserting the following:

“(i) IN GENERAL.—The Foundation”;

(ii) in clause (i) (as so designated)—

(I) by striking “purposes” and inserting “purposes, duties, and powers”; and

(II) by striking “non-Federal matching funds for each expenditure” and inserting “matching funds from a non-Federal source, including an agricultural commodity promotion, research, and information program”; and

(iii) by adding at the end the following:

“(ii) EFFECT.—Nothing in this section requires the Foundation to require a matching contribution from an individual grantee as a condition of receiving a grant under this section.”.

SEC. 7604. ASSISTANCE FOR FORESTRY RESEARCH UNDER THE MCINTIRE-STENNIS COOPERATIVE FORESTRY ACT.

Section 2 of Public Law 87-788 (commonly known as the “McIntire-Stennis Cooperative Forestry Act”) (16 U.S.C. 582a-1) is amended in the second sentence—

(1) by striking “and” before “1890 Institutions”; and

(2) by inserting “and 1994 Institutions (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)) that offer an associate’s degree or a baccalaureate degree in forestry,” before “and (b)”.

SEC. 7605. LEGITIMACY OF INDUSTRIAL HEMP RESEARCH.

(a) IN GENERAL.—Section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940) is amended—

(1) by redesignating subsections (a) and (b) as subsections (b) and (a), respectively, and moving the subsections so as to appear in alphabetical order;

(2) in subsection (a) (as so redesignated)—

(A) by redesignating paragraph (3) as paragraph (4); and

(B) by inserting after paragraph (2) the following:

“(3) STATE.—The term ‘State’ has the meaning given such term in section 297A of the Agricultural Marketing Act of 1946.”;

(3) in subsection (b) (as so redesignated), in the subsection heading, by striking “IN GENERAL” and inserting “INDUSTRIAL HEMP RESEARCH”; and

(4) by adding at the end the following:

“(c) STUDY AND REPORT.—

“(1) IN GENERAL.—The Secretary shall conduct a study of agricultural pilot programs—

“(A) to determine the economic viability of the domestic production and sale of industrial hemp; and

“(B) that shall include a review of—

“(i) each agricultural pilot program; and

“(ii) any other agricultural or academic research relating to industrial hemp.

“(2) REPORT.—Not later than 12 months after the date of enactment of this subsection, the Secretary shall submit to Congress a report describing the results of the study conducted under paragraph (1).”.

(b) REPEAL.—Effective on the date that is 1 year after the date on which the Secretary establishes a plan under section 297C of the Agricultural Marketing Act of 1946, section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940) is repealed.

SEC. 7606. COLLECTION OF DATA RELATING TO BARLEY AREA PLANTED AND HARVESTED.

For all acreage reports published after the date of enactment of this Act, the Secretary, acting through the Administrator of the National Agricultural Statistics Service, shall include the State of New York in the States surveyed to produce the table entitled “Barley Area Planted and Harvested” in those reports.

SEC. 7607. COLLECTION OF DATA RELATING TO THE SIZE AND LOCATION OF DAIRY FARMS.

(a) IN GENERAL.—Not later than 60 days after the date on which the 2017 Census of Agriculture is released, the Secretary, acting through the Administrator of the Economic Research Service, shall update the report entitled “Changes in the Size and Location of US Dairy Farms” contained in the report of the Economic Research Service entitled “Profits, Costs, and the Changing Structure of Dairy Farming” and published in September 2007.

(b) REQUIREMENT.—In updating the report described in subsection (a), the Secretary shall, to the maximum extent practicable, use the same unit of measurement for reporting the full range of herd sizes in Table 1 and Table 2 of the report while maintaining confidentiality of individual producers.

SEC. 7608. AGRICULTURE INNOVATION CENTER DEMONSTRATION PROGRAM.

Section 6402 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1632b) is amended—

(1) in subsection (d)(2)—

(A) in the matter preceding subparagraph (A), by striking “representatives of each of the following groups” and inserting “a diverse group of representatives of public and private entities, including the following”;

(B) in subparagraph (A), by striking “The 2” and inserting “Two”;

(C) in subparagraph (B), by inserting “or a State legislator,” after “agency,”; and

(D) by amending subparagraph (C) to read as follows:

“(C) Four entities representing commodities produced in the State.”;

(2) in subsection (e)(1), by striking “subsection (i)” and inserting “subsection (g)”;

(3) by striking subsections (g), (h), and (i) and inserting the following new subsection:

“(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 7609. SMITH-LEVER COMMUNITY EXTENSION PROGRAM.

(a) IN GENERAL.—Section 3(d) of the Smith-Lever Act (7 U.S.C. 343(d)) is amended by adding at the end the following new sentence: “A 1994 Institution (as defined in section 532 of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382)) may compete for and receive funds directly from the Secretary of Agriculture for the Children, Youth, and Families at Risk funding program and the Federally Recognized Tribes Extension Program.”.

(b) CONFORMING AMENDMENT.—Section 533(a)(2)(A) of the Equity in Educational Land-Grant Status Act of 1994 (7 U.S.C. 301 note; Public Law 103-382) is amended by striking clause (ii) and inserting the following:

“(ii) the Smith-Lever Act (7 U.S.C. 341 et seq.), except as provided under—

“(I) section 3(b)(3) of that Act (7 U.S.C. 343(b)(3)); or

“(II) the third sentence of section 3(d) of that Act (7 U.S.C. 343(d)); or”.

SEC. 7610. MECHANIZATION AND AUTOMATION FOR SPECIALTY CROPS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall conduct a review of the programs of the Department of Agriculture that affect the production or processing of specialty crops.

(b) REQUIREMENTS.—The review under subsection (a) shall identify—

(1) programs that currently are, or previously have been, effectively used to accelerate the development and use of automation or mechanization in the production or processing of specialty crops; and

(2) programs that may be more effectively used to accelerate the development and use of automation or mechanization in the production or processing of specialty crops.

(c) STRATEGY.—With respect to programs identified under subsection (b), the Secretary shall develop and implement a strategy to accelerate the development and use of automation and mechanization in the production or processing of specialty crops.

SEC. 7611. EXPERIENCED SERVICES PROGRAM.

Section 1252 of the Food Security Act of 1985 (16 U.S.C. 3851) is amended—

(1) in the section heading, by striking “AGRICULTURE CONSERVATION”;

(2) in subsection (a)—

(A) in the first sentence—

(i) by striking “a conservation” and inserting “an”;

(ii) by striking “(in this section referred to as the ‘ACES Program’)” and inserting “(referred to in this section as the ‘program’)”; and

(iii) by striking “provide technical” and inserting the following: “provide—

“(1) technical”; and

(B) in paragraph (1) (as so designated)—

(i) by striking “Secretary. Such technical services may include” and inserting “Secretary, including”;

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

(iii) by adding at the end the following:

“(2) technical, professional, and administrative services to support the research, education, and economics mission area of the Department of Agriculture (including the Agricultural Research Service, the Economic Research Service, the National Agricultural Library, the National Agricultural Statistics Service, the Office of the Chief Scientist, and the National Institute of Food and Agriculture), including—

“(A) supporting agricultural research and information;

“(B) advancing scientific knowledge relating to agriculture;

“(C) enhancing access to agricultural information;

“(D) providing statistical information and research results to farmers, ranchers, agribusiness, and public officials; and

“(E) assisting research, education, and extension programs in land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)).”;

(3) by striking “ACES” each place it appears;

(4) by striking “technical services” each place it appears (other than in subsection (a)) and inserting “technical, professional, or administrative services, as applicable,”; and

(5) in subsection (c)—

(A) in paragraph (1)—

(i) by striking the paragraph heading and inserting “CONSERVATION TECHNICAL SERVICES.—”; and

(ii) by inserting “with respect to subsection (a)(1),” before “the Secretary”; and

(B) by adding at the end the following new paragraph:

“(3) RESEARCH, EDUCATION, AND ECONOMICS SERVICES.—With respect to services referred to in subsection (a)(2), the Secretary may carry out the program under the mission area referred to in such subsection to the extent that funds are specifically appropriated to provide such services under such mission area.”.

SEC. 7612. SIMPLIFIED PLAN OF WORK.

(a) SMITH-LEVER ACT.—The Smith-Lever Act is amended—

(1) in section 3(h)(2) (7 U.S.C. 343(h)(2)), by striking subparagraph (D); and

(2) in section 4(c) (7 U.S.C. 344(c)), by striking paragraphs (1) through (5) and inserting the following new paragraphs:

“(1) A summary of planned projects or programs in the State using formula funds.

“(2) A description of the manner in which the State will meet the requirements of section 3(h).

“(3) A description of the manner in which the State will meet the requirements of section 3(i)(2) of the Hatch Act of 1887 (7 U.S.C. 361c(i)(2)).

“(4) A description of matching funds provided by the State with respect to the previous fiscal year.”

(b) HATCH ACT.—The Hatch Act of 1887 is amended—

(1) in section 3 (7 U.S.C. 361c)—

(A) by amending subsection (h) to read as follows:

“(h) PEER REVIEW.—Research carried out under subsection (c)(3) shall be subject to scientific peer review. The review of a project conducted under this subsection shall be considered to satisfy the merit review requirements of section 103(e) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7613(e)).”; and

(B) in subsection (i)(2), by striking subparagraph (D); and

(2) in section 7(e) (7 U.S.C. 361g(e)), by striking paragraphs (1) through (4) and inserting the following new paragraphs:

“(1) A summary of planned projects or programs in the State using formula funds.

“(2) A description of the manner in which the State will meet the requirements of subsections (c)(3) and (i)(2) of section 3.

“(3) A description of matching funds provided by the State with respect to the previous fiscal year.”

(c) EXTENSION AND RESEARCH AT 1890 INSTITUTIONS.—

(1) EXTENSION.—Section 1444(d)(3) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3221(d)(3)) is amended by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) A summary of planned projects or programs in the State using formula funds.

“(B) A description of matching funds provided by the State with respect to the previous fiscal year.”

(2) RESEARCH.—Section 1445(c)(3) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3222(c)(3)) is amended by striking subparagraphs (A) through (E) and inserting the following new subparagraphs:

“(A) A summary of planned projects or programs in the State using formula funds.

“(B) A description of matching funds provided by the State with respect to the previous fiscal year.”

SEC. 7613. REVIEW OF LAND-GRANT TIME AND EFFORT REPORTING REQUIREMENTS.

(a) IN GENERAL.—The Secretary, in consultation with the Office of Management and Budget, shall review and revise current reporting requirements related to compensation charges, documentation of personnel expenses, and other requirements that are commonly referred to as time and effort reporting for entities that receive funds under a program referred to in clause (iii), (iv), (vii), (viii), or (xii) of section 251(f)(1)(C) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(C)).

(b) REVISIONS.—The Secretary shall ensure that any revision made pursuant to subsection (a)—

(1) is developed in collaboration with entities described in subsection (a); and

(2) reduces the amount of paperwork and time required by the requirements referred to in such subsection, as such requirements are in effect on the date of the enactment of this Act.

SEC. 7614. MATCHING FUNDS REQUIREMENT.

(a) REPEAL.—Subtitle P of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3371) is repealed.

(b) CONFORMING AMENDMENTS.—

(1) NATIONAL AGRICULTURAL RESEARCH, EXTENSION, AND TEACHING POLICY ACT OF 1977.—

(A) GRANTS TO ENHANCE RESEARCH CAPACITY IN SCHOOLS OF VETERINARY MEDICINE.—Section 1415(a) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3151(a)) is amended—

(i) by striking “The Secretary” and inserting the following:

“(1) IN GENERAL.—The Secretary”; and

(ii) by adding at the end the following:

“(2) MATCHING REQUIREMENT.—A State receiving a grant under paragraph (1) shall provide State matching funds equal to not less than the amount of the grant.”

(B) AQUACULTURE ASSISTANCE GRANT PROGRAM.—Section 1475(b) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3322(b)) is amended by striking “The Secretary” and all that follows through the period at the end and inserting the following:

“(1) IN GENERAL.—Subject to paragraph (3), the Secretary may make competitive grants to entities eligible for grants under paragraph (2) for research and extension to facilitate or expand promising advances in the production and marketing of aquacultural food species and products and to enhance the safety and wholesomeness of those species and products, including the development of reliable supplies of seed stock and therapeutic compounds.

“(2) ELIGIBLE ENTITIES.—The Secretary may make a competitive grant under paragraph (1) to—

“(A) a land-grant or seagrant college or university;

“(B) a State agricultural experiment station;

“(C) a college, university, or Federal laboratory having a demonstrable capacity to conduct aquacultural research, as determined by the Secretary; or

“(D) a nonprofit private research institution.

“(3) MATCHING STATE GRANTS.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), the Secretary shall not make a grant under paragraph (1) unless the State in which the grant recipient is located makes a grant to that recipient in an amount equal to not less than the amount of the grant under paragraph (1) (of which State amount an in-kind contribution shall not exceed 50 percent).

“(B) FEDERAL LABORATORIES.—Subparagraph (A) shall not apply to a grant to a Federal laboratory.”

(C) RANGELAND RESEARCH.—Section 1480 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3333) is amended—

(i) by striking “The Secretary” and inserting

“(1) IN GENERAL.—The Secretary”; and

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

“(b) MATCHING REQUIREMENTS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), this grant program shall be based on a matching formula of 50 percent Federal and 50 percent non-Federal funding (including funding from an agricultural commodity promotion, research, and information program).

“(2) EXCEPTION.—Paragraph (1) shall not apply to a grant to a Federal laboratory or a grant under subsection (a)(2).”

(2) FOOD, AGRICULTURE, CONSERVATION, AND TRADE ACT OF 1990.—

(A) FEDERAL-STATE MATCHING GRANT PROGRAM.—Section 1623(d)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5813(d)(2)) is amended by striking the second sentence.

(B) AGRICULTURAL GENOME INITIATIVE.—Section 1671 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5924) (as amended by section 7208) is amended—

(i) by redesignating subsection (f) as subsection (g); and

(ii) by inserting after subsection (e) the following:

“(f) MATCHING FUNDS REQUIREMENT.—

“(1) IN GENERAL.—Subject to paragraph (3), with respect to a grant or cooperative agreement under this section that provides a particular benefit to a specific agricultural commodity, the recipient of funds under the grant or cooperative agreement shall provide non-Federal matching funds (including funds from an agricultural

commodity promotion, research, and information program) equal to not less than the amount provided under the grant or cooperative agreement.

“(2) IN-KIND SUPPORT.—Non-Federal matching funds described in paragraph (1) may include in-kind support.

“(3) WAIVER.—The Secretary may waive the matching funds requirement under paragraph (1) with respect to a research project if the Secretary determines that—

“(A) the results of the project are of a particular benefit to a specific agricultural commodity, but those results are likely to be applicable to agricultural commodities generally; or

“(B)(i) the project—

“(I) involves a minor commodity; and

“(II) deals with scientifically important research; and

“(ii) the recipient is unable to satisfy the matching funds requirement.”

(C) HIGH-PRIORITY RESEARCH AND EXTENSION INITIATIVES.—Section 1672(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925(a)) is amended—

(i) by striking “The Secretary of Agriculture” and inserting the following:

“(1) IN GENERAL.—The Secretary of Agriculture”; and

(ii) in paragraph (1) (as so designated), in the second sentence, by striking “The Secretary shall” and inserting the following:

“(3) CONSULTATION.—The Secretary shall”; and

(iii) by inserting after paragraph (1) the following:

“(2) MATCHING FUNDS REQUIREMENT.—

“(A) IN GENERAL.—Subject to subparagraph (C), an entity receiving a grant under paragraph (1) shall provide non-Federal matching funds (including funds from an agricultural commodity promotion, research, and information program) equal to not less than the amount of the grant.

“(B) IN-KIND SUPPORT.—Non-Federal matching funds described in subparagraph (A) may include in-kind support.

“(C) WAIVER.—The Secretary may waive the matching funds requirement under subparagraph (A) with respect to a research project if the Secretary determines that—

“(i) the results of the project are of a particular benefit to a specific agricultural commodity, but those results are likely to be applicable to agricultural commodities generally; or

“(ii)(I) the project—

“(aa) involves a minor commodity; and

“(bb) deals with scientifically important research; and

“(II) the recipient is unable to satisfy the matching funds requirement.”

(D) ORGANIC AGRICULTURE RESEARCH AND EXTENSION INITIATIVE.—Section 1672B of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 5925b) (as amended by section 7210) is amended—

(i) by redesignating subsections (c), (d), and (e) as subsections (d), (e), and (f), respectively; and

(ii) by inserting after subsection (b) the following:

“(c) MATCHING REQUIREMENT.—

“(1) IN GENERAL.—Subject to paragraph (3), an entity receiving a grant under subsection (a) shall provide non-Federal matching funds (including funds from an agricultural commodity promotion, research, and information program) equal to not less than the amount of the grant.

“(2) IN-KIND SUPPORT.—Non-Federal matching funds described in paragraph (1) may include in-kind support.

“(3) WAIVER.—The Secretary may waive the matching funds requirement under paragraph (1) with respect to a research project if the Secretary determines that—

“(A) the results of the project are of a particular benefit to a specific agricultural commodity, but those results are likely to be applicable to agricultural commodities generally; or

“(B)(i) the project—
 “(I) involves a minor commodity; and
 “(II) deals with scientifically important research; and
 “(ii) the recipient is unable to satisfy the matching funds requirement.”.

(3) AGRICULTURAL RESEARCH, EXTENSION, AND EDUCATION REFORM ACT OF 1998.—

(A) INTEGRATED RESEARCH, EDUCATION, AND EXTENSION COMPETITIVE GRANTS PROGRAM.—Section 406 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7626) is amended—

(i) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and
 (ii) by inserting after subsection (c) the following:

“(d) MATCHING FUNDS REQUIREMENT.—

“(1) IN GENERAL.—Subject to paragraph (3), with respect to a grant under this section that provides a particular benefit to a specific agricultural commodity, the recipient of the grant shall provide non-Federal matching funds (including funds from an agricultural commodity promotion, research, and information program) equal to not less than the amount of the grant.

“(2) IN-KIND SUPPORT.—Non-Federal matching funds described in paragraph (1) may include in-kind support.

“(3) WAIVER.—The Secretary may waive the matching funds requirement under paragraph (1) with respect to a grant if the Secretary determines that—

“(A) the results of the grant are of a particular benefit to a specific agricultural commodity, but those results are likely to be applicable to agricultural commodities generally; or
 “(B)(i) the grant—

“(I) involves a minor commodity; and
 “(II) deals with scientifically important research; and
 “(ii) the recipient is unable to satisfy the matching funds requirement.”.

(B) SPECIALTY CROP RESEARCH INITIATIVE.—Section 412(g) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(g)) is amended—

(i) by redesignating paragraph (3) as paragraph (4); and
 (ii) by inserting after paragraph (2) the following:

“(3) MATCHING REQUIREMENT.—

“(A) IN GENERAL.—An entity receiving a grant under this section shall provide non-Federal matching funds (including funds from an agricultural commodity promotion, research, and information program) equal to not less than the amount of the grant.

“(B) IN-KIND SUPPORT.—Non-Federal matching funds described in subparagraph (A) may include in-kind support.”.

(4) OTHER LAWS.—

(A) SUN GRANT PROGRAM.—Section 7526(c)(1)(C)(iv) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8114(c)(1)(C)(iv)) is amended by striking subclause (IV).

(B) AGRICULTURE AND FOOD RESEARCH INITIATIVE.—Subsection (b)(9) of the Competitive, Special, and Facilities Research Grant Act (7 U.S.C. 3157(b)(9)) is amended—

(i) in subparagraph (A), by striking clause (iii);

(ii) in subparagraph (B)—

(I) in clause (i), by striking “clauses (ii) and (iii),” and inserting “clause (ii),”; and
 (II) by striking clause (iii); and
 (iii) by adding at the end the following:

“(C) APPLIED RESEARCH.—An entity receiving a grant under paragraph (5)(B) for applied research that is commodity-specific and not of national scope shall provide non-Federal matching funds equal to not less than the amount of the grant.”.

(c) APPLICATION OF AMENDMENTS.—

(1) AWARDS MADE AFTER DATE OF ENACTMENT.—The amendments made by subsections (a) and (b) shall apply with respect to grants, cooperative agreements, or other awards described in subsection (b) that are made after the date of the enactment of this Act.

(2) AWARDS MADE ON OR BEFORE DATE OF ENACTMENT.—Notwithstanding the amendments made by subsections (a) and (b), a matching funds requirement in effect on the day before the date of enactment of this Act under a provision of law amended by subsection (a) or (b) shall continue to apply to a grant, cooperative agreement, or other award described in subsection (b) that is made on or before the date of the enactment of this Act.

TITLE VIII—FORESTRY

Subtitle A—Cooperative Forestry Assistance Act of 1978

SEC. 8101. SUPPORT FOR STATE ASSESSMENTS AND STRATEGIES FOR FOREST RESOURCES.

Section 2A(f)(1) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a(f)(1)) is amended by striking “2018” and inserting “2023”.

SEC. 8102. STATE AND PRIVATE FOREST LANDSCAPE-SCALE RESTORATION PROGRAM.

(a) IN GENERAL.—Section 13A of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2109a) is amended to read as follows:

“SEC. 13A. STATE AND PRIVATE FOREST LANDSCAPE-SCALE RESTORATION PROGRAM.

“(a) PURPOSE.—The purpose of this section is to encourage collaborative, science-based restoration of priority forest landscapes.

“(b) DEFINITIONS.—In this section:

“(1) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(2) NONINDUSTRIAL PRIVATE FOREST LAND.—The term ‘nonindustrial private forest land’ means land that—

“(A) is rural, as determined by the Secretary;

“(B) has existing tree cover or is suitable for growing trees; and

“(C) is owned by any private individual, group, association, corporation, Indian tribe, or other private legal entity.

“(3) STATE FOREST LAND.—The term ‘State forest land’ means land that—

“(A) is rural, as determined by the Secretary;

“(B) is under State or local governmental ownership and considered to be non-Federal forest land.

“(c) ESTABLISHMENT.—The Secretary, in consultation with State foresters or appropriate State agencies, shall establish a competitive grant program to provide financial and technical assistance to encourage collaborative, science-based restoration of priority forest landscapes.

“(d) ELIGIBILITY.—To be eligible to receive a grant under this section, an applicant shall submit to the Secretary, through the State forester or appropriate State agency, a State and private forest landscape-scale restoration proposal based on a restoration strategy that—

“(1) is complete or substantially complete;

“(2) is for a multiyear period;

“(3) covers nonindustrial private forest land or State forest land;

“(4) is accessible by wood-processing infrastructure; and

“(5) is based on the best available science.

“(e) PLAN CRITERIA.—A State and private forest landscape-scale restoration proposal submitted under this section shall include plans—

“(1) to reduce the risk of uncharacteristic wildfires;

“(2) to improve fish and wildlife habitats, including the habitats of threatened and endangered species;

“(3) to maintain or improve water quality and watershed function;

“(4) to mitigate invasive species, insect infestation, and disease;

“(5) to improve important forest ecosystems;

“(6) to measure ecological and economic benefits, including air quality and soil quality and productivity; and

“(7) to take other relevant actions, as determined by the Secretary.

“(f) PRIORITIES.—In making grants under this section, the Secretary shall give priority to plans that—

“(1) further a statewide forest assessment and resource strategy;

“(2) promote cross boundary landscape collaboration; and

“(3) leverage public and private resources.

“(g) COLLABORATION AND CONSULTATION.—The Chief of the Forest Service, the Chief of the Natural Resources Conservation Service, and relevant stakeholders shall collaborate and consult on an ongoing basis regarding—

“(1) administration of the program established under this section; and

“(2) identification of other applicable resources for landscape-scale restoration.

“(h) MATCHING FUNDS REQUIRED.—As a condition of receiving a grant under this section, the Secretary shall require the recipient of the grant to provide funds or in-kind support from non-Federal sources in an amount that is at least equal to the amount of Federal funds.

“(i) COORDINATION AND PROXIMITY ENCOURAGED.—In making grants under this section, the Secretary may consider coordination with and proximity to other landscape-scale projects on other land under the jurisdiction of the Secretary, the Secretary of the Interior, or a Governor of a State, including under—

“(1) the Collaborative Forest Landscape Restoration Program established under section 4003 of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303);

“(2) landscape areas designated for insect and disease treatments under section 602 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591a);

“(3) good neighbor authority under section 19;

“(4) stewardship end result contracting projects authorized under section 604 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591c);

“(5) appropriate State-level programs; and

“(6) other relevant programs, as determined by the Secretary.

“(j) REGULATIONS.—The Secretary shall promulgate such regulations as the Secretary determines necessary to carry out this section.

“(k) REPORT.—Not later than 3 years after the date of enactment of this section, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on—

“(1) the status of development, execution, and administration of selected projects;

“(2) the accounting of program funding expenditures; and

“(3) specific accomplishments that have resulted from landscape-scale projects.

“(l) FUND.—

“(1) IN GENERAL.—There is established in the Treasury a fund, to be known as the ‘State and Private Forest Landscape-Scale Restoration Fund’ (referred to in this subsection as the ‘Fund’), to be used by the Secretary to make grants under this section.

“(2) CONTENTS.—The Fund shall consist of such amounts as are appropriated to the Fund under paragraph (3).

“(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Fund \$20,000,000 for each fiscal year beginning with the first full fiscal year after the date of enactment of this subsection through fiscal year 2023, to remain available until expended.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 13B of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2109b) is repealed.

(2) Section 19(a)(4)(C) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2113(a)(4)(C)) is amended by striking “sections 13A and 13B” and inserting “section 13A”.

Subtitle B—Forest and Rangeland Renewable Resources Research Act of 1978

SEC. 8201. REPEAL OF RECYCLING RESEARCH.

Section 9 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1648) is repealed.

SEC. 8202. REPEAL OF FORESTRY STUDENT GRANT PROGRAM.

Section 10 of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1649) is repealed.

Subtitle C—Global Climate Change Prevention Act of 1990

SEC. 8301. REPEALS RELATING TO BIOMASS.

(a) **BIOMASS ENERGY DEMONSTRATION PROJECTS.**—Section 2410 of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 6708) is repealed.

(b) **INTERAGENCY COOPERATION TO MAXIMIZE BIOMASS GROWTH.**—Section 2411 of the Global Climate Change Prevention Act of 1990 (7 U.S.C. 6709) is amended in the matter preceding paragraph (1) by striking “to—” and all that follows through “such forests and lands” in paragraph (2) and inserting “to develop a program to manage forests and land on Department of Defense military installations”.

Subtitle D—Healthy Forests Restoration Act of 2003

SEC. 8401. PROMOTING CROSS-BOUNDARY WILDFIRE MITIGATION.

Section 103 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6513) is amended by adding at the end the following:

“(e) **CROSS-BOUNDARY HAZARDOUS FUEL REDUCTION PROJECTS.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **HAZARDOUS FUEL REDUCTION PROJECT.**—The term ‘hazardous fuel reduction project’ means a hazardous fuel reduction project described in paragraph (2).

“(B) **NON-FEDERAL LAND.**—The term ‘non-Federal land’ includes—

- “(i) State land;
- “(ii) county land;
- “(iii) Tribal land;
- “(iv) private land; and
- “(v) other non-Federal land.

“(2) **GRANTS.**—The Secretary may make grants to State foresters to support hazardous fuel reduction projects that incorporate treatments in landscapes across ownership boundaries on Federal and non-Federal land, particularly in areas identified as priorities in applicable State-wide forest resource assessments or strategies under section 2A(a) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2101a(a)), as mutually agreed to by the State forester and the Regional Forester.

“(3) **LAND TREATMENTS.**—To conduct and fund treatments for hazardous fuel reduction projects carried out by State foresters using grants under paragraph (2), the Secretary may use the authorities of the Secretary relating to cooperation and technical and financial assistance, including the good neighbor authority under—

“(A) section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a); and

“(B) section 331 of the Department of the Interior and Related Agencies Appropriations Act, 2001 (16 U.S.C. 1011 note; Public Law 106-291).

“(4) **COOPERATION.**—In carrying out a hazardous fuel reduction project using a grant under paragraph (2) on non-Federal land, the State forester, in consultation with the Secretary—

“(A) shall consult with any applicable owners of the non-Federal land; and

“(B) shall not implement the hazardous fuel reduction project on non-Federal land without the consent of the owner of the non-Federal land.

“(5) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this subsection \$20,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 8402. AUTHORIZATION OF APPROPRIATIONS FOR HAZARDOUS FUEL REDUCTION ON FEDERAL LAND.

Section 108 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6518) is amended by striking “\$760,000,000 for each fiscal year” and inserting “\$660,000,000 for each of fiscal years 2019 through 2023”.

SEC. 8403. REPEAL OF BIOMASS COMMERCIAL UTILIZATION GRANT PROGRAM.

(a) **IN GENERAL.**—Section 203 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6531) is repealed.

(b) **CONFORMING AMENDMENT.**—The table of contents for the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 note; Public Law 108-148) is amended by striking the item relating to section 203.

SEC. 8404. WATER SOURCE PROTECTION PROGRAM.

(a) **IN GENERAL.**—Title III of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6541 et seq.) is amended by adding at the end the following:

“SEC. 303. WATER SOURCE PROTECTION PROGRAM.

“(a) **DEFINITIONS.**—In this section:

“(1) **END WATER USER.**—The term ‘end water user’ means a non-Federal entity, including—

- “(A) a State;
- “(B) a political subdivision of a State;
- “(C) an Indian tribe;
- “(D) a utility;
- “(E) a municipal water system;
- “(F) an irrigation district;
- “(G) a nonprofit organization; and
- “(H) a corporation.

“(2) **FOREST MANAGEMENT ACTIVITY.**—The term ‘forest management activity’ means a project carried out by the Secretary on National Forest System land.

“(3) **FOREST PLAN.**—The term ‘forest plan’ means a land management plan prepared by the Forest Service for a unit of the National Forest System pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1604).

“(4) **NON-FEDERAL PARTNER.**—The term ‘non-Federal partner’ means an end water user with whom the Secretary has entered into a partnership agreement under subsection (c)(1).

“(5) **PROGRAM.**—The term ‘Program’ means the Water Source Protection Program established under subsection (b).

“(6) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Agriculture, acting through the Chief of the Forest Service.

“(7) **WATER SOURCE MANAGEMENT PLAN.**—The term ‘water source management plan’ means the water source management plan developed under subsection (d)(1).

“(b) **ESTABLISHMENT.**—The Secretary shall establish and maintain a program, to be known as the ‘Water Source Protection Program’, to carry out watershed protection and restoration projects on National Forest System land.

“(c) **WATER SOURCE INVESTMENT PARTNERSHIPS.**—

“(1) **IN GENERAL.**—In carrying out the Program, the Secretary may enter into water source investment partnership agreements with end water users to protect and restore the condition of National Forest watersheds that provide water to the end water users.

“(2) **FORM.**—A partnership agreement described in paragraph (1) may take the form of—

- “(A) a memorandum of understanding;
- “(B) a cost-share or collection agreement;
- “(C) a long-term funding matching commitment; or

“(D) another appropriate instrument, as determined by the Secretary.

“(d) **WATER SOURCE MANAGEMENT PLAN.**—

“(1) **IN GENERAL.**—In carrying out the Program, the Secretary, in cooperation with the non-Federal partners and applicable State, local, and Tribal governments, may develop a water source management plan that describes

the proposed implementation of watershed protection and restoration projects under the Program.

“(2) **REQUIREMENT.**—A water source management plan shall be conducted in a manner consistent with the forest plan applicable to the National Forest System land on which the watershed protection and restoration project is carried out.

“(3) **ENVIRONMENTAL ANALYSIS.**—The Secretary may conduct a single environmental impact statement or similar analysis required under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)—

“(A) for each watershed protection and restoration project included in the water source management plan; or

“(B) as part of the development of, or after the finalization of, the water source management plan.

“(e) **FOREST MANAGEMENT ACTIVITIES.**—

“(1) **IN GENERAL.**—To the extent that forest management activities are necessary to protect, maintain, or enhance water quality, and in accordance with paragraph (2), the Secretary shall carry out forest management activities as part of watershed protection and restoration projects carried out on National Forest System land, with the primary purpose of—

“(A) protecting a municipal water supply system;

“(B) restoring forest health from insect infestations and disease; or

“(C) any combination of the purposes described in subparagraphs (A) and (B).

“(2) **COMPLIANCE.**—The Secretary shall carry out forest management activities under paragraph (1) in accordance with—

“(A) this Act;

“(B) the applicable water source management plan;

“(C) the applicable forest plan; and

“(D) other applicable laws.

“(f) **ENDANGERED SPECIES ACT OF 1973.**—In carrying out the Program, the Secretary may use the Manual on Adaptive Management of the Department of the Interior, including any associated guidance, to comply with the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

“(g) **FUNDS AND SERVICES.**—

“(1) **IN GENERAL.**—In carrying out the Program, the Secretary may accept and use funding, services, and other forms of investment and assistance from non-Federal partners to implement the water source management plan.

“(2) **MATCHING FUNDS REQUIRED.**—The Secretary shall require the contribution of funds or in-kind support from non-Federal partners to be in an amount that is at least equal to the amount of Federal funds.

“(3) **MANNER OF USE.**—The Secretary may accept and use investments described in paragraph (1) directly or indirectly through the National Forest Foundation.

“(4) **WATER SOURCE PROTECTION FUND.**—

“(A) **IN GENERAL.**—Subject to the availability of appropriations, the Secretary may establish a Water Source Protection Fund to match funds or in-kind support contributed by non-Federal partners under paragraph (1).

“(B) **USE OF APPROPRIATED FUNDS.**—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2019 through 2023.

“(C) **PARTNERSHIP AGREEMENTS.**—The Secretary may make multiyear commitments, if necessary, to implement 1 or more partnership agreements under subsection (c).”.

(b) **CONFORMING AMENDMENT.**—The table of contents for the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 note; Public Law 108-148) is amended by striking the item relating to section 303 and inserting the following:

“Sec. 303. Water Source Protection Program.”.

SEC. 8405. WATERSHED CONDITION FRAMEWORK.

(a) **IN GENERAL.**—Title III of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6541 et seq.) (as amended by section 8404(a)) is amended by adding at the end the following:

“SEC. 304. WATERSHED CONDITION FRAMEWORK.

“(a) *IN GENERAL.*—The Secretary of Agriculture, acting through the Chief of the Forest Service (referred to in this section as the ‘Secretary’), may establish and maintain a Watershed Condition Framework for National Forest System land—

“(1) to evaluate and classify the condition of watersheds, taking into consideration—

- “(A) water quality and quantity;
- “(B) aquatic habitat and biota;
- “(C) riparian and wetland vegetation;
- “(D) the presence of roads and trails;
- “(E) soil type and condition;
- “(F) groundwater-dependent ecosystems;
- “(G) relevant terrestrial indicators, such as fire regime, risk of catastrophic fire, forest and rangeland vegetation, invasive species, and insects and disease; and
- “(H) other significant factors, as determined by the Secretary;

“(2) to identify for protection and restoration up to 5 priority watersheds in each National Forest, and up to 2 priority watersheds in each national grassland, taking into consideration the impact of the condition of the watershed condition on—

- “(A) wildfire behavior;
- “(B) flood risk;
- “(C) fish and wildlife;
- “(D) drinking water supplies;
- “(E) irrigation water supplies;
- “(F) forest-dependent communities; and
- “(G) other significant impacts, as determined by the Secretary;

“(3) to develop a watershed protection and restoration action plan for each priority watershed that—

“(A) takes into account existing restoration activities being implemented in the watershed; and

- “(B) includes, at a minimum—
- “(i) the major stressors responsible for the impaired condition of the watershed;
- “(ii) a set of essential projects that, once completed, will address the identified stressors and improve watershed conditions;
- “(iii) a proposed implementation schedule;
- “(iv) potential partners and funding sources; and

“(v) a monitoring and evaluation program;

“(4) to prioritize protection and restoration activities for each watershed restoration action plan;

“(5) to implement each watershed protection and restoration action plan; and

“(6) to monitor the effectiveness of protection and restoration actions and indicators of watershed health.

“(b) *COORDINATION.*—In carrying out subsection (a), the Secretary shall—

“(1) coordinate with interested non-Federal landowners and State, Tribal, and local governments within the relevant watershed; and

“(2) provide for an active and ongoing public engagement process.

“(c) *EMERGENCY DESIGNATION.*—Notwithstanding paragraph (2) of subsection (a), the Secretary may identify a watershed as a priority for rehabilitation in the Watershed Condition Framework without using the process described in that subsection if a Forest Supervisor determines that—

“(1) a wildfire has significantly diminished the condition of the watershed; and

“(2) the emergency stabilization activities of the Burned Area Emergency Response Team are insufficient to return the watershed to proper function.”.

(b) *CONFORMING AMENDMENT.*—The table of contents for the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 note; Public Law 108-148) (as amended by section 8404(b)) is amended by inserting after the item relating to section 303 the following:

“Sec. 304. Watershed Condition Framework.”.

SEC. 8406. AUTHORIZATION OF APPROPRIATIONS TO COMBAT INSECT INFESTATIONS AND RELATED DISEASES.

(a) *IN GENERAL.*—Section 406 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6556) is amended to read as follows:

“SEC. 406. TERMINATION OF EFFECTIVENESS.

“The authority provided by this title terminates effective October 1, 2023.”.

(b) *CONFORMING AMENDMENT.*—The table of contents for the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 note; Public Law 108-148) is amended by striking the item relating to section 406 and inserting the following:

“Sec. 406. Termination of effectiveness.”.

SEC. 8407. HEALTHY FORESTS RESTORATION ACT OF 2003 AMENDMENTS.

(a) *HEALTHY FORESTS RESERVE PROGRAM.*—

(1) *ADDITIONAL PURPOSE OF PROGRAM.*—Section 501(a) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6571(a)) is amended—

(A) by striking “and” at the end of paragraph (2);

(B) by redesignating paragraph (3) as paragraph (4); and

(C) by inserting after paragraph (2) the following new paragraph:

“(3) to conserve forest land that provides habitat for species described in section 502(b); and”.

(2) *ELIGIBILITY FOR ENROLLMENT.*—Subsection (b) of section 502 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6572) is amended to read as follows:

“(b) *ELIGIBILITY.*—To be eligible for enrollment in the healthy forests reserve program, land shall be private forest land, or private land being restored to forest land, the enrollment of which will maintain, restore, enhance, or otherwise measurably—

“(1) increase the likelihood of recovery of a species that is listed as endangered or threatened under section 4 of the Endangered Species Act of 1973 (16 U.S.C. 1533); or

“(2) improve the well-being of a species that—

“(A) is—

“(i) not listed as endangered or threatened under such section; and

“(ii) a candidate for such listing, a State-listed species, or a special concern species; or

“(B) is deemed a species of greatest conservation need by a State wildlife action plan.”.

(3) *OTHER ENROLLMENT CONSIDERATIONS.*—Section 502(c) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6572(c)) is amended—

(A) by striking “and” at the end of paragraph (1);

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following new paragraph:

“(2) conserve forest land that provides habitat for species described in subsection (b); and”.

(4) *ELIMINATION OF LIMITATION ON USE OF EASEMENTS.*—Section 502(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6572(e)) is amended by striking paragraph (2) and redesignating paragraph (3) as paragraph (2).

(5) *ENROLLMENT OF ACREAGE OWNED BY AN INDIAN TRIBE.*—Paragraph (2) of section 502(e) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6572(e)) (as redesignated by paragraph (4)) is amended, in subparagraph (B), by striking clauses (ii) and (iii) and inserting the following new clauses:

- “(ii) a 10-year cost-share agreement;
- “(iii) a permanent easement; or
- “(iv) any combination of the options described in clauses (i) through (iii).”.

(6) *ENROLLMENT PRIORITY.*—Section 502(f)(1)(B) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6572(f)(1)(B)) is amended by striking clause (ii) and inserting the following:

“(ii)(I) are candidates for such listing, State-listed species, or special concern species; or

“(II) are deemed a species of greatest conservation need under a State wildlife action plan.”.

(7) *RESTORATION PLANS.*—Subsection (b) of section 503 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6573) is amended to read as follows:

“(b) *PRACTICES.*—The restoration plan shall require such restoration practices and measures

as are necessary to restore and enhance habitat for species described in section 502(b), including the following:

- “(1) Land management practices.
- “(2) Vegetative treatments.
- “(3) Structural practices and measures.
- “(4) Practices to increase carbon sequestration.

“(5) Practices to improve biological diversity.

“(6) Other practices and measures.”.

(8) *FUNDING.*—Section 508(b) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6578(b)) is amended—

(A) in the subsection heading, by striking “FISCAL YEARS 2014 THROUGH 2018” and inserting “AUTHORIZATION OF APPROPRIATIONS”; and

(B) by striking “2018” and inserting “2023”.

(9) *TECHNICAL CORRECTION.*—Section 503(a) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6573(a)) is amended by striking “Secretary of Interior” and inserting “Secretary of the Interior”.

(b) *INSECT AND DISEASE INFESTATION.*—

(1) *TREATMENT OF AREAS.*—Section 602(d)(1) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591a(d)(1)) is amended by striking “subsection (b) to reduce the risk or extent of, or increase the resilience to, insect or disease infestation in the areas.” and inserting the following: “subsection (b)—

“(A) to reduce the risk or extent of, or increase the resilience to, insect or disease infestation; or

“(B) to reduce hazardous fuels.”.

(2) *EXTENSION OF AUTHORITY.*—Section 602(d)(2) of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591a(d)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 8408. AUTHORIZATION OF APPROPRIATIONS FOR DESIGNATION OF TREATMENT AREAS.

Section 602 of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591a) is amended by striking subsection (f).

Subtitle E—Repeal or Reauthorization of Miscellaneous Forestry Programs**SEC. 8501. REPEAL OF REVISION OF STRATEGIC PLAN FOR FOREST INVENTORY AND ANALYSIS.**

Section 8301 of the Agricultural Act of 2014 (16 U.S.C. 1642 note; Public Law 113-79) is repealed.

SEC. 8502. SEMIARID AGROFORESTRY RESEARCH CENTER.

Section 1243(d) of the Food, Agriculture, Conservation, and Trade Act of 1990 (16 U.S.C. 1642 note; Public Law 101-624) is amended by striking “annually” and inserting “for each of fiscal years 2019 through 2023”.

SEC. 8503. NATIONAL FOREST FOUNDATION ACT.

(a) *MATCHING FUNDS.*—Section 405(b) of the National Forest Foundation Act (16 U.S.C. 583j-3(b)) is amended by striking “2018” and inserting “2023”.

(b) *AUTHORIZATION OF APPROPRIATIONS.*—Section 410(b) of the National Forest Foundation Act (16 U.S.C. 583j-8(b)) is amended by striking “2018” and inserting “2023”.

SEC. 8504. CONVEYANCE OF FOREST SERVICE ADMINISTRATIVE SITES.

Section 503(f) of the Forest Service Facility Realignment and Enhancement Act of 2005 (16 U.S.C. 580d note; Public Law 109-54) is amended by striking “2016” and inserting “2023”.

Subtitle F—Forest Management**SEC. 8601. DEFINITION OF NATIONAL FOREST SYSTEM.**

In this subtitle, the term “National Forest System” has the meaning given the term in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

PART I—EXPEDITED ENVIRONMENTAL ANALYSIS AND AVAILABILITY OF CATEGORICAL EXCLUSIONS TO EXPEDITE FOREST MANAGEMENT ACTIVITIES**SEC. 8611. CATEGORICAL EXCLUSION FOR GREATER SAGE-GROUSE AND MULE DEER HABITAT.**

(a) *IN GENERAL.*—Title VI of the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6591 et

seq.) is amended by adding at the end the following:

“SEC. 606. CATEGORICAL EXCLUSION FOR GREATER SAGE-GROUSE AND MULE DEER HABITAT.

“(a) DEFINITIONS.—In this section:

“(1) COVERED VEGETATION MANAGEMENT ACTIVITY.—

“(A) IN GENERAL.—The term ‘covered vegetation management activity’ means any activity described in subparagraph (B) that—

“(i)(I) is carried out on National Forest System land administered by the Forest Service; or

“(II) is carried out on public land administered by the Bureau of Land Management;

“(ii) with respect to public land, meets the objectives of the order of the Secretary of the Interior numbered 3336 and dated January 5, 2015;

“(iii) conforms to an applicable forest plan or land use plan;

“(iv) protects, restores, or improves greater sage-grouse or mule deer habitat in a sagebrush steppe ecosystem as described in—

“(I) Circular 1416 of the United States Geological Survey entitled ‘Restoration Handbook for Sagebrush Steppe Ecosystems with Emphasis on Greater Sage-Grouse Habitat—Part 1. Concepts for Understanding and Applying Restoration’ (2015); or

“(II) the habitat guidelines for mule deer published by the Mule Deer Working Group of the Western Association of Fish and Wildlife Agencies;

“(v) will not permanently impair—

“(I) the natural state of the treated area;

“(II) outstanding opportunities for solitude;

“(III) outstanding opportunities for primitive, unconfined recreation;

“(IV) economic opportunities consistent with multiple-use management; or

“(V) the identified values of a unit of the National Landscape Conservation System;

“(vi)(I) restores native vegetation following a natural disturbance;

“(II) prevents the expansion into greater sage-grouse or mule deer habitat of—

“(aa) juniper, pinyon pine, or other associated conifers; or

“(bb) nonnative or invasive vegetation;

“(III) reduces the risk of loss of greater sage-grouse or mule deer habitat from wildfire or any other natural disturbance; or

“(IV) provides emergency stabilization of soil resources after a natural disturbance; and

“(vii) provides for the conduct of restoration treatments that—

“(I) maximize the retention of old-growth and large trees, as appropriate for the forest type;

“(II) consider the best available scientific information to maintain or restore the ecological integrity, including maintaining or restoring structure, function, composition, and connectivity;

“(III) are developed and implemented through a collaborative process that—

“(aa) includes multiple interested persons representing diverse interests; and

“(bb)(AA) is transparent and nonexclusive; or

“(BB) meets the requirements for a resource advisory committee under subsections (c) through (f) of section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125); and

“(IV) may include the implementation of a proposal that complies with the eligibility requirements of the Collaborative Forest Landscape Restoration Program under section 4003(b) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(b)).

“(B) DESCRIPTION OF ACTIVITIES.—An activity referred to in subparagraph (A) is—

“(i) manual cutting and removal of juniper trees, pinyon pine trees, other associated conifers, or other nonnative or invasive vegetation;

“(ii) mechanical mastication, cutting, or mowing, mechanical piling and burning, chaining, broadcast burning, or yarding;

“(iii) removal of cheat grass, medusa head rye, or other nonnative, invasive vegetation;

“(iv) collection and seeding or planting of native vegetation using a manual, mechanical, or aerial method;

“(v) seeding of nonnative, noninvasive, ruderal vegetation only for the purpose of emergency stabilization;

“(vi) targeted use of an herbicide, subject to the condition that the use shall be in accordance with applicable legal requirements, Federal agency procedures, and land use plans;

“(vii) targeted livestock grazing to mitigate hazardous fuels and control noxious and invasive weeds;

“(viii) temporary removal of wild horses or burros in the area in which the activity is being carried out to ensure treatment objectives are met;

“(ix) in coordination with the affected permit holder, modification or adjustment of permissible usage under an annual plan of use of a grazing permit issued by the Secretary concerned to achieve restoration treatment objectives;

“(x) installation of new, or modification of existing, fencing or water sources intended to control use or improve wildlife habitat; or

“(xi) necessary maintenance of, repairs to, rehabilitation of, or reconstruction of an existing permanent road or construction of temporary roads to accomplish the activities described in this subparagraph.

“(C) EXCLUSIONS.—The term ‘covered vegetation management activity’ does not include—

“(i) any activity conducted in a wilderness area or wilderness study area;

“(ii) any activity for the construction of a permanent road or permanent trail;

“(iii) any activity conducted on Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited;

“(iv) any activity conducted in an area in which activities under subparagraph (B) would be inconsistent with the applicable land and resource management plan; or

“(v) any activity conducted in an inventoried roadless area.

“(2) SECRETARY CONCERNED.—The term ‘Secretary concerned’ means—

“(A) the Secretary of Agriculture, with respect to National Forest System land; and

“(B) the Secretary of the Interior, with respect to public land.

“(3) TEMPORARY ROAD.—The term ‘temporary road’ means a road that is—

“(A) authorized—

“(i) by a contract, permit, lease, other written authorization; or

“(ii) pursuant to an emergency operation;

“(B) not intended to be part of the permanent transportation system of a Federal department or agency;

“(C) not necessary for long-term resource management;

“(D) designed in accordance with standards appropriate for the intended use of the road, taking into consideration—

“(i) safety;

“(ii) the cost of transportation; and

“(iii) impacts to land and resources; and

“(E) managed to minimize—

“(i) erosion; and

“(ii) the introduction or spread of invasive species.

“(b) CATEGORICAL EXCLUSION.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Secretary concerned shall develop a categorical exclusion (as defined in section 1508.4 of title 40, Code of Federal Regulations (or a successor regulation)) for covered vegetation management activities carried out to protect, restore, or improve habitat for greater sage-grouse or mule deer.

“(2) ADMINISTRATION.—In developing and administering the categorical exclusion under paragraph (1), the Secretary concerned shall—

“(A) comply with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

“(B) with respect to National Forest System land, apply the extraordinary circumstances

procedures under section 220.6 of title 36, Code of Federal Regulations (or successor regulations), in determining whether to use the categorical exclusion;

“(C) with respect to public land, apply the extraordinary circumstances procedures under section 46.215 of title 43, Code of Federal Regulations (or successor regulations), in determining whether to use the categorical exclusion; and

“(D) consider—

“(i) the relative efficacy of landscape-scale habitat projects;

“(ii) the likelihood of continued declines in the populations of greater sage-grouse and mule deer in the absence of landscape-scale vegetation management; and

“(iii) the need for habitat restoration activities after wildfire or other natural disturbances.

“(c) IMPLEMENTATION OF COVERED VEGETATION MANAGEMENT ACTIVITIES WITHIN THE RANGE OF GREATER SAGE-GROUSE AND MULE DEER.—If the categorical exclusion developed under subsection (b) is used to implement a covered vegetative management activity in an area within the range of both greater sage-grouse and mule deer, the covered vegetative management activity shall protect, restore, or improve habitat concurrently for both greater sage-grouse and mule deer.

“(d) LONG-TERM MONITORING AND MAINTENANCE.—Before commencing any covered vegetation management activity that is covered by the categorical exclusion under subsection (b), the Secretary concerned shall develop a long-term monitoring and maintenance plan, covering at least the 20-year period beginning on the date of commencement, to ensure that management of the treated area does not degrade the habitat gains secured by the covered vegetation management activity.

“(e) DISPOSAL OF VEGETATIVE MATERIAL.—Subject to applicable local restrictions, any vegetative material resulting from a covered vegetation management activity that is covered by the categorical exclusion under subsection (b) may be—

“(1) used for—

“(A) fuel wood; or

“(B) other products; or

“(2) piled or burned, or both.

“(f) TREATMENT FOR TEMPORARY ROADS.—

“(1) IN GENERAL.—Notwithstanding subsection (a)(1)(B)(xi), any temporary road constructed in carrying out a covered vegetation management activity that is covered by the categorical exclusion under subsection (b)—

“(A) shall be used by the Secretary concerned for the covered vegetation management activity for not more than 2 years; and

“(B) shall be decommissioned by the Secretary concerned not later than 3 years after the earlier of the date on which—

“(i) the temporary road is no longer needed; and

“(ii) the project is completed.

“(2) REQUIREMENT.—A treatment under paragraph (1) shall include reestablishing native vegetative cover—

“(A) as soon as practicable; but

“(B) not later than 10 years after the date of completion of the applicable covered vegetation management activity.

“(g) LIMITATIONS.—

“(1) PROJECT SIZE.—A covered vegetation management activity that is covered by the categorical exclusion under subsection (b) may not exceed 4,500 acres.

“(2) LOCATION.—A covered vegetation management activity carried out on National Forest System land that is covered by the categorical exclusion under subsection (b) shall be limited to areas designated under section 602(b), as of the date of enactment of this section.”

(b) CONFORMING AMENDMENTS.—The table of contents for the Healthy Forests Restoration Act of 2003 (16 U.S.C. 6501 note; Public Law 108-148) is amended by adding at the end of the items relating to title VI the following:

“Sec. 602. Designation of treatment areas.

"Sec. 603. Administrative review.

"Sec. 604. Stewardship end result contracting projects.

"Sec. 605. Wildfire resilience projects.

"Sec. 606. Categorical exclusion for greater sage-grouse and mule deer habitat."

PART II—MISCELLANEOUS FOREST MANAGEMENT ACTIVITIES

SEC. 8621. ADDITIONAL AUTHORITY FOR SALE OR EXCHANGE OF SMALL PARCELS OF NATIONAL FOREST SYSTEM LAND.

(a) INCREASE IN MAXIMUM VALUE OF SMALL PARCELS.—Section 3 of Public Law 97-465 (commonly known as the "Small Tract Act of 1983") (16 U.S.C. 521e) is amended in the matter preceding paragraph (1) by striking "\$150,000" and inserting "\$500,000".

(b) ADDITIONAL CONVEYANCE PURPOSES.—Section 3 of Public Law 97-465 (16 U.S.C. 521e) (as amended by subsection (a)) is amended—

(1) in paragraph (2), by striking "or" and inserting a semicolon;

(2) in paragraph (3), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(4) parcels of 40 acres or less that are determined by the Secretary—

"(A) to be physically isolated from other Federal land;

"(B) to be inaccessible; or

"(C) to have lost National Forest character;

"(5) parcels of 10 acres or less that are not eligible for conveyance under paragraph (2) but are encroached on by a permanent habitable improvement for which there is no evidence that the encroachment was intentional or negligent; or

"(6) parcels used as a cemetery (including a parcel of not more than 1 acre adjacent to the parcel used as a cemetery), a landfill, or a sewage treatment plant under a special use authorization issued or otherwise authorized by the Secretary."

(c) DISPOSITION OF PROCEEDS.—Section 2 of Public Law 97-465 (16 U.S.C. 521d) is amended—

(1) in the matter preceding paragraph (1), by striking "The Secretary is authorized" and inserting the following:

"(a) CONVEYANCE AUTHORITY; CONSIDERATION.—The Secretary is authorized";

(2) in paragraph (2), in the second sentence, by striking "The Secretary shall insert" and inserting the following:

"(b) INCLUSION OF TERMS, COVENANTS, CONDITIONS, AND RESERVATIONS.—

"(1) IN GENERAL.—The Secretary shall insert";

(3) in subsection (b) (as so designated)—

(A) by striking "covenants" and inserting "covenants"; and

(B) in the second sentence by striking "The preceding sentence shall not" and inserting the following:

"(2) LIMITATION.—Paragraph (1) shall not"; and

(4) by adding at the end the following:

"(c) DISPOSITION OF PROCEEDS.—

"(1) DEPOSIT IN SISK FUND.—The net proceeds derived from any sale or exchange conducted under paragraph (4), (5), or (6) of section 3 shall be deposited in the fund established under Public Law 90-171 (commonly known as the 'Sisk Act') (16 U.S.C. 484a).

"(2) USE.—Amounts deposited under paragraph (1) shall be available to the Secretary until expended for—

"(A) the acquisition of land or interests in land for administrative sites for the National Forest System in the State from which the amounts were derived;

"(B) the acquisition of land or interests in land for inclusion in the National Forest System in that State, including land or interests in land that enhance opportunities for recreational access; or

"(C) the reimbursement of the Secretary for costs incurred in preparing a sale conducted under the authority of section 3 if the sale is a competitive sale."

SEC. 8622. FOREST SERVICE PARTICIPATION IN ACES PROGRAM.

Section 8302 of the Agricultural Act of 2014 (16 U.S.C. 3851a) is amended—

(1) by striking "The Secretary" and inserting the following:

"(a) IN GENERAL.—The Secretary"; and

(2) by adding at the end the following:

"(b) TERMINATION OF EFFECTIVENESS.—The authority provided to the Secretary to carry out this section terminates effective October 1, 2023."

SEC. 8623. AUTHORIZATION FOR LEASE OF FOREST SERVICE SITES.

(a) DEFINITIONS.—In this section:

(1) ADMINISTRATIVE SITE.—

(A) IN GENERAL.—The term "administrative site" means—

(i) any facility or improvement, including curtilage, that was acquired or is used specifically for purposes of administration of the National Forest System;

(ii) any Federal land that—

(I) is associated with a facility or improvement described in clause (i) that was acquired or is used specifically for purposes of administration of Forest Service activities; and

(II) underlies or abuts the facility or improvement; and

(iii) for each fiscal year, not more than 10 isolated, undeveloped parcels of not more than 40 acres each.

(B) EXCLUSIONS.—The term "administrative site" does not include—

(i) any land within a unit of the National Forest System that is exclusively designated for natural area or recreational purposes;

(ii) any land within—

(I) a component of the National Wilderness Preservation System;

(II) a component of the National Wild and Scenic Rivers System; or

(III) a National Monument; or

(iii) any Federal land that the Secretary determines—

(I) is needed for resource management purposes or to provide access to other land or water; or

(II) would be in the public interest not to lease.

(2) FACILITY OR IMPROVEMENT.—The term "facility or improvement" includes—

(A) a forest headquarters;

(B) a ranger station;

(C) a research station or laboratory;

(D) a dwelling;

(E) a warehouse;

(F) a scaling station;

(G) a fire-retardant mixing station;

(H) a fire-lookout station;

(I) a guard station;

(J) a storage facility;

(K) a telecommunication facility; and

(L) any other administrative installation for conducting Forest Service activities.

(3) MARKET ANALYSIS.—The term "market analysis" means the identification and study of the market for a particular economic good or service.

(b) AUTHORIZATION.—The Secretary may lease an administrative site that is under the jurisdiction of the Secretary in accordance with this section.

(c) IDENTIFICATION OF ELIGIBLE SITES.—A regional forester, in consultation with forest supervisors in the region, may submit to the Secretary a recommendation for administrative sites in the region that the regional forester considers eligible for leasing under this section.

(d) CONSULTATION WITH LOCAL GOVERNMENT AND PUBLIC NOTICE.—Before making an administrative site available for lease under this section, the Secretary shall—

(1) consult with government officials of the community and of the State in which the administrative site is located; and

(2) provide public notice of the proposed lease.

(e) LEASE REQUIREMENTS.—

(1) SIZE.—An administrative site or compound of administrative sites under a single lease under this section may not exceed 40 acres.

(2) CONFIGURATION OF ADMINISTRATIVE SITES.—

(A) IN GENERAL.—To facilitate the lease of an administrative site under this section, the Secretary may configure the administrative site—

(i) to maximize the marketability of the administrative site; and

(ii) to achieve management objectives.

(B) SEPARATE TREATMENT OF FACILITY OR IMPROVEMENT.—A facility or improvement on an administrative site to be leased under this section may be severed from the land and leased under a separate lease under this section.

(3) CONSIDERATION.—

(A) IN GENERAL.—A person to which a lease of an administrative site is made under this section shall provide to the Secretary consideration described in subparagraph (B) in an amount that is not less than the market value of the administrative site, as determined in accordance with subparagraph (C).

(B) FORM OF CONSIDERATION.—The consideration referred to in subparagraph (A) may be—

(i) cash;

(ii) in-kind, including—

(I) the construction of new facilities or improvements, the title to which shall be transferred by the lessee to the Secretary;

(II) the maintenance, repair, improvement, or restoration of existing facilities or improvements; and

(III) other services relating to activities that occur on the administrative site, as determined by the Secretary; or

(iii) any combination of the consideration described in clauses (i) and (ii).

(C) DETERMINATION OF MARKET VALUE.—

(i) IN GENERAL.—The Secretary shall determine the market value of an administrative site to be leased under this section—

(I) by conducting an appraisal in accordance with—

(aa) the Uniform Appraisal Standards for Federal Land Acquisitions established in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4601 et seq.); and

(bb) the Uniform Standards of Professional Appraisal Practice; or

(II) by competitive lease.

(ii) IN-KIND CONSIDERATION.—The Secretary shall determine the market value of any in-kind consideration under subparagraph (B)(ii).

(4) CONDITIONS.—The lease of an administrative site under this section shall be subject to such conditions, including bonding, as the Secretary determines to be appropriate.

(5) RIGHT OF FIRST REFUSAL.—Subject to terms and conditions that the Secretary determines to be necessary, the Secretary shall offer to lease an administrative site to the municipality or county in which the administrative site is located before seeking to lease the administrative site to any other person.

(f) RELATION TO OTHER LAWS.—

(1) FEDERAL PROPERTY DISPOSAL.—Chapter 5 of title 40, United States Code, shall not apply to the lease of an administrative site under this section.

(2) LEAD-BASED PAINT AND ASBESTOS ABATEMENT.—

(A) IN GENERAL.—Notwithstanding any provision of law relating to the mitigation or abatement of lead-based paint or asbestos-containing building materials, the Secretary shall not be required to mitigate or abate lead-based paint or asbestos-containing building materials with respect to an administrative site to be leased under this section.

(B) PROCEDURES.—With respect to an administrative site to be leased under this section that has lead-based paint or asbestos-containing building materials, the Secretary shall—

(i) provide notice to the person to which the administrative site will be leased of the presence of the lead-based paint or asbestos-containing building material; and

(ii) obtain written assurance from that person that the person will comply with applicable Fed-

eral, State, and local laws relating to the management of lead-based paint and asbestos-containing building materials.

(3) ENVIRONMENTAL REVIEW.—The National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) shall apply to the lease of an administrative site under this section, except that, in any environmental review or analysis required under that Act for the lease of an administrative site under this section, the Secretary shall be required only—

(A) to analyze the most reasonably foreseeable use of the administrative site, as determined through a market analysis;

(B) to determine whether to include any conditions under subsection (e)(4); and

(C) to evaluate the alternative of not leasing the administrative site in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(4) COMPLIANCE WITH LOCAL LAWS.—A person that leases an administrative site under this section shall comply with all applicable State and local zoning laws, building codes, and permit requirements for any construction activities that occur on the administrative site.

(g) PROHIBITION.—No agency of the Federal Government shall make any cash payments to a leaseholder relating to the use or occupancy of any administrative site or facility that has been improved under this section.

(h) CONGRESSIONAL NOTIFICATIONS.—

(1) ANTICIPATED USE OF AUTHORITY.—As part of the annual budget justification documents provided to the Committee on Appropriations of the House of Representatives and the Committee on Appropriations of the Senate, the Secretary shall include—

(A) a list of the anticipated leases to be made, including the anticipated revenue that may be obtained, under this section;

(B) a description of the intended use of any revenue obtained under a lease under this section, including a list of any projects that cost more than \$500,000; and

(C) a description of accomplishments during previous years using the authority of the Secretary under this section.

(2) CHANGES TO LEASE LIST.—If the Secretary desires to lease an administrative site under this section that is not included on a list provided under paragraph (1)(A), the Secretary shall submit to the congressional committees described in paragraph (3) a notice of the proposed lease, including the anticipated revenue that may be obtained from the lease.

(3) USE OF AUTHORITY.—Not less frequently than once each year, the Secretary shall submit to the Committee on Agriculture, the Committee on Appropriations, and the Committee on Natural Resources of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate a report describing each lease made by the Secretary under this section during the period covered by the report.

(i) EXPIRATION OF AUTHORITY.—

(1) IN GENERAL.—The authority of the Secretary to make a lease of an administrative site under this section expires on October 1, 2023.

(2) EFFECT ON LEASE AGREEMENT.—Paragraph (1) shall not affect the authority of the Secretary to carry out this section in the case of any lease agreement that was entered into by the Secretary before October 1, 2023.

SEC. 8624. GOOD NEIGHBOR AUTHORITY.

(a) INCLUSION OF INDIAN TRIBES.—Section 8206(a) of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) is amended—

(1) in paragraph (1)(A), by striking “land and non-Federal land” and inserting “land, non-Federal land, and land owned by an Indian tribe”;

(2) in paragraph (5), by inserting “or Indian tribe” after “affected State”;

(3) by redesignating paragraphs (6) through (8) as paragraphs (7) through (9), respectively; and

(4) by inserting after paragraph (5) (as so redesignated) the following:

“(6) INDIAN TRIBE.—The term ‘Indian tribe’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).”

(b) INCLUSION OF COUNTIES.—Section 8206 of the Agricultural Act of 2014 (16 U.S.C. 2113a) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(B), by inserting “or county, as applicable,” after “Governor”;

(B) by redesignating paragraphs (2) through (9) (as amended by subsection (a)) as paragraphs (3) through (10), respectively;

(C) by inserting after paragraph (1) the following:

“(2) COUNTY.—The term ‘county’ means—

“(A) the appropriate executive official of an affected county; or

“(B) in any case in which multiple counties are affected, the appropriate executive official of a compact of the affected counties.”; and

(D) in paragraph (5) (as so redesignated), by inserting “or county, as applicable,” after “Governor”; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting “or county” after “Governor”;

(B) in paragraph (2)(A), by striking “cooperative agreement or contract entered into under subsection (a)” and inserting “good neighbor agreement”;

(C) in paragraph (3), by inserting “or county” after “Governor”; and

(D) by adding at the end the following:

“(4) RECEIPTS.—Notwithstanding any other provision of law, any payment made by a county to the Secretary under a project conducted under a good neighbor agreement shall not be considered to be monies received from National Forest System land or Bureau of Land Management land, as applicable.”

(c) TREATMENT OF REVENUE FROM TIMBER SALE CONTRACTS.—Section 8206(b)(2) of the Agricultural Act of 2014 (16 U.S.C. 2113a(b)(2)) is amended by adding at the end the following:

“(C) TREATMENT OF REVENUE.—

“(i) IN GENERAL.—Funds received from the sale of timber by a Governor of a State under a good neighbor agreement shall be retained and used by the Governor—

“(I) to carry out authorized restoration services on Federal land under the good neighbor agreement; and

“(II) if there are funds remaining after carrying out subclause (I), to carry out authorized restoration services on Federal land within the State under other good neighbor agreements.

“(ii) TERMINATION OF EFFECTIVENESS.—The authority provided by this subparagraph terminates effective October 1, 2023.”

SEC. 8625. CHATTAHOOCHEE-OCONEE NATIONAL FOREST LAND ADJUSTMENT.

(a) FINDINGS.—Congress finds that—

(1) certain National Forest System land in the State of Georgia consists of isolated tracts that are inefficient to manage or have lost their principal value for National Forest purposes;

(2) the disposal of that National Forest System land would be in the public interest; and

(3) proceeds from the sale of National Forest System land under subsection (b)(1) would be used best by the Forest Service to purchase land for National Forest purposes in the State of Georgia.

(b) LAND CONVEYANCE AUTHORITY.—

(1) IN GENERAL.—Under such terms and conditions as the Secretary may prescribe, the Secretary may sell or exchange any or all rights, title, and interest of the United States in and to the National Forest System land described in paragraph (2)(A).

(2) LAND AUTHORIZED FOR DISPOSAL.—

(A) IN GENERAL.—The National Forest System land referred to in paragraph (1) is the 30 tracts of land totaling approximately 3,841 acres that are generally depicted on the 2 maps entitled

“Priority Land Adjustments, State of Georgia, U.S. Forest Service—Southern Region, Oconee and Chattahoochee National Forests, U.S. Congressional Districts—8, 9, 10 & 14” and dated September 24, 2013.

(B) MAPS.—The maps described in subparagraph (A) shall be on file and available for public inspection in the Office of the Forest Supervisor, Chattahoochee-Oconee National Forest, until such time as the land is sold or exchanged.

(C) MODIFICATION OF BOUNDARIES.—The Secretary may modify the boundaries of the National Forest System land described in subparagraph (A) based on land management considerations.

(3) FORM OF CONVEYANCE.—

(A) QUITCLAIM DEED.—The Secretary shall convey National Forest System land sold or exchanged under paragraph (1) by quitclaim deed.

(B) RESERVATIONS.—The Secretary may reserve any rights-of-way or other rights or interests in National Forest System land sold or exchanged under paragraph (1) that the Secretary considers necessary for management purposes or to protect the public interest.

(4) VALUATION.—

(A) MARKET VALUE.—The Secretary may not sell or exchange National Forest System land under paragraph (1) for less than market value, as determined by appraisal or through competitive bid.

(B) APPRAISAL REQUIREMENTS.—Any appraisal under subparagraph (A) shall be—

(i) consistent with the Uniform Appraisal Standards for Federal Land Acquisitions or the Uniform Standards of Professional Appraisal Practice; and

(ii) subject to the approval of the Secretary.

(5) CONSIDERATION.—

(A) CASH.—Consideration for a sale of National Forest System land or equalization of an exchange under paragraph (1) shall be paid in cash.

(B) EXCHANGE.—Notwithstanding section 206(b) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716(b)), the Secretary may accept a cash equalization payment in excess of 25 percent of the value of any National Forest System land exchanged under paragraph (1).

(6) METHOD OF SALE.—

(A) OPTIONS.—The Secretary may sell National Forest System land under paragraph (1) at public or private sale, including competitive sale by auction, bid, or otherwise, in accordance with such terms, conditions, and procedures as the Secretary determines are in the best interest of the United States.

(B) SOLICITATIONS.—The Secretary may—

(i) make public or private solicitations for the sale or exchange of National Forest System land under paragraph (1); and

(ii) reject any offer that the Secretary determines is not adequate or not in the public interest.

(7) BROKERS.—The Secretary may—

(A) use brokers or other third parties in the sale or exchange of National Forest System land under paragraph (1); and

(B) from the proceeds of a sale, pay reasonable commissions or fees.

(c) TREATMENT OF PROCEEDS.—

(1) DEPOSIT.—Subject to subsection (b)(7)(B), the Secretary shall deposit the proceeds of a sale or a cash equalization payment received from the sale or exchange of National Forest System land under subsection (b)(1) in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a).

(2) AVAILABILITY.—Subject to paragraph (3), amounts deposited under paragraph (1) shall be available to the Secretary until expended, without further appropriation, for the acquisition of land for National Forest purposes in the State of Georgia.

(3) PRIVATE PROPERTY PROTECTION.—Nothing in this section authorizes the use of funds deposited under paragraph (1) to be used to acquire land without the written consent of the owner of the land.

SEC. 8626. TENNESSEE WILDERNESS.

(a) **DEFINITIONS.**—In this section:

(1) **MAP.**—The term “Map” means the map entitled “Proposed Wilderness Areas and Additions—Cherokee National Forest” and dated January 20, 2010.

(2) **STATE.**—The term “State” means the State of Tennessee.

(b) **ADDITIONS TO CHEROKEE NATIONAL FOREST.**—

(1) **DESIGNATION OF WILDERNESS.**—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following parcels of Federal land in the Cherokee National Forest in the State are designated as wilderness and as additions to the National Wilderness Preservation System:

(A) Certain land comprising approximately 9,038 acres, as generally depicted as the “Upper Bald River Wilderness” on the Map and which shall be known as the “Upper Bald River Wilderness”.

(B) Certain land comprising approximately 348 acres, as generally depicted as the “Big Frog Addition” on the Map and which shall be incorporated in, and shall be considered to be a part of, the Big Frog Wilderness.

(C) Certain land comprising approximately 630 acres, as generally depicted as the “Little Frog Mountain Addition NW” on the Map and which shall be incorporated in, and shall be considered to be a part of, the Little Frog Mountain Wilderness.

(D) Certain land comprising approximately 336 acres, as generally depicted as the “Little Frog Mountain Addition NE” on the Map and which shall be incorporated in, and shall be considered to be a part of, the Little Frog Mountain Wilderness.

(E) Certain land comprising approximately 2,922 acres, as generally depicted as the “Sampson Mountain Addition” on the Map and which shall be incorporated in, and shall be considered to be a part of, the Sampson Mountain Wilderness.

(F) Certain land comprising approximately 4,446 acres, as generally depicted as the “Big Laurel Branch Addition” on the Map and which shall be incorporated in, and shall be considered to be a part of, the Big Laurel Branch Wilderness.

(G) Certain land comprising approximately 1,836 acres, as generally depicted as the “Joyce Kilmer-Slickrock Addition” on the Map and which shall be incorporated in, and shall be considered to be a part of, the Joyce Kilmer-Slickrock Wilderness.

(2) **MAPS AND LEGAL DESCRIPTIONS.**—

(A) **IN GENERAL.**—As soon as practicable after the date of enactment of this Act, the Secretary shall file maps and legal descriptions of the wilderness areas designated by paragraph (1) with the appropriate committees of Congress.

(B) **PUBLIC AVAILABILITY.**—The maps and legal descriptions filed under subparagraph (A) shall be on file and available for public inspection in the office of the Chief of the Forest Service and the office of the Supervisor of the Cherokee National Forest.

(C) **FORCE OF LAW.**—The maps and legal descriptions filed under subparagraph (A) shall have the same force and effect as if included in this Act, except that the Secretary may correct typographical errors in the maps and descriptions.

(3) **ADMINISTRATION.**—

(A) **IN GENERAL.**—Subject to valid existing rights, the Federal land designated as wilderness by paragraph (1) shall be administered by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), except that any reference in that Act to the effective date of that Act shall be deemed to be a reference to the date of enactment of this Act.

(B) **FISH AND WILDLIFE MANAGEMENT.**—In accordance with section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section affects the jurisdiction of the State with respect to fish and wildlife management, including the regulation of hunting, fishing, and trap-

ping, in the wilderness areas designated by paragraph (1).

SEC. 8627. KISATCHIE NATIONAL FOREST LAND CONVEYANCE.

(a) **FINDING.**—Congress finds that it is in the public interest to authorize the conveyance of certain Federal land in the Kisatchie National Forest in the State of Louisiana for market value consideration.

(b) **DEFINITIONS.**—In this section:

(1) **COLLINS CAMP PROPERTIES.**—The term “Collins Camp Properties” means Collins Camp Properties, Inc., a corporation incorporated under the laws of the State.

(2) **STATE.**—The term “State” means the State of Louisiana.

(c) **AUTHORIZATION OF CONVEYANCES, KISATCHIE NATIONAL FOREST, LOUISIANA.**—

(1) **AUTHORIZATION.**—

(A) **IN GENERAL.**—Subject to valid existing rights and paragraph (2), the Secretary may convey the Federal land described in subparagraph (B) by quitclaim deed at public or private sale, including competitive sale by auction, bid, or other methods.

(B) **DESCRIPTION OF LAND.**—The Federal land referred to in subparagraph (A) consists of—

(i) all Federal land within sec. 9, T. 10 N., R. 5 W., Winn Parish, Louisiana; and

(ii) a 2.16-acre parcel of Federal land located in the SW¼ of sec. 4, T. 10 N., R. 5 W., Winn Parish, Louisiana, as depicted on a certificate of survey dated March 7, 2007, by Glen L. Cannon, P.L.S. 4436.

(2) **FIRST RIGHT OF PURCHASE.**—Subject to valid existing rights and subsection (e), during the 1-year period beginning on the date of enactment of this Act, on the provision of consideration by the Collins Camp Properties to the Secretary, the Secretary shall convey, by quitclaim deed, to Collins Camp Properties all right, title, and interest of the United States in and to—

(A) the not more than 47.92 acres of Federal land comprising the Collins Campsites within sec. 9, T. 10 N., R. 5 W., in Winn Parish, Louisiana, as generally depicted on a certificate of survey dated February 28, 2007, by Glen L. Cannon, P.L.S. 4436; and

(B) the parcel of Federal land described in paragraph (1)(B)(ii).

(3) **TERMS AND CONDITIONS.**—The Secretary may—

(A) configure the Federal land to be conveyed under this section—

(i) to maximize the marketability of the conveyance; or

(ii) to achieve management objectives; and

(B) establish any terms and conditions for the conveyances under this section that the Secretary determines to be in the public interest.

(4) **CONSIDERATION.**—Consideration for a conveyance of Federal land under this section shall be—

(A) in the form of cash; and

(B) in an amount equal to the market value of the Federal land being conveyed, as determined under paragraph (5).

(5) **MARKET VALUE.**—The market value of the Federal land conveyed under this section shall be determined—

(A) in the case of Federal land conveyed under paragraph (2), by an appraisal that is—

(i) conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) approved by the Secretary; or

(B) if conveyed by a method other than the methods described in paragraph (2), by competitive sale.

(6) **HAZARDOUS SUBSTANCES.**—

(A) **IN GENERAL.**—In any conveyance of Federal land under this section, the Secretary shall meet disclosure requirements for hazardous substances, but shall otherwise not be required to remediate or abate the substances.

(B) **EFFECT.**—Except as provided in subparagraph (A), nothing in this subsection affects the

application of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.) to the conveyances of Federal land.

(d) **PROCEEDS FROM THE SALE OF LAND.**—The Secretary shall deposit the proceeds of a conveyance of Federal land under subsection (c) in the fund established under Public Law 90-171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a).

(e) **ADMINISTRATION.**—

(1) **COSTS.**—As a condition of a conveyance of Federal land to Collins Camp Properties under subsection (c), the Secretary shall require Collins Camp Properties to pay at closing—

(A) reasonable appraisal costs; and

(B) the cost of any administrative and environmental analyses required by law (including regulations).

(2) **PERMITS.**—

(A) **IN GENERAL.**—An offer by Collins Camp Properties for the acquisition of the Federal land under subsection (c) shall be accompanied by a written statement from each holder of a Forest Service special use authorization with respect to the Federal land that specifies that the holder agrees to relinquish the special use authorization on the conveyance of the Federal land to Collins Camp Properties.

(B) **SPECIAL USE AUTHORIZATIONS.**—If any holder of a special use authorization described in subparagraph (A) fails to provide a written authorization in accordance with that subparagraph, the Secretary shall require, as a condition of the conveyance, that Collins Camp Properties administer the special use authorization according to the terms of the special use authorization until the date on which the special use authorization expires.

SEC. 8628. PURCHASE OF NATURAL RESOURCES CONSERVATION SERVICE PROPERTY, RIVERSIDE COUNTY, CALIFORNIA.

(a) **FINDINGS.**—Congress finds as follows:

(1) Since 1935, the United States has owned a parcel of land in Riverside, California, consisting of approximately 8.75 acres, more specifically described in subsection (b)(1) (in this section referred to as the “property”).

(2) The property is under the jurisdiction of the Department of Agriculture and has been variously used for research and plant materials purposes.

(3) Since 1998, the property has been administered by the Natural Resources Conservation Service of the Department of Agriculture.

(4) Since 2002, the property has been co-managed under a cooperative agreement between the Natural Resources Conservation Service and the Riverside Corona Resource Conservation District, which is a legal subdivision of the State of California under section 9003 of the California Public Resources Code.

(5) The Conservation District wishes to purchase the property and use it for conservation, environmental, and related educational purposes.

(6) As provided in subsection (b), the purchase of the property by the Conservation District would promote the conservation education and related activities of the Conservation District and result in savings to the Federal Government.

(b) **LAND PURCHASE, NATURAL RESOURCES CONSERVATION SERVICE PROPERTY, RIVERSIDE COUNTY, CALIFORNIA.**—

(1) **PURCHASE AUTHORIZED.**—The Secretary shall sell and quitclaim to the Riverside Corona Resource Conservation District (in this section referred to as the “Conservation District”) all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, that is located at 4500 Glenwood Drive in Riverside, California, consists of approximately 8.75 acres, and is administered by the Natural Resources Conservation Service of the Department of Agriculture. As necessary or desirable to facilitate the purchase of the property under this subsection, the Secretary or the Conservation District may survey all or portions of the property.

(2) **CONSIDERATION.**—As consideration for the purchase of the property under this subsection, the Conservation District shall pay to the Secretary an amount equal to the appraised value of the property.

(3) **PROHIBITION ON RESERVATION OF INTEREST.**—The Secretary shall not reserve any future interest in the property to be conveyed under this subsection, except such interest as may be acceptable to the Conservation District.

(4) **HAZARDOUS SUBSTANCES.**—Notwithstanding section 120(h) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9620(h)) or the Solid Waste Disposal Act (42 U.S.C. 6901 et seq.), in the case of the property purchased by the Conservation District under this subsection, the Secretary shall be only required to meet the disclosure requirements for hazardous substances, pollutants, or contaminants, but shall otherwise not be required to remediate or abate any such releases of hazardous substances, pollutants, or contaminants, including petroleum and petroleum derivatives.

(5) **COOPERATIVE AUTHORITY.**—

(A) **LEASES, CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHORIZED.**—In conjunction with, or in addition to, the purchase of the property by the Conservation District under this subsection, the Secretary may enter into leases, contracts and cooperative agreements with the Conservation District.

(B) **SOLE SOURCE.**—Notwithstanding sections 3105, 3301, and 3303 to 3305 of title 41, United States Code, or any other provision of law, the Secretary may lease real property from the Conservation District on a noncompetitive basis.

(C) **NON-EXCLUSIVE AUTHORITY.**—The authority provided by this subsection is in addition to any other authority of the Secretary.

SEC. 8629. COLLABORATIVE FOREST LANDSCAPE RESTORATION PROGRAM.

(a) **WAIVER AUTHORITY.**—Section 4003(d) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(d)) is amended by adding at the end the following:

“(4) **WAIVER.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), after consulting with the advisory panel established under subsection (e), if the Secretary determines that a proposal that has been selected under paragraph (1) and is being carried out continues to meet the eligibility criteria established by subsection (b), the Secretary, on a case-by-case basis, may issue for the proposal a 1-time extension of the 10-year period requirement under paragraph (1)(B) of that subsection.

“(B) **LIMITATION.**—The extension described in subparagraph (A)—

“(i) shall be for the shortest period of time practicable to complete implementation of the proposal, as determined by the Secretary; and

“(ii) shall not exceed 10 years.”.

(b) **WAIVER LIMITATION.**—Section 4003(f)(4) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(4)) is amended by adding at the end the following:

“(C) **EXCEPTION.**—The limitation described in subparagraph (B)(i) shall not apply to a proposal for which a 1-time extension is granted under subsection (d)(4).”.

(c) **REAUTHORIZATION.**—Section 4003(f)(6) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(f)(6)) is amended by striking “\$40,000,000 for each of fiscal years 2009 through 2019” and inserting “\$80,000,000 for each of fiscal years 2019 through 2023”.

(d) **REPORTING REQUIREMENTS.**—Section 4003(h) of the Omnibus Public Land Management Act of 2009 (16 U.S.C. 7303(h)) is amended—

(1) in paragraph (3), by striking “and” after the semicolon;

(2) in paragraph (4), by striking the period at the end and inserting “; and”;

(3) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(4) by inserting after paragraph (2) the following:

“(3) the Committee on Agriculture, Nutrition, and Forestry of the Senate;”;

(5) by adding at the end the following:

“(6) the Committee on Agriculture of the House of Representatives.”.

SEC. 8630. UTILITY INFRASTRUCTURE RIGHTS-OF-WAY VEGETATION MANAGEMENT PILOT PROGRAM.

(a) **DEFINITIONS.**—In this section:

(1) **NATIONAL FOREST SYSTEM LAND.**—

(A) **IN GENERAL.**—The term “National Forest System land” means land within the National Forest System, as defined in section 11(a) of the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1609(a)).

(B) **EXCLUSIONS.**—The term “National Forest System land” does not include—

(i) a National Grassland; or

(ii) a land utilization project on land designated as a National Grassland and administered pursuant to sections 31, 32, and 33 of the Bankhead-Jones Farm Tenant Act (7 U.S.C. 1010, 1011, 1012).

(2) **PASSING WILDFIRE.**—The term “passing wildfire” means a wildfire that originates outside of a right-of-way.

(3) **PILOT PROGRAM.**—The term “pilot program” means the pilot program established by the Secretary under subsection (b).

(4) **RIGHT-OF-WAY.**—The term “right-of-way” means a special use authorization issued by the Forest Service allowing the placement of utility infrastructure.

(5) **UTILITY INFRASTRUCTURE.**—The term “utility infrastructure” means electric transmission lines, natural gas infrastructure, or related structures.

(b) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—To encourage owners or operators of rights-of-way on National Forest System land to partner with the Forest Service to voluntarily conduct vegetation management projects on a proactive basis to better protect utility infrastructure from potential passing wildfires, the Secretary may establish a limited, voluntary pilot program, in the manner described in this section, to conduct vegetation management projects on National Forest System land adjacent to those rights-of-way.

(2) **APPLICATION.**—The pilot program shall not apply in a right-of-way described in paragraph (1).

(c) **ELIGIBLE PARTICIPANTS.**—

(1) **IN GENERAL.**—A participant in the pilot program shall be the owner or operator of a right-of-way on National Forest System land.

(2) **SELECTION PRIORITY.**—In selecting participants for the pilot program, the Secretary shall give priority to an owner or operator of a right-of-way that has developed the utility infrastructure protection prescriptions of the owner or operator in coordination with Forest Service fire scientists or fire managers.

(d) **VEGETATION MANAGEMENT PROJECTS.**—

(1) **IN GENERAL.**—A vegetation management project conducted under the pilot program shall involve only limited vegetation management activities that—

(A) shall create the least ground disturbance and least disturbance to wildlife reasonably necessary to protect utility infrastructure from passing wildfires based on applicable models, including Forest Service fuel models;

(B) may include thinning and treatment of surface fuels, ladder fuels, and activity fuels to create or maintain shaded fuel breaks or other appropriate measures recommended by Forest Service fire scientists or fire managers;

(C)(i) shall only be conducted on National Forest System land; and

(ii) shall not—

(I) extend for more than 150 feet from the electric transmission line for which the applicable participant has a right-of-way; or

(II) comprise an overall width, for both sides of that electric transmission line, that totals more than 200 feet; and

(D) shall not be conducted on—

(i) a component of the National Wilderness Preservation System;

(ii) a designated wilderness study area;

(iii) an inventoried roadless area; or

(iv) Federal land on which, by Act of Congress or Presidential proclamation, the removal of vegetation is restricted or prohibited.

(2) **APPROVAL.**—Each vegetation management project described in paragraph (1) shall be subject to approval by the Forest Service in accordance with this section.

(3) **FIRE PREVENTION.**—In carrying out a vegetation management project under the pilot program, a participant shall adhere to—

(A) Forest Service regulations relating to spark arresting devices;

(B) Forest Service regulations limiting and prohibiting certain activities conducted by contractors in an area, based on weather conditions and fire danger;

(C) Forest Service regulations that apply to contractors removing vegetation on National Forest System land pursuant to a timber sale or stewardship contract, including regulations relating to—

(i) protection of residual trees and timber damaged by contractors;

(ii) protection measures needed for plants, animals, cultural resources, and cave resources;

(iii) streamcourse protection and erosion control;

(iv) fire plans, precautions, and precautionary periods;

(v) fire suppression costs; and

(vi) employment of eligible workers; and

(D) State regulations relating to the prevention of wildfires and contractors removing vegetation.

(4) **TREATMENT OF SLASH.**—In carrying out a vegetation management project under the pilot program, a participant shall treat any activity fuels in a manner that—

(A) is satisfactory to the Forest Service;

(B) does not result in a fire hazard; and

(C) reduces the risk of an insect or disease outbreak.

(e) **PROJECT COSTS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2) and subsection (f)(2), a participant in the pilot program shall be responsible for all costs, as determined by the Secretary, incurred in participating in the pilot program.

(2) **FEDERAL FUNDING.**—The Secretary may contribute funds for a vegetation management project conducted under the pilot program if the Secretary determines that the contribution is in the public interest.

(f) **LIABILITY.**—

(1) **ACTIVITIES WITHIN RIGHTS-OF-WAY.**—Participation in the pilot program shall not affect any legal obligations or liability standards that arise under the right-of-way for activities in the right-of-way.

(2) **WILDFIRES.**—

(A) **OPERATIONS FIRES.**—

(i) **IN GENERAL.**—With respect to fire suppression costs for a wildfire caused by the operations of a participant in the pilot program (other than an operation or activity of a participant described in subparagraph (B) or (C)), the participant shall reimburse the Forest Service for those costs, subject to a maximum dollar amount to which the Forest Service and the participant shall agree prior to the commencement of the project.

(ii) **CREDIT FOR ACTIONS BY PARTICIPANTS.**—

(I) **IN GENERAL.**—If a participant in the pilot program provides actions, supplies, or equipment for use to suppress a wildfire described in clause (i) or at the request of the Forest Service, the cost of those actions, supplies, or equipment shall be credited toward the maximum dollar amount described in that clause.

(II) **REIMBURSEMENT.**—If the actual cost of a participant described in subclause (I) exceeds the maximum dollar amount described in clause (i), the Forest Service shall reimburse the participant for the excess.

(B) **NEGLIGENT FIRES.**—

(i) **IN GENERAL.**—Subject to clause (ii), if a wildfire is caused by the negligence of a partici-

part in the pilot program, or an agent of the participant, including a wildfire caused by smoking by persons engaged in the operations of the participant, the participant shall bear the cost of damages to Forest Service resources and the fire suppression costs resulting from the wildfire.

(ii) **LIMITATION.**—Except as provided in clause (iii), the costs borne by a participant under clause (i) shall not exceed \$500,000.

(iii) **FAILURE TO COMPLY.**—If the start or spread of a wildfire described in clause (i) is caused by the failure of the participant to comply with specific safety requirements expressly imposed by the Forest Service as a condition of conducting a vegetation management project under the pilot program or by this section, the participant shall bear the cost of damages to Forest Service resources and the fire suppression costs resulting from the wildfire.

(C) **EXCEPTIONS.**—This paragraph shall not apply in the case of a wildfire caused by the felling of a tree by a participant in the pilot program, or an agent of the participant, onto an electric transmission line.

(3) **EFFECT.**—Nothing in this subsection relieves a participant in the pilot program of any liabilities to which the participant is subject—

(A) under State laws; or

(B) with regard to damages to property other than Forest Service property.

(g) **IMPLEMENTATION.**—

(1) **IN GENERAL.**—Except as provided in paragraph (3), the Secretary shall use the authority of the Secretary under other laws (including regulations) to carry out the pilot program.

(2) **COMPLIANCE WITH EXISTING LAWS.**—Except as provided in paragraph (3), a vegetation management project under the pilot program shall be—

(A) consistent with the applicable land management plan for the area in which the project is located; and

(B) carried out in accordance with all applicable laws, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) **MODIFICATION OF REGULATIONS.**—In order to implement the pilot program in an efficient and expeditious manner, the Secretary may waive or modify specific provisions of the Federal Acquisition Regulation, including waivers or modifications to allow for the formation of contracts or agreements on a noncompetitive basis.

(h) **TREATMENT OF PROCEEDS.**—Notwithstanding any other provision of law, the Secretary may—

(1) retain any funds provided to the Forest Service by a participant in the pilot program; and

(2) use funds retained under paragraph (1), in such amounts as may be appropriated, to carry out the pilot program.

(i) **REPORT TO CONGRESS.**—Not later than December 31, 2020, and 2 years thereafter, the Secretary shall submit a report describing the status of the pilot program and vegetation management projects conducted under the pilot program to—

(1) the Committees on Agriculture, Nutrition, and Forestry and Energy and Natural Resources of the Senate; and

(2) the Committees on Agriculture and Natural Resources of the House of Representatives.

(j) **DURATION.**—The authority to carry out the pilot program, including any vegetation management project conducted under the pilot program, expires on October 1, 2023.

SEC. 8631. OKHISSA LAKE RURAL ECONOMIC DEVELOPMENT LAND CONVEYANCE.

(a) **DEFINITION OF ALLIANCE.**—In this section, the term “Alliance” means the Scenic Rivers Development Alliance.

(b) **REQUEST.**—Subject to the requirements of this section, if the Alliance submits a written request for conveyance by not later than 180 days after the date of enactment of this Act and the

Secretary determines that it is in the public interest to convey the National Forest System Land described in subsection (c), the Secretary shall convey to the Alliance all right, title, and interest of the United States in and to the National Forest System land described in subsection (c) by quitclaim deed through a public or private sale, including a competitive sale by auction or bid.

(c) **DESCRIPTION OF NATIONAL FOREST SYSTEM LAND.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the National Forest System land referred to in subsection (b) is the approximately 150 acres of real property located in sec. 6, T. 5 N. R. 4 E., Franklin County, Mississippi, and further described as—

(A) the portion of the NW¹/₄ NW¹/₄ lying south of the south boundary of Berrytown Road;

(B) the portion of the W¹/₂ NE¹/₄ NW¹/₄ lying south of the south boundary of Berrytown Road;

(C) the portion of the SW¹/₄ NW¹/₄ lying east of the east boundary of U.S. Highway 98;

(D) the W¹/₂ SE¹/₄ NW¹/₄;

(E) the portion of the NW¹/₄ SW¹/₄ lying east of the east boundary of U.S. Highway 98;

(F) the portion of the NE¹/₄ SW¹/₄ commencing at the southwest corner of the NE¹/₄ SW¹/₄, said point being the point of beginning, thence running east 330 feet along the south boundary of the NE¹/₄ SW¹/₄ to a point in Lake Okhissa, thence running northeasterly to a point in Lake Okhissa on the east boundary of the NE¹/₄ SW¹/₄ 330 feet south of the northeast corner thereof, thence running north 330 feet along the east boundary of the NE¹/₄ SW¹/₄ to the northeast corner thereof, thence running west along the north boundary of the NE¹/₄ SW¹/₄ to the NW corner thereof; thence running south along the west boundary of the NE¹/₄ SW¹/₄ to the point of beginning; and

(G) the portion of the SE¹/₄ SE¹/₄ NW¹/₄ commencing at the southeast corner of the SE¹/₄ NW¹/₄, said point being the point of beginning, and running northwesterly to the northwest corner of the SE¹/₄ SE¹/₄ NW¹/₄, thence running south along the west boundary of the SE¹/₄ SE¹/₄ NW¹/₄ to the southwest corner thereof, thence running east along the south boundary of the SE¹/₄ SE¹/₄ NW¹/₄ to the point of beginning.

(2) **SURVEY.**—The exact acreage and legal description of the National Forest System land to be conveyed under this section shall be determined by a survey satisfactory to the Secretary.

(d) **CONSIDERATION.**—

(1) **IN GENERAL.**—The consideration for the conveyance of any National Forest System land under this section shall be—

(A) provided in the form of cash; and

(B) in an amount equal to the fair market value of the National Forest System land being conveyed, as determined under paragraph (2).

(2) **FAIR MARKET VALUE DETERMINATION.**—The fair market value of the National Forest System land conveyed under this section shall be determined—

(A) in the case of a method of conveyance described in subsection (b), by an appraisal that is—

(i) conducted in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions; and

(ii) approved by the Secretary; or

(B) in the case of a conveyance by a method other than a method described in subsection (b), by competitive sale.

(e) **TERMS AND CONDITIONS.**—The conveyance under this section shall be subject to—

(1) valid existing rights; and

(2) such other terms and conditions as the Secretary considers to be appropriate to protect the interests of the United States.

(f) **PROCEEDS FROM SALE.**—The Secretary shall deposit the proceeds of the conveyance of any National Forest System land under this section in the fund established under Public Law 90–171 (commonly known as the “Sisk Act”) (16 U.S.C. 484a).

(g) **COSTS.**—As a condition for the conveyance under this section, the Secretary shall require the Alliance to pay at closing—

(1) any reasonable appraisal costs; and

(2) the costs of any administrative or environmental analysis required by applicable law (including regulations).

SEC. 8632. REMOTE SENSING TECHNOLOGIES.

The Chief of the Forest Service shall—

(1) continue to find efficiencies in the operations of the forest inventory and analysis program under section 3(e) of the Forest and Rangeland Renewable Resources Research Act of 1978 (16 U.S.C. 1642(e)) through the improved use and integration of advanced remote sensing technologies to provide estimates for State- and national-level inventories, where appropriate; and

(2) partner with States and other interested stakeholders to carry out the program described in paragraph (1).

PART III—TIMBER INNOVATION

SEC. 8641. DEFINITIONS.

In this part:

(1) **INNOVATIVE WOOD PRODUCT.**—The term “innovative wood product” means a type of building component or system that uses large panelized wood construction, including mass timber.

(2) **MASS TIMBER.**—The term “mass timber” includes—

(A) cross-laminated timber;

(B) nail laminated timber;

(C) glue laminated timber;

(D) laminated strand lumber; and

(E) laminated veneer lumber.

(3) **SECRETARY.**—The term “Secretary” means the Secretary, acting through the Research and Development deputy area and the State and Private Forestry deputy area of the Forest Service.

(4) **TALL WOOD BUILDING.**—The term “tall wood building” means a building designed to be—

(A) constructed with mass timber; and

(B) more than 85 feet in height.

SEC. 8642. CLARIFICATION OF RESEARCH AND DEVELOPMENT PROGRAM FOR WOOD BUILDING CONSTRUCTION.

(a) **IN GENERAL.**—The Secretary shall conduct performance-driven research and development, education, and technical assistance for the purpose of facilitating the use of innovative wood products in wood building construction in the United States.

(b) **ACTIVITIES.**—In carrying out subsection (a), the Secretary shall—

(1) after receipt of input and guidance from, and collaboration with, the wood products industry, conservation organizations, and institutions of higher education, conduct research and development, education, and technical assistance at the Forest Products Laboratory or through the State and Private Forestry deputy area that meets measurable performance goals for the achievement of the priorities described in subsection (c); and

(2) after coordination and collaboration with the wood products industry and conservation organizations, make competitive grants to institutions of higher education to conduct research and development, education, and technical assistance that meets measurable performance goals for the achievement of the priorities described in subsection (c).

(c) **PRIORITIES.**—The research and development, education, and technical assistance conducted under subsection (a) shall give priority to—

(1) ways to improve the commercialization of innovative wood products;

(2) analyzing the safety of tall wood building materials;

(3) calculations by the Forest Products Laboratory of the lifecycle environmental footprint, from extraction of raw materials through the manufacturing process, of tall wood building construction;

(4) analyzing methods to reduce the lifecycle environmental footprint of tall wood building construction;

(5) analyzing the potential implications of the use of innovative wood products in building construction on wildlife; and

(6) 1 or more other research areas identified by the Secretary, in consultation with conservation organizations, institutions of higher education, and the wood products industry.

(d) **TIMEFRAME.**—To the maximum extent practicable, the measurable performance goals for the research and development, education, and technical assistance conducted under subsection (a) shall be achievable within a 5-year timeframe.

SEC. 8643. WOOD INNOVATION GRANT PROGRAM.

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(A) an individual;

(B) a public or private entity (including a center of excellence that consists of 1 or more partnerships between forestry, engineering, architecture, or business schools at 1 or more institutions of higher education); or

(C) a State, local, or Tribal government.

(2) **SECRETARY.**—The term “Secretary” means the Secretary, acting through the Chief of the Forest Service.

(b) **GRANT PROGRAM.**—

(1) **IN GENERAL.**—The Secretary, in carrying out the wood innovation grant program of the Secretary described in the notice of the Secretary entitled “Request for Proposals: 2016 Wood Innovations Funding Opportunity” (80 Fed. Reg. 63498 (October 20, 2015)), may make a wood innovation grant to 1 or more eligible entities each year for the purpose of advancing the use of innovative wood products.

(2) **PROPOSALS.**—To be eligible to receive a grant under this subsection, an eligible entity shall submit to the Secretary a proposal at such time, in such manner, and containing such information as the Secretary may require.

(c) **INCENTIVIZING USE OF EXISTING MILLING CAPACITY.**—In selecting among proposals of eligible entities under subsection (b)(2), the Secretary shall give priority to proposals that include the use or retrofitting (or both) of existing sawmill facilities located in counties in which the average annual unemployment rate exceeded the national average unemployment rate by more than 1 percent in the previous calendar year.

(d) **MATCHING REQUIREMENT.**—As a condition of receiving a grant under subsection (b), an eligible entity shall provide funds equal to the amount received by the eligible entity under the grant, to be derived from non-Federal sources.

SEC. 8644. COMMUNITY WOOD ENERGY AND WOOD INNOVATION PROGRAM.

Section 9013 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8113) is amended to read as follows:

“SEC. 9013. COMMUNITY WOOD ENERGY AND WOOD INNOVATION PROGRAM.

“(a) **DEFINITIONS.**—In this section:

“(1) **COMMUNITY WOOD ENERGY SYSTEM.**—

“(A) **IN GENERAL.**—The term ‘community wood energy system’ means an energy system that—

“(i) produces thermal energy or combined thermal energy and electricity where thermal is the primary energy output;

“(ii) services public facilities owned or operated by State or local governments (including schools, town halls, libraries, and other public buildings) or private or nonprofit facilities (including commercial and business facilities, such as hospitals, office buildings, apartment buildings, and manufacturing and industrial buildings); and

“(iii) uses woody biomass, including residuals—

“(I) that have not been adulterated with glue or other chemical treatments from wood processing facilities, as the primary fuel; and

“(II) for which the use of that biomass for energy production does not cause conversion of forests to nonforest use.

“(B) **INCLUSIONS.**—The term ‘community wood energy system’ includes single-facility central

heating, district heating systems serving multiple buildings, combined heat and electric systems where thermal energy is the primary energy output, and other related biomass energy systems.

“(2) **INNOVATIVE WOOD PRODUCT FACILITY.**—The term ‘innovative wood product facility’ means a manufacturing or processing plant or mill that produces—

“(A) building components or systems that use large panelized wood construction, including mass timber;

“(B) wood products derived from nanotechnology or other new technology processes, as determined by the Secretary; or

“(C) other innovative wood products that use low-value, low-quality wood, as determined by the Secretary.

“(3) **MASS TIMBER.**—The term ‘mass timber’ includes—

“(A) cross-laminated timber;

“(B) nail-laminated timber;

“(C) glue-laminated timber;

“(D) laminated strand lumber; and

“(E) laminated veneer lumber.

“(4) **PROGRAM.**—The term ‘Program’ means the Community Wood Energy and Wood Innovation Program established under subsection (b).

“(b) **COMPETITIVE GRANT PROGRAM.**—The Secretary, acting through the Chief of the Forest Service, shall establish a competitive grant program to be known as the ‘Community Wood Energy and Wood Innovation Program’.

“(c) **MATCHING GRANTS.**—

“(1) **IN GENERAL.**—Under the Program, the Secretary shall make grants to cover not more than 35 percent of the capital cost for installing a community wood energy system or building an innovative wood product facility.

“(2) **SPECIAL CIRCUMSTANCES.**—The Secretary may establish special circumstances, such as in the case of a community wood energy system project or innovative wood product facility project involving a school or hospital in a low-income community, under which grants under the Program may cover up to 50 percent of the capital cost.

“(3) **SOURCE OF MATCHING FUNDS.**—Matching funds required pursuant to this subsection from a grant recipient shall be derived from non-Federal funds.

“(d) **PROJECT CAP.**—The total amount of grants under the Program for a community wood energy system project or innovative wood product facility project may not exceed—

“(1) in the case of grants under the general authority provided under subsection (c)(1), \$1,000,000; and

“(2) in the case of grants for which the special circumstances apply under subsection (c)(2), \$1,500,000.

“(e) **SELECTION CRITERIA.**—In selecting applicants for grants under the Program, the Secretary shall consider the following:

“(1) The energy efficiency of the proposed community wood energy system or innovative wood product facility.

“(2) The cost effectiveness of the proposed community wood energy system or innovative wood product facility.

“(3) The extent to which the proposed community wood energy system or innovative wood product facility represents the best available commercial technology.

“(4) The extent to which the proposed community wood energy system uses the most stringent control technology that has been required or achieved in practice for a wood-fired boiler of similar size and type.

“(5)(A) The extent to which the proposed community wood energy system will displace conventional fossil fuel generation.

“(B) Whether the proposed community wood energy system minimizes emission increases to the greatest extent possible.

“(6) The extent to which the proposed community wood energy system will increase delivered thermal efficiency of the systems replaced.

“(7) The extent to which the applicant has demonstrated a high likelihood of project suc-

cess by completing detailed engineering and design work in advance of the grant application.

“(8) Other technical, economic, conservation, and environmental criteria that the Secretary considers appropriate.

“(f) **GRANT PRIORITIES.**—In selecting applicants for grants under the Program, the Secretary shall give priority to proposals that use the most stringent control technology that has been required or achieved in practice for a wood-fired boiler and—

“(1) would be carried out in a location where markets are needed for the low-value, low-quality wood;

“(2) would be carried out in a location with limited access to natural gas pipelines;

“(3) would include the use or retrofitting (or both) of existing sawmill facilities located in a location where the average annual unemployment rate exceeded the national average unemployment rate by more than 1 percent during the previous calendar year; or

“(4) would be carried out in a location where the project will aid with forest restoration.

“(g) **LIMITATIONS.**—

“(1) **CAPACITY OF COMMUNITY WOOD ENERGY SYSTEMS.**—A community wood energy system acquired with grant funds under the Program shall not exceed nameplate capacity of 5 megawatts of thermal energy or combined thermal and electric energy.

“(2) **FUNDING FOR INNOVATIVE WOOD PRODUCT FACILITIES.**—Not more than 25 percent of funds provided as grants under the Program for a fiscal year may go to applicants proposing innovative wood product facilities, unless the Secretary has received an insufficient number of qualified proposals for community wood energy systems.

“(h) **FUNDING.**—There is authorized to be appropriated to carry out the Program \$25,000,000 for each of fiscal years 2019 through 2023.”

Subtitle G—Other Matters

SEC. 8701. RURAL REVITALIZATION TECHNOLOGIES.

Section 2371(d)(2) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 6601(d)(2)) is amended by striking “2018” and inserting “2023”.

SEC. 8702. RESOURCE ADVISORY COMMITTEES.

Section 205 of the Secure Rural Schools and Community Self-Determination Act of 2000 (16 U.S.C. 7125) is amended—

(1) in subsection (d)—

(A) in paragraph (1), by striking “Each” and inserting “Except as provided in paragraph (6), each”;

(B) in paragraph (2), in the matter preceding subparagraph (A), by striking “Committee” and inserting “Except as provided in paragraph (6), committee”; and

(C) by adding at the end the following:

“(6) **COMMITTEE COMPOSITION WAIVER AUTHORITY.**—

“(A) **NOTICE.**—On notice from the applicable regional forester that an adequate number of qualified candidates are not interested or available to serve on a resource advisory committee, the Secretary concerned shall publish a notice in the Federal Register seeking candidates for the resource advisory committee.

“(B) **MODIFICATION OF MEMBERSHIP REQUIREMENTS.**—If, by the date that is 30 days after the date of publication of notice under subparagraph (A), an inadequate number of qualified candidates have applied to serve on a resource advisory committee, the Secretary concerned may reduce—

“(i) the membership requirement under paragraph (1) to not fewer than 9; and

“(ii) the membership requirements under subparagraphs (A), (B), and (C) of paragraph (2) to 3 in each category described in that paragraph, except that where a vacancy exists on a resource advisory committee, the Secretary concerned may not reject a qualified applicant from any category.

“(C) **TERMINATION OF AUTHORITY.**—The authority provided under this paragraph terminates on October 1, 2023.”; and

(2) by adding at the end the following:

“(g) REGIONAL APPOINTMENT PILOT PROGRAM.—

“(1) DEFINITION OF APPLICABLE DESIGNEE.—In this subsection, the term ‘applicable designee’ means the applicable regional forester.

“(2) PILOT PROGRAM.—The Secretary concerned shall carry out a pilot program (referred to in this subsection as the ‘pilot program’) to allow an applicable designee to appoint members of resource advisory committees.

“(3) GEOGRAPHIC LIMITATION.—The pilot program shall only apply to resource advisory committees chartered in—

“(A) the State of Montana; and

“(B) the State of Arizona.

“(4) RESPONSIBILITIES OF APPLICABLE DESIGNEE.—

“(A) REVIEW.—Before appointing a member of a resource advisory committee under the pilot program, an applicable designee shall conduct the review and analysis that would otherwise be conducted for an appointment to a resource advisory committee if the pilot program was not in effect, including any review and analysis with respect to civil rights and budgetary requirements.

“(B) SAVINGS CLAUSE.—Nothing in this subsection relieves an applicable designee from any requirement developed by the Secretary concerned for making an appointment to a resource advisory committee that is in effect on the date of enactment of this subsection, including any requirement for advertising a vacancy.

“(5) TERMINATION OF EFFECTIVENESS.—The authority provided under this subsection terminates on October 1, 2023.

“(6) REPORT TO CONGRESS.—Not later than the date that is 180 days after the date described in paragraph (5), the Secretary concerned shall submit to Congress a report that includes—

“(A) with respect to appointments made under the pilot program compared to appointments to resource advisory committees not made under the pilot program, a description of the extent to which—

“(i) appointments were faster or slower; and

“(ii) the requirements described in paragraph (4) differ; and

“(B) a recommendation with respect to whether Congress should terminate, continue, modify, or expand the pilot program.”.

SEC. 8703. TRIBAL FOREST MANAGEMENT DEMONSTRATION PROJECT.

(a) IN GENERAL.—The Secretary of the Interior and the Secretary may carry out demonstration projects by which federally recognized Indian Tribes or Tribal organizations may contract to perform administrative, management, and other functions of programs of the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.) through contracts entered into under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304 et seq.).

(b) REQUIREMENTS.—With respect to any contract or project carried out under subsection (a)—

(1) on National Forest System land, the Secretary shall carry out all functions delegated to the Secretary of the Interior under the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304 et seq.);

(2) the Secretary or the Secretary of the Interior, as applicable, shall make any decisions required to be made under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) the Tribal Forest Protection Act of 2004 (25 U.S.C. 3115a et seq.); and

(3) the contract or project shall be entered into under, and in accordance with, section 403(b)(2) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5363(b)(2)).

SEC. 8704. TECHNICAL CORRECTIONS.

(a) WILDFIRE SUPPRESSION FUNDING AND FOREST MANAGEMENT ACTIVITIES ACT.—

(1) IN GENERAL.—The Wildfire Suppression Funding and Forest Management Activities Act (Public Law 115–141) is amended—

(A) in section 102(a)(2), by striking “the date of enactment” and inserting “the date of the enactment”; and

(B) in section 401(a)(1), by inserting “of 2000” after “Self-Determination Act”.

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall take effect as if enacted as part of the Wildfire Suppression Funding and Forest Management Activities Act (Public Law 115–141).

(b) AGRICULTURAL ACT OF 2014.—Section 8206(a) of the Agricultural Act of 2014 (16 U.S.C. 2113a(a)) (as amended by section 8624(b)) is amended—

(1) in paragraph (4)(B)(i)(II), by striking “Good Neighbor Authority Improvement Act” and inserting “Wildfire Suppression Funding and Forest Management Activities Act”; and

(2) in paragraph (8), by striking “Good Neighbor Authority Improvement Act” and inserting “Wildfire Suppression Funding and Forest Management Activities Act”.

SEC. 8705. STREAMLINING THE FOREST SERVICE PROCESS FOR CONSIDERATION OF COMMUNICATIONS FACILITY LOCATION APPLICATIONS.

(a) DEFINITIONS.—In this section:

(1) COMMUNICATIONS FACILITY.—The term “communications facility” includes—

(A) any infrastructure, including any transmitting device, tower, or support structure, and any equipment, switches, wiring, cabling, power sources, shelters, or cabinets, associated with the licensed or permitted unlicensed wireless or wireline transmission of writings, signs, signals, data, images, pictures, and sounds of all kinds; and

(B) any antenna or apparatus that—

(i) is designed for the purpose of emitting radio frequency;

(ii) is designed to be operated, or is operating, from a fixed location pursuant to authorization by the Federal Communications Commission or is using duly authorized devices that do not require individual licenses; and

(iii) is added to a tower, building, or other structure.

(2) COMMUNICATIONS SITE.—The term “communications site” means an area of covered land designated for communications uses.

(3) COMMUNICATIONS USE.—The term “communications use” means the placement and operation of a communications facility.

(4) COMMUNICATIONS USE AUTHORIZATION.—The term “communications use authorization” means an easement, right-of-way, lease, license, or other authorization to locate or modify a communications facility on covered land by the Forest Service for the primary purpose of authorizing the occupancy and use of the covered land for communications uses.

(5) COVERED LAND.—The term “covered land” means National Forest System land.

(6) FOREST SERVICE.—The term “Forest Service” means the United States Forest Service of the Department of Agriculture.

(7) ORGANIZATIONAL UNIT.—The term “organizational unit” means, within the Forest Service—

(A) a regional office;

(B) the headquarters;

(C) a management unit; or

(D) a ranger district office.

(b) REGULATIONS.—Notwithstanding section 6409 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1455) or section 606 of the Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018 (Public Law 115–141), not later than 1 year after the date of enactment of this Act, the Secretary shall issue regulations—

(1) to streamline the process for considering applications to locate or modify communications facilities on covered land;

(2) to ensure, to the maximum extent practicable, that the process is uniform and standardized across the organizational units of the Forest Service; and

(3) to require that the applications described in paragraph (1) be considered and granted on

a competitively neutral, technology neutral, and non-discriminatory basis.

(c) REQUIREMENTS.—The regulations issued under subsection (b) shall include the following:

(1) Procedures for the tracking of applications described in subsection (b)(1), including—

(A) identifying the number of applications—

(i) received;

(ii) approved; and

(iii) denied;

(B) in the case of an application that is denied, describing the reasons for the denial; and

(C) describing the amount of time between the receipt of an application and the issuance of a final decision on an application.

(2) Provision for minimum lease terms of not less than 15 years for leases with respect to the location of communications facilities on covered land.

(3) A structure of fees for—

(A) submitting an application described in subsection (b)(1), based on the cost to the Forest Service of considering such an application; and

(B) issuing communications use authorizations, based on the cost to the Forest Service of any maintenance or other activities required to be performed by the Forest Service as a result of the location or modification of the communications facility.

(4) Provision for prioritization or streamlining of the consideration of applications to locate or modify communications facilities on covered land in a previously disturbed right-of-way.

(d) ADDITIONAL CONSIDERATIONS.—In issuing regulations under subsection (b), the Secretary shall consider—

(1) how discrete reviews in considering an application described in subsection (b)(1) can be conducted simultaneously, rather than sequentially, by any organizational units of the Forest Service that must approve the location or modification; and

(2) how to eliminate overlapping requirements among the organizational units of the Forest Service with respect to the location or modification of a communications facility on covered land administered by those organizational units.

(e) COMMUNICATION OF STREAMLINED PROCESS TO ORGANIZATIONAL UNITS.—The Secretary shall, with respect to the regulations issued under subsection (b)—

(1) communicate the regulations to the organizational units of the Forest Service; and

(2) ensure that the organizational units of the Forest Service follow the regulations.

(f) DEPOSIT AND AVAILABILITY OF FEES.—

(1) SPECIAL ACCOUNT.—The Secretary of the Treasury shall establish a special account in the Treasury for the Forest Service for the deposit of fees collected by the Forest Service under subsection (c)(3) for communications use authorizations on covered land granted, issued, or executed by the Forest Service.

(2) REQUIREMENTS FOR FEES COLLECTED.—Fees collected by the Forest Service under subsection (c)(3) shall be—

(A) based on the costs described in subsection (c)(3); and

(B) competitively neutral, technology neutral, and nondiscriminatory with respect to other users of the communications site.

(3) DEPOSIT OF FEES.—Fees collected by the Forest Service under subsection (c)(3) shall be deposited in the special account established for the Forest Service under paragraph (1).

(4) AVAILABILITY OF FEES.—Amounts deposited in the special account for the Forest Service shall be available, to the extent and in such amounts as are provided in advance in appropriation Acts, to the Secretary to cover costs incurred by the Forest Service described in subsection (c)(3), including the following:

(A) Preparing needs assessments or other programmatic analyses necessary to designate communications sites and issue communications use authorizations.

(B) Developing management plans for communications sites.

(C) Training for management of communications sites.

(D) Obtaining or improving access to communications sites.

(5) NO ADDITIONAL APPROPRIATIONS AUTHORIZED.—Except as provided in paragraph (4), no other amounts are authorized to be appropriated to carry out this section.

(g) SAVINGS PROVISIONS.—

(1) REAL PROPERTY AUTHORITIES.—Nothing in this section, or the amendments made by this section, shall be construed as providing any executive agency with any new leasing or other real property authorities not existing prior to the date of enactment of this Act.

(2) EFFECT ON OTHER LAWS.—Nothing in this section, or the amendments made by this section, and no actions taken pursuant to this section, or the amendments made by this section, shall impact a decision or determination by any executive agency to sell, dispose of, declare excess or surplus, lease, reuse, or redevelop any Federal real property pursuant to title 40, United States Code, the Federal Assets Sale and Transfer Act of 2016 (40 U.S.C. 1303 note; Public Law 114-287), or any other law governing real property activities of the Federal Government. No agreement entered into pursuant to this section, or the amendments made by this section, may obligate the Federal Government to hold, control, or otherwise retain or use real property that may otherwise be deemed as excess, surplus, or that could otherwise be sold, leased, or redeveloped.

SEC. 8706. REPORT ON WILDFIRE, INSECT INFESTATION, AND DISEASE PREVENTION ON FEDERAL LAND.

Not later than 180 days after the date of the enactment of this Act and every year thereafter, the Secretary and the Secretary of Interior shall submit to the Committee on Agriculture of the House of Representatives, the Committee on Natural Resources of the House of Representatives, the Committee on Agriculture, Nutrition, and Forestry of the Senate, and the Committee on Energy and Natural Resources of the Senate a jointly written report on—

(1) the number of acres of Federal land treated by the Secretary or the Secretary of the Interior for wildfire, insect infestation, or disease prevention;

(2) the number of acres of Federal land categorized as a high or extreme fire risk;

(3) the total timber production from Federal land;

(4) the number of acres and average fire intensity of wildfires affecting Federal land treated for wildfire, insect infestation, or disease prevention;

(5) the number of acres and average fire intensity of wildfires affecting Federal land not treated for wildfire, insect infestation, or disease prevention;

(6) the Federal response time for each fire on greater than 25,000 acres;

(7) the number of miles of roads and trails on Federal land in need of maintenance;

(8) the number of miles of roads on Federal land in need of decommissioning;

(9) the maintenance backlog, as of the date of the report, for roads, trails, and recreational facilities on Federal land;

(10) other measures needed to maintain, improve, or restore water quality on Federal land; and

(11) other measures needed to improve ecosystem function or resiliency on Federal land.

SEC. 8707. WEST FORK FIRE STATION.

(a) DEFINITIONS.—In this section:

(1) COUNTY.—The term “County” means Dolores County, Colorado.

(2) WEST FORK FIRE STATION CONVEYANCE PARCEL.—The term “West Fork Fire Station Conveyance Parcel” means the parcel of approximately 3.61 acres of National Forest System land in the County, as depicted on the map entitled “Map for West Fork Fire Station Conveyance Parcel” and dated November 21, 2017.

(b) CONVEYANCE OF WEST FORK FIRE STATION CONVEYANCE PARCEL, DOLORES COUNTY, COLORADO.—

(1) IN GENERAL.—On receipt of a request from the County and subject to such terms and conditions as are mutually satisfactory to the Secretary and the County, including such additional terms as the Secretary determines to be necessary, the Secretary shall convey to the County without consideration all right, title, and interest of the United States in and to the West Fork Fire Station Conveyance Parcel.

(2) COSTS.—Any costs relating to the conveyance under paragraph (1), including processing and transaction costs, shall be paid by the County.

(3) USE OF LAND.—The land conveyed to the County under paragraph (1) shall be used by the County only for a fire station, related infrastructure, and roads to facilitate access to and through the West Fork Fire Station Conveyance Parcel.

(4) REVERSION.—If any portion of the land conveyed under paragraph (1) is used in a manner that is inconsistent with the use described in paragraph (3), the land shall, at the discretion of the Secretary, revert to the United States.

SEC. 8708. COMPETITIVE FORESTRY, NATURAL RESOURCES, AND ENVIRONMENTAL GRANTS PROGRAM.

Section 1232 of the Food, Agriculture, Conservation, and Trade Act of 1990 (16 U.S.C. 582a-8) is amended—

(1) in subsection (a) by inserting “or forest restoration” after “research”; and

(2) by amending subsection (c) to read as follows:

“(c) PRIORITIES.—

“(1) RESEARCH.—In awarding the initial grants under subsection (a) the Secretary shall give priority to applicants who will use such grants for research concerning—

“(A) the biology of forest organisms, including physiology, genetic mechanisms, and biotechnology;

“(B) ecosystem function and management, including forest ecosystem research, biodiversity, forest productivity, pest management, water resources, and alternative silvicultural systems;

“(C) wood as a raw material, including forest products and harvesting;

“(D) human forest interactions, including outdoor recreation, public policy formulation, economics, sociology, and administrative behavior;

“(E) international trade, competition, and cooperation related to forest products;

“(F) alternative native crops, products, and services that can be produced from renewable natural resources associated with privately held forest lands;

“(G) viable economic production and marketing systems for alternative natural resource products and services;

“(H) economic and environmental benefits of various conservation practices on forest lands;

“(I) genetic tree improvement; and

“(J) market expansion.

“(2) FOREST RESTORATION.—Grants may be used to support programs that restore forest tree species native to American forests that may have suffered severe levels of mortality caused by non-native insects, plant pathogens, or other pests.

“(A) REQUIRED COMPONENT OF FOREST RESTORATION STRATEGY.—To receive a grant under this subsection, an eligible institution shall demonstrate that it offers a program with a forest restoration strategy that incorporates not less than one of the following components:

“(i) Collection and conservation of native tree genetic material.

“(ii) Production of propagules of native trees in numbers large enough for landscape scale restoration.

“(iii) Site preparation of former of native tree habitat.

“(iv) Planting of native tree seedlings.

“(v) Post-planting maintenance of native trees.

“(B) AWARD OF GRANTS.—The Secretary shall award competitive grants under this subsection

based on the degree to which the applicant addresses the following criteria:

“(i) Risk posed to the forests of that State by non-native pests, as measured by such factors as the number of such pests present in the State.

“(ii) The proportion of the State’s forest composed of species vulnerable to non-native pests present in the United States.

“(iii) The pests’ rate of spread via natural or human-assisted means.”.

TITLE IX—ENERGY

SEC. 9001. DEFINITIONS.

Section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101) is amended—

(1) in paragraph (4)(A), by striking “agricultural materials” and inserting “agricultural materials, renewable chemicals.”;

(2) in paragraph (7)(A), by striking “into biofuels and biobased products; and” and inserting the following: “or an intermediate ingredient or feedstock of renewable biomass into any 1 or more, or a combination, of—

“(i) biofuels;

“(ii) renewable chemicals; or

“(iii) biobased products; and”;

(3) in paragraph (16)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking “(B)” and inserting “(C)”;

(ii) by striking “that—” in the matter preceding clause (i) and all that follows through the period at the end of clause (ii) and inserting

“that produces usable energy from a renewable energy source.”;

(B) by redesignating subparagraph (B) as subparagraph (C); and

(C) by inserting after subparagraph (A) the following:

“(B) INCLUSIONS.—The term ‘renewable energy system’ includes—

“(i) distribution components necessary to move energy produced by a system described in subparagraph (A) to the initial point of sale; and

“(ii) other components and ancillary infrastructure of a system described in subparagraph (A), such as a storage system.”.

SEC. 9002. BIOBASED MARKETS PROGRAM.

Section 9002 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8102) is amended—

(1) in subsection (b)(2)(A), by adding at the end the following:

“(iii) RENEWABLE CHEMICALS.—Not later than 180 days after the date of enactment of this clause, the Secretary shall update the criteria issued under clause (i) to provide criteria for determining which renewable chemicals may qualify to receive the label under paragraph (1).”;

(2) by amending subsection (f) to read as follows:

“(f) MANUFACTURERS OF RENEWABLE CHEMICALS AND BIOBASED PRODUCTS.—

“(1) NAICS CODES.—The Secretary and the Secretary of Commerce shall jointly develop North American Industry Classification System codes for—

“(A) renewable chemicals manufacturers; and

“(B) biobased products manufacturers.

“(2) NATIONAL TESTING CENTER REGISTRY.—The Secretary shall establish a national registry of testing centers for biobased products that will serve biobased product manufacturers.”;

(3) by redesignating subsections (h) through (j) as subsections (j) through (l), respectively;

(4) by inserting after subsection (g) the following:

“(h) STREAMLINING.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Secretary shall establish guidelines for an integrated process under which biobased products may be, in 1 expedited approval process—

“(A) determined to be eligible for a Federal procurement preference under subsection (a); and

“(B) approved to use the ‘USDA Certified Biobased Product’ label under subsection (b).

“(2) INITIATION.—The Secretary shall ensure that a review of a biobased product under the integrated qualification process established pursuant to paragraph (1) may be initiated on receipt of a recommendation or petition from a manufacturer, vendor, or other interested party.

“(3) PRODUCT DESIGNATIONS.—The Secretary may issue a product designation pursuant to subsection (a)(3)(B), or approve the use of the ‘USDA Certified Biobased Product’ label under subsection (b), through streamlined procedures, which shall not be subject to chapter 7 of title 5, United States Code.

“(i) REQUIREMENT OF PROCURING AGENCIES.—A procuring agency (as defined in subsection (a)(1)) shall not establish regulations, guidance, or criteria regarding the procurement of biobased products, pursuant to this section or any other law, that impose limitations on that procurement that are more restrictive than the limitations established by the Secretary under the regulations to implement this section.”;

(5) in subsection (k) (as so redesignated)—
(A) in paragraph (1), by striking “2018” and inserting “2023”; and

(B) in paragraph (2), by striking “\$2,000,000 for each of fiscal years 2014 through 2018” and inserting “\$3,000,000 for each of fiscal years 2019 through 2023”; and

(6) by adding at the end the following:
“(m) RURAL DEVELOPMENT MISSION AREA.—In carrying out this section, except as provided in subsection (g), the Secretary shall act through the rural development mission area.”.

SEC. 9003. BIOREFINERY ASSISTANCE.

Section 9003 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8103) is amended—

(1) in subsection (b)(3)—
(A) in subparagraph (A), by striking “produces an advanced biofuel; and” and inserting the following: “produces any 1 or more, or a combination, of—

“(i) an advanced biofuel;
“(ii) a renewable chemical; or
“(iii) a biobased product; and”;

(B) in subparagraph (B), by striking “produces an advanced biofuel.” and inserting the following: “produces any 1 or more, or a combination, of—

“(i) an advanced biofuel;
“(ii) a renewable chemical; or
“(iii) a biobased product.”; and

(2) in subsection (g)—
(A) in paragraph (1)(A)—
(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period at the end and inserting a semicolon; and
(iii) by adding at the end the following:

“(iii) \$50,000,000 for fiscal year 2019; and
“(iv) \$25,000,000 for fiscal year 2020.”; and

(B) in paragraph (2), by striking “2018” and inserting “2023”.

SEC. 9004. REPOWERING ASSISTANCE PROGRAM.

Section 9004 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8104) is repealed.

SEC. 9005. BIOENERGY PROGRAM FOR ADVANCED BIOFUELS.

Section 9005 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8105) is amended—

(1) in subsection (e)—
(A) by striking “The Secretary may” and inserting the following new paragraph:

“(1) AMOUNT.—The Secretary shall”; and
(B) by adding at the end the following new paragraph:

“(2) FEEDSTOCK.—The total amount of payments made in a fiscal year under this section to one or more eligible producers for the production of advanced biofuels derived from a single eligible commodity, including intermediate ingredients of that single commodity or use of that single commodity and its intermediate ingredients in combination with another commodity, shall not exceed one-third of the total amount of funds made available under subsection (g).”; and

(2) in subsection (g)—
(A) in paragraph (1)—
(i) in subparagraph (D), by striking “and” at the end;

(ii) in subparagraph (E), by striking the period at the end and inserting “; and”; and
(iii) by adding at the end the following:
“(F) \$7,000,000 for each of fiscal years 2019 through 2023.”; and

(B) in paragraph (2), by striking “2014 through 2018” and inserting “2019 through 2023”.

SEC. 9006. BIODIESEL FUEL EDUCATION PROGRAM.

Section 9006(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8106(d)) is amended to read as follows:

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2019 through 2023.”.

SEC. 9007. RURAL ENERGY FOR AMERICA PROGRAM.

Section 9007 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8107) is amended—

(1) in subsection (c)—
(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—
“(A) ASSISTANCE.—In addition to any similar authority, the Secretary shall provide—

“(i) loan guarantees and grants to agricultural producers and rural small businesses—

“(I) to purchase renewable energy systems, including systems that may be used to produce and sell electricity; and
“(II) to make energy efficiency improvements; and

“(ii) loan guarantees to agricultural producers to purchase and install energy efficient equipment or systems for agricultural production or processing that exceed—
“(I) energy efficiency building codes, if applicable;

“(II) Federal or State energy efficiency standards, if applicable; and
“(III) other energy efficiency standards determined appropriate by the Secretary.

“(B) LIMITATIONS.—With respect to loan guarantees under subparagraph (A)(ii)—

“(i) if no codes or standards described in such subparagraph apply to the energy efficient equipment or system to be purchased or installed pursuant to such subparagraph, the Secretary shall require, to the maximum extent practicable, such equipment or system to meet the same efficiency measurements as the most efficient available equipment or system in the market; and
“(ii) the Secretary shall not provide such a loan guarantee for the purchase or installation of any energy efficient equipment or system unless more than one type of such equipment or system is available in the market.”; and

(B) in paragraph (3), by adding at the end the following:
“(D) LOAN GUARANTEES FOR ENERGY EFFICIENT EQUIPMENT TO AGRICULTURAL PRODUCERS.—Using funds made available under paragraphs (1) and (3) of subsection (f), in each fiscal year the Secretary may use for loan guarantees under paragraph (1)(A)(ii) an amount that does not exceed 15 percent of such funds.”;

(2) in subsection (e), by striking “subsection (g)” each place it appears and inserting “subsection (f)”;

(3) by striking subsection (f) and redesignating subsection (g) as subsection (f); and

(4) in subsection (f)(3) (as so redesignated), by striking “2014 through 2018” and inserting “2019 through 2023”.

SEC. 9008. RURAL ENERGY SELF-SUFFICIENCY INITIATIVE.

Section 9009 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8109) is repealed.

SEC. 9009. FEEDSTOCK FLEXIBILITY.

Section 9010(b) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8110(b)) is amended—

(1) in paragraph (1)(A), by striking “2018” and inserting “2023”; and
(2) in paragraph (2)(A), by striking “2018” and inserting “2023”.

SEC. 9010. BIOMASS CROP ASSISTANCE PROGRAM.

Section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) is amended—

(1) in subsection (a)(6)—
(A) in subparagraph (B)—
(i) in clause (ii)(II), by striking “and” at the end;

(ii) in clause (iii), by striking the period at the end and inserting “; and”; and
(iii) by adding at the end the following:

“(iv) algae.”; and
(B) in subparagraph (C)—
(i) by striking clause (iv); and
(ii) by redesignating clauses (v) through (vii) as clauses (iv) through (vi), respectively; and
(2) in subsection (f)—

(A) by amending paragraph (1) to read as follows:

“(1) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$25,000,000 for each of fiscal years 2019 through 2023.”; and
(B) by amending paragraph (3) to read as follows:

“(3) TECHNICAL ASSISTANCE.—Effective for fiscal year 2014 and each subsequent fiscal year, funds made available under this subsection shall be available for the provision of technical assistance with respect to activities authorized under this section.”.

SEC. 9011. CARBON UTILIZATION AND BIOGAS EDUCATION PROGRAM.

Title IX of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101 et seq.) is amended by adding at the end the following:

“SEC. 9014. CARBON UTILIZATION AND BIOGAS EDUCATION PROGRAM.

“(a) DEFINITIONS.—In this section:
“(1) CARBON DIOXIDE.—The term ‘carbon dioxide’ means carbon dioxide that is produced as a byproduct of the production of a biobased product.

“(2) ELIGIBLE ENTITY.—The term ‘eligible entity’ means an entity that—

“(A) is—
“(i) an organization described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of that Code; or

“(ii) an institution of higher education (as defined in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)));

“(B) has demonstrated knowledge about—
“(i) sequestration and utilization of carbon dioxide; or

“(ii) aggregation of organic waste from multiple sources into a single biogas system; and

“(C) has a demonstrated ability to conduct educational and technical support programs.

“(b) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Energy, shall make competitive grants to eligible entities—

“(1) to provide education to the public about the economic and emissions benefits of permanent sequestration or utilization of carbon dioxide with a primary objective of providing benefits and opportunities for rural businesses, rural communities, and utilities serving rural communities; or
“(2) to provide education to agricultural producers and other stakeholders about opportunities for aggregation of organic waste from multiple sources into a single biogas system.

“(c) FUNDING.—There are authorized to be appropriated for each of fiscal years 2019 through 2023—

“(1) \$1,000,000 to carry out subsection (b)(1); and
“(2) \$1,000,000 to carry out subsection (b)(2).”.

TITLE X—HORTICULTURE

SEC. 10101. SPECIALTY CROPS MARKET NEWS ALLOCATION.

Section 10107(b) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 1622b(b)) is

amended by striking “2018” and inserting “2023”.

SEC. 10102. LOCAL AGRICULTURE MARKET PROGRAM.

(a) **PURPOSE.**—The purpose of this section is to combine the purposes and coordinate the functions, as in effect on the day before the date of enactment of this Act, of—

(1) the Farmers’ Market and Local Food Promotion Program established under section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005); and

(2) the value-added agricultural product market development grants under section 231(b) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(b)).

(b) **LOCAL AGRICULTURE MARKET PROGRAM.**—Subtitle A of the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

“SEC. 210A. LOCAL AGRICULTURE MARKET PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) BEGINNING FARMER OR RANCHER.—The term ‘beginning farmer or rancher’ has the meaning given the term in section 343(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1991(a)).

“(2) DIRECT PRODUCER-TO-CONSUMER MARKETING.—The term ‘direct producer-to-consumer marketing’ has the meaning given the term ‘direct marketing from farmers to consumers’ in section 3 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3002).

“(3) FAMILY FARM.—The term ‘family farm’ has the meaning given the term in section 231(a) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a(a)).

“(4) FOOD COUNCIL.—The term ‘food council’ means a food policy council or food and farm system network, as determined by the Secretary, that—

“(A) represents—

“(i) multiple organizations involved in the production, processing, and consumption of food; and

“(ii) local, Tribal, or State governments; and

“(B) addresses food and farm-related issues and needs within city, county, State, Tribal region, multicounty region, or other region designated by the food council or food system network.

“(5) MAJORITY-CONTROLLED PRODUCER-BASED BUSINESS VENTURE.—

“(A) IN GENERAL.—The term ‘majority-controlled producer-based business venture’ means a venture greater than 50 percent of the ownership and control of which is held by—

“(i) 1 or more producers; or

“(ii) 1 or more entities, 100 percent of the ownership and control of which is held by 1 or more producers.

“(B) ENTITY DESCRIBED.—For purposes of subparagraph (A), the term ‘entity’ means—

“(i) a partnership;

“(ii) a limited liability corporation;

“(iii) a limited liability partnership; and

“(iv) a corporation.

“(6) MID-TIER VALUE CHAIN.—The term ‘mid-tier value chain’ means a local or regional supply network that links independent producers with businesses and cooperatives that market value-added agricultural products in a manner that—

“(A) targets and strengthens the profitability and competitiveness of small and medium-sized farms and ranches that are structured as a family farm; and

“(B) obtains agreement from an eligible agricultural producer group, farmer or rancher cooperative, or majority-controlled producer-based business venture that is engaged in the value chain on a marketing strategy.

“(7) PARTNERSHIP.—The term ‘partnership’ means a partnership entered into under an agreement between—

“(A) 1 or more eligible partners (as defined in subsection (e)(1)); and

“(B) 1 or more eligible entities (as defined in subsection (e)(1)).

“(8) PROGRAM.—The term ‘Program’ means the Local Agriculture Market Program established under subsection (b).

“(9) REGIONAL FOOD CHAIN COORDINATION.—The term ‘regional food chain coordination’ means coordination and collaboration along the supply chain to increase connections between producers and markets.

“(10) SECRETARY.—The term ‘Secretary’ means the Secretary of Agriculture.

“(11) SOCIALLY DISADVANTAGED FARMER OR RANCHER.—The term ‘socially disadvantaged farmer or rancher’ has the meaning given the term in section 355(e) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)).

“(12) VALUE-ADDED AGRICULTURAL PRODUCT.—The term ‘value-added agricultural product’ means any agricultural commodity or product that—

“(A)(i) has undergone a change in physical state;

“(ii) was produced in a manner that enhances the value of the agricultural commodity or product, as demonstrated through a business plan that shows the enhanced value, as determined by the Secretary;

“(iii) is physically segregated in a manner that results in the enhancement of the value of the agricultural commodity or product;

“(iv) is a source of farm- or ranch-based renewable energy, including E-85 fuel; or

“(v) is aggregated and marketed as a locally produced agricultural food product; and

“(B) as a result of the change in physical state or the manner in which the agricultural commodity or product was produced, marketed, or segregated—

“(i) the customer base for the agricultural commodity or product is expanded; and

“(ii) a greater portion of the revenue derived from the marketing, processing, or physical segregation of the agricultural commodity or product is available to the producer of the commodity or product.

“(13) VETERAN FARMER OR RANCHER.—The term ‘veteran farmer or rancher’ has the meaning given the term in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).

“(b) ESTABLISHMENT AND PURPOSE.—The Secretary shall establish a program, to be known as the ‘Local Agriculture Market Program’, that—

“(1) supports the development, coordination, and expansion of—

“(A) direct producer-to-consumer marketing;

“(B) local and regional food markets and enterprises; and

“(C) value-added agricultural products;

“(2) connects and cultivates regional food economies through public-private partnerships;

“(3) supports the development of business plans, feasibility studies, and strategies for value-added agricultural production and local and regional food system infrastructure;

“(4) strengthens capacity and regional food system development through community collaboration and expansion of mid-tier value chains;

“(5) improves income and economic opportunities for producers and food businesses through job creation; and

“(6) simplifies the application processes and the reporting processes for the Program.

“(c) ADMINISTRATION.—In administering the Program, the Secretary shall—

“(1) streamline the Program to better support the activities carried out by the recipient of a grant under the Program;

“(2) connect producers with local food markets and value-added agricultural product opportunities;

“(3) partner with cooperative extension services, as appropriate, to provide Program technical assistance and outreach to Program stakeholders; and

“(4) ensure that the Rural Business-Cooperative Service and Agricultural Marketing Service provide Program technical assistance and outreach to Program stakeholders.

“(d) GRANTS.—

“(1) IN GENERAL.—Under the Program, the Secretary may, using funds made available under subsection (i), provide grants for each of fiscal years 2019 through 2023, in accordance with the purposes of the Program described in subsection (b), for the conduct of activities described in paragraph (2).

“(2) ELIGIBLE ACTIVITIES.—The recipient of a grant may use a grant provided under paragraph (1)—

“(A) to support and promote—

“(i) domestic direct producer-to-consumer marketing;

“(ii) farmers’ markets;

“(iii) roadside stands;

“(iv) agritourism activities;

“(v) community-supported agriculture programs; or

“(vi) online sales;

“(B) to support local and regional food business enterprises that engage as intermediaries in indirect producer-to-consumer marketing;

“(C) to support the processing, aggregation, distribution, and storage of—

“(i) local and regional food products that are marketed locally or regionally; and

“(ii) value-added agricultural products;

“(D) to encourage the development of value-added agricultural products;

“(E) to assist with business development plans and feasibility studies;

“(F) to develop marketing strategies for producers of local food products and value-added agricultural products in new and existing markets;

“(G) to facilitate regional food chain coordination and mid-tier value chain development;

“(H) to promote new business opportunities and marketing strategies to reduce on-farm food waste;

“(I) to respond to changing technology needs in direct producer-to-consumer marketing; or

“(J) to cover expenses relating to costs incurred in—

“(i) obtaining food safety certification; and

“(ii) making changes and upgrades to practices and equipment to improve food safety.

“(3) CRITERIA AND GUIDELINES.—

“(A) IN GENERAL.—The Secretary shall establish criteria and guidelines for the submission, evaluation, and funding of proposed projects under paragraph (1) as the Secretary determines are appropriate.

“(B) PRODUCER OR FOOD BUSINESS BENEFITS.—

“(i) IN GENERAL.—Except as provided in clause (ii), an application submitted for a grant under paragraph (1) shall include a description of the direct or indirect producer or food business benefits intended by the applicant to result from the proposed project within a reasonable period of time after the receipt of the grant.

“(ii) EXCEPTION.—Clause (i) shall not apply to a planning or feasibility project.

“(4) AMOUNT.—Unless otherwise determined by the Secretary, the amount of a grant under this subsection shall be not more than \$500,000.

“(5) VALUE-ADDED PRODUCER GRANTS.—In the case of a grant provided under paragraph (1) to an eligible entity described in subparagraph (B), the following shall apply:

“(A) ADMINISTRATION.—The Secretary shall carry out this subsection through the Administrator of the Rural Business-Cooperative Service, in coordination with the Administrator of the Agricultural Marketing Service.

“(B) ELIGIBLE ENTITIES.—An entity shall be eligible for a grant under this paragraph if the entity is—

“(i) an independent producer (as determined by the Secretary) of a value-added agricultural product; or

“(ii) an agricultural producer group, farmer or rancher cooperative, or majority-controlled producer-based business venture (as determined by the Secretary).

“(C) PRIORITIES.—The Secretary shall give priority to applications—

“(i) in the case of an application submitted by a producer, that are submitted by, or serve—

“(I) beginning farmers or ranchers;
 “(II) socially disadvantaged farmers or ranchers;
 “(III) operators of small or medium sized farms or ranches that are structured as family farms; or
 “(IV) veteran farmers or ranchers; and
 “(ii) in the case of an application submitted by an eligible entity described in subparagraph (B)(ii), that provide the greatest contribution to creating or increasing marketing opportunities for producers described in subclauses (I) through (IV) of clause (i).
 “(D) LIMITATION ON USE OF FUNDS.—
 “(i) IN GENERAL.—Except as provided in clause (ii), an eligible entity described in subparagraph (B) may not use a grant for the purchase or construction of a building, general purpose equipment, or structure.
 “(ii) EXCEPTION.—An eligible entity described in subparagraph (B) may use not more than \$6,500 of the amount of a grant for an eligible activity described in paragraph (2)(J) to purchase or upgrade equipment to improve food safety.
 “(E) MATCHING FUNDS.—An eligible entity described in subparagraph (B) receiving a grant shall contribute an amount of non-Federal funds that is at least equal to the amount of Federal funds received.
 “(6) FARMERS’ MARKETS AND LOCAL FOOD PROMOTION PROGRAM.—In the case of a grant provided under paragraph (1) to an eligible entity described in subparagraph (B), the following shall apply:
 “(A) ADMINISTRATION.—The Secretary shall carry out this subsection through the Administrator of the Agricultural Marketing Service, in coordination with the Administrator of the Rural Business-Cooperative Service.
 “(B) ELIGIBLE ENTITIES.—An entity shall be eligible to receive a grant under this paragraph if the entity is—
 “(i) an agricultural cooperative or other agricultural business entity or a producer network or association, including a community-supported agriculture network or association;
 “(ii) a local or Tribal government;
 “(iii) a nonprofit corporation;
 “(iv) a public benefit corporation;
 “(v) an economic development corporation;
 “(vi) a regional farmers’ market authority;
 “(vii) a food council; or
 “(viii) such other entity as the Secretary may designate.
 “(C) PRIORITIES.—The Secretary shall give priority to applications that—
 “(i) benefit underserved communities, including communities that are located in areas of concentrated poverty with limited access to fresh locally or regionally grown food; or
 “(ii) are used to carry out eligible activities under a partnership agreement under subsection (e) and have not received benefits from the Program in the recent past.
 “(D) LIMITATION ON USE OF FUNDS.—
 “(i) IN GENERAL.—Except as provided in clause (ii), an eligible entity described in subparagraph (B) may not use a grant for the purchase or construction of a building, general purpose equipment, or structure.
 “(ii) EXCEPTION.—An eligible entity described in subparagraph (B) may use not more than \$6,500 of the amount of a grant for an eligible activity described in paragraph (2)(J) to purchase or upgrade equipment to improve food safety.
 “(E) MATCHING FUNDS.—An eligible entity described in subparagraph (B) receiving a grant shall provide matching funds in the form of cash or an in-kind contribution in an amount that is equal to 25 percent of the total amount of the Federal portion of the grant.
 “(e) PARTNERSHIPS.—
 “(1) DEFINITIONS.—In this subsection:
 “(A) ELIGIBLE ENTITY.—The term ‘eligible entity’ means—
 “(i) a producer;
 “(ii) a producer network or association;

“(iii) a farmer or rancher cooperative;
 “(iv) a majority-controlled producer-based business venture;
 “(v) a food council;
 “(vi) a local or Tribal government;
 “(vii) a nonprofit corporation;
 “(viii) an economic development corporation;
 “(ix) a public benefit corporation;
 “(x) a community-supported agriculture network or association; and
 “(xi) a regional farmers’ market authority.
 “(B) ELIGIBLE PARTNER.—The term ‘eligible partner’ means—
 “(i) a State agency or regional authority;
 “(ii) a philanthropic organization;
 “(iii) a private corporation;
 “(iv) an institution of higher education;
 “(v) a commercial, Federal, or Farm Credit System lending institution; and
 “(vi) another entity, as determined by the Secretary.
 “(2) GRANTS TO SUPPORT PARTNERSHIPS.—
 “(A) IN GENERAL.—The Secretary, acting through the Administrator of the Agricultural Marketing Service, in accordance with the purposes of the Program described in subsection (b), shall, using funds made available under subsection (i), provide grants for each of fiscal years 2019 through 2023 to support partnerships to plan and develop a local or regional food system.
 “(B) GEOGRAPHICAL DIVERSITY.—To the maximum extent practicable, the Secretary shall ensure geographical diversity in selecting partnerships to receive grants under subparagraph (A).
 “(3) AUTHORITIES OF PARTNERSHIPS.—A partnership receiving a grant under paragraph (2) may—
 “(A) determine the scope of the regional food system to be developed, including goals, outreach objectives, and eligible activities to be carried out;
 “(B) determine the local, regional, State, multi-State, or other geographic area covered;
 “(C) create and conduct a feasibility study, implementation plan, and assessment of eligible activities under the partnership agreement;
 “(D) conduct outreach and education to other eligible entities and eligible partners for potential participation in the partnership agreement and eligible activities;
 “(E) describe measures to be taken through the partnership agreement to obtain funding for the eligible activities to be carried out under the partnership agreement;
 “(F) at the request of a producer or eligible entity desiring to participate in eligible activities under the partnership agreement, act on behalf of the producer or eligible entity in applying for a grant under subsection (d);
 “(G) monitor, evaluate, and periodically report to the Secretary on progress made toward achieving the objectives of eligible activities under the partnership agreement; or
 “(H) at the conclusion of the partnership agreement, submit to the Secretary a report describing—
 “(i) the results and effects of the partnership agreement; and
 “(ii) funds provided under paragraph (4).
 “(4) CONTRIBUTION.—A partnership receiving a grant under paragraph (2) shall provide funding in an amount equal to not less than 25 percent of the total amount of the Federal portion of the grant.
 “(5) APPLICATIONS.—
 “(A) IN GENERAL.—To be eligible to receive a grant under paragraph (2), a partnership shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary considers necessary to evaluate and select applications.
 “(B) COMPETITIVE PROCESS.—The Secretary—
 “(i) shall conduct a competitive process to select applications submitted under subparagraph (A);
 “(ii) may assess and rank applications with similar purposes as a group; and
 “(iii) shall make public the criteria to be used in evaluating applications prior to accepting applications.

“(C) PRIORITY TO CERTAIN APPLICATIONS.—The Secretary may give priority to applications submitted under subparagraph (A) that—
 “(i)(I) leverage significant non-Federal financial and technical resources; and
 “(II) coordinate with other local, State, Tribal, or national efforts;
 “(ii) cover an area that includes distressed low-income rural or urban communities, including areas with persistent poverty; or
 “(iii) have multiple entities and partners in a partnership.
 “(D) PRODUCER OR FOOD BUSINESS BENEFITS.—
 “(i) IN GENERAL.—Except as provided in clause (ii), an application submitted under subparagraph (A) shall include a description of the direct or indirect producer or food business benefits intended by the eligible entity to result from the proposed project within a reasonable period of time after the receipt of a grant.
 “(ii) EXCEPTION.—Clause (i) shall not apply to a planning or feasibility project.
 “(6) TECHNICAL ASSISTANCE.—On request of an eligible entity, an eligible partner, or a partnership, the Secretary may provide technical assistance in carrying out a partnership agreement.
 “(f) SIMPLIFICATION OF APPLICATION AND REPORTING PROCESSES.—
 “(1) APPLICATIONS.—The Secretary shall establish a simplified application form for eligible entities that—
 “(A) request less than \$50,000 under subsection (d); or
 “(B) apply for grants under subsection (d) under a single application through partnership agreements under subsection (e).
 “(2) REPORTING.—The Secretary shall—
 “(A) streamline and simplify the reporting process for eligible entities; and
 “(B) obtain from eligible entities and maintain such information as the Secretary determines is necessary to administer and evaluate the Program.
 “(g) INTERDEPARTMENTAL COORDINATION.—In carrying out the Program, to the maximum extent practicable, the Secretary shall ensure coordination among Federal agencies.
 “(h) EVALUATION.—
 “(1) IN GENERAL.—Using amounts made available under subsection (i)(3)(E), the Secretary shall conduct an evaluation of the Program that—
 “(A) measures the economic impact of the Program on new and existing market outcomes;
 “(B) measures the effectiveness of the Program in improving and expanding—
 “(i) the regional food economy through public and private partnerships;
 “(ii) the production of value-added agricultural products;
 “(iii) producer-to-consumer marketing, including direct producer-to-consumer marketing;
 “(iv) local and regional food systems, including regional food chain coordination and business development;
 “(v) new business opportunities and marketing strategies to reduce on-farm food waste;
 “(vi) the use of new technologies in producer-to-consumer marketing, including direct producer-to-consumer marketing; and
 “(vii) the workforce and capacity of regional food systems; and
 “(C) provides a description of—
 “(i) each partnership agreement; and
 “(ii) each grant provided under subsection (d).
 “(2) REPORT.—Not later than 4 years after the date of enactment of this section, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the evaluation conducted under paragraph (1), including a thorough analysis of the outcomes of the evaluation.
 “(i) FUNDING.—
 “(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section

\$50,000,000 for fiscal year 2019 and each fiscal year thereafter, to remain available until expended.

“(2) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$20,000,000 for fiscal year 2019 and each fiscal year thereafter, to remain available until expended.

“(3) **ALLOCATION OF FUNDS.**—

“(A) **VALUE-ADDED PRODUCER GRANTS.**—

“(i) **IN GENERAL.**—Subject to clause (ii), of the funds made available to carry out this section for a fiscal year, 35 percent shall be used for grants under subsection (d)(5).

“(ii) **RESERVATION OF FUNDS.**—

“(I) **MAJORITY-CONTROLLED PRODUCER-BASED BUSINESS VENTURES.**—The total amount of grants under subsection (d)(5) provided to majority-controlled producer-based business ventures for a fiscal year shall not exceed 10 percent of the amount allocated under clause (i).

“(II) **BEGINNING, VETERAN, AND SOCIALLY DISADVANTAGED FARMERS AND RANCHERS.**—Of the funds made available for grants under subsection (d)(5), 10 percent shall be reserved for grants provided to beginning, veteran, and socially disadvantaged farmers or ranchers.

“(III) **MID-TIER VALUE CHAINS.**—Of the funds made available for grants under subsection (d)(5), 10 percent shall be reserved for grants to develop mid-tier value chains.

“(IV) **FOOD SAFETY ASSISTANCE.**—Of the funds made available for grants under subsection (d)(5), not more than 25 percent shall be reserved for grants for eligible activities described in subsection (d)(2)(J).

“(B) **FARMERS’ MARKET AND LOCAL FOOD PROMOTION GRANTS.**—Of the funds made available to carry out this section for a fiscal year, 47 percent shall be used for grants under subsection (d)(6).

“(C) **REGIONAL PARTNERSHIPS.**—Of the funds made available to carry out this section for a fiscal year, 10 percent shall be used to provide grants to support partnerships under subsection (e).

“(D) **UNOBLIGATED FUNDS.**—Any funds under subparagraph (A), (B), or (C) that are not obligated for the uses described in that subparagraph, as applicable, by September 30 of the fiscal year for which the funds were made available—

“(i) shall be available to the agency carrying out the Program with the unobligated funds to carry out any function of the Program, as determined by the Secretary; and

“(ii) may carry over to the next fiscal year.

“(E) **ADMINISTRATIVE EXPENSES.**—Not greater than 8 percent of amounts made available to provide grants under subsections (d) and (e) for a fiscal year may be used for administrative expenses.”.

(c) **CONFORMING AMENDMENTS.**—

(1) **AGRICULTURAL MARKETING RESOURCE CENTER PILOT PROJECT.**—Section 231 of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1632a) is amended—

(A) by striking the section heading and inserting “agricultural marketing resource center pilot project.”;

(B) by striking subsections (a), (b), (d), and (e);

(C) in subsection (c)—

(i) by redesignating paragraphs (1) and (2) as subsections (a) and (b), respectively, and indenting appropriately; and

(ii) by striking the subsection designation and heading;

(D) in subsection (a) (as so redesignated)—

(i) in the matter preceding subparagraph (A), by striking “Notwithstanding” and all that follows through “paragraph (2)” and inserting the following: “The Secretary shall not use more than 2.5 percent of the funds made available to carry out the Local Agriculture Market Program established under section 210A of the Agricultural Marketing Act of 1946 to establish a pilot project (to be known as the ‘Agricultural Marketing Resource Center’) at an eligible institution described in subsection (b)”;

(ii) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively, and indenting appropriately; and

(E) in subsection (b) (as so redesignated)—

(i) by redesignating subparagraphs (A) through (C) as paragraphs (1) through (3), respectively, and indenting appropriately; and

(ii) in paragraph (1) (as so redesignated), by striking “paragraph (1)(A)” and inserting “subsection (a)(1)”.

(2) **AGRICULTURE INNOVATION CENTER DEMONSTRATION PROGRAM.**—Section 6402(f) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 1632b(f)) is amended in the matter preceding paragraph (1) by striking “section 231(d) of the Agricultural Risk Protection Act of 2000 (7 U.S.C. 1621 note; Public Law 106–224)” and inserting “section 210A(d)(2) of the Agricultural Marketing Act of 1946”.

(3) **LOCAL FOOD PRODUCTION AND PROGRAM EVALUATION.**—Section 10016(b)(3)(B) of the Agricultural Act of 2014 (7 U.S.C. 2204h(b)(2)(B)) is amended by striking “Farmers’ Market and Local Food Promotion Program established under section 6 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005)” and inserting “Local Agriculture Market Program established under section 210A of the Agricultural Marketing Act of 1946”.

(4) **PROGRAM METRICS.**—Section 6209(a) of the Agricultural Act of 2014 (7 U.S.C. 2207b(a)) is amended by striking paragraph (1) and inserting the following:

“(1) section 210A of the Agricultural Marketing Act of 1946;”.

(5) **FARMER-TO-CONSUMER DIRECT MARKETING ACT OF 1976.**—

(A) Section 4 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3003) is amended—

(i) by striking “The Secretary” and inserting the following:

“(a) **IN GENERAL.**—The Secretary”; and

(ii) by adding at the end the following:

“(b) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated such sums as are necessary to carry out this section.”.

(B) Sections 6, 7, and 8 of the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3005, 3006; 90 Stat. 1983) are repealed.

SEC. 10103. ORGANIC PRODUCTION AND MARKET DATA INITIATIVES.

Section 7407(d) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 5925c(d)) is amended—

(1) in paragraph (1)—

(A) in the paragraph heading, by striking “THROUGH FISCAL YEAR 2012”; and

(B) by striking “\$5,000,000, to remain available until expended.” and inserting the following: “, to remain available until expended—

“(A) \$5,000,000 for each of the periods of fiscal years 2008 through 2012 and 2014 through 2018; and

“(B) \$5,000,000 for the period of fiscal years 2019 through 2023.”;

(2) by striking paragraph (2);

(3) by redesignating paragraph (3) as paragraph (2); and

(4) in paragraph (2) (as so redesignated)—

(A) by striking “paragraphs (1) and (2)” and inserting “paragraph (1)”;

(B) by striking “2018” and inserting “2023”.

SEC. 10104. ORGANIC CERTIFICATION.

(a) **EXCLUSIONS FROM CERTIFICATION.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall issue regulations to limit the type of organic operations that are excluded from certification under section 205.101 of title 7, Code of Federal Regulations, and from certification under any other related sections under part 205 of title 7, Code of Federal Regulations.

(b) **DEFINITIONS.**—Section 2103 of the Organic Foods Production Act of 1990 (7 U.S.C. 6502) is amended—

(1) in paragraph (3)—

(A) by striking “The term” and inserting the following:

“(A) **IN GENERAL.**—The term”; and

(B) by adding at the end the following:

“(B) **FOREIGN OPERATIONS.**—When used in the context of a certifying agent operating in a foreign country, the term ‘certifying agent’ includes any person (including a private entity)—

“(i) accredited in accordance with section 2115(d); or

“(ii) accredited by a foreign government that acted under an equivalency agreement negotiated between the United States and the foreign government from which the agricultural product is imported.”;

(2) by redesignating paragraphs (13) through (21) as paragraphs (14) through (22), respectively; and

(3) by inserting after paragraph (12) the following:

“(13) **NATIONAL ORGANIC PROGRAM IMPORT CERTIFICATE.**—The term ‘national organic program import certificate’ means a form developed for purposes of the program under this title—

“(A) to provide documentation sufficient to verify that an agricultural product imported for sale in the United States satisfies the requirement under section 2115(c);

“(B) which shall include, at a minimum, information sufficient to indicate, with respect to the agricultural product—

“(i) the origin;

“(ii) the destination;

“(iii) the certifying agent issuing the national organic program import certificate;

“(iv) the harmonized tariff code, if a harmonized tariff code exists for the agricultural product;

“(v) the total weight; and

“(vi) the organic standard to which the agricultural product is certified; and

“(C) that is not more than otherwise required under an equivalency agreement negotiated between the United States and the foreign government.”.

(c) **ACCREDITATION PROGRAM.**—Section 2115 of the Organic Foods Production Act of 1990 (7 U.S.C. 6514) is amended by striking subsection (c) and inserting the following:

“(c) **ADDITIONAL DOCUMENTATION AND VERIFICATION.**—The Secretary, acting through the Deputy Administrator of the national organic program established under this title, has the authority, and shall grant a certifying agent the authority, to require producers and handlers to provide additional documentation or verification before granting a certification under section 2104, in the case of a compliance risk with respect to meeting the national standards for organic production established under section 2105, as determined by the Secretary or the certifying agent.

“(d) **ACCREDITATION OF FOREIGN ORGANIC CERTIFICATION PROGRAM.**—

“(1) **IN GENERAL.**—For an agricultural product being imported into the United States to be represented as organically produced, the Secretary shall require the agricultural product to be accompanied by a complete and valid national organic import certificate, which shall be available as an electronic record.

“(2) **TRACKING SYSTEM.**—

“(A) **IN GENERAL.**—The Secretary shall establish a system to track national organic import certificates.

“(B) **INTEGRATION.**—In establishing the system under subparagraph (A), the Secretary may integrate the system into any existing information tracking systems for imports of agricultural products.

“(e) **DURATION OF ACCREDITATION.**—An accreditation made under this section—

“(1) subject to paragraph (2), shall be for a period of not more than 5 years, as determined appropriate by the Secretary;

“(2) in the case of a certifying agent operating in a foreign country, shall be for a period of time that is consistent with the certification of a domestic certifying agent, as determined appropriate by the Secretary; and

“(3) may be renewed.”.

(d) **REQUIREMENTS OF CERTIFYING AGENTS.**—Section 2116 of the Organic Foods Production Act of 1990 (7 U.S.C. 6515) is amended—

(1) in subsection (i)—

(A) in paragraph (1), by inserting “or an entity acting as an agent of the certifying agent” after “a certifying agent”;

(B) by redesignating paragraph (2) as paragraph (3); and

(C) by inserting after paragraph (1) the following:

“(2) **OVERSIGHT OF CERTIFYING OFFICES AND FOREIGN OPERATIONS.**—

“(A) **IN GENERAL.**—If the Secretary determines that an office of a certifying agent or entity described in paragraph (1) is not complying with the provisions of this title, the Secretary may suspend the operations of the certifying agent or the noncompliant office, including—

“(i) an office operating in a foreign country; and

“(ii) an office operating in the United States, including an office acting on behalf of a foreign-domiciled entity.

“(B) **PROCESS FOR RESUMING OPERATIONS FOLLOWING SUSPENSION.**—The Secretary shall provide for a process that is otherwise consistent with this section that authorizes a suspended office to resume operations.”; and

(2) by adding at the end the following:

“(j) **NOTICE.**—Not later than 90 days after the date on which a new certifying office performing certification activities opens, an accredited certifying agent shall notify the Secretary of the opening.”.

(e) **CERTAIN EMPLOYEES ELIGIBLE TO SERVE AS NATIONAL ORGANIC STANDARDS BOARD MEMBERS.**—Section 2119(b) of the Organic Foods Production Act of 1990 (7 U.S.C. 6518(b)) is amended—

(1) in paragraph (1), by inserting “, or employees of such individuals” after “operation”;

(2) in paragraph (2), by inserting “, or employees of such individuals” after “operation”; and

(3) in paragraph (3), by inserting “, or an employee of such individual” after “products”.

(f) **NATIONAL ORGANIC STANDARDS BOARD.**—Section 2119(i) of the Organic Foods Production Act of 1990 (7 U.S.C. 6518(i)) is amended—

(1) by striking “Two-thirds” and inserting the following:

“(1) **IN GENERAL.**— $\frac{2}{3}$ ”; and

(2) by adding at the end the following:

“(2) **NATIONAL LIST.**—Any vote on a motion proposing to amend the national list shall be considered to be a decisive vote that requires $\frac{2}{3}$ of the votes cast at a meeting of the Board at which a quorum is present to prevail.”.

(g) **INVESTIGATIONS.**—Section 2120(b) of the Organic Foods Production Act (7 U.S.C. 6519(b)) is amended by adding at the end the following:

“(3) **INFORMATION SHARING DURING ACTIVE INVESTIGATION.**—In carrying out this title, all parties to an active investigation (including certifying agents, State organic certification programs, and the national organic program) shall share confidential business information with Federal Government officers and employees involved in the investigation as necessary to fully investigate and enforce potential violations of this title.”.

(h) **DATA ORGANIZATION AND ACCESS.**—Section 2122 of the Organic Foods Production Act of 1990 (7 U.S.C. 6521) is amended by adding at the end the following:

“(c) **ACCESS TO DATA DOCUMENTATION SYSTEMS.**—The Secretary shall have access to available data from cross-border documentation systems administered by other Federal agencies, including the Automated Commercial Environment system of U.S. Customs and Border Protection.

“(d) **REPORTS.**—

“(1) **IN GENERAL.**—Not later than March 1, 2020, and annually thereafter through March 1, 2023, the Secretary shall submit to Congress, and make publicly available on the website of the Department of Agriculture, a report describ-

ing national organic program activities with respect to all domestic and overseas investigations and compliance actions taken pursuant to this title during the preceding year.

“(2) **REQUIREMENTS.**—The data described in paragraph (1) shall be broken down by agricultural product, quantity, value, and month.

“(3) **EXCEPTION.**—Any data determined by the Secretary to be confidential business information shall not be provided in the report under paragraph (1).”.

(i) **ORGANIC AGRICULTURAL PRODUCT IMPORTS INTERAGENCY WORKING GROUP.**—The Organic Foods Production Act of 1990 is amended by inserting after section 2122 (7 U.S.C. 6521) the following:

“**SEC. 2122A. ORGANIC AGRICULTURAL PRODUCT IMPORTS INTERAGENCY WORKING GROUP.**

“(a) **ESTABLISHMENT.**—

“(1) **IN GENERAL.**—The Secretary and the Secretary of Homeland Security shall jointly establish a working group to facilitate coordination and information sharing between the Department of Agriculture and U.S. Customs and Border Protection relating to imports of organically produced agricultural products (referred to in this section as the “working group”).

“(2) **MEMBERS.**—The working group—

“(A) shall include—

“(i) the Secretary (or a designee); and

“(ii) the Secretary of Homeland Security (or a designee); and

“(B) shall not include any non-Federal officer or employee.

“(3) **DUTIES.**—The working group shall facilitate coordination and information sharing between the Department of Agriculture and U.S. Customs and Border Protection for the purposes of—

“(A) identifying imports of organically produced agricultural products;

“(B) verifying the authenticity of organically produced agricultural product import documentation, such as national organic program import certificates;

“(C) ensuring imported agricultural products represented as organically produced meet the requirements under this title;

“(D) collecting and organizing quantitative data on imports of organically produced agricultural products; and

“(E) requesting feedback from stakeholders on how to improve the oversight of imports of organically produced agricultural products.

“(4) **DESIGNATED EMPLOYEES AND OFFICIALS.**—An employee or official designated to carry out the duties of the Secretary or the Secretary of Homeland Security on the working group under subparagraph (A) or (B) of paragraph (2) shall be an employee or official compensated at a rate of pay not less than the minimum annual rate of basic pay for GS-12 under section 5332 of title 5, United States Code.

“(b) **REPORTS.**—On an annual basis, the working group shall submit to Congress and make publicly available on the websites of the Department of Agriculture and U.S. Customs and Border Protection the following reports:

“(1) **ORGANIC TRADE ENFORCEMENT INTERAGENCY COORDINATION REPORT.**—A report—

“(A) identifying existing barriers to cooperation between the agencies involved in agricultural product import inspection, trade data collection and organization, and organically produced agricultural product trade enforcement, including—

“(i) U.S. Customs and Border Protection;

“(ii) the Agricultural Marketing Service; and

“(iii) the Animal and Plant Health Inspection Service;

“(B) assessing progress toward integrating organic trade enforcement into import inspection procedures of U.S. Customs and Border Protection and the Animal and Plant Health Inspection Service, including an assessment of—

“(i) the status of the development of systems for—

“(I) tracking the fumigation of imports of organically produced agricultural products into the United States; and

“(II) electronically verifying national organic program import certificate authenticity; and

“(ii) training of U.S. Customs and Border Protection personnel on—

“(I) the use of the systems described in clause (i); and

“(II) requirements and protocols under this title;

“(C) establishing methodology for ensuring imports of agricultural products represented as organically produced meet the requirements under this title;

“(D) recommending steps to improve the documentation and traceability of imported organically produced agricultural products;

“(E) recommending and describing steps for—

“(i) improving compliance with the requirements of this title for all agricultural products imported into the United States and represented as organically produced; and

“(ii) ensuring accurate labeling and marketing of imported agricultural products represented as organically produced by the exporter; and

“(F) describing staffing needs and additional resources at U.S. Customs and Border Protection and the Department of Agriculture needed to ensure compliance.

“(2) **REPORT ON ENFORCEMENT ACTIONS TAKEN ON ORGANIC IMPORTS.**—A report—

“(A) providing detailed quantitative data (broken down by agricultural product, quantity, value, month, and origin) on imports of agricultural products represented as organically produced found to be fraudulent or lacking any documentation required under this title at the port of entry during the report year;

“(B) providing data on domestic enforcement actions taken on imported agricultural products represented as organically produced, including the number and type of actions taken by United States officials at ports of entry in response to violations of this title;

“(C) providing data on fumigation of agricultural products represented as organically produced at ports of entry and notifications of fumigation actions to shipment owners, broken down by product variety and country of origin; and

“(D) providing information on enforcement activities under this title involving overseas investigations and compliance actions taken within that year, including—

“(i) the number of investigations by country; and

“(ii) a descriptive summary of compliance actions taken by certifying agents in each country.”.

(j) **AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL ORGANIC PROGRAM.**—Section 2123 of the Organic Foods Production Act of 1990 (7 U.S.C. 6522) is amended—

(1) by striking the section heading and inserting “**FUNDING**”;

(2) in subsection (b), by striking paragraphs (1) through (7) and inserting the following:

“(1) \$15,000,000 for fiscal year 2018;

“(2) \$16,500,000 for fiscal year 2019;

“(3) \$18,000,000 for fiscal year 2020;

“(4) \$20,000,000 for fiscal year 2021;

“(5) \$22,000,000 for fiscal year 2022; and

“(6) \$24,000,000 for fiscal year 2023.”; and

(3) by striking subsection (c) and inserting the following:

“(c) **MODERNIZATION AND IMPROVEMENT OF INTERNATIONAL TRADE TECHNOLOGY SYSTEMS AND DATA COLLECTION.**—

“(1) **IN GENERAL.**—The Secretary shall establish a new system or modify an existing data collection and organization system to collect and organize in a single system quantitative data on imports of each organically produced agricultural product accepted into the United States.

“(2) **ACTIVITIES.**—In carrying out paragraph (1), the Secretary shall modernize trade and transaction certificates to ensure full traceability to the port of entry without unduly hindering trade or commerce, such as through an electronic trade document exchange system.

“(3) ACCESS.—The single system established under paragraph (1) shall be accessible by any agency with the direct authority to engage in—

“(A) inspection of imports of agricultural products;

“(B) trade data collection and organization; or

“(C) enforcement of trade requirements for organically produced agricultural products.

“(4) FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available \$5,000,000 for fiscal year 2019 for the purposes of—

“(A) carrying out this subsection; and

“(B) maintaining the database and technology upgrades previously carried out under this subsection, as in effect on the day before the date of enactment of the Agriculture Improvement Act of 2018.

“(5) AVAILABILITY.—The amounts made available under paragraph (4) are in addition to any other funds made available for the purposes described in that paragraph and shall remain available until expended.”.

(k) TRADE SAVINGS PROVISION.—The amendments made by subsection (i) shall be carried out in a manner consistent with United States obligations under international agreements.

SEC. 10105. NATIONAL ORGANIC CERTIFICATION COST-SHARE PROGRAM.

(a) ELIMINATION OF DIRECTED DELEGATION.—Section 10606(a) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523(a)) is amended by striking “(acting through the Agricultural Marketing Service)”.

(b) FUNDING.—Section 10606 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 6523) is amended by striking subsection (d) and inserting the following:

“(d) MANDATORY FUNDING.—

“(1) IN GENERAL.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section—

“(A) \$2,000,000 for each of fiscal years 2019 and 2020;

“(B) \$4,000,000 for fiscal year 2021; and

“(C) \$8,000,000 for each of fiscal years 2022 and 2023.

“(2) AVAILABILITY.—Amounts made available under paragraph (1) shall remain available until expended.”.

SEC. 10106. FOOD SAFETY EDUCATION INITIATIVES.

Section 10105(c) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7655a(c)) is amended by striking “2018” and inserting “2023”.

SEC. 10107. SPECIALTY CROP BLOCK GRANTS.

Section 101 of the Specialty Crops Competitiveness Act of 2004 (7 U.S.C. 1621 note; Public Law 108-465) is amended—

(1) in subsection (a)—

(A) by striking “2018” and inserting “2023”; and

(B) by striking “solely to enhance the competitiveness of specialty crops.” and inserting the following: “to enhance the competitiveness of specialty crops, including—

“(1) by leveraging efforts to market and promote specialty crops;

“(2) by assisting producers with research and development relevant to specialty crops;

“(3) by expanding availability and access to specialty crops;

“(4) by addressing local, regional, and national challenges confronting specialty crop producers; and

“(5) for such other purposes determined to be appropriate by the Secretary of Agriculture, in consultation with specialty crop stakeholders and relevant State departments of agriculture.”;

(2) in subsection (j)—

(A) by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively, and indenting appropriately;

(B) in the matter preceding subparagraph (A) (as so redesignated), by striking “Not later” and inserting the following:

“(1) IN GENERAL.—Not later”; and

(C) by adding at the end the following:

“(2) ADMINISTRATION OF MULTISTATE PROJECTS FROM NONPARTICIPATING STATES.—The Secretary of Agriculture may directly administer all aspects of multistate projects under this subsection for applicants in a nonparticipating State.”;

(3) in subsection (k), by adding at the end the following:

“(3) EVALUATION.—

“(A) PERFORMANCE MEASURES AND REVIEW.—

“(i) DEVELOPMENT.—The Secretary of Agriculture and the State departments of agriculture, in consultation with specialty crop stakeholders, shall develop performance measures to be used as the sole means of performing any evaluation of the grant program established under this section.

“(ii) REVIEW.—The Secretary of Agriculture, in consultation with the State departments of agriculture, shall periodically evaluate the performance of the grant program established under this section.

“(B) COOPERATIVE AGREEMENTS.—The Secretary of Agriculture may enter into cooperative agreements—

“(i) to develop the performance measures under subparagraph (A)(i); or

“(ii) to evaluate the overall performance of the grant program established under this section.”; and

(4) in subsection (l)(2)(E), by inserting “and each fiscal year thereafter” after “2018”.

SEC. 10108. AMENDMENTS TO THE PLANT VARIETY PROTECTION ACT.

(a) ASEXUALLY REPRODUCED DEFINED.—Section 41(a) of the Plant Variety Protection Act (7 U.S.C. 2401(a)) is amended—

(1) by redesignating paragraphs (1), (2), (3), (4), (5), (6), (7), (8), and (9) as paragraphs (2), (3), (4), (5), (6), (7), (8), (9), and (10), respectively; and

(2) by inserting before paragraph (2), as so redesignated, the following new paragraph:

“(1) ASEXUALLY REPRODUCED.—The term ‘asexually reproduced’ means produced by a method of plant propagation using vegetative material (other than seed) from a single parent, including cuttings, grafting, tissue culture, and propagation by root division.”.

(b) RIGHT TO PLANT VARIETY PROTECTION; PLANT VARIETIES PROTECTABLE.—Section 42(a) of the Plant Variety Protection Act (7 U.S.C. 2402(a)) is amended by striking “or tuber propagated” and inserting “, tuber propagated, or asexually reproduced”.

(c) INFRINGEMENT OF PLANT VARIETY PROTECTION.—Section 111(a)(3) of the Plant Variety Protection Act (7 U.S.C. 2541(a)(3)) is amended by inserting “or asexually” after “sexually”.

(d) FALSE MARKETING; CEASE AND DESIST ORDERS.—Section 128(a) of the Plant Variety Protection Act (7 U.S.C. 2568(a)) is amended, in the matter preceding paragraph (1), by inserting “or asexually” after “sexually”.

SEC. 10109. MULTIPLE CROP AND PESTICIDE USE SURVEY.

(a) IN GENERAL.—The Secretary, acting through the Director of the Office of Pest Management Policy, shall conduct a multiple crop and pesticide use survey of farmers to collect data for risk assessment modeling and mitigation for an active ingredient.

(b) SUBMISSION.—The Secretary shall submit to the Administrator of the Environmental Protection Agency and make publicly available the survey described in subsection (a).

(c) FUNDING.—

(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section \$500,000 for fiscal year 2019, to remain available until expended.

(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,500,000, to remain available until expended.

(d) CONFIDENTIALITY OF INFORMATION.—Section 1770 of the Food Security Act of 1985 (7 U.S.C. 2276) is amended—

(1) in subsection (a)—

(A) by striking “(a) In the case” and inserting the following:

“(a) IN GENERAL.—In the case”; and

(B) in paragraph (3), by striking “subsection (d)(12)” and inserting “paragraph (12) or (13) of subsection (d)”;

(2) in subsection (d)—

(A) by striking “(d) For purposes” and inserting the following:

“(d) PROVISIONS OF LAW REFERENCES.—For purposes”;

(B) in paragraph (11), by striking “or” at the end;

(C) in paragraph (12), by striking the period at the end and inserting “; or”; and

(D) by adding at the end the following:

“(13) section 10109 of the Agriculture Improvement Act of 2018.”.

SEC. 10110. REPORT ON THE ARRIVAL IN THE UNITED STATES OF FOREST PESTS THROUGH RESTRICTIONS ON THE IMPORTATION OF CERTAIN PLANTS FOR PLANTING.

Not later than March 1, 2021, the Secretary shall submit to Congress a report—

(1) evaluating the effectiveness of the Federal Government in intercepting pests in international shipping and on plants for planting;

(2) describing the geographic sources of intercepted pests and the commodities or plant species most often associated with infested shipments;

(3) quantifying the detection of forest pests in the national surveillance networks, including the Cooperative Agricultural Pest Survey and the Early Detection and Rapid Response network of the Forest Service;

(4) describing new outbreaks of forest pests in the United States and the spread of existing infestations;

(5) describing how the numbers of such interceptions, detections, and outbreaks described in a preceding paragraph have changed since January 1, 2018;

(6) containing proposed additional actions to further reduce the rate of arrival for forest pests across the borders of the United States;

(7) identifying current challenges with intercepting, detecting, and addressing outbreaks of tree and wood pests, as well as challenges in achieving compliance with the Plant Protection Act (7 U.S.C. 7701 et seq.) and recommendations with respect to such challenges; and

(8) describing the coordination and collaboration occurring between the Animal and Plant Health Inspection Service and the Forest Service with respect to—

(A) identifying and prioritizing critical detection, surveillance, and eradication needs for tree and wood pests; and

(B) identifying the actions each agency takes within their respective missions to address identified priorities.

SEC. 10111. REPORT ON PLANT BIOSTIMULANTS.

(a) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit a report to the President and Congress that identifies any potential regulatory, non-regulatory, and legislative recommendations, including the appropriateness of any definitions for plant biostimulant, to ensure the efficient and appropriate review, approval, uniform national labeling, and availability of plant biostimulant products to agricultural producers.

(b) CONSULTATION.—The Secretary shall prepare the report required by subsection (a) in consultation with the Administrator of the Environmental Protection Agency, the several States, industry stakeholders, and such other stakeholders as the Secretary determines necessary.

(c) PLANT BIOSTIMULANT.—For the purposes of the report under subsection (a), the Secretary—

(1) shall consider “plant biostimulant” to be a substance or micro-organism that, when applied

to seeds, plants, or the rhizosphere, stimulates natural processes to enhance or benefit nutrient uptake, nutrient efficiency, tolerance to abiotic stress, or crop quality and yield; and

(2) may modify the description of plant biostimulant, as appropriate.

SEC. 10112. CLARIFICATION OF USE OF FUNDS FOR TECHNICAL ASSISTANCE.

Section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i) is amended in the last sentence by inserting after “activities” the following: “but excluding any amounts used to provide technical assistance under title X of the Agriculture Improvement Act of 2018 or an amendment made by that title”.

SEC. 10113. HEMP PRODUCTION.

The Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.) is amended by adding at the end the following:

“Subtitle G—Hemp Production

“SEC. 297A. DEFINITIONS.

“In this subtitle:

“(1) **HEMP.**—The term ‘hemp’ means the plant *Cannabis sativa* L. and any part of that plant, including the seeds thereof and all derivatives, extracts, cannabinoids, isomers, acids, salts, and salts of isomers, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of not more than 0.3 percent on a dry weight basis.

“(2) **INDIAN TRIBE.**—The term ‘Indian tribe’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(3) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Agriculture.

“(4) **STATE.**—The term ‘State’ means—

“(A) a State;

“(B) the District of Columbia;

“(C) the Commonwealth of Puerto Rico; and

“(D) any other territory or possession of the United States.

“(5) **STATE DEPARTMENT OF AGRICULTURE.**—The term ‘State department of agriculture’ means the agency, commission, or department of a State government responsible for agriculture in the State.

“(6) **TRIBAL GOVERNMENT.**—The term ‘Tribal government’ means the governing body of an Indian tribe.

“SEC. 297B. STATE AND TRIBAL PLANS.

“(a) **SUBMISSION.**—

“(1) **IN GENERAL.**—A State or Indian tribe desiring to have primary regulatory authority over the production of hemp in the State or territory of the Indian tribe shall submit to the Secretary, through the State department of agriculture (in consultation with the Governor and chief law enforcement officer of the State) or the Tribal government, as applicable, a plan under which the State or Indian tribe monitors and regulates that production as described in paragraph (2).

“(2) **CONTENTS.**—A State or Tribal plan referred to in paragraph (1)—

“(A) shall only be required to include—

“(i) a practice to maintain relevant information regarding land on which hemp is produced in the State or territory of the Indian tribe, including a legal description of the land, for a period of not less than 3 calendar years;

“(ii) a procedure for testing, using post-decarboxylation or other similarly reliable methods, delta-9 tetrahydrocannabinol concentration levels of hemp produced in the State or territory of the Indian tribe;

“(iii) a procedure for the effective disposal of—

“(I) plants, whether growing or not, that are produced in violation of this subtitle; and

“(II) products derived from those plants;

“(iv) a procedure to comply with the enforcement procedures under subsection (e);

“(v) a procedure for conducting annual inspections of, at a minimum, a random sample of hemp producers to verify that hemp is not produced in violation of this subtitle;

“(vi) a procedure for submitting the information described in section 297C(d)(2), as applica-

ble, to the Secretary not more than 30 days after the date on which the information is received; and

“(vii) a certification that the State or Indian tribe has the resources and personnel to carry out the practices and procedures described in clauses (i) through (vi); and

“(B) may include any other practice or procedure established by a State or Indian tribe, as applicable, to the extent that the practice or procedure is consistent with this subtitle.

“(3) **RELATION TO STATE AND TRIBAL LAW.**—

“(A) **NO PREEMPTION.**—Nothing in this subsection preempts or limits any law of a State or Indian tribe that—

“(i) regulates the production of hemp; and

“(ii) is more stringent than this subtitle.

“(B) **REFERENCES IN PLANS.**—A State or Tribal plan referred to in paragraph (1) may include a reference to a law of the State or Indian tribe regulating the production of hemp, to the extent that law is consistent with this subtitle.

“(b) **APPROVAL.**—

“(1) **IN GENERAL.**—Not later than 60 days after receipt of a State or Tribal plan under subsection (a), the Secretary shall—

“(A) approve the State or Tribal plan if the State or Tribal plan complies with subsection (a); or

“(B) disapprove the State or Tribal plan only if the State or Tribal plan does not comply with subsection (a).

“(2) **AMENDED PLANS.**—If the Secretary disapproves a State or Tribal plan under paragraph (1)(B), the State, through the State department of agriculture (in consultation with the Governor and chief law enforcement officer of the State) or the Tribal government, as applicable, may submit to the Secretary an amended State or Tribal plan that complies with subsection (a).

“(3) **CONSULTATION.**—The Secretary shall consult with the Attorney General in carrying out this subsection.

“(c) **AUDIT OF STATE COMPLIANCE.**—

“(1) **IN GENERAL.**—The Secretary may conduct an audit of the compliance of a State or Indian tribe with a State or Tribal plan approved under subsection (b).

“(2) **NONCOMPLIANCE.**—If the Secretary determines under an audit conducted under paragraph (1) that a State or Indian tribe is not materially in compliance with a State or Tribal plan—

“(A) the Secretary shall collaborate with the State or Indian tribe to develop a corrective action plan in the case of a first instance of noncompliance; and

“(B) the Secretary may revoke approval of the State or Tribal plan in the case of a second or subsequent instance of noncompliance.

“(d) **TECHNICAL ASSISTANCE.**—The Secretary may provide technical assistance to a State or Indian tribe in the development of a State or Tribal plan under subsection (a).

“(e) **VIOLATIONS.**—

“(1) **IN GENERAL.**—A violation of a State or Tribal plan approved under subsection (b) shall be subject to enforcement solely in accordance with this subsection.

“(2) **NEGLIGENT VIOLATION.**—

“(A) **IN GENERAL.**—A hemp producer in a State or the territory of an Indian tribe for which a State or Tribal plan is approved under subsection (b) shall be subject to subparagraph (B) of this paragraph if the State department of agriculture or Tribal government, as applicable, determines that the hemp producer has negligently violated the State or Tribal plan, including by negligently—

“(i) failing to provide a legal description of land on which the producer produces hemp;

“(ii) failing to obtain a license or other required authorization from the State department of agriculture or Tribal government, as applicable; or

“(iii) producing *Cannabis sativa* L. with a delta-9 tetrahydrocannabinol concentration of more than 0.3 percent on a dry weight basis.

“(B) **CORRECTIVE ACTION PLAN.**—A hemp producer described in subparagraph (A) shall comply with a plan established by the State department of agriculture or Tribal government, as applicable, to correct the negligent violation, including—

“(i) a reasonable date by which the hemp producer shall correct the negligent violation; and

“(ii) a requirement that the hemp producer shall periodically report to the State department of agriculture or Tribal government, as applicable, on the compliance of the hemp producer with the State or Tribal plan for a period of not less than the next 2 calendar years.

“(C) **RESULT OF NEGLIGENT VIOLATION.**—A hemp producer that negligently violates a State or Tribal plan under subparagraph (A) shall not as a result of that violation be subject to any criminal enforcement action by the Federal Government or any State government, Tribal government, or local government.

“(D) **REPEAT VIOLATIONS.**—A hemp producer that negligently violates a State or Tribal plan under subparagraph (A) 3 times in a 5-year period shall be ineligible to produce hemp for a period of 5 years beginning on the date of the third violation.

“(3) **OTHER VIOLATIONS.**—

“(A) **IN GENERAL.**—If the State department of agriculture or Tribal government in a State or the territory of an Indian tribe for which a State or Tribal plan is approved under subsection (b), as applicable, determines that a hemp producer in the State or territory has violated the State or Tribal plan with a culpable mental state greater than negligence—

“(i) the State department of agriculture or Tribal government, as applicable, shall immediately report the hemp producer to—

“(I) the Attorney General; and

“(II) the chief law enforcement officer of the State or Indian tribe, as applicable; and

“(ii) paragraph (1) of this subsection shall not apply to the violation.

“(B) **FELONY.**—

“(i) **IN GENERAL.**—Except as provided in clause (ii), any person convicted of a felony relating to a controlled substance under State or Federal law before, on, or after the date of enactment of this subtitle shall be ineligible, during the 10-year period following the date of the conviction—

“(I) to participate in the program established under this section or section 297C; and

“(II) to produce hemp under any regulations or guidelines issued under section 297D(a).

“(ii) **EXCEPTION.**—Clause (i) shall not apply to any person growing hemp lawfully with a license, registration, or authorization under a pilot program authorized by section 7606 of the Agricultural Act of 2014 (7 U.S.C. 5940) before the date of enactment of this subtitle.

“(C) **FALSE STATEMENT.**—Any person who materially falsifies any information contained in an application to participate in the program established under this section shall be ineligible to participate in that program.

“(f) **EFFECT.**—Nothing in this section prohibits the production of hemp in a State or the territory of an Indian tribe—

“(1) for which a State or Tribal plan is not approved under this section, if the production of hemp is in accordance with section 297C or other Federal laws (including regulations); and

“(2) if the production of hemp is not otherwise prohibited by the State or Indian tribe.

“SEC. 297C. DEPARTMENT OF AGRICULTURE.

“(a) **DEPARTMENT OF AGRICULTURE PLAN.**—

“(1) **IN GENERAL.**—In the case of a State or Indian tribe for which a State or Tribal plan is not approved under section 297B, the production of hemp in that State or the territory of that Indian tribe shall be subject to a plan established by the Secretary to monitor and regulate that production in accordance with paragraph (2).

“(2) **CONTENT.**—A plan established by the Secretary under paragraph (1) shall include—

“(A) a practice to maintain relevant information regarding land on which hemp is produced

in the State or territory of the Indian tribe, including a legal description of the land, for a period of not less than 3 calendar years;

“(B) a procedure for testing, using post-decarboxylation or other similarly reliable methods, delta-9 tetrahydrocannabinol concentration levels of hemp produced in the State or territory of the Indian tribe;

“(C) a procedure for the effective disposal of—
“(i) plants, whether growing or not, that are produced in violation of this subtitle; and

“(ii) products derived from those plants;

“(D) a procedure to comply with the enforcement procedures under subsection (c)(2);

“(E) a procedure for conducting annual inspections of, at a minimum, a random sample of hemp producers to verify that hemp is not produced in violation of this subtitle; and

“(F) such other practices or procedures as the Secretary considers to be appropriate, to the extent that the practice or procedure is consistent with this subtitle.

“(b) **LICENSING.**—The Secretary shall establish a procedure to issue licenses to hemp producers in accordance with a plan established under subsection (a).

“(c) **VIOLATIONS.**—

“(1) **IN GENERAL.**—In the case of a State or Indian tribe for which a State or Tribal plan is not approved under section 297B, it shall be unlawful to produce hemp in that State or the territory of that Indian tribe without a license issued by the Secretary under subsection (b).

“(2) **NEGLIGENT AND OTHER VIOLATIONS.**—A violation of a plan established under subsection (a) shall be subject to enforcement in accordance with paragraphs (2) and (3) of section 297B(e), except that the Secretary shall carry out that enforcement instead of a State department of agriculture or Tribal government.

“(3) **REPORTING TO ATTORNEY GENERAL.**—In the case of a State or Indian tribe covered by paragraph (1), the Secretary shall report the production of hemp without a license issued by the Secretary under subsection (b) to the Attorney General.

“(d) **INFORMATION SHARING FOR LAW ENFORCEMENT.**—

“(1) **IN GENERAL.**—The Secretary shall—

“(A) collect the information described in paragraph (2); and

“(B) make the information collected under subparagraph (A) accessible in real time to Federal, State, territorial, and local law enforcement.

“(2) **CONTENT.**—The information collected by the Secretary under paragraph (1) shall include—

“(A) contact information for each hemp producer in a State or the territory of an Indian tribe for which—

“(i) a State or Tribal plan is approved under section 297B(b); or

“(ii) a plan is established by the Secretary under this section;

“(B) a legal description of the land on which hemp is grown by each hemp producer described in subparagraph (A); and

“(C) for each hemp producer described in subparagraph (A)—

“(i) the status of—

“(I) a license or other required authorization from the State department of agriculture or Tribal government, as applicable; or

“(II) a license from the Secretary; and

“(ii) any changes to the status.

“**SEC. 297D. REGULATIONS AND GUIDELINES; EFFECT ON OTHER LAW.**

“(a) **PROMULGATION OF REGULATIONS AND GUIDELINES; REPORT.**—

“(1) **REGULATIONS AND GUIDELINES.**—

“(A) **IN GENERAL.**—The Secretary shall promulgate regulations and guidelines to implement this subtitle as expeditiously as practicable.

“(B) **CONSULTATION WITH ATTORNEY GENERAL.**—The Secretary shall consult with the Attorney General on the promulgation of regulations and guidelines under subparagraph (A).

“(2) **REPORT.**—The Secretary shall annually submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing updates on the implementation of this subtitle.

“(b) **AUTHORITY.**—Subject to subsection (c)(3)(B), the Secretary shall have sole authority to promulgate Federal regulations and guidelines that relate to the production of hemp, including Federal regulations and guidelines that relate to the implementation of sections 297B and 297C.

“(c) **EFFECT ON OTHER LAW.**—Nothing in this subtitle shall affect or modify—

“(1) the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.);

“(2) section 351 of the Public Health Service Act (42 U.S.C. 262); or

“(3) the authority of the Commissioner of Food and Drugs and the Secretary of Health and Human Services—

“(A) under—

“(i) the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.); or

“(ii) section 351 of the Public Health Service Act (42 U.S.C. 262); or

“(B) to promulgate Federal regulations and guidelines that relate to the production of hemp under the Act described in subparagraph (A)(i) or the section described in subparagraph (A)(ii).

“**SEC. 297E. AUTHORIZATION OF APPROPRIATIONS.**

“There are authorized to be appropriated such sums as are necessary to carry out this subtitle.”

SEC. 10114. INTERSTATE COMMERCE.

(a) **RULE OF CONSTRUCTION.**—Nothing in this title or an amendment made by this title prohibits the interstate commerce of hemp (as defined in section 297A of the Agricultural Marketing Act of 1946 (as added by section 10113)) or hemp products.

(b) **TRANSPORTATION OF HEMP AND HEMP PRODUCTS.**—No State or Indian Tribe shall prohibit the transportation or shipment of hemp or hemp products produced in accordance with subtitle G of the Agricultural Marketing Act of 1946 (as added by section 10113) through the State or the territory of the Indian Tribe, as applicable.

SEC. 10115. FIFRA INTERAGENCY WORKING GROUP.

Section 3(c) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 13a(c)) is amended by adding at the end the following:

“(11) **INTERAGENCY WORKING GROUP.**—

“(A) **DEFINITION OF COVERED AGENCY.**—In this paragraph, the term ‘covered agency’ means any of the following:

“(i) The Department of Agriculture.

“(ii) The Department of Commerce.

“(iii) The Department of the Interior.

“(iv) The Council on Environmental Quality.

“(v) The Environmental Protection Agency.

“(B) **ESTABLISHMENT.**—The Administrator shall establish an interagency working group, to be comprised of representatives from each covered agency, to provide recommendations regarding, and to implement a strategy for improving, the consultation process required under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536) for pesticide registration and registration review.

“(C) **DUTIES.**—The interagency working group established under subparagraph (B) shall—

“(i) analyze relevant Federal law (including regulations) and case law for purposes of providing an outline of the legal and regulatory framework for the consultation process referred to in that subparagraph, including—

“(I) requirements under this Act and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.);

“(II) Federal case law regarding the intersection of this Act and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.); and

“(III) Federal regulations relating to the pesticide consultation process;

“(ii) provide advice regarding methods of—

“(I) defining the scope of actions of the covered agencies that are subject to the consultation requirement referred to in subparagraph (B); and

“(II) properly identifying and classifying effects of actions of the covered agencies with respect to that consultation requirement;

“(iii) identify the obligations and limitations under Federal law of each covered agency for purposes of providing a legal and regulatory framework for developing the recommendations referred to in subparagraph (B);

“(iv) review practices for the consultation referred to in subparagraph (B) to identify problem areas, areas for improvement, and best practices for conducting that consultation among the covered agencies;

“(v) develop scientific and policy approaches to increase the accuracy and timeliness of the process for that consultation, in accordance with requirements of this Act and the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), including—

“(I) processes to efficiently share data and coordinate analyses among the Department of Agriculture, the Department of Commerce, the Department of the Interior, and the Environmental Protection Agency;

“(II) a streamlined process for identifying which actions require no consultation, informal consultation, or formal consultation;

“(III) an approach that will provide clarity with respect to what constitutes the best scientific and commercial data available in the fields of pesticide use and ecological risk assessment, pursuant to section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)); and

“(IV) approaches that enable the Environmental Protection Agency to better assist the Department of the Interior and the Department of Commerce in carrying out obligations under that section in a timely and efficient manner; and

“(vi) propose and implement a strategy to implement approaches to consultations under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and document that strategy in a memorandum of understanding, revised regulations, or another appropriate format to promote durable cooperation among the covered agencies.

“(D) **REPORTS.**—

“(i) **PROGRESS REPORTS.**—

“(I) **IN GENERAL.**—Not later than 18 months after the date of enactment of this paragraph, the Administrator, in coordination with the head of each other covered agency, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the progress of the working group in developing the recommendations under subparagraph (B).

“(II) **REQUIREMENTS.**—The report under this clause shall—

“(aa) reflect the perspectives of each covered agency; and

“(bb) identify areas of new consensus and continuing topics of disagreement and debate.

“(ii) **RESULTS.**—

“(I) **IN GENERAL.**—Not later than 1 year after the date of enactment of this paragraph, the Administrator, in coordination with the head of each other covered agency, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing—

“(aa) the recommendations developed under subparagraph (B); and

“(bb) plans for implementation of those recommendations.

“(II) **REQUIREMENTS.**—The report under this clause shall—

“(aa) reflect the perspectives of each covered agency; and

“(bb) identify areas of consensus and continuing topics of disagreement and debate, if any.

“(iii) IMPLEMENTATION.—Not later than 1 year after the date of submission of the report under clause (i), the Administrator, in coordination with the head of each other covered agency, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing—

“(I) the implementation of the recommendations referred to in that clause;

“(II) the extent to which that implementation improved the consultation process referred to in subparagraph (B); and

“(III) any additional recommendations for improvements to the process described in subparagraph (B).

“(iv) OTHER REPORTS.—Not later than the date that is 180 days after the date of submission of the report under clause (iii), and not less frequently than once every 180 days thereafter during the 5-year period beginning on that date, the Administrator, in coordination with the head of each other covered agency, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing—

“(I) the implementation of the recommendations referred to in that clause;

“(II) the extent to which that implementation improved the consultation process referred to in subparagraph (B); and

“(III) any additional recommendations for improvements to the process described in subparagraph (B).

“(E) CONSULTATION WITH PRIVATE SECTOR.—In carrying out the duties under this paragraph, the working group shall, as appropriate—

“(i) consult with, representatives of interested industry stakeholders and nongovernmental organizations; and

“(ii) take into consideration factors, such as actual and potential differences in interest between, and the views of, those stakeholders and organizations.

“(F) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the working group established under this paragraph.

“(G) SAVINGS CLAUSE.—Nothing in this paragraph supersedes any provision of—

“(i) this Act; or

“(ii) the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), including the requirements under section 7 of that Act (16 U.S.C. 1536).”.

SEC. 10116. STUDY ON METHYL BROMIDE USE IN RESPONSE TO AN EMERGENCY EVENT.

(a) DEFINITIONS.—In this section:

(1) EMERGENCY EVENT.—The term “emergency event” means a situation—

(A) that occurs at a location on which a plant or commodity is grown or produced or facility providing for the storage of, or other services with respect to, a plant or commodity;

(B) for which the lack of availability of methyl bromide for a particular use would result in significant economic loss to the owner, lessee, or operator of the location or facility or the owner, grower, or purchaser of the plant or commodity; and

(C) that, in light of the specific agricultural, meteorological, or other conditions presented, requires the use of methyl bromide to control a pest or disease in the location or facility because there are no technically feasible alternatives to methyl bromide easily accessible by an entity referred to in subparagraph (B) at the time and location of the event that—

(i) are registered under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) for the intended use or pest to be so controlled; and

(ii) would adequately control the pest or disease presented at the location or facility.

(2) PEST.—The term “pest” has the meaning given the term in section 2 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136).

(b) STUDY.—

(1) IN GENERAL.—The Secretary, in consultation with the Secretary of State and the Administrator of the Environmental Protection Agency, shall complete a study on the potential use of methyl bromide in response to an emergency event.

(2) REQUIREMENTS.—The study under paragraph (1) shall include—

(A) a risk-benefit analysis of authorizing State, local, or Tribal authorities, in accordance with appropriate requirements and criteria, such as the recommendations developed under subparagraph (E)—

(i) to determine when the use of methyl bromide is required; and

(ii) to authorize such use;

(B) a risk-benefit analysis of authorizing the Secretary, in accordance with appropriate requirements and criteria, such as the recommendations developed under subparagraph (E)—

(i) to determine when the use of methyl bromide is required; and

(ii) to authorize such use;

(C) a historic estimate of situations occurring on or after September 15, 1997, that could have been deemed emergency events;

(D) a detailed assessment of the adherence of the United States to international obligations of the United States with respect to the prevention of ozone depletion; and

(E) an assessment and recommendations on appropriate requirements and criteria to be met to authorize the use of methyl bromide in response to an emergency event (including any recommendations for revising the definition of the term “emergency event” in subsection (a)) in a manner that fully complies with the Montreal Protocol on Substances that Deplete the Ozone Layer, including Decision IX/7 of the Ninth Meeting of the Conference of the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer.

(c) REPORT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit a report on the study under subsection (b) to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Forestry, and Nutrition of the Senate.

TITLE XI—CROP INSURANCE

SEC. 11101. DEFINITIONS.

Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) is amended—

(1) by redesignating paragraphs (6), (7), (8), (9), (10), and (11) as paragraphs (7), (8), (10), (11), (12), and (13) respectively;

(2) by inserting after paragraph (5) the following:

“(6) COVER CROP TERMINATION.—The term ‘cover crop termination’ means a practice that historically and under reasonable circumstances results in the termination of the growth of a cover crop.”; and

(3) by inserting after paragraph (8) (as so redesignated) the following:

“(9) HEMP.—The term ‘hemp’ has the meaning given the term in section 297A of the Agricultural Marketing Act of 1946.”.

SEC. 11102. DATA COLLECTION.

Section 506(h)(2) of the Federal Crop Insurance Act (7 U.S.C. 1506(h)(2)) is amended—

(1) by striking “The Corporation” and inserting the following:

“(A) IN GENERAL.—The Corporation”; and

(2) by adding at the end the following:

“(B) NATIONAL AGRICULTURAL STATISTICS SERVICE.—Data collected by the National Agricultural Statistics Service, whether published or unpublished, shall be—

“(i) provided in an aggregate form to the Corporation for the purpose of providing insurance under this subtitle; and

“(ii) kept confidential by the Corporation in the same manner and to the same extent as is required under—

“(1) section 1770 of the Food Security Act of 1985 (7 U.S.C. 2276); and

“(II) the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note; Public Law 107-347).

“(C) NONINSURED CROP DISASTER ASSISTANCE PROGRAM.—In collecting data under this subsection, the Secretary shall ensure that—

“(i) appropriate data are collected through the noninsured crop disaster assistance program established by section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333); and

“(ii) not less frequently than annually, the Farm Service Agency shares, and the Corporation considers, the data described in clause (i).”.

SEC. 11103. SHARING OF RECORDS.

Section 506(h)(3) of the Federal Crop Insurance Act (7 U.S.C. 1506(h)(3)) is amended by inserting “applicants who have received payment under section 522(b)(2)(E),” after “divisions,”.

SEC. 11104. USE OF RESOURCES.

Section 507(f) of the Federal Crop Insurance Act (7 U.S.C. 1507(f)) is amended—

(1) by striking paragraphs (3) and (4) and inserting the following:

“(3) the Farm Service Agency, in assisting the Board in—

“(A) the determination of individual producer yields;

“(B) sharing information on beginning farmers and ranchers and veteran farmers and ranchers;

“(C) investigating potential waste, fraud, or abuse;

“(D) sharing information to support the transition of crops and counties from the noninsured crop disaster assistance program established by section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) to insurance under this subtitle; and

“(E) serving as a local point of contact for the dissemination of information on risk management options available to farmers and ranchers; and

“(4) other Federal agencies, in assisting the Board in any way the Board determines is necessary in carrying out this subtitle.”;

(2) in paragraph (2), by striking “(2) the” and inserting the following:

“(2) the”; and

(3) by striking “(f) The Board” in the matter preceding paragraph (1) and all that follows through the semicolon at the end of paragraph (1) and inserting the following:

“(f) USE OF RESOURCES, DATA, BOARDS, AND COMMITTEES OF FEDERAL AGENCIES.—If the Board determines it is necessary, the Board shall use, to the maximum extent practicable, the resources, data, boards, and the committees of—

“(1) the Natural Resources Conservation Service, in assisting the Board in—

“(A) the classification of land as to risk and production capability; and

“(B) the consideration of acceptable conservation practices, including good farming practices with respect to conservation (such as cover crop termination);”.

SEC. 11105. SPECIALTY CROPS.

(a) SPECIALTY CROPS COORDINATOR.—Section 507(g) of the Federal Crop Insurance Act (7 U.S.C. 1507(g)) is amended—

(1) by striking the subsection designation and all that follows through “The Corporation” in paragraph (1) and inserting the following:

“(g) SPECIALTY CROPS COORDINATOR.—

“(1) IN GENERAL.—The Corporation”; and

(2) by adding at the end the following:

“(4) SPECIALTY CROP LIAISONS.—The Specialty Crops Coordinator shall—

“(A) designate a Specialty Crops Liaison in each regional field office; and

“(B) share the contact information of the Specialty Crops Liaisons with specialty crop producers.

“(5) WEBSITE.—The Specialty Crops Coordinator shall establish a website focused on the efforts of the Corporation to provide and expand crop insurance for specialty crop producers.”.

(b) ADDITION OF SPECIALTY CROPS AND OTHER VALUE-ADDED CROPS.—Section 508(a)(6) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(6)) is amended—

(1) in the paragraph heading, by adding at the end the following: “(INCLUDING VALUE-ADDED CROPS)”;

(2) by striking subparagraph (A) and inserting the following:

“(A) ANNUAL REVIEW.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, and annually thereafter, the manager of the Corporation shall prepare, to the maximum extent practicable, based on data shared from the noninsured crop disaster assistance program established by section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333), written agreements, or other data, and present to the Board not less than 1 of each of the following:

“(i) Research and development for a policy or plan of insurance for a commodity for which there is no existing policy or plan of insurance.

“(ii) Expansion of an existing policy or plan of insurance to additional counties or States, including malting barley endorsements or contract options.

“(iii) Research and development for a new policy or plan of insurance, or endorsement, for commodities with existing policies or plans of insurance, such as dollar plans.”;

(3) in subparagraph (B), in the subparagraph heading, by striking “ADDITION OF NEW CROPS” and inserting “REPORT”; and

(4) by striking subparagraphs (C) and (D).

SEC. 11106. INSURANCE PERIOD.

Section 508(a)(2) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(2)) is amended by striking “and sweet potatoes” and inserting “sweet potatoes, and hemp”.

SEC. 11107. COVER CROPS.

Section 508(a) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)) is amended—

(1) in paragraph (3)(B), in the subparagraph heading, by inserting “DETERMINATION REVIEW” after “PRACTICES”; and

(2) by adding at the end the following:

“(11) COVER CROPS.—

“(A) IN GENERAL.—The voluntary practice of cover cropping shall be considered a good farming practice under paragraph (3)(A)(iii) if the cover crop is terminated in accordance with subparagraph (B).

“(B) TERMINATION.—

“(i) IN GENERAL.—The termination of a cover crop shall be carried out according to—

“(I) guidelines established by the Secretary; or

“(II) an exception to the guidelines approved under clause (ii).

“(ii) EXCEPTION TO GUIDELINES.—The Corporation shall approve an exception to the guidelines under clause (i)(I) if that exception is recommended by—

“(I) the Natural Resources Conservation Service; or

“(II) an agricultural expert, as determined by the Corporation, unless the exception is determined to be unreasonable by the Corporation.

“(C) INSURABILITY OF SUBSEQUENT CROP.—Cover crop termination shall not affect the insurability of a subsequently planted insurable crop if the cover crop is terminated in accordance with subparagraph (B).

“(D) SUMMER FALLOW.—In a county in which summer fallow is an insurable practice, a cover crop in that county that is terminated in accordance with subparagraph (B) shall be considered as summer fallow for the purpose of insurability.”.

SEC. 11108. UNDERSERVED PRODUCERS.

Section 508(a)(7) of the Federal Crop Insurance Act (7 U.S.C. 1508(a)(7)) is amended—

(1) in the paragraph heading, by inserting “AND UNDERSERVED PRODUCERS” after “STATES”;

(2) in subparagraph (A)—

(A) by striking the designation and heading and all that follows through “the term” and inserting the following:

“(A) DEFINITIONS.—In this paragraph:

“(i) ADEQUATELY SERVED.—The term”;

(B) in clause (i) (as so designated), by striking “participation rate” and inserting “participation rate, by crop.”; and

(C) by adding at the end the following:

“(ii) UNDERSERVED PRODUCER.—The term ‘underserved producer’ means an individual (including a member of an Indian Tribe) that is—

“(I) a beginning farmer or rancher;

“(II) a veteran farmer or rancher; or

“(III) a socially disadvantaged farmer or rancher.”;

(3) in subparagraph (B)—

(A) by striking “The Board” and inserting “Using resources and information available to the Board or the Secretary, the Board”; and

(B) by striking “subtitle” and inserting “subtitle, including policies and plans of insurance for underserved producers.”; and

(4) by striking subparagraph (C) and inserting the following:

“(C) REPORT.—

“(i) IN GENERAL.—Not later than 30 days after completion of the review under subparagraph (B), and not less frequently than once every 3 years thereafter, the Board shall make publicly available and submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the results of the review.

“(ii) RECOMMENDATIONS.—The report under clause (i) shall include recommendations to increase participation in States and among underserved producers that are not adequately served by the policies and plans of insurance, including any plans for administrative action or recommendations for Congressional action.”.

SEC. 11109. TREATMENT OF FORAGE AND GRAZING.

(a) AVAILABILITY OF CATASTROPHIC RISK PROTECTION FOR CROPS AND GRASSES USED FOR GRAZING.—Section 508(b)(1) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(1)) is amended—

(1) by striking “(A) IN GENERAL.—Except as provided in subparagraph (B), the” and inserting “The”; and

(2) by striking subparagraph (B).

(b) COVERAGE FOR FORAGE AND GRAZING.—The Federal Crop Insurance Act is amended by inserting after section 508C (7 U.S.C. 1508c) the following new section:

“SEC. 508D. COVERAGE FOR FORAGE AND GRAZING.

“Notwithstanding section 508A, and in addition to any other available coverage, for crops that can be both grazed and mechanically harvested on the same acres during the same growing season, producers shall be allowed to purchase separate policies for each intended use, as determined by the Corporation, and any indemnity paid under those policies for each intended use shall not be considered to be for the same loss for the purposes of section 508(n).”.

SEC. 11110. ADMINISTRATIVE BASIC FEE.

Section 508(b)(5)(A) of the Federal Crop Insurance Act (7 U.S.C. 1508(b)(5)(A)) is amended by striking “\$300” and inserting “\$655”.

SEC. 11111. ENTERPRISE UNITS.

Section 508(e)(5) of the Federal Crop Insurance Act (7 U.S.C. 1508(e)(5)) is amended by adding at the end the following:

“(E) ENTERPRISE UNITS ACROSS COUNTY LINES.—The Corporation may allow a producer to establish a single enterprise unit by combining an enterprise unit with—

“(i) 1 or more other enterprise units in 1 or more other counties; or

“(ii) all basic units and all optional units in 1 or more other counties.”.

SEC. 11112. CONTINUED AUTHORITY.

Section 508(g) of the Federal Crop Insurance Act (7 U.S.C. 1508(g)) is amended by adding at the end the following new paragraph:

“(6) CONTINUED AUTHORITY.—

“(A) IN GENERAL.—The Corporation shall establish—

“(i) underwriting rules that limit the decrease in the actual production history of a producer, at the election of the producer, to not more than 10 percent of the actual production history of the previous crop year provided that the production decline was the result of drought, flood, natural disaster, or other insurable loss (as determined by the Corporation); and

“(ii) actuarially sound premiums to cover additional risk.

“(B) OTHER AUTHORITY.—The authority provided under subparagraph (A) is in addition to any other authority that adjusts the actual production history of the producer under this Act.

“(C) EFFECT.—Nothing in this paragraph shall be construed to require a change in the administration of any provision of this Act as the Act was administered for the 2018 reinsurance year.”.

SEC. 11113. SUBMISSION OF POLICIES AND MATERIALS TO BOARD.

Section 508(h) of the Federal Crop Insurance Act (7 U.S.C. 1508(h)) is amended—

(1) in paragraph (1)(B)—

(A) by redesignating clauses (i) through (iii) as subclauses (I) through (III), respectively, and indenting appropriately;

(B) in the matter preceding subclause (I) (as so redesignated), by striking “The Corporation shall” and inserting the following:

“(i) IN GENERAL.—The Corporation shall”;

(C) in clause (i)(I) (as so redesignated), by inserting “subject to clause (ii),” before “will likely”; and

(D) by adding at the end the following:

“(ii) WAIVER FOR HEMP.—The Corporation may waive the viability and marketability requirement under clause (i)(I) in the case of a policy or pilot program relating to the production of hemp.”; and

(2) in paragraph (3)(C)—

(A) in clause (ii), by striking “and” at the end;

(B) in clause (iii), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(iv) in the case of reviewing policies and other materials relating to the production of hemp, may waive the viability and marketability requirement under subparagraph (A)(ii)(I).”.

SEC. 11114. CROP PRODUCTION ON NATIVE SOD.

Section 508(o)(2)(A) of the Federal Crop Insurance Act (7 U.S.C. 1508(o)(2)(A)) is amended—

(1) by striking “During the” and inserting the following:

“(i) FIRST 4 CROP YEARS.—During the”;

(2) in clause (i) (as so designated), by striking “after the date of enactment of the Agricultural Act of 2014” and inserting “beginning on February 8, 2014, and ending on the date of enactment of the Agriculture Improvement Act of 2018”; and

(3) by adding at the end the following:

“(ii) SUBSEQUENT CROP YEARS.—Native sod acreage that has been tilled for the production of an insurable crop after the date of enactment of the Agriculture Improvement Act of 2018 shall be subject to a reduction in benefits under this subtitle as described in this paragraph for not more than 4 cumulative years—

“(I) during the first 10 years after initial tillage; and

“(II) during each of which a crop on that acreage is insured under subsection (c).”.

SEC. 11115. USE OF NATIONAL AGRICULTURAL STATISTICS SERVICE DATA TO COMBAT WASTE, FRAUD, AND ABUSE.

Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1515) is amended—

(1) in subsection (d)(1)—

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

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

(C) by adding at the end the following:

“(D) using published aggregate data from the National Agricultural Statistics Service or any other data source to—

“(i) detect yield disparities or other data anomalies that indicate potential fraud; and
 “(ii) target the relevant counties, crops, regions, companies, or agents associated with that potential fraud for audits and other enforcement actions.”; and

(2) in subsection (f)(2)(A), by striking “pursuant to” each place it appears and inserting “under”.

SEC. 11116. SUBMISSION OF INFORMATION TO CORPORATION.

Section 515(g) of the Federal Crop Insurance Act (7 U.S.C. 1515(g)) is amended—

(1) in paragraph (1), by adding at the end the following:

“(D) The actual production history to be used to establish insurable yields.”; and

(2) in paragraph (2)—

(A) by striking “The information required by paragraph (1)” and inserting the following:

“(A) IN GENERAL.—The information required to be submitted under subparagraphs (A) through (C) of paragraph (1)”;

(B) by adding at the end the following:

“(B) ACTUAL PRODUCTION HISTORY.—

“(i) IN GENERAL.—The information required to be submitted under paragraph (1)(D) with respect to an applicable policy or plan of insurance for a covered commodity (as defined in section 1111 of the Agricultural Act of 2014 (7 U.S.C. 9011)) shall be submitted so as to ensure receipt by the Corporation not later than the Saturday of the week containing the calendar day that is 30 days after the applicable production reporting date for the crop to be insured.
 “(ii) CORRECTION OF ERRORS.—Nothing in clause (i) limits the ability of an approved insurance provider to correct any error in the information submitted under paragraph (1)(D) after receipt of the information by the Corporation in accordance with clause (i).”.

SEC. 11117. CONTINUING EDUCATION FOR LOSS ADJUSTERS AND AGENTS.

Section 515 of the Federal Crop Insurance Act (7 U.S.C. 1515) is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following:

“(k) CONTINUING EDUCATION FOR LOSS ADJUSTERS AND AGENTS.—

“(1) IN GENERAL.—The Corporation shall establish requirements for continuing education for loss adjusters and agents of approved insurance providers.

“(2) REQUIREMENTS.—The requirements for continuing education described in paragraph (1) shall ensure that loss adjusters and agents of approved insurance providers are familiar with—

“(A) the policies and plans of insurance available under this Act, including the regulations promulgated to carry out this Act;

“(B) efforts to promote program integrity through the elimination of waste, fraud, and abuse; and

“(C) other aspects of adjusting, delivering, and servicing policies and plans of insurance by adjusters and agents, as determined by the Secretary, including conservation activities and agronomic practices (including organic and sustainable practices) that are common and appropriate to the area in which the insured crop being inspected is produced.”.

SEC. 11118. PROGRAM ADMINISTRATION.

Section 516(b)(2)(C)(i) of the Federal Crop Insurance Act (7 U.S.C. 1516(b)(2)(C)(i)) is amended by striking “\$9,000,000” and inserting “\$7,000,000”.

SEC. 11119. AGRICULTURAL COMMODITY.

Section 518 of the Federal Crop Insurance Act (7 U.S.C. 1518) is amended by inserting “hemp,” before “aquacultural species”.

SEC. 11120. MAINTENANCE OF POLICIES.

(a) IN GENERAL.—Section 522(b) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)) is amended—

(1) in paragraph (1), by amending subparagraph (B) to read as follows:

“(B) REIMBURSEMENT.—

“(i) IN GENERAL.—An applicant who submits a policy under section 508(h) shall be eligible for the reimbursement of reasonable research and development costs if the policy is approved by the Board for sale to producers.

“(ii) REASONABLE COSTS.—For the purpose of reimbursing research and development and maintenance costs under this section, costs of the applicant shall be considered reasonable costs if the costs are based on—

“(I) for any employees or contracted personnel, wage rates equal to not more than 2 times the hourly wage rate plus benefits, as provided by the Bureau of Labor Statistics for the year in which such costs are incurred, calculated using the formula applied to an applicant by the Corporation in reviewing proposed project budgets under this section on October 1, 2016; and

“(II) other actual documented costs incurred by the applicant.”; and

(2) in paragraph (4)—

(A) in subparagraph (C), by striking “approved insurance provider” and inserting “applicant”;

(B) in subparagraph (D)—

(i) in clause (i), by striking “determined by the approved insurance provider” and inserting “determined by the applicant”; and

(ii) by adding at the end the following:

“(iii) REVIEW.—After the Board approves the amount of a fee under clause (ii), the fee shall remain in effect and not be reviewed by the Board unless—

“(I) the applicant petitions the Board for reconsideration of the fee;

“(II) a substantial change is made to the policy, as determined by the Board; or

“(III) there is substantial evidence that the fee is inhibiting sales or use of the policy, as determined by the Board.”.

(b) APPLICABILITY.—

(1) IN GENERAL.—The amendments made by this section shall apply to reimbursement requests made on or after October 1, 2016.

(2) RESUBMISSION OF DENIED REQUEST.—An applicant that was denied all or a portion of a reimbursement request under paragraph (1) of section 522(b) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)) during the period between October 1, 2016, and the date of the enactment of this Act shall be given an opportunity to resubmit such request.

SEC. 11121. REIMBURSEMENT OF RESEARCH, DEVELOPMENT, AND MAINTENANCE COSTS.

Section 522(b) of the Federal Crop Insurance Act (7 U.S.C. 1522(b)) is amended—

(1) in paragraph (2), by adding at the end the following:

“(K) WAIVER FOR HEMP.—The Board may waive the viability and marketability requirements under this paragraph in the case of research and development relating to a policy to insure the production of hemp.”; and

(2) in paragraph (3)—

(A) by striking “The Corporation” and inserting the following:

“(A) IN GENERAL.—Subject to subparagraph (B), the Corporation”; and

(B) by adding at the end the following:

“(B) WAIVER FOR HEMP.—The Corporation may waive the marketability requirement under subparagraph (A) in the case of research and development relating to a policy to insure the production of hemp.”.

SEC. 11122. RESEARCH AND DEVELOPMENT AUTHORITY.

Section 522(c) of the Federal Crop Insurance Act (7 U.S.C. 1522(c)) is amended—

(1) by striking paragraphs (7) through (18) and (20) through (23);

(2) by redesignating paragraphs (19) and (24) as paragraphs (7) and (8), respectively;

(3) in paragraph (7) (as so redesignated) (entitled “Whole farm diversified risk management insurance plan”), by adding at the end the following:

“(E) REVIEW OF MODIFICATIONS TO IMPROVE EFFECTIVENESS.—

“(i) IN GENERAL.—Not later than 18 months after the date of enactment of the Agriculture Improvement Act of 2018—

“(I) the Corporation shall hold stakeholder meetings to solicit producer and agent feedback; and

“(II) the Board shall—

“(aa) review procedures and paperwork requirements on agents and producers; and

“(bb) modify procedures and requirements, as appropriate, to decrease burdens and increase flexibility and effectiveness.

“(ii) FACTORS.—In carrying out items (aa) and (bb) of subclause (i)(II), the Board shall consider—

“(I) removing caps on nursery and livestock production;

“(II) allowing a waiver to expand operations, especially for small and beginning farmers;

“(III) minimizing paperwork for producers and agents;

“(IV) implementing an option for producers with less than \$1,000,000 in gross revenue that requires significantly less paperwork and recordkeeping;

“(V) developing and using alternative records such as time-stamped photographs or technology applications to document planting and production history;

“(VI) treating the different growth stages of aquaculture species as separate crops to recognize the difference in perils at different phases of growth;

“(VII) moderating the impacts of disaster years on historic revenue, such as—

“(aa) using an average of the historic and projected revenue;

“(bb) counting indemnities as historic revenue for loss years;

“(cc) counting payments under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) as historic revenue for loss years; or

“(dd) using an assigned yield floor similar to the limitation described in section 508(g)(6)(A)(i), as determined by the Secretary;

“(VIII) improving agent training and outreach to underserved regions and sectors such as small dairy farms; and

“(IX) providing coverage and indemnification of insurable losses—

“(aa) after the losses exceed the deductible; and

“(bb) up to the maximum amount of total coverage.

“(F) BEGINNING FARMER OR RANCHER DEFINED.—Notwithstanding section 502(b)(3), with respect to plans described under this paragraph, the term ‘beginning farmer or rancher’ means a farmer or rancher who has not actively operated and managed a farm or ranch with a bona fide insurable interest in a crop or livestock as an owner-operator, landlord, tenant, or sharecropper for more than 10 crop years.”; and

(4) by inserting after paragraph (8) (as so redesignated) the following:

“(9) TROPICAL STORM OR HURRICANE INSURANCE.—

“(A) IN GENERAL.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding a policy to insure crops (including tomatoes, peppers, and citrus) against losses due to a tropical storm or hurricane.

“(B) RESEARCH AND DEVELOPMENT.—Research and development under subparagraph (A) shall—

“(i) evaluate the effectiveness of risk management tools for a low frequency and catastrophic loss weather event; and

“(ii) result in a policy that provides protection for at least 1 of the following:

“(I) Production loss.

“(II) Revenue loss.

“(C) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improve-

ment Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research and development carried out under this paragraph; and

“(ii) any recommendations with respect to those results.

“(10) QUALITY LOSS.—

“(A) IN GENERAL.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding the establishment of each of the following alternative methods of adjusting for quality losses:

“(i) A method that does not impact the actual production history of a producer.

“(ii) A method that provides that, in circumstances in which a producer has suffered a quality loss to the insured crop of the producer that is insufficient to trigger an indemnity payment, the producer may elect to exclude that quality loss from the actual production history of the producer.

“(iii) 1 or more methods that combine the methods described in clauses (i) and (ii).

“(B) REQUIREMENTS.—Notwithstanding subsections (g) and (m) of section 508, any method developed under subparagraph (A) that is used by the Corporation shall be—

“(i) optional for a producer to use; and

“(ii) offered at an actuarially sound premium rate.

“(C) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research and development carried out under subparagraph (A); and

“(ii) any recommendations with respect to those results.

“(11) CITRUS.—

“(A) IN GENERAL.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding the insurance of citrus fruit commodities and commodity types, including research and development of—

“(i) improvements to 1 or more existing policies, including the whole-farm revenue protection pilot policy;

“(ii) alternative methods of insuring revenue for citrus fruit commodities and commodity types; and

“(iii) the development of new, or expansion of existing, revenue policies for citrus fruit commodities and commodity types.

“(B) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research and development carried out under subparagraph (A); and

“(ii) any recommendations with respect to those results.

“(12) HOPS.—

“(A) IN GENERAL.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding a policy to insure the production of hops or revenue derived from the production of hops.

“(B) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research and development carried out under subparagraph (A); and

“(ii) any recommendations with respect to those results.

“(13) SUBSURFACE IRRIGATION PRACTICES.—

“(A) IN GENERAL.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding the creation of a separate practice for subsurface irrigation, including the establishment of a separate transitional yield within a county that is reflective of the average gain in productivity and yield associated with the installation of a subsurface irrigation system.

“(B) REPORT.—Not later than 18 months after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research and development carried out under subparagraph (A); and

“(ii) any recommendations with respect to those results.

“(14) GRAIN SORGHUM.—

“(A) IN GENERAL.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development—

“(i) regarding improvements to 1 or more policies to insure irrigated grain sorghum;

“(ii) regarding alternative methods for producers with not more than 4 years of production history to insure irrigated grain sorghum; and

“(iii) to assess, by county, the difference in the rate, average yield, and coverage level of grain sorghum policies compared to policies for other feed grains in that county.

“(B) REPORT.—Not later than 18 months after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research and development carried out under subparagraph (A); and

“(ii) any recommendations with respect to those results.

“(15) LIMITED IRRIGATION PRACTICES.—

“(A) AUTHORITY.—The Corporation shall—

“(i) consider expanding the availability of the limited irrigation insurance program to neighboring and similarly situated States (such as the States of Colorado and Nebraska), as determined by the Secretary;

“(ii) carry out research, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research, on the marketability of the existing limited irrigation insurance program; and

“(iii) make recommendations on how to improve participation in that program.

“(B) RESEARCH.—In carrying out research under subparagraph (A), a qualified person shall—

“(i) collaborate with researchers on the subjects of—

“(I) reduced irrigation practices or limited irrigation practices; and

“(II) expected yield reductions following the application of reduced irrigation;

“(ii) collaborate with State and Federal officials responsible for the collection of water and the regulation of water use for the purpose of irrigation;

“(iii) provide recommendations to encourage producers to carry out limited irrigation practices or reduced irrigation and water conservation practices; and

“(iv) develop web-based applications that will streamline access to coverage for producers electing to conserve water use on irrigated crops.

“(C) REPORT.—Not later than 18 months after the date of enactment of the Agriculture Im-

provement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research carried out under subparagraphs (A) and (B);

“(ii) any recommendations to encourage producers to carry out limited irrigation practices or reduced irrigation and water conservation practices; and

“(iii) the actions taken by the Corporation to carry out the recommendations described in clause (ii).

“(16) INSURABLE IRRIGATION PRACTICES FOR RICE.—

“(A) IN GENERAL.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, to include new and innovative irrigation practices under the current rice policy or the development of a distinct policy endorsement rated for rice produced using—

“(i) alternate wetting and drying practices (also referred to as ‘intermittent flooding’); and

“(ii) furrow irrigation practices.

“(B) REPORT.—Not later than 18 months after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research and development carried out under paragraph (1); and

“(ii) any recommendations with respect to those results.

“(17) GREENHOUSE POLICY.—

“(A) IN GENERAL.—

“(i) RESEARCH AND DEVELOPMENT.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding a policy to insure in a controlled environment such as a greenhouse—

“(I) the production of floriculture, nursery, and bedding plants;

“(II) the establishment of cuttings or tissue culture in a growing medium; or

“(III) other similar production, as determined by the Secretary.

“(ii) AVAILABILITY OF POLICY.—Notwithstanding the last sentence of section 508(a)(1), and section 508(a)(2), the Corporation shall make a policy described in clause (i) available if the requirements of section 508(h) are met.

“(B) RESEARCH AND DEVELOPMENT DESCRIBED.—Research and development described in subparagraph (A)(i) shall evaluate the effectiveness of policies for the production of plants in a controlled environment, including policies that—

“(i) are based on the risk of—

“(I) plant diseases introduced from the environment;

“(II) contaminated cuttings, seedlings, or tissue culture; or

“(III) Federal or State quarantine or destruction orders associated with the contaminated items described in subclause (II);

“(ii) consider other causes of loss applicable to a controlled environment, such as a loss of electricity due to weather;

“(iii) consider appropriate best practices to minimize the risk of loss;

“(iv) consider whether to provide coverage for various types of plants under 1 policy or to provide coverage for 1 species or type of plant per policy;

“(v) have streamlined reporting and paperwork requirements that take into account short propagation schedules, variable crop years, and the variety of plants that may be produced in a single facility; and

“(vi) provide protection for revenue losses.

“(C) REPORT.—Not later than 2 years after the date of enactment of the Agriculture Im-

provement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

“(i) the results of the research and development carried out under subparagraphs (A)(i) and (B); and

“(ii) any recommendations with respect to those results.

“(18) LOCAL FOODS.—

“(A) IN GENERAL.—

“(i) FEASIBILITY STUDY.—The Corporation shall carry out a study to determine the feasibility of, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out a study to determine the feasibility of, a policy to insure production—

“(I) of floriculture, fruits, vegetables, poultry, livestock, or the products of floriculture, fruits, vegetables, poultry, or livestock; and

“(II) that is targeted toward local consumers and markets.

“(ii) AVAILABILITY OF POLICY.—Notwithstanding the last sentence of section 508(a)(1), and section 508(a)(2), the Corporation shall make available a policy described in clause (i) if—

“(I) the results of the feasibility study under clause (i) are viable; and

“(II) the requirements of section 508(h) are met.

“(B) FEASIBILITY STUDY DESCRIBED.—The feasibility study described in subparagraph (A)(i) shall evaluate the effectiveness of policies for production targeted toward local consumers and markets, including policies that—

“(i) consider small-scale production in various areas, including urban, suburban, and rural areas;

“(ii) consider a variety of marketing strategies;

“(iii) allow for production in soil and in alternative systems such as vertical systems, greenhouses, rooftops, or hydroponic systems;

“(iv) consider the price premium when accounting for production or revenue losses;

“(v) consider whether to provide coverage—

“(I) for various types of production under 1 policy; and

“(II) for 1 species or type of plant per policy; and

“(vi) have streamlined reporting and paperwork requirements.

“(C) REPORT.—Not later than 2 years after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

“(i) examines whether a version of existing policies such as the whole-farm revenue protection insurance plan may be tailored to provide improved coverage for producers of local foods;

“(ii) describes the results of the feasibility study carried out under subparagraph (A)(i); and

“(iii) includes any recommendations with respect to those results.

“(19) HIGH-RISK, HIGHLY PRODUCTIVE BATTURE LAND POLICY.—

“(A) IN GENERAL.—

“(i) RESEARCH AND DEVELOPMENT.—The Corporation shall carry out research and development, or offer to enter into 1 or more contracts with 1 or more qualified persons to carry out research and development, regarding a policy to insure producers of corn, cotton, and soybeans—

“(I) with operations on highly productive batture land within the Lower Mississippi River Valley;

“(II) that have a history of production of not less than 5 years; and

“(III) that have been impacted by more frequent flooding over the past 10 years due to sedimentation or federally constructed engineering improvements.

“(ii) AVAILABILITY OF POLICY.—Notwithstanding the last sentence of section 508(a)(1), and section 508(a)(2), the Corporation shall make a policy described in clause (i) available if the requirements of section 508(h) are met.

“(B) RESEARCH AND DEVELOPMENT DESCRIBED.—Research and development described in subparagraph (A)(i) shall evaluate the feasibility of less cost-prohibitive policies for batture-land producers in high risk areas, including policies that—

“(i) consider premium rate adjustments;

“(ii) consider automatic yield exclusion for consecutive-year losses; and

“(iii) allow for flexibility of final plant dates and prevent plant regulations.

“(C) REPORT.—Not later than 2 years after the date of enactment of the Agriculture Improvement Act of 2018, the Corporation shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

“(i) examines whether a version of existing policies may be tailored to provide improved coverage for batture-land producers;

“(ii) describes the results of the research and development carried out under subparagraphs (A) and (B); and

“(iii) includes any recommendations with respect to those results.”

SEC. 11123. FUNDING FOR RESEARCH AND DEVELOPMENT.

Section 522(e)(2)(A) of the Federal Crop Insurance Act (7 U.S.C. 1522(e)(2)(A)) is amended—

(1) by striking “not more than \$12,500,000 for fiscal year 2008 and each subsequent fiscal year.” and inserting the following: “not more than—

“(i) \$12,500,000 for each of fiscal years 2008 through 2018; and”;

(2) by adding at the end the following:

“(ii) \$8,000,000 for fiscal year 2019 and each fiscal year thereafter.”

SEC. 11124. TECHNICAL AMENDMENT TO PILOT PROGRAMS.

Section 523(i)(3)(A) of the Federal Crop Insurance Act (7 U.S.C. 1523(i)(3)(A)) is amended by adding a period at the end.

SEC. 11125. EDUCATION AND RISK MANAGEMENT ASSISTANCE.

(a) EDUCATION ASSISTANCE.—Section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524(a)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A), by striking “paragraph (5)” and all that follows through “the Secretary” in subparagraph (B) and inserting “paragraph (4), the Secretary”;

(B) by striking “paragraph (3)” and inserting “paragraph (2)”;

(2) by striking paragraph (2);

(3) by redesignating paragraphs (3) through (5) as paragraphs (2) through (4), respectively;

(4) in paragraph (2) (as so redesignated), in subparagraph (A)—

(A) by striking “about the full range of” and inserting “and providing technical assistance to agricultural producers on a full range of farm viability and”;

(B) by inserting “business planning, enterprise analysis, transfer and succession planning, management coaching, market assessment, cash flow analysis,” after “insurance,”; and

(C) by inserting “conservation activities,” after “benchmarking,”;

(5) in paragraph (3) (as so redesignated)—

(A) in the matter preceding subparagraph (A)—

(i) by striking “programs established under paragraphs (2) and (3)” and inserting “program established under paragraph (2)”;

(ii) by inserting “farm viability and” after “emphasis on”;

(iii) by inserting “, business planning and technical assistance, market assessment, transfer and succession planning, and crop insurance participation” after “benchmarking”;

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

(C) by striking subparagraph (E) and inserting the following:

“(iii) are converting production and marketing systems to pursue new markets; and

“(E) producers that are underserved by the Federal crop insurance program established under this subtitle, as determined by the Corporation.”; and

(6) in paragraph (4) (as so redesignated)—

(A) in the matter preceding subparagraph (A), by striking “transferred” and all that follows through “for the partnerships” in subparagraph (B) and inserting “transferred for the partnerships”;

(B) by striking “paragraph (3), \$5,000,000 for fiscal year 2001” and inserting “paragraph (2), \$10,000,000 for fiscal year 2019”; and

(C) by striking the period at the end and inserting “, of which not less than \$5,000,000 shall be used to carry out paragraph (3)(E).”

(b) CONFORMING AMENDMENTS.—Section 251(f)(1)(D)(ii) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(D)(ii)) is amended—

(1) by striking “section 524(a)(3)” and inserting “section 524(a)”;

(2) by striking “(7 U.S.C. 1524(a)(3))” and inserting “(7 U.S.C. 1524(a))”.

SEC. 11126. REPEAL OF CROPLAND REPORT ANNUAL UPDATES.

Section 11014 of the Agricultural Act of 2014 (Public Law 113–79; 128 Stat. 963) is amended by striking subsection (c).

TITLE XII—MISCELLANEOUS

Subtitle A—Livestock

SEC. 12101. ANIMAL DISEASE PREVENTION AND MANAGEMENT.

(a) DEFINITION.—Section 10403 of the Animal Health Protection Act (7 U.S.C. 8302) is amended by adding at the end the following:

“(18) VETERINARY COUNTERMEASURE.—The term ‘veterinary countermeasure’ means any biological product (including an animal vaccine or diagnostic), pharmaceutical product (including a therapeutic), non-pharmaceutical product (including a disinfectant), or other product or equipment to prevent, detect, respond to, or mitigate harm to public or animal health resulting from, animal pests or diseases.”

(b) ANIMAL DISEASE PREPAREDNESS AND RESPONSE.—Section 10409A of the Animal Health Protection Act (7 U.S.C. 8308A) is amended—

(1) by striking the section heading and inserting “ANIMAL DISEASE PREVENTION AND MANAGEMENT”;

(2) in subsection (a), by striking “(a) DEFINITION OF ELIGIBLE LABORATORY.—In this section,” and inserting the following:

“(a) NATIONAL ANIMAL HEALTH LABORATORY NETWORK.—

“(1) DEFINITION OF ELIGIBLE LABORATORY.—In this subsection,”;

(3) in subsection (b)—

(A) in paragraph (2), by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively, and moving the margins of such clauses (as so redesignated) 2 ems to the right;

(B) by redesignating paragraphs (1) through (3) as subparagraphs (A) through (C), respectively, and moving the margins of such subparagraphs (as so redesignated) 2 ems to the right;

(4) by redesignating subsections (b) and (c) as paragraphs (2) and (3), respectively, and moving the margins of such paragraphs (as so redesignated) 2 ems to the right; and

(5) by adding at the end the following:

“(b) NATIONAL ANIMAL DISEASE PREPAREDNESS AND RESPONSE PROGRAM.—

“(1) PROGRAM REQUIRED.—The Secretary shall establish a program, to be known as the National Animal Disease Preparedness and Response Program (referred to in this section as ‘the Program’), to address the increasing risk of the introduction and spread within the United States of animal pests and diseases affecting the

economic interests of the livestock and related industries of the United States, including the maintenance and expansion of export markets.

“(2) PROGRAM ACTIVITIES.—Activities under the Program shall include, to the extent practicable, the following:

“(A) Enhancing animal pest and disease analysis and surveillance.

“(B) Expanding outreach and education.

“(C) Targeting domestic inspection activities at vulnerable points in the safeguarding continuum.

“(D) Enhancing and strengthening threat identification technology.

“(E) Improving biosecurity.

“(F) Enhancing emergency preparedness and response capabilities, including training additional emergency response personnel.

“(G) Conducting technology development to enhance electronic sharing of animal health data for risk analysis between State and Federal animal health officials.

“(H) Enhancing the development and effectiveness of animal health technologies to treat and prevent animal disease, including—

“(i) veterinary biologics and diagnostics;

“(ii) animal drugs for minor uses and minor species;

“(iii) animal medical devices; and

“(iv) emerging veterinary countermeasures.

“(I) Such other activities as determined appropriate by the Secretary, in consultation with eligible entities specified in paragraph (3).

“(3) ELIGIBLE ENTITIES.—To carry out the Program, the Secretary shall offer to enter into cooperative agreements or other legal instruments, as authorized under section 10413 (referred to in this section as ‘agreements’) with eligible entities, to be selected by the Secretary, which may include any of the following entities, either individually or in combination:

“(A) A State department of agriculture.

“(B) The office of the chief animal health official of a State.

“(C) An entity eligible to receive funds under a capacity and infrastructure program (as defined in section 251(f)(1)(C) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(C))).

“(D) A college of veterinary medicine, including a veterinary emergency team at such college.

“(E) A State or national livestock producer organization with direct and significant economic interest in livestock production.

“(F) A State emergency agency.

“(G) A State, national, allied, or regional veterinary organization or specialty board recognized by the American Veterinary Medical Association.

“(H) An Indian Tribe.

“(I) A Federal agency.

“(4) SPECIAL FUNDING CONSIDERATIONS.—In entering into agreements under this subsection, the Secretary shall give priority to applications submitted by—

“(A) a State department of agriculture or an office of the chief animal health official of a State; or

“(B) an eligible entity that will carry out program activities in a State or region in which—

“(i) an animal pest or disease is a Federal concern; or

“(ii) the Secretary determines a potential exists for the spread of an animal pest or disease after taking into consideration—

“(I) the agricultural industries in the State or region;

“(II) factors contributing to animal pest or disease in the State or region, such as the climate, natural resources, and geography of, and native and exotic wildlife species and other disease vectors in, the State or region; and

“(III) the movement of animals in the State or region.

“(5) CONSULTATION.—For purposes of setting priorities under this subsection, the Secretary shall consult with eligible entities specified in paragraph (3). The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to consultation carried out under this paragraph.

“(6) APPLICATION.—

“(A) IN GENERAL.—An eligible entity specified in paragraph (3) seeking to enter into an agreement under the Program shall submit to the Secretary an application containing such information as the Secretary may require.

“(B) NOTIFICATION.—The Secretary shall notify each applicant of—

“(i) the requirements to be imposed on the eligible entity that is the recipient of funds under the Program for auditing of, and reporting on, the use of such funds; and

“(ii) the criteria to be used to ensure activities supported using such funds are based on sound scientific data or thorough risk assessments.

“(C) NON-FEDERAL CONTRIBUTIONS.—When deciding whether to enter into an agreement under the Program with an eligible entity described in paragraph (3), the Secretary—

“(i) may take into consideration an eligible entity’s ability to contribute non-Federal funds to carry out such an agreement; and

“(ii) shall not require such an eligible entity to make such a contribution as a condition to enter into an agreement.

“(7) USE OF FUNDS.—

“(A) USE CONSISTENT WITH TERMS OF COOPERATIVE AGREEMENT.—The recipient of funds under the Program shall use the funds for the purposes and in the manner provided in the agreement under which the funds are provided.

“(B) SUB-AGREEMENT.—Nothing in this section prevents an eligible entity from using funds received under the Program to enter into sub-agreements with another eligible entity or with a political subdivision of a State that has legal responsibilities relating to animal disease prevention, surveillance, or rapid response.

“(8) REPORTING REQUIREMENT.—Not later than 90 days after the date of completion of an activity conducted using funds provided under the Program, the recipient of such funds shall submit to the Secretary a report that describes the purposes and results of the activities.”.

(c) NATIONAL ANIMAL VACCINE AND VETERINARY COUNTERMEASURES BANK.—Section 10409A of the Animal Health Protection Act (7 U.S.C. 8308A), as amended by subsection (b), is further amended by inserting after subsection (b) (as added by subsection (b)(5) of this section) the following:

“(c) NATIONAL ANIMAL VACCINE BANK.—

“(1) ESTABLISHMENT.—The Secretary shall establish a national animal vaccine and veterinary countermeasures bank (to be known as the National Animal Vaccine and Veterinary Countermeasures Bank and referred to in this subsection as the ‘Vaccine Bank’) to benefit the domestic interests of the United States.

“(2) ELEMENTS OF VACCINE BANK.—Through the Vaccine Bank, the Secretary shall—

“(A) maintain sufficient quantities of veterinary countermeasures to appropriately and rapidly respond to the most damaging animal diseases affecting or with potential to affect human health or the economy of the United States; and

“(B) leverage, when appropriate, the mechanisms and infrastructure that have been developed for the management, storage, and distribution of the National Veterinary Stockpile.

“(3) PRIORITY FOR RESPONSE TO FOOT AND MOUTH DISEASE.—The Secretary shall prioritize the acquisition and maintenance of sufficient quantities of foot and mouth disease vaccine and accompanying diagnostic products for the Vaccine Bank. As part of such prioritization, the Secretary may offer to enter into one or more contracts with one or more entities that are capable of producing foot and mouth disease vaccine and that have surge production capacity of the vaccine.”.

(d) FUNDING.—Section 10409A of the Animal Health Protection Act (7 U.S.C. 8308A), as amended by subsections (b) and (c), is further amended by striking subsection (d) and inserting the following:

“(d) FUNDING.—

“(1) MANDATORY FUNDING.—

“(A) FISCAL YEARS 2019 THROUGH 2022.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section \$120,000,000 for the period of fiscal years 2019 through 2022, of which not less than \$5,000,000 shall be made available for each of those fiscal years to carry out subsection (b).

“(B) SUBSEQUENT FISCAL YEARS.—Of the funds of the Commodity Credit Corporation, the Secretary shall make available to carry out this section \$30,000,000 for fiscal year 2023 and each fiscal year thereafter, of which not less than \$18,000,000 shall be made available for each of those fiscal years to carry out subsection (b).

“(2) AUTHORIZATION OF APPROPRIATIONS.—

“(A) NATIONAL ANIMAL HEALTH LABORATORY NETWORK.—In addition to the funds made available under paragraph (1), there is authorized to be appropriated \$30,000,000 for each of fiscal years 2019 through 2023 to carry out subsection (a).

“(B) NATIONAL ANIMAL DISEASE PREPAREDNESS AND RESPONSE PROGRAM; NATIONAL ANIMAL VACCINE AND VETERINARY COUNTERMEASURES BANK.—In addition to the funds made available under paragraph (1), there is authorized to be appropriated such sums as are necessary for each of fiscal years 2019 through 2023 to carry out subsections (b) and (c).

“(C) ADDITIONALITY.—The funds authorized for appropriation under this paragraph are in addition to any funds authorized or otherwise made available under this section or section 10417.

“(3) ADMINISTRATIVE COSTS.—

“(A) SECRETARY.—Of the funds made available under this section or section 10417 to carry out the National Animal Health Laboratory Network under subsection (a) and the National Animal Disease Preparedness and Response Program under subsection (b), not more than 4 percent may be retained by the Secretary to pay administrative costs incurred by the Secretary.

“(B) ELIGIBLE ENTITIES.—Of the funds made available under this section or section 10417 to carry out the National Animal Disease Preparedness and Response Program under subsection (b), not more than 10 percent may be retained by an eligible entity that receives funds under any agreement entered into under such subsection, including any sub-agreement under paragraph (7)(B) of such subsection to pay administrative costs incurred by the eligible entity to carry out activities under the Program.

“(4) DURATION OF AVAILABILITY.—Funds made available under this subsection, including any proceeds credited under paragraph (5), shall remain available until expended.

“(5) PROCEEDS FROM VETERINARY COUNTERMEASURES SALES.—Any proceeds of a sale of veterinary countermeasures from the Vaccine Bank shall be—

“(A) deposited into the Treasury of the United States; and

“(B) credited to the account for the operation of the Vaccine Bank to be made available for expenditure without further appropriation.

“(6) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.—Funds made available under the National Animal Health Laboratory Network, the National Animal Disease Preparedness and Response Program, and the Vaccine Bank shall not be used for the construction of a new building or facility or the acquisition or expansion of an existing building or facility, including site grading and improvement and architect fees.

“(e) AVAILABILITY AND PURPOSE OF FUNDING.—

“(1) IN GENERAL.—Using the funds made available under subsection (d), the Secretary of Agriculture shall offer to enter into contracts, grants, cooperative agreements, or other legal instruments under subsections (a) through (c) during each of the fiscal years 2019 through 2023.

“(2) EFFECT.—Nothing in paragraph (1) shall be construed to terminate a contract, grant, cooperative agreement, or other legal instrument

entered into during the period specified in such paragraph.”.

SEC. 12102. SHEEP PRODUCTION AND MARKETING GRANT PROGRAM.

Section 209(c) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1627a(c)) is amended by striking “\$1,500,000 for fiscal year 2014” and inserting “\$2,000,000 for fiscal year 2019”.

SEC. 12103. FEASIBILITY STUDY ON LIVESTOCK DEALER STATUTORY TRUST.

(a) *IN GENERAL.*—The Secretary shall conduct a study to determine the feasibility of establishing a livestock dealer statutory trust.

(b) *CONTENTS.*—The study conducted under subsection (a) shall—

(1) analyze how the establishment of a livestock dealer statutory trust would affect buyer and seller behavior in markets for livestock (as defined in section 2(a) of the Packers and Stockyards Act, 1921 (7 U.S.C. 182));

(2) examine how the establishment of a livestock dealer statutory trust would affect seller recovery in the event of a livestock dealer payment default;

(3) consider what potential effects a livestock dealer statutory trust would have on credit availability, including impacts on lenders and lending behavior and other industry participants;

(4) examine unique circumstances common to livestock dealers and how those circumstances could impact the functionality of a livestock dealer statutory trust;

(5) study the feasibility of the industry-wide adoption of electronic funds transfer or another expeditious method of payment to provide sellers of livestock protection from nonsufficient funds payments;

(6) assess the effectiveness of statutory trusts in other segments of agriculture, whether similar effects could be experienced under a livestock dealer statutory trust, and whether authorizing the Secretary to appoint an independent trustee under the livestock dealer statutory trust would improve seller recovery;

(7) consider the effects of exempting dealers with average annual purchases under a de minimis threshold from being subject to the livestock dealer statutory trust; and

(8) analyze how the establishment of a livestock dealer statutory trust would affect the treatment of sellers of livestock as it relates to preferential transfer in bankruptcy.

(c) *REPORT.*—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the findings of the study conducted under subsection (a).

SEC. 12104. DEFINITION OF LIVESTOCK.

Section 602(2) of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471(2)) is amended in the matter preceding subparagraph (A) by striking “fish” and all that follows through “that—” and inserting “llamas, alpacas, live fish, crawfish, and other animals that—”.

SEC. 12105. NATIONAL AQUATIC ANIMAL HEALTH PLAN.

Section 11013 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8322) is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

SEC. 12106. VETERINARY TRAINING.

Section 10504 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8318) is amended—

(1) by inserting “and veterinary teams, including those based at colleges of veterinary medicine,” after “veterinarians”; and

(2) by inserting before the period at the end the following: “and who are capable of providing effective services before, during, and after emergencies”.

SEC. 12107. REPORT ON FSIS GUIDANCE AND OUTREACH TO SMALL MEAT PROCESSORS.

(a) *IN GENERAL.*—The Secretary shall offer to enter into a contract with a land-grant college or university or a non-land-grant college of agriculture (as those terms are defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3101)) to review the effectiveness of existing Food Safety and Inspection Service guidance materials and other tools used by small and very small establishments, as defined by regulations issued by the Food Safety and Inspection Service, operating under Federal inspection, as in effect on the date of enactment of this Act, including—

(1) the effectiveness of the outreach conducted by the Food Safety and Inspection Service to small and very small establishments;

(2) the effectiveness of the guidance materials and other tools used by the Food Safety and Inspection Service to assist small and very small establishments; and

(3) the responsiveness of Food Safety and Inspection Service personnel to inquiries and issues from small and very small establishments.

(b) *REPORT.*—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes—

(1) the results of the review conducted under subsection (a); and

(2) recommendations on measures the Food Safety and Inspection Service should take to improve regulatory clarity and consistency and ensure all guidance materials and other tools take into account small and very small establishments.

SEC. 12108. REGIONAL CATTLE AND CARCASS GRADING CORRELATION AND TRAINING CENTERS.

(a) *IN GENERAL.*—The Secretary shall establish not more than 3 regional centers, to be known as Cattle and Carcass Grading Correlation and Training Centers (referred to in this section as the “Centers”), to provide education and training for cattle and carcass beef graders of the Agricultural Marketing Service, cattle producers, and other professionals involved in the reporting, delivery, and grading of feeder cattle, live cattle, and carcasses—

(1) to limit the subjectivity in the application of beef grading standards;

(2) to provide producers with greater confidence in the price of the producers’ cattle; and

(3) to provide investors with both long and short positions more assurance in the cattle delivery system.

(b) *LOCATION.*—The Centers shall be located near cattle feeding and slaughter populations and areas shall be strategically identified in order to capture regional variances in cattle production.

(c) *ADMINISTRATION.*—Each Center shall be organized and administered by offices of the Department of Agriculture in operation on the date on which the respective Center is established, or in coordination with other appropriate Federal agencies or academic institutions.

(d) *TRAINING PROGRAM.*—The Centers shall offer intensive instructional programs involving classroom and field training work for individuals described in subsection (a).

(e) *COORDINATION OF RESOURCES.*—Each Center, in carrying out the functions of the Center, shall make use of information generated by the Department of Agriculture, the State agricultural extension and research stations, relevant designated contract markets, and the practical experience of area cattle producers, especially cattle producers cooperating in on-farm demonstrations, correlations, and research projects.

(f) *PROHIBITION ON CONSTRUCTION.*—Funds made available to carry out this section shall not be used for the construction of a new building or facility or the acquisition, expansion, re-

modeling, or alteration of an existing building or facility (including site grading and improvement, and architect fees). Notwithstanding the preceding sentence, the Secretary may use funds made available to carry out this section to provide a Center with payment for the cost of the rental of a space determined to be necessary by the Center for conducting training under this section and may accept donations (including in-kind contributions) to cover such cost.

Subtitle B—Agriculture and Food Defense

SEC. 12201. REPEAL OF OFFICE OF HOMELAND SECURITY.

Section 14111 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8911) is repealed.

SEC. 12202. OFFICE OF HOMELAND SECURITY.

Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6911 et seq.) is amended by adding at the end the following:

“SEC. 221. OFFICE OF HOMELAND SECURITY.

“(a) *DEFINITION OF AGRICULTURE AND FOOD DEFENSE.*—In this section, the term ‘agriculture and food defense’ means any action to prevent, protect against, mitigate the effects of, respond to, or recover from a naturally occurring, unintentional, or intentional threat to the agriculture and food system.

“(b) *AUTHORIZATION.*—The Secretary shall establish in the Department the Office of Homeland Security.

“(c) *EXECUTIVE DIRECTOR.*—The Office of Homeland Security shall be headed by an Executive Director, who shall be known as the Executive Director of Homeland Security.

“(d) *DUTIES.*—The Executive Director of Homeland Security shall—

“(1) serve as the principal advisor to the Secretary on homeland security, including emergency management and agriculture and food defense;

“(2) coordinate activities of the Department, including policies, processes, budget needs, and oversight relating to homeland security, including emergency management and agriculture and food defense;

“(3) act as the primary liaison on behalf of the Department with other Federal departments and agencies in activities relating to homeland security, including emergency management and agriculture and food defense, and provide for interagency coordination and data sharing;

“(4)(A) coordinate in the Department the gathering of information relevant to early warning and awareness of threats and risks to the food and agriculture critical infrastructure sector; and

“(B) share that information with, and provide assistance with interpretation and risk characterization of that information to, the intelligence community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)), law enforcement agencies, the Secretary of Defense, the Secretary of Homeland Security, the Secretary of Health and Human Services, and State fusion centers (as defined in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124h(j)));

“(5) liaise with the Director of National Intelligence to assist in the development of periodic assessments and intelligence estimates, or other intelligence products, that support the defense of the food and agriculture critical infrastructure sector;

“(6) coordinate the conduct, evaluation, and improvement of exercises to identify and eliminate gaps in preparedness and response;

“(7) produce a Department-wide centralized strategic coordination plan to provide a high-level perspective of the operations of the Department relating to homeland security, including emergency management and agriculture and food defense; and

“(8) carry out other appropriate duties, as determined by the Secretary.

“(e) *AGRICULTURE AND FOOD THREAT AWARENESS PARTNERSHIP PROGRAM.*—

“(1) *INTERAGENCY EXCHANGE PROGRAM.*—The Secretary, in partnership with the intelligence

community (as defined in section 3 of the National Security Act of 1947 (50 U.S.C. 3003)) and fusion centers (as defined in section 210A(j) of the Homeland Security Act of 2002 (6 U.S.C. 124h(j))) that have analysis and intelligence capabilities relating to the defense of the food and agriculture critical infrastructure sector, shall establish and carry out an interagency exchange program of personnel and information to improve communication and analysis for the defense of the food and agriculture critical infrastructure sector.

“(2) **COLLABORATION WITH FEDERAL, STATE, AND LOCAL AUTHORITIES.**—To carry out the program established under paragraph (1), the Secretary may—

“(A) enter into 1 or more cooperative agreements or contracts with Federal, State, or local authorities that have analysis and intelligence capabilities and expertise relating to the defense of the food and agriculture critical infrastructure sector; and

“(B) carry out any other activity under any other authority of the Secretary that is appropriate to engage the authorities described in subparagraph (A) for the defense of the food and agriculture critical infrastructure sector, as determined by the Secretary.”.

SEC. 12203. AGRICULTURE AND FOOD DEFENSE.

(a) **DEFINITIONS.**—In this section:

(1) **ANIMAL.**—The term “animal” has the meaning given the term in section 10403 of the Animal Health Protection Act (7 U.S.C. 8302).

(2) **DISEASE OR PEST OF CONCERN.**—The term “disease or pest of concern” means a plant or animal disease or pest that—

(A) is—

- (i) a transboundary disease; or
- (ii) an established disease; and

(B) is likely to pose a significant risk to the food and agriculture critical infrastructure sector that warrants efforts at prevention, protection, mitigation, response, and recovery.

(3) **ESTABLISHED DISEASE.**—The term “established disease” means a plant or animal disease or pest that—

(A)(i) if it becomes established, poses an imminent threat to agriculture in the United States; or

(ii) has become established, as defined by the Secretary, within the United States; and

(B) requires management.

(4) **HIGH-CONSEQUENCE PLANT TRANSBOUNDARY DISEASE.**—The term “high-consequence plant transboundary disease” means a transboundary disease that is—

- (A)(i) a plant disease; or
- (ii) a plant pest; and

(B) of high consequence, as determined by the Secretary.

(5) **PEST.**—The term “pest”—

(A) with respect to a plant, has the meaning given the term “plant pest” in section 403 of the Plant Protection Act (7 U.S.C. 7702); and

(B) with respect to an animal, has the meaning given the term in section 10403 of the Animal Health Protection Act (7 U.S.C. 8302).

(6) **PLANT.**—The term “plant” has the meaning given the term in section 403 of the Plant Protection Act (7 U.S.C. 7702).

(7) **PLANT HEALTH MANAGEMENT STRATEGY.**—The term “plant health management strategy” means a strategy to timely control and eradicate a plant disease or plant pest outbreak, including through mitigation (such as chemical control), surveillance, the use of diagnostic products and procedures, and the use of existing resistant seed stock.

(8) **TRANSBOUNDARY DISEASE.**—

(A) **IN GENERAL.**—The term “transboundary disease” means a plant or animal disease or pest that is within 1 or more countries outside of the United States.

(B) **INCLUSION.**—The term “transboundary disease” includes a plant or animal disease or pest described in subparagraph (A) that—

- (i) has emerged within the United States; or
- (ii) has been introduced within the United States.

(9) **VETERINARY COUNTERMEASURE.**—The term “veterinary countermeasure” has the meaning given such term in section 10403 of the Animal Health Protection Act (7 U.S.C. 8302).

(b) **DISEASE OR PEST OF CONCERN RESPONSE PLANNING.**—

(1) **IN GENERAL.**—The Secretary shall—

(A) establish a list of diseases or pests of concern by—

- (i) developing a process to solicit and receive expert opinion and evidence relating to the diseases or pests of concern entered on the list; and
- (ii) reviewing all available evidence relating to the diseases or pests of concern entered on the list, including classified information; and

(B) periodically update the list established under subparagraph (A).

(2) **RESPONSE PLANS.**—

(A) **COMPREHENSIVE STRATEGIC RESPONSE PLAN OR PLANS.**—The Secretary shall develop, in collaboration with appropriate Federal, State, regional, and local officials, a comprehensive strategic response plan or plans, as appropriate, for the diseases or pests of concern that are entered on the list established under paragraph (1).

(B) **STATE OR REGION RESPONSE PLAN OR PLANS.**—The Secretary shall provide information to a State or region to assist in producing a response plan or plans that shall include a concept of operations for a disease or pest of concern or a platform concept of operations for responses to similar diseases or pests of concern that are determined to be a priority to the State or region that shall, as appropriate—

(i) describe the appropriate interactions among, and roles of—

(I) Federal, State, Tribal, and units of local government; and

(II) plant or animal industry partners;

(ii) include a decision matrix or dynamic decision modeling tools that, as appropriate, include—

(I) information and timing requirements necessary for the use of veterinary countermeasures;

(II) plant health management strategies;

(III) deployment of other key materials and resources; and

(IV) parameters for transitioning from outbreak response to disease management;

(iii) identify key response performance metrics to establish—

(I) benchmarking to provide assessments of capabilities, capacity, and readiness to achieve response goals and objectives;

(II) progressive exercise evaluation; and

(III) continuing improvement of a response plan, including by providing for—

(aa) ongoing exercises;

(bb) improvement planning and the implementation of corrective actions to enhance a response plan over time; and

(cc) strategic information to guide investment in any appropriate research to mitigate the risk of a disease or pest of concern; and

(iv) be updated periodically, including in response to—

(I) an exercise evaluation; or

(II) new risk information becoming available regarding a disease or pest of concern.

(3) **COORDINATION OF PLANS.**—Pursuant to section 221(d)(6) of the Department of Agriculture Reorganization Act of 1994, as added by section 12202, the Secretary shall, as appropriate, assist in coordinating with other appropriate Federal, State, regional, or local officials in the exercising of the plans developed under paragraph (2).

(c) **NATIONAL PLANT DIAGNOSTIC NETWORK.**—

(1) **IN GENERAL.**—The Secretary shall establish in the Department of Agriculture a National Plant Diagnostic Network to monitor and surveil through diagnostics threats to plant health from diseases or pests of concern in the United States.

(2) **REQUIREMENTS.**—The National Plant Diagnostic Network established under paragraph (1) shall—

(A) provide for increased awareness, surveillance, early identification, rapid communica-

tion, warning, and diagnosis of a threat to plant health from a disease or pest of concern to protect natural and agricultural plant resources;

(B) coordinate and collaborate with agencies of the Department of Agriculture and State agencies and authorities involved in plant health;

(C) establish diagnostic laboratory standards;

(D) establish regional hubs throughout the United States that provide expertise, leadership, and support to diagnostic labs relating to the agricultural crops and plants in the covered regions of those hubs; and

(E) establish a national repository for records of endemic or emergent diseases and pests of concern.

(3) **HEAD OF NETWORK.**—

(A) **IN GENERAL.**—The Director of the National Institute of Food and Agriculture shall serve as the head of the National Plant Diagnostic Network.

(B) **DUTIES.**—The head of the National Plant Diagnostic Network shall—

(i) coordinate and collaborate with land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)) in carrying out the requirements under paragraph (2), including through cooperative agreements described in paragraph (4);

(ii) partner with the Administrator of the Animal and Plant Health Inspection Service for assistance with plant health regulation and inspection; and

(iii) coordinate with other Federal agencies, as appropriate, in carrying out activities relating to the National Plant Diagnostic Network, including the sharing of biosurveillance information.

(4) **COLLABORATION WITH LAND-GRANT COLLEGES AND UNIVERSITIES.**—The Secretary shall seek to establish cooperative agreements with land-grant colleges and universities (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)) that have the appropriate level of skill, experience, and competence with plant diseases or pests of concern.

(5) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to the amount authorized to carry out this subtitle under section 12205, there is authorized to be appropriated to carry out this subsection \$15,000,000 for each of fiscal years 2019 through 2023.

(d) **NATIONAL PLANT DISEASE RECOVERY SYSTEM.**—

(1) **RECOVERY SYSTEM.**—The Secretary shall establish in the Department of Agriculture a National Plant Disease Recovery System to engage in strategic long-range planning to recover from high-consequence plant transboundary diseases.

(2) **REQUIREMENTS.**—The National Plant Disease Recovery System established under paragraph (1) shall—

(A) coordinate with disease or pest of concern concept of operations response plans;

(B) make long-range plans for the initiation of future research projects relating to high-consequence plant transboundary diseases;

(C) establish research plans for long-term recovery;

(D) plan for the identification and use of specific genotypes, cultivars, breeding lines, and other disease-resistant materials necessary for crop stabilization or improvement; and

(E) establish a watch list of high-consequence plant transboundary diseases for the purpose of making long-range plans under subparagraph (B).

SEC. 12204. BIOLOGICAL AGENTS AND TOXINS LIST.

Section 212(a)(1)(B)(i) of the Agricultural Bioterrorism Protection Act of 2002 (7 U.S.C. 8401(a)(1)(B)(i)) is amended—

(1) in subclause (III), by striking “and” at the end;

(2) by redesignating subclause (IV) as subclause (V); and

(3) by inserting after subclause (III) the following:

“(IV)(aa) whether such inclusion would have a substantial negative impact on the research and development of solutions for the animal or plant disease caused by the agent or toxin; and
“(bb) whether the negative impact described in item (aa) would substantially outweigh the risk posed by the agent or toxin to animal or plant health if it is not included on the list; and”.

SEC. 12205. AUTHORIZATION OF APPROPRIATIONS.

In addition to other amounts made available under this subtitle, there is authorized to be appropriated to carry out this subtitle \$5,000,000 for each of fiscal years 2019 through 2023.

Subtitle C—Historically Underserved Producers

SEC. 12301. FARMING OPPORTUNITIES TRAINING AND OUTREACH.

(a) REPEAL.—

(1) IN GENERAL.—Section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f) is repealed.

(2) CONFORMING AMENDMENTS.—

(A) Section 226B(e)(2)(B) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(e)(2)(B)) is amended by striking “the beginning farmer and rancher development program established under section 7405 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3319f).” and inserting “the beginning farmer and rancher development grant program established under subsection (d) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279).”.

(B) Section 251(f)(1)(D) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(1)(D)) is amended by striking clause (iv) and inserting the following:

“(iv) The beginning farmer and rancher development grant program established under subsection (d) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279).”.

(C) Section 7506(e) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 7614c(e)) is amended—

(i) in paragraph (2)(C)—

(I) by striking clause (v);

(II) by redesignating clauses (i) through (iv) as clauses (ii) through (v), respectively;

(III) by inserting before clause (ii) (as so redesignated) the following:

“(i) each grant and cooperative agreement awarded under subsection (d) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279).”;

(IV) in clause (ii) (as so redesignated), by striking “450i(b)(2);” and inserting “3157(b)(2);”;

(V) in clause (iv) (as so redesignated), by adding “and” at the end; and

(ii) in paragraph (4)—

(I) by striking subparagraph (E);

(II) by redesignating subparagraphs (A) through (D) as subparagraphs (B) through (E), respectively;

(III) by inserting before subparagraph (B) (as so redesignated) the following:

“(A) subsection (d) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279).”;

(IV) in subparagraph (B) (as so redesignated), by striking “450i(b);” and inserting “3157(b);”;

(V) in subparagraph (D) (as so redesignated), by adding “or” at the end; and

(VI) in subparagraph (E) (as so redesignated), by striking “; or” and inserting a period.

(b) OUTREACH AND EDUCATION FOR SOCIALLY DISADVANTAGED FARMERS AND RANCHERS, VETERAN FARMERS AND RANCHERS, AND BEGINNING FARMERS AND RANCHERS.—Section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended—

(1) by striking the section heading and inserting “FARMING OPPORTUNITIES TRAINING AND OUTREACH”;

(2) by redesignating subsection (i) as paragraph (5) (and moving the margins of such paragraph 2 ems to the right) and moving such paragraph (as so redesignated) so as to follow subsection (a)(4);

(3) by redesignating subsections (a) (as amended by paragraph (2)), (b), (c), (d), (e), (g), and (h) as subsections (c), (g), (k), (h), (a), (i), and (j), respectively, and moving the subsections so as to appear in alphabetical order;

(4) by moving paragraph (5) of subsection (a) (as so redesignated) so as to appear at the end of subsection (c) (as so redesignated) and redesignating such paragraph as paragraph (6);

(5) in subsection (a) (as so redesignated)—

(A) by striking the subsection designation and heading and inserting the following:

“(a) DEFINITIONS.—In this section:”;

(B) by redesignating paragraphs (1), (2), (3), (4), and (6) as paragraphs (6), (5), (1), (3), and (4), respectively, and moving the paragraphs so as to appear in numerical order;

(C) in paragraphs (1), (5), and (6) (as so redesignated), by striking “As used in this section, the” each place it appears and inserting “The”;

(D) in paragraph (1) (as so redesignated)—

(i) in the paragraph heading, by striking “AGRICULTURE” and inserting “AGRICULTURAL”;

(ii) in the matter preceding subparagraph (A), by striking “agriculture” and inserting “agricultural”;

(E) by inserting after paragraph (1) (as so redesignated) the following:

“(2) BEGINNING FARMER OR RANCHER.—The term ‘beginning farmer or rancher’ means a person that—

“(A)(i) has not operated a farm or ranch; or

“(ii) has operated a farm or ranch for not more than 10 years; and

“(B) meets such other criteria as the Secretary may establish.”;

(6) by inserting after subsection (a) (as so redesignated) the following:

“(b) FARMING OPPORTUNITIES TRAINING AND OUTREACH.—The Secretary shall carry out this section to encourage and assist socially disadvantaged farmers and ranchers, veteran farmers and ranchers, and beginning farmers and ranchers in the ownership and operation of farms and ranches through—

“(1) education and training; and

“(2) equitable participation in all agricultural programs of the Department.”;

(7) in subsection (c) (as so redesignated and as amended by paragraph (4))—

(A) in the subsection heading, by inserting “FOR SOCIALLY DISADVANTAGED AND VETERAN FARMERS AND RANCHERS” after “ASSISTANCE”;

(B) by striking paragraph (4);

(C) by redesignating paragraphs (1), (2), (3), and (6) as paragraphs (2), (3), (4), and (1), respectively, and moving the paragraphs so as to appear in numerical order;

(D) in paragraph (1) (as so redesignated)—

(i) in the matter preceding subparagraph (A), by striking “The term” and inserting “In this subsection, the term”;

(ii) in subparagraph (A)(ii), by striking “subsection (a)” and inserting “this subsection”;

(iii) in subparagraph (F), by striking “450b)” and inserting “5304)”;

(E) in paragraph (2) (as so redesignated)—

(i) in the matter preceding subparagraph (A), by striking “The Secretary of Agriculture shall carry out” and inserting “Using funds made available under subsection (1), the Secretary of Agriculture shall, for the period of fiscal years 2019 through 2023, carry out”; and

(ii) in subparagraph (B), by striking “agricultural” and inserting “agricultural, forestry, and related”;

(iii) by striking “agricultural” and inserting “agricultural, forestry, and related”;

(F) in paragraph (3) (as so redesignated), by striking “(1)” in the matter preceding subparagraph (A) and inserting “(2)”; and

(G) in paragraph (4) (as so redesignated)—

(i) in subparagraph (A)—

(I) by striking the subparagraph heading and inserting “OUTREACH AND TECHNICAL ASSISTANCE.”;

(II) by striking “(2)” and inserting “(3)”;

(III) by inserting “to socially disadvantaged farmers and ranchers and veteran farmers and ranchers” after “assistance”;

(ii) in subparagraph (C), by striking “(1)” and inserting “(2)”;

(iii) in subparagraph (D), by adding at the end the following:

“(v) The number of farms or ranches started, maintained, or improved as a result of funds made available under the program.

“(vi) Actions taken by the Secretary in partnership with eligible entities to enhance participation in agricultural programs by veteran farmers or ranchers and socially disadvantaged farmers or ranchers.

“(vii) The effectiveness of the actions described in clause (vi).”;

(iv) by adding at the end the following:

“(E) MAXIMUM TERM AND AMOUNT OF GRANT, CONTRACT, OR AGREEMENT.—A grant, contract, or agreement entered into under subparagraph (A) shall be—

“(i) for a term of not longer than 3 years; and

“(ii) in an amount that is not more than \$250,000 for each year of the grant, contract, or agreement.

“(F) PRIORITY.—In making grants and entering into contracts and other agreements under subparagraph (A), the Secretary shall give priority to nongovernmental and community-based organizations with an expertise in working with socially disadvantaged farmers and ranchers or veteran farmers and ranchers.

“(G) REGIONAL BALANCE.—To the maximum extent practicable, the Secretary shall ensure the geographical diversity of eligible entities to which grants are made and contracts and other agreements are entered into under subparagraph (A).

“(H) PROHIBITION.—A grant, contract, or other agreement under subparagraph (A) may not be used for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

“(I) PEER REVIEW.—The Secretary shall establish a fair and efficient external peer review process that—

“(i) the Secretary shall use in making grants and entering into contracts and other agreements under subparagraph (A); and

“(ii) shall include a broad representation of peers of the eligible entity.

“(J) INPUT FROM ELIGIBLE ENTITIES.—The Secretary shall seek input from eligible entities providing technical assistance under this subsection not less than once each year to ensure that the program is responsive to the eligible entities providing that technical assistance.”;

(8) by inserting after subsection (c) (as so redesignated) the following:

“(d) BEGINNING FARMER AND RANCHER DEVELOPMENT GRANT PROGRAM.—

“(1) IN GENERAL.—Using funds made available under subsection (1), the Secretary, acting through the Director of the National Institute of Food and Agriculture, shall, for the period of fiscal years 2019 through 2023, make competitive grants or enter into cooperative agreements to support new and established local and regional training, education, outreach, and technical assistance initiatives to increase opportunities for beginning farmers and ranchers.

“(2) INCLUDED PROGRAMS AND SERVICES.—Initiatives described in paragraph (1) may include programs or services, as appropriate, relating to—

“(A) basic livestock, forest management, and crop farming practices;

“(B) innovative farm, ranch, and private, nonindustrial forest land transfer and succession strategies;

“(C) entrepreneurship and business training;

“(D) technical assistance to help beginning farmers or ranchers acquire land from retiring farmers and ranchers;

“(E) financial and risk management training, including the acquisition and management of agricultural credit;

“(F) natural resource management and planning;

“(G) diversification and marketing strategies;

“(H) curriculum development;

“(I) mentoring, apprenticeships, and internships;

“(J) resources and referral;

“(K) farm financial benchmarking;

“(L) agricultural rehabilitation and vocational training for veteran farmers and ranchers;

“(M) farm safety and awareness;

“(N) food safety and recordkeeping; and

“(O) other similar subject areas of use to beginning farmers and ranchers.

“(3) ELIGIBILITY.—

“(A) IN GENERAL.—To be eligible to receive a grant or enter into a cooperative agreement under this subsection, the recipient of the grant or participant in the cooperative agreement shall be a collaborative State, Tribal, local, or regionally-based network or partnership of public or private entities.

“(B) INCLUSIONS.—A recipient of a grant or a participant that enters into a cooperative agreement described in subparagraph (A) may include—

“(i) a State cooperative extension service;

“(ii) a Federal, State, municipal, or Tribal agency;

“(iii) a community-based or nongovernmental organization;

“(iv) a college or university (including an institution awarding an associate's degree) or foundation maintained by a college or university; or

“(v) any other appropriate partner, as determined by the Secretary.

“(4) TERMS OF GRANTS OR COOPERATIVE AGREEMENT.—A grant or cooperative agreement under this subsection shall—

“(A) be for a term of not longer than 3 years; and

“(B) provide not more than \$250,000 for each year.

“(5) MATCHING REQUIREMENT.—

“(A) IN GENERAL.—Except as provided in subparagraph (B), to be eligible to receive a grant or enter into a cooperative agreement under this subsection, a recipient or participant shall provide a match in the form of cash or in-kind contributions in an amount equal to 25 percent of the funds provided by the grant or cooperative agreement.

“(B) EXCEPTION.—The Secretary may waive or reduce the matching requirement in subparagraph (A) if the Secretary determines such a waiver or modification is necessary to effectively reach an underserved area or population.

“(6) EVALUATION CRITERIA.—In making grants or entering into cooperative agreements under this subsection, the Secretary shall evaluate, with respect to applications for the grants or cooperative agreements—

“(A) relevancy;

“(B) technical merit;

“(C) achievability;

“(D) the expertise and track record of 1 or more applicants;

“(E) the consultation of beginning farmers and ranchers in design, implementation, and decisionmaking relating to an initiative described in paragraph (1);

“(F) the adequacy of plans for—

“(i) a participatory evaluation process;

“(ii) outcome-based reporting; and

“(iii) the communication of findings and results beyond the immediate target audience; and

“(G) other appropriate factors, as determined by the Secretary.

“(7) REGIONAL BALANCE.—To the maximum extent practicable, the Secretary shall ensure the geographical diversity of recipients of grants or participants in cooperative agreements under this subsection.

“(8) PRIORITY.—In making grants or entering into cooperative agreements under this sub-

section, the Secretary shall give priority to partnerships and collaborations that are led by or include nongovernmental, community-based organizations and school-based educational organizations with expertise in new agricultural producer training and outreach.

“(9) PROHIBITION.—A grant made or cooperative agreement entered into under this subsection may not be used for the planning, repair, rehabilitation, acquisition, or construction of a building or facility.

“(10) COORDINATION PERMITTED.—A recipient of a grant or participant in a cooperative agreement under this subsection may coordinate with a recipient of a grant or cooperative agreement under section 1680 in addressing the needs of veteran farmers and ranchers with disabilities.

“(11) CONSECUTIVE AWARDS.—A grant or cooperative agreement under this subsection may be made to a recipient or participant for consecutive years.

“(12) PEER REVIEW.—

“(A) IN GENERAL.—The Secretary shall establish a fair and efficient external peer review process, which the Secretary shall use in making grants or entering into cooperative agreements under this subsection.

“(B) REQUIREMENT.—The peer review process under subparagraph (A) shall include a review panel composed of a broad representation of peers of the applicant for the grant or cooperative agreement that are not applying for a grant or cooperative agreement under this subsection.

“(13) PARTICIPATION BY OTHER FARMERS AND RANCHERS.—Nothing in this subsection prohibits the Secretary from allowing a farmer or rancher who is not a beginning farmer or rancher (including an owner or operator that has ended, or expects to end within 5 years, active labor in a farming or ranching operation as a producer, retiring farmers, and non-farming landowners) from participating in a program or service under this subsection, to the extent that the Secretary determines that such participation—

“(A) is appropriate; and

“(B) will not detract from the primary purpose of increasing opportunities for beginning farmers and ranchers.

“(14) EDUCATION TEAMS.—

“(A) IN GENERAL.—The Secretary shall establish beginning farmer and rancher education teams to develop curricula, conduct educational programs and workshops for beginning farmers and ranchers in diverse geographical areas of the United States, or provide training and technical assistance initiatives for beginning farmers or ranchers or for trainers and service providers that work with beginning farmers or ranchers.

“(B) CURRICULUM.—In promoting the development of curricula, educational programs and workshops, or training and technical assistance initiatives under subparagraph (A), the Secretary shall, to the maximum extent practicable, include content tailored to specific audiences of beginning farmers and ranchers, based on crop diversity or regional diversity.

“(C) COMPOSITION.—In establishing an education team under subparagraph (A) for a specific program or workshop, the Secretary shall, to the maximum extent practicable—

“(i) obtain the short-term services of specialists with knowledge and expertise in programs serving beginning farmers and ranchers; and

“(ii) use officers and employees of the Department with direct experience in programs of the Department that may be taught as part of the curriculum for the program or workshop.

“(D) COOPERATION.—

“(i) IN GENERAL.—In carrying out this subsection, the Secretary shall cooperate, to the maximum extent practicable, with—

“(I) State cooperative extension services;

“(II) Federal, State, and Tribal agencies;

“(III) community-based and nongovernmental organizations;

“(IV) colleges and universities (including an institution awarding an associate's degree) or foundations maintained by a college or university; and

“(V) other appropriate partners, as determined by the Secretary.

“(ii) COOPERATIVE AGREEMENTS.—The Secretary may enter into a cooperative agreement to reflect the terms of any cooperation under subparagraph (A).

“(15) CURRICULUM AND TRAINING CLEARINGHOUSE.—The Secretary shall establish an online clearinghouse that makes available to beginning farmers and ranchers education curricula and training materials and programs, which may include online courses for direct use by beginning farmers and ranchers.

“(e) APPLICATION REQUIREMENTS.—In making grants and entering into contracts and other agreements, as applicable, under subsections (c) and (d), the Secretary shall make available a simplified application process for an application for a grant that requests less than \$50,000.”;

(9) by striking subsection (f) and inserting the following:

“(f) STAKEHOLDER INPUT.—In carrying out this section, the Secretary shall seek stakeholder input from—

“(1) beginning farmers and ranchers;

“(2) socially disadvantaged farmers and ranchers;

“(3) veteran farmers and ranchers;

“(4) national, State, Tribal, and local organizations and other persons with expertise in operating programs for—

“(A) beginning farmers and ranchers;

“(B) socially disadvantaged farmers and ranchers; or

“(C) veteran farmers and ranchers;

“(5) the Advisory Committee on Beginning Farmers and Ranchers established under section 5(b) of the Agricultural Credit Improvement Act of 1992 (7 U.S.C. 1929 note; Public Law 102-554);

“(6) the Advisory Committee on Minority Farmers established under section 14008 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2279 note; Public Law 110-246); and

“(7) the Tribal Advisory Committee established under subsection (b) of section 309 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6921).”;

(10) in paragraph (3) of subsection (h) (as so redesignated), by inserting “and not later than March 1, 2020,” after “1991,”; and

(11) by adding at the end the following:

“(I) FUNDING.—

“(1) MANDATORY FUNDING.—Of the funds of the Commodity Credit Corporation, the Secretary shall use to carry out this section—

“(A) \$30,000,000 for each of fiscal years 2019 and 2020;

“(B) \$35,000,000 for fiscal year 2021;

“(C) \$40,000,000 for fiscal year 2022; and

“(D) \$50,000,000 for fiscal year 2023 and each fiscal year thereafter.

“(2) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2019 through 2023.

“(3) RESERVATION OF FUNDS.—Of the amounts made available to carry out this section—

“(A) 50 percent shall be used to carry out subsection (c); and

“(B) 50 percent shall be used to carry out subsection (d).

“(4) ALLOCATION OF FUNDS.—

“(A) IN GENERAL.—Not less than 5 percent of the amounts made available to carry out subsection (d) for a fiscal year shall be used to support programs and services that address the needs of—

“(i) limited resource beginning farmers and ranchers, as defined by the Secretary;

“(ii) socially disadvantaged farmers and ranchers that are beginning farmers and ranchers; and

“(iii) farmworkers desiring to become farmers or ranchers.

“(B) VETERAN FARMERS AND RANCHERS.—Not less than 5 percent of the amounts made available to carry out subsection (d) for a fiscal year shall be used to support programs and services

that address the needs of veteran farmers and ranchers.

“(5) **INTERAGENCY FUNDING.**—Any agency of the Department may participate in any grant, contract, or agreement entered into under this section by contributing funds, if the contributing agency determines that the objectives of the grant, contract, or agreement will further the authorized programs of the contributing agency.

“(6) **ADMINISTRATIVE EXPENSES.**—Not more than 5 percent of the amounts made available to carry out this section for a fiscal year may be used for expenses relating to the administration of this section.

“(7) **LIMITATION ON INDIRECT COSTS.**—A recipient of a grant or a party to a contract or other agreement under subsection (c) or (d) may not use more than 10 percent of the funds received for the indirect costs of carrying out a grant, contract, or other agreement.”.

SEC. 12302. URBAN AGRICULTURE.

Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6911 et seq.) (as amended by section 12202) is amended by adding at the end the following:

“SEC. 222. OFFICE OF URBAN AGRICULTURE AND INNOVATIVE PRODUCTION.

“(a) **OFFICE.**—

“(1) **IN GENERAL.**—The Secretary shall establish in the Department an Office of Urban Agriculture and Innovative Production.

“(2) **DIRECTOR.**—The Secretary shall appoint a senior official to serve as the Director of the Office of Urban Agriculture and Innovative Production (referred to in this section as the ‘Director’).

“(3) **MISSION.**—The mission of the Office of Urban Agriculture and Innovative Production shall be to encourage and promote urban, indoor, and other emerging agricultural practices, including—

“(A) community gardens and farms located in urban areas, suburbs, and urban clusters;

“(B) rooftop farms, outdoor vertical production, and green walls;

“(C) indoor farms, greenhouses, and high-tech vertical technology farms;

“(D) hydroponic, aeroponic, and aquaponic farm facilities; and

“(E) other innovations in agricultural production, as determined by the Secretary.

“(4) **RESPONSIBILITIES.**—The Director shall be responsible for engaging in activities to carry out the mission described in paragraph (3), including by—

“(A) managing programs, including for community gardens, urban farms, rooftop agriculture, and indoor vertical production;

“(B) advising the Secretary;

“(C) coordinating with the agencies and officials of the Department to update relevant programs;

“(D) engaging in stakeholder relations and developing external partnerships;

“(E) identifying common State and municipal best practices for navigating local policies;

“(F) coordinating networks of community gardens and facilitating connections to local food banks, in partnership with the Food and Nutrition Service; and

“(G) collaborating with other Federal agencies.

“(b) **URBAN AGRICULTURE AND INNOVATIVE PRODUCTION ADVISORY COMMITTEE.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this section, the Secretary shall establish an Urban Agriculture and Innovative Production Advisory Committee (referred to in this subsection as the ‘Committee’) to advise the Secretary on—

“(A) the development of policies and outreach relating to urban, indoor, and other emerging agricultural production practices; and

“(B) any other aspects of the implementation of this section.

“(2) **MEMBERSHIP.**—

“(A) **IN GENERAL.**—The Committee shall be composed of 12 members, of whom—

“(i) 4 shall be individuals who are agricultural producers, of whom—

“(I) 2 individuals shall be agricultural producers located in an urban area or urban cluster; and

“(II) 2 individuals shall be farmers that use innovative technology;

“(ii) 2 shall be representatives from an institution of higher education or extension program;

“(iii) 1 shall be an individual who represents a nonprofit organization, which may include a public health, environmental, or community organization;

“(iv) 1 shall be an individual who represents business and economic development, which may include a business development entity, a chamber of commerce, a city government, or a planning organization;

“(v) 1 shall be an individual with supply chain experience, which may include a food aggregator, wholesale food distributor, food hub, or an individual who has direct-to-consumer market experience;

“(vi) 1 shall be an individual from a financing entity; and

“(vii) 2 shall be individuals with related experience or expertise in urban, indoor, and other emerging agriculture production practices, as determined by the Secretary.

“(B) **INITIAL APPOINTMENTS.**—The Secretary shall appoint the members of the Committee not later than 180 days after the date of enactment of this section.

“(3) **PERIOD OF APPOINTMENT; VACANCIES.**—

“(A) **IN GENERAL.**—Except as provided in subparagraph (B), a member of the Committee shall be appointed for a term of 3 years.

“(B) **INITIAL APPOINTMENTS.**—Of the members first appointed to the Committee—

“(i) 4 of the members, as determined by the Secretary, shall be appointed for a term of 3 years;

“(ii) 4 of the members, as determined by the Secretary, shall be appointed for a term of 2 years; and

“(iii) 4 of the members, as determined by the Secretary, shall be appointed for a term of 1 year.

“(C) **VACANCIES.**—Any vacancy in the Committee—

“(i) shall not affect the powers of the Committee; and

“(ii) shall be filled as soon as practicable in the same manner as the original appointment.

“(D) **CONSECUTIVE TERMS.**—An initial appointee of the committee may serve an additional consecutive term if the member is reappointed by the Secretary.

“(4) **MEETINGS.**—

“(A) **FREQUENCY.**—The Committee shall meet not fewer than 3 times per year.

“(B) **INITIAL MEETING.**—Not later than 180 days after the date on which the members are appointed under paragraph (2)(B), the Committee shall hold the first meeting of the Committee.

“(5) **DUTIES.**—

“(A) **IN GENERAL.**—The Committee shall—

“(i) develop recommendations and advise the Director on policies, initiatives, and outreach administered by the Office of Urban Agriculture and Innovative Production;

“(ii) evaluate and review ongoing research and extension activities relating to urban, indoor, and other innovative agricultural practices;

“(iii) identify new and existing barriers to successful urban, indoor, and other emerging agricultural production practices; and

“(iv) provide additional assistance and advice to the Director as appropriate.

“(B) **REPORTS.**—Not later than 1 year after the date on which the Committee is established, and every 2 years through 2023, the Committee shall submit to the Secretary, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the recommendations developed under subparagraph (A).

“(6) **PERSONNEL MATTERS.**—

“(A) **COMPENSATION.**—A member of the Committee shall serve without compensation.

“(B) **TRAVEL EXPENSES.**—A member of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in accordance with section 5703 of title 5, United States Code.

“(7) **TERMINATION.**—

“(A) **IN GENERAL.**—Subject to subparagraph (B), the Committee shall terminate on the date that is 5 years after the date on which the members are appointed under paragraph (2)(B).

“(B) **EXTENSIONS.**—Before the date on which the Committee terminates, the Secretary may renew the Committee for 1 or more 2-year periods.

“(c) **GRANTS.**—The Director shall award competitive grants to support the development of urban agriculture and innovative production to any of the following eligible entities:

“(1) A nonprofit organization.

“(2) A unit of local government.

“(3) A Tribal government.

“(4) Any school that serves any of grades kindergarten through grade 12.

“(d) **PILOT PROJECTS.**—

“(1) **URBAN AND SUBURBAN COUNTY COMMITTEES.**—

“(A) **IN GENERAL.**—Not later than 1 year after the date of enactment of this section, the Secretary shall establish a pilot program for not fewer than 5 years that establishes 10 county committees in accordance with section 8(b)(5)(B)(ii)(II) of the Soil Conservation and Domestic Allotment Act (16 U.S.C. 590h(b)(5)(B)(ii)(II)) to operate in counties located in urban or suburban areas with a high concentration of urban or suburban farms.

“(B) **EFFECT.**—Nothing in this paragraph requires or precludes the establishment of a Farm Service Agency office in a county in which a county committee is established under subparagraph (A).

“(C) **REPORT.**—For fiscal year 2019 and each fiscal year thereafter through fiscal year 2023, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing a summary of—

“(i) the status of the pilot program under subparagraph (A);

“(ii) meetings and other activities of the committees established under that subparagraph; and

“(iii) the types and volume of assistance and services provided to farmers in counties in which county committees are established under that subparagraph.

“(2) **INCREASING COMMUNITY COMPOST AND REDUCING FOOD WASTE.**—

“(A) **IN GENERAL.**—The Secretary, acting through the Director, shall carry out pilot projects under which the Secretary shall offer to enter into cooperative agreements with local or municipal governments in not fewer than 10 States to develop and test strategies for planning and implementing municipal compost plans and food waste reduction plans.

“(B) **ELIGIBLE ENTITIES AND PURPOSES OF PILOT PROJECTS.**—Under a cooperative agreement entered into under this paragraph, the Secretary shall provide assistance to municipalities, counties, local governments, or city planners, as appropriate, to carry out planning and implementing activities that will—

“(i) generate compost;

“(ii) increase access to compost for agricultural producers;

“(iii) reduce reliance on, and limit the use of, fertilizer;

“(iv) improve soil quality;

“(v) encourage waste management and permaculture business development;

“(vi) increase rainwater absorption;

“(vii) reduce municipal food waste; and

“(viii) divert food waste from landfills.

“(C) **EVALUATION AND RANKING OF APPLICATIONS.**—

“(i) **CRITERIA.**—Not later than 180 days after the date of enactment of this section, the Secretary shall establish criteria for the selection of pilot projects under this paragraph.

“(ii) **CONSIDERATION.**—In selecting, undertaking, or funding pilot projects under this paragraph, the Secretary shall consider any commonly known significant impact on existing food waste recovery and disposal by commercial, marketing, or business relationships.

“(iii) **PRIORITY.**—In selecting a pilot project under this paragraph, the Secretary shall give priority to an application for a pilot project that—

“(I) anticipates or demonstrates economic benefits;

“(II) incorporates plans to make compost easily accessible to agricultural producers, including community gardeners;

“(III) integrates other food waste strategies, including food recovery efforts; and

“(IV) provides for collaboration with multiple partners.

“(D) **MATCHING REQUIREMENT.**—The recipient of assistance for a pilot project under this paragraph shall provide funds, in-kind contributions, or a combination of both from sources other than funds provided through the grant in an amount equal to not less than 25 percent of the amount of the grant.

“(E) **EVALUATION.**—The Secretary shall conduct an evaluation of the pilot projects funded under this paragraph to assess different solutions for increasing access to compost and reducing municipal food waste, including an evaluation of—

“(i) the amount of Federal funds used for each project; and

“(ii) a measurement of the outcomes of each project.

“(e) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section and the amendments made by this section \$25,000,000 for each of fiscal years 2019 through 2023.”

SEC. 12303. TRIBAL ADVISORY COMMITTEE.

Section 309 of the Federal Crop Insurance Reform and Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6921) is amended—

(1) by striking “The Secretary” and inserting the following:

“(a) **IN GENERAL.**—The Secretary”; and

(2) by adding at the end the following:

“(b) **TRIBAL ADVISORY COMMITTEE.**—

“(1) **DEFINITIONS.**—In this subsection:

“(A) **INDIAN TRIBE.**—The term ‘Indian tribe’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(B) **RELEVANT COMMITTEES OF CONGRESS.**—The term ‘relevant committees of Congress’ means—

“(i) the Committee on Agriculture of the House of Representatives;

“(ii) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

“(iii) the Committee on Indian Affairs of the Senate.

“(C) **TRIBAL ORGANIZATION.**—The term ‘tribal organization’ has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(2) **ESTABLISHMENT OF COMMITTEE.**—

“(A) **IN GENERAL.**—The Secretary shall establish an advisory committee, to be known as the Tribal Advisory Committee (referred to in this subsection as the ‘Committee’) to provide advice and guidance to the Secretary on matters relating to Tribal and Indian affairs.

“(B) **FACILITATION.**—The Committee shall facilitate, but not supplant, government-to-government consultation between the Department of Agriculture (referred to in this subsection as the ‘Department’) and Indian tribes.

“(3) **MEMBERSHIP.**—

“(A) **COMPOSITION.**—The Committee shall be composed of 11 members, of whom—

“(i) 3 shall be appointed by the Secretary;

“(ii) 1 shall be appointed by the chairperson of the Committee on Indian Affairs of the Senate;

“(iii) 1 shall be appointed by the ranking member of the Committee on Indian Affairs of the Senate;

“(iv) 1 shall be appointed by the chairperson of the Committee on Agriculture, Nutrition, and Forestry of the Senate;

“(v) 1 shall be appointed by the ranking member of the Committee on Agriculture, Nutrition, and Forestry of the Senate;

“(vi) 2 shall be appointed by the chairperson of the Committee on Agriculture of the House of Representatives; and

“(vii) 2 shall be appointed by the ranking member of the Committee on Agriculture of the House of Representatives.

“(B) **NOMINATIONS.**—The Secretary shall accept nominations for members of the Committee from any of the following:

“(i) An Indian tribe.

“(ii) A tribal organization.

“(iii) A national or regional organization with expertise in issues relating to the duties of the Committee described in paragraph (4).

“(C) **DIVERSITY.**—To the maximum extent feasible, the Secretary shall ensure that the members of the Committee represent a diverse set of expertise on issues relating to geographic regions, Indian tribes, and the agricultural industry.

“(D) **LIMITATION.**—No member of the Committee shall be an officer or employee of the Federal Government.

“(E) **PERIOD OF APPOINTMENT; VACANCIES.**—

“(i) **IN GENERAL.**—Each member of the Committee—

“(I) subject to clause (ii), shall be appointed to a 3-year term; and

“(II) may be reappointed to not more than 3 consecutive terms.

“(ii) **INITIAL STAGGERING.**—The first 3 appointments by the Secretary under paragraph (3)(A)(i) shall be for a 2-year term.

“(iii) **VACANCIES.**—Any vacancy in the Committee shall be filled in the same manner as the original appointment not more than 90 days after the date on which the position becomes vacant.

“(F) **MEETINGS.**—

“(i) **IN GENERAL.**—The Committee shall meet in person not less than twice each year.

“(ii) **OFFICE OF TRIBAL RELATIONS REPRESENTATIVE.**—Not fewer than 1 representative from the Office of Tribal Relations of the Department shall be present at each meeting of the Committee.

“(iii) **DEPARTMENT OF INTERIOR REPRESENTATIVE.**—The Assistant Secretary for Indian Affairs of the Department of the Interior (or a designee) shall be present at each meeting of the Committee.

“(iv) **NONVOTING REPRESENTATIVES.**—The individuals described in clauses (ii) and (iii) shall be nonvoting representatives at meetings of the Committee.

“(4) **DUTIES OF COMMITTEE.**—The Committee shall—

“(A) identify evolving issues of relevance to Indian tribes relating to programs of the Department;

“(B) communicate to the Secretary the issues identified under subparagraph (A);

“(C) submit to the Secretary recommendations for, and solutions to—

“(i) the issues identified under subparagraph (A);

“(ii) issues raised at the Tribal, regional, or national level; and

“(iii) issues relating to any Tribal consultation carried out by the Department;

“(D) discuss issues and proposals for changes to the regulations, policies, and procedures of the Department that impact Indian tribes;

“(E) identify priorities and provide advice on appropriate strategies for Tribal consultation on issues at the Tribal, regional, or national level regarding the Department;

“(F) ensure that pertinent issues of the Department are brought to the attention of an Indian tribe in a timely manner so that timely feedback from an Indian tribe can be obtained; and

“(G) identify and propose solutions to any interdepartmental barrier between the Department and other Federal agencies.

“(5) **REPORTS.**—

“(A) **IN GENERAL.**—Not less frequently than once each year, the Committee shall submit to the Secretary and the relevant committees of Congress a report that describes—

“(i) the activities of the Committee during the previous year; and

“(ii) recommendations for legislative or administrative action for the following year.

“(B) **RESPONSE FROM SECRETARY.**—Not more than 45 days after the date on which the Secretary receives a report under subparagraph (A), the Secretary shall submit a written response to that report to—

“(i) the Committee; and

“(ii) the relevant committees of Congress.

“(6) **COMPENSATION OF MEMBERS.**—Members of the Committee shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Committee.

“(7) **FEDERAL ADVISORY COMMITTEE ACT EXEMPTION.**—Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Committee.”

SEC. 12304. BEGINNING FARMER AND RANCHER COORDINATION.

Subtitle D of title VII of the Farm Security and Rural Investment Act of 2002 (as amended by sections 7506 and 12301(a)(1)) is further amended by inserting after section 7403 (7 U.S.C. 3119b note; Public Law 107-171) the following:

“SEC. 7404. BEGINNING FARMER AND RANCHER COORDINATION.

“(a) **DEFINITIONS.**—In this section:

“(1) **BEGINNING FARMER OR RANCHER.**—The term ‘beginning farmer or rancher’ has the meaning given such term in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).

“(2) **NATIONAL COORDINATOR.**—The term ‘National Coordinator’ means the National Beginning Farmer and Rancher Coordinator established under subsection (b)(1).

“(3) **STATE COORDINATOR.**—The term ‘State coordinator’ means a State beginning farmer and rancher coordinator designated under subsection (c)(1)(A).

“(4) **STATE OFFICE.**—The term ‘State office’ means—

“(A) a State office of—

“(i) the Farm Service Agency;

“(ii) the Natural Resources Conservation Service;

“(iii) the Rural Business-Cooperative Service; or

“(iv) the Rural Utilities Service; or

“(B) a regional office of the Risk Management Agency.

“(b) **NATIONAL BEGINNING FARMER AND RANCHER COORDINATOR.**—

“(1) **ESTABLISHMENT.**—The Secretary shall establish in the Department the position of National Beginning Farmer and Rancher Coordinator.

“(2) **DUTIES.**—

“(A) **IN GENERAL.**—The National Coordinator shall—

“(i) advise the Secretary and coordinate activities of the Department on programs, policies, and issues relating to beginning farmers and ranchers; and

“(ii) in consultation with the applicable State food and agriculture council, determine whether to approve a plan submitted by a State coordinator under subsection (c)(3)(B).

“(B) DISCRETIONARY DUTIES.—Additional duties of the National Coordinator may include—
“(i) developing and implementing new strategies—

“(I) for outreach to beginning farmers and ranchers; and

“(II) to assist beginning farmers and ranchers with connecting to owners or operators that have ended, or expect to end within 5 years, actively owning or operating a farm or ranch; and

“(ii) facilitating interagency and interdepartmental collaboration on issues relating to beginning farmers and ranchers.

“(3) REPORTS.—Not less frequently than once each year, the National Coordinator shall distribute within the Department and make publicly available a report describing the status of steps taken to carry out the duties described in subparagraphs (A) and (B) of paragraph (2).

“(4) CONTRACTS AND COOPERATIVE AGREEMENTS.—In carrying out the duties under paragraph (2), the National Coordinator may enter into a contract or cooperative agreement with an institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), cooperative extension services (as defined in section 1404 of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3103)), or a non-profit organization—

“(A) to conduct research on the profitability of new farms in operation for not less than 5 years in a region;

“(B) to develop educational materials;

“(C) to conduct workshops, courses, training, or certified vocational training; or

“(D) to conduct mentoring activities.

“(c) STATE BEGINNING FARMER AND RANCHER COORDINATORS.—

“(1) IN GENERAL.—

“(A) DESIGNATION.—The National Coordinator, in consultation with State food and agriculture councils and directors of State offices, shall designate in each State a State beginning farmer and rancher coordinator from among employees of State offices.

“(B) REQUIREMENTS.—To be designated as a State coordinator, an employee shall—

“(i) be familiar with issues relating to beginning farmers and ranchers; and

“(ii) have the ability to coordinate with other Federal departments and agencies.

“(2) TRAINING.—The Secretary shall develop a training plan to provide to each State coordinator knowledge of programs and services available from the Department for beginning farmers and ranchers, taking into consideration the needs of all production types and sizes of agricultural operations.

“(3) DUTIES.—A State coordinator shall—

“(A) coordinate technical assistance at the State level to assist beginning farmers and ranchers in accessing programs of the Department;

“(B) develop and submit to the National Coordinator for approval under subsection (b)(2)(A)(ii) a State plan to improve the coordination, delivery, and efficacy of programs of the Department to beginning farmers and ranchers, taking into consideration the needs of all types of production methods and sizes of agricultural operation, at each county and area office in the State;

“(C) oversee implementation of an approved State plan described in subparagraph (B);

“(D) work with outreach coordinators in the State offices to ensure appropriate information about technical assistance is available at outreach events and activities; and

“(E) coordinate partnerships and joint outreach efforts with other organizations and government agencies serving beginning farmers and ranchers.”.

SEC. 12305. AGRICULTURAL YOUTH ORGANIZATION COORDINATOR.

Subtitle D of title VII of the Farm Security and Rural Investment Act of 2002 (as amended by sections 7506, section 12301(a)(1), and 12304)

is further amended by inserting after section 7404, as added by section 12304, the following:

“SEC. 7405. AGRICULTURAL YOUTH ORGANIZATION COORDINATOR.

“(a) AUTHORIZATION.—The Secretary shall establish in the Department the position of Agricultural Youth Organization Coordinator.

“(b) DUTIES.—The Agricultural Youth Organization Coordinator shall—

“(1) promote the role of youth-serving organizations and school-based agricultural education in motivating and preparing young people to pursue careers in the agriculture, food, and natural resources systems;

“(2) work to help build youth awareness of the reach and importance of agriculture, across a diversity of fields and disciplines;

“(3) identify short-term and long-term interests of the Department and provide opportunities, resources, input, and coordination with programs and agencies of the Department to youth-serving organizations and school-based agricultural education, including the development of internship opportunities;

“(4) share, internally and externally, the extent to which active steps are being taken to encourage collaboration with, and support of, youth-serving organizations and school-based agricultural education;

“(5) provide information to youth involved in food and agriculture organizations concerning the availability of, and eligibility requirements for, participation in agricultural programs, with particular emphasis on beginning farmer and rancher programs;

“(6) serve as a resource for assisting youth involved in food and agriculture organizations in applying for participation in agriculture; and

“(7) advocate on behalf of youth involved in food and agriculture organizations in interactions with employees of the Department.

“(c) CONTRACTS AND COOPERATIVE AGREEMENTS.—For purposes of carrying out the duties under subsection (b), the Agricultural Youth Organization Coordinator shall consult with the cooperative extension and the land-grant university systems, and may enter into contracts or cooperative agreements with the research centers of the Agricultural Research Service, cooperative extension and the land-grant university systems, non-land-grant colleges of agriculture, or nonprofit organizations for—

“(1) the conduct of regional research on the profitability of small farms;

“(2) the development of educational materials;

“(3) the conduct of workshops, courses, and certified vocational training;

“(4) the conduct of mentoring activities; or

“(5) the provision of internship opportunities.”.

SEC. 12306. AVAILABILITY OF DEPARTMENT OF AGRICULTURE PROGRAMS FOR VETERAN FARMERS AND RANCHERS.

(a) DEFINITION OF VETERAN FARMER OR RANCHER.—Paragraph (7) of subsection (a) (as redesignated by section 12301(b)(3)) of section 2501 of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279) is amended—

(1) in subparagraph (A), by striking “or” at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) is a veteran (as defined in section 101 of that title) who has first obtained status as a veteran (as so defined) during the most recent 10-year period.”.

(b) FEDERAL CROP INSURANCE.—

(1) DEFINITION OF VETERAN FARMER OR RANCHER.—Section 502(b) of the Federal Crop Insurance Act (7 U.S.C. 1502(b)) (as amended by section 11101) is amended by adding at the end the following:

“(14) VETERAN FARMER OR RANCHER.—The term ‘veteran farmer or rancher’ means a farmer or rancher who—

“(A) has served in the Armed Forces (as defined in section 101 of title 38, United States Code); and

“(B)(i) has not operated a farm or ranch;

“(ii) has operated a farm or ranch for not more than 5 years; or

“(iii) is a veteran (as defined in section 101 of that title) who has first obtained status as a veteran (as so defined) during the most recent 5-year period.”.

(2) CROP INSURANCE.—Section 508 of the Federal Crop Insurance Act (7 U.S.C. 1508) is amended—

(A) in subsection (b)(5)(E)—

(i) by striking “The Corporation” and inserting the following:

“(i) IN GENERAL.—The Corporation”; and

(ii) in clause (i) (as so designated), by striking the period at the end and inserting the following: “, and veteran farmers or ranchers.”.

“(ii) COORDINATION.—The Corporation shall coordinate with other agencies of the Department that provide programs or services to farmers and ranchers described in clause (i) to make available coverage under the waiver under that clause and to share eligibility information to reduce paperwork and avoid duplication.”;

(B) in subsection (e)(8)—

(i) in the paragraph heading, by inserting “AND VETERAN” after “BEGINNING”; and

(ii) by inserting “or veteran farmer or rancher” after “beginning farmer or rancher” each place it appears; and

(C) in subsection (g)—

(i) in paragraph (2)(B)(iii), in the matter preceding subclause (I), by inserting “or veteran farmer or rancher” after “beginning farmer or rancher” each place it appears; and

(ii) in paragraph (4)(B)(ii)(II), by inserting “and veteran farmers or ranchers” after “beginning farmers or ranchers”.

(3) EDUCATION AND RISK MANAGEMENT ASSISTANCE.—Paragraph (3) of section 524(a) of the Federal Crop Insurance Act (7 U.S.C. 1524(a)), as redesignated by section 11125(a)(3), is amended—

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

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

(C) by adding at the end the following:

“(F) veteran farmers or ranchers.”.

(c) DOWN PAYMENT LOAN PROGRAM.—Section 310E of the Consolidated Farm and Rural Development Act (7 U.S.C. 1935) is amended—

(1) in subsection (a)(1), by striking “qualified beginning farmers or ranchers and socially disadvantaged farmers or ranchers” and inserting “eligible farmers or ranchers”; and

(2) in subsection (d)—

(A) in paragraph (2)(A), by striking “recipients of the loans” and inserting “farmers or ranchers”; and

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

“(3) encourage retiring farmers and ranchers to assist in the sale of their farms and ranches to eligible farmers or ranchers by providing seller financing;”.

(C) in paragraph (4), by striking “for beginning farmers or ranchers or socially disadvantaged farmers or ranchers” and inserting the following: “for—

“(A) beginning farmers or ranchers;

“(B) socially disadvantaged farmers or ranchers, as defined in section 355(e); or

“(C) veteran farmers or ranchers, as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)); and”; and

(D) in paragraph (5), by striking “a qualified beginning farmer or rancher or socially disadvantaged farmer or rancher” and inserting “an eligible farmer or rancher”; and

(3) by striking subsection (e) and inserting the following:

“(e) DEFINITION OF ELIGIBLE FARMER OR RANCHER.—In this section, the term ‘eligible farmer or rancher’ means—

“(1) a qualified beginning farmer or rancher;

“(2) a socially disadvantaged farmer or rancher, as defined in section 355(e); and

“(3) a veteran farmer or rancher, as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).”

(d) **INTEREST RATE REDUCTION PROGRAM.**—Section 351(e)(2)(B) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1999(e)(2)(B)) is amended—

(1) in the subparagraph heading, by inserting “AND VETERAN” after “BEGINNING”;

(2) in clause (i), by inserting “or veteran farmers and ranchers (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)))” before the period at the end; and

(3) in clause (ii), by striking “beginning”.

(e) **NATIONAL FOOD SAFETY TRAINING, EDUCATION, EXTENSION, OUTREACH, AND TECHNICAL ASSISTANCE PROGRAM.**—Section 405(c) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7625(c)) is amended by inserting “veteran farmers or ranchers (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)))” after “socially disadvantaged farmers,”

(f) **ADMINISTRATION AND OPERATION OF NON-INSURED CROP ASSISTANCE PROGRAM.**—Section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) is amended—

(1) in subsection (k)(2), by inserting “, or a veteran farmer or rancher (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)))” before the period at the end; and

(2) in subsection (l), in paragraph (3) (as redesignated by section 1601(7)(D))—

(A) in the paragraph heading, by inserting “VETERAN,” before “AND SOCIALLY”; and

(B) by inserting “and veteran farmers or ranchers (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)))” before “in exchange”.

(g) **FUNDING FOR TRANSITION OPTION FOR CERTAIN FARMERS OR RANCHERS.**—Section 1241(a)(1)(B) of the Food Security Act of 1985 (16 U.S.C. 3841(a)(1)(B)) is amended by striking “beginning farmers or ranchers and socially disadvantaged farmers or ranchers” and inserting “covered farmers or ranchers, as defined in section 1235(f)(1)”.

(h) **SUPPLEMENTAL AGRICULTURAL DISASTER ASSISTANCE.**—

(1) **DEFINITION OF COVERED PRODUCER.**—Section 1501(a) of the Agricultural Act of 2014 (7 U.S.C. 9081(a)) is amended—

(A) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively; and

(B) by inserting before paragraph (2) (as so redesignated) the following:

“(1) **COVERED PRODUCER.**—The term ‘covered producer’ means an eligible producer on a farm that is—

“(A) as determined by the Secretary—

“(i) a beginning farmer or rancher;

“(ii) a socially disadvantaged farmer or rancher; or

“(iii) a limited resource farmer or rancher; or

“(B) a veteran farmer or rancher, as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a)).”

(2) **EMERGENCY ASSISTANCE FOR LIVESTOCK, HONEY BEES, AND FARM-RAISED FISH.**—Section 1501(d) of the Agricultural Act of 2014 (7 U.S.C. 9081(d)) is amended by adding at the end the following:

“(4) **PAYMENT RATE FOR COVERED PRODUCERS.**—In the case of a covered producer that is eligible to receive assistance under this subsection, the Secretary shall provide reimbursement of 90 percent of the cost of losses described in paragraph (1) or (2).”

Subtitle D—Department of Agriculture Reorganization Act of 1994 Amendments

SEC. 12401. OFFICE OF CONGRESSIONAL RELATIONS AND INTERGOVERNMENTAL AFFAIRS.

(a) **ASSISTANT SECRETARIES OF AGRICULTURE.**—Section 218(a)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6918(a)(1)) is amended by striking “Relations” and inserting “Relations and Intergovernmental Affairs”.

(b) **SUCCESSION.**—Any official who is serving as the Assistant Secretary of Agriculture for Congressional Relations on the date of enactment of this Act and who was appointed by the President, by and with the advice and consent of the Senate, shall not be required to be reappointed as a result of the change made to the name of that position under the amendment made by subsection (a).

SEC. 12402. MILITARY VETERANS AGRICULTURAL LIAISON.

Section 219 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6919) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(5) establish and periodically update the website described in subsection (d); and

“(6) in carrying out the duties described in paragraphs (1) through (5), consult with and provide technical assistance to any Federal agency, including the Department of Defense, the Department of Veterans Affairs, the Small Business Administration, and the Department of Labor.”; and

(2) by adding at the end the following:

“(d) **WEBSITE REQUIRED.**—

“(1) **IN GENERAL.**—The website required under subsection (b)(5) shall include the following:

“(A) Positions identified within the Department of Agriculture that are available to veterans for apprenticeships.

“(B) Apprenticeships, programs of training on the job, and programs of education that are approved for purposes of chapter 36 of title 38, United States Code.

“(C) Employment skills training programs for members of the Armed Forces carried out pursuant to section 1143(e) of title 10, United States Code.

“(D) Information designed to assist businesses, nonprofit entities, educational institutions, and farmers interested in developing apprenticeships, on-the-job training, educational, or entrepreneurial programs for veterans in navigating the process of having a program approved by a State approving agency for purposes of chapter 36 of title 38, United States Code, including—

“(i) contact information for relevant offices in the Department of Defense, Department of Veterans Affairs, Department of Labor, and Small Business Administration;

“(ii) basic requirements for approval by each State approving agency;

“(iii) recommendations with respect to training and coursework to be used during apprenticeships or on-the-job training that will enable a veteran to be eligible for agricultural programs; and

“(iv) examples of successful programs and curriculums that have been approved for purposes of chapter 36 of title 38, United States Code (with consent of the organization and without any personally identifiable information).

“(2) **REVIEW OF WEBSITE.**—

“(A) **IN GENERAL.**—Not later than 5 years after the date of enactment of this paragraph, and once every 5 years thereafter, the Secretary shall conduct a study to determine if the website required under subsection (b)(5) is effective in providing veterans the information required under paragraph (1).

“(B) **INEFFECTIVE WEBSITE.**—If the Secretary determines that the website is not effective under subparagraph (A), the Secretary shall—

“(i) notify the agriculture and veterans committees described in subparagraph (C) of that determination; and

“(ii) not later than 180 days after the date on which the Secretary provides notice under clause (i), terminate the website.

“(C) **AGRICULTURE AND VETERANS COMMITTEES.**—The agriculture and veterans committees referred to in subparagraph (B)(i) are—

“(i) the Committee on Agriculture of the House of Representatives;

“(ii) the Committee on Agriculture, Nutrition, and Forestry of the Senate;

“(iii) the Committee on Veterans’ Affairs of the House of Representatives; and

“(iv) the Committee on Veterans’ Affairs of the Senate.

“(e) **CONSULTATION REQUIRED.**—In carrying out this section, the Secretary shall consult with organizations that serve veterans.

“(f) **REPORT.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Military Veterans Agricultural Liaison shall submit a report on beginning farmer training for veterans and agricultural vocational and rehabilitation programs for veterans to—

“(A) the Committee on Agriculture of the House of Representatives;

“(B) the Committee on Veterans’ Affairs of the House of Representatives;

“(C) the Committee on Agriculture, Nutrition, and Forestry of the Senate; and

“(D) the Committee on Veterans’ Affairs of the Senate.

“(2) **CONTENTS OF REPORT.**—The report submitted under paragraph (1) shall include—

“(A) a summary of the measures taken to carry out subsections (b) and (c);

“(B) a description of the information provided to veterans under paragraphs (1) and (2) of subsection (b);

“(C) recommendations for best informing veterans of the programs described in paragraphs (1) and (2) of subsection (b);

“(D) a summary of the contracts or cooperative agreements entered into under subsection (c);

“(E) a description of the programs implemented under subsection (c);

“(F) a summary of the employment outreach activities directed to veterans;

“(G) recommendations for how opportunities for veterans in agriculture should be developed or expanded;

“(H) a summary of veteran farm lending data and a summary of shortfalls, if any, identified by the Military Veterans Agricultural Liaison in collecting data with respect to veterans engaged in agriculture; and

“(I) recommendations, if any, on how to improve activities under subsection (b).

“(g) **PUBLIC DISSEMINATION OF INFORMATION.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this subsection, and annually thereafter, the Military Veterans Agricultural Liaison shall make publicly available and share broadly, including by posting on the website of the Department—

“(A) the report of the Military Veterans Agricultural Liaison on beginning farmer training for veterans and agricultural vocational and rehabilitation programs; and

“(B) the information disseminated under paragraphs (1) and (2) of subsection (b).

“(2) **FURTHER DISSEMINATION.**—Not later than the day before the date on which the Military Veterans Agricultural Liaison makes publicly available the information under paragraph (1), the Military Veterans Agricultural Liaison shall provide that information to the Department of Defense, the Department of Veterans Affairs, the Small Business Administration, and the Department of Labor.”

SEC. 12403. CIVIL RIGHTS ANALYSES.

(a) *IN GENERAL.*—The Secretary shall conduct civil rights impact analyses in accordance with Departmental Regulation 4300-004 issued by the Department of Agriculture on October 17, 2016, with respect to the Department of Agriculture's employment, federally-conducted programs and activities, and federally-assisted programs and activities.

(b) *STUDY; REPORT.*—

(1) *STUDY.*—Not later than 2 years after the date of enactment of this Act, the Comptroller General of the United States (referred to in this section as the “Comptroller General”) shall conduct a study describing—

(A) the effectiveness of the Department of Agriculture in processing and resolving civil rights complaints;

(B) minority participation rates in farm programs, including a comparison of overall farmer and rancher participation with minority farmer and rancher participation by considering particular aspects of the programs of the Department of Agriculture for producers, such as ownership status, program participation, usage of permits, and waivers;

(C) the realignment of the civil rights functions of the Department of Agriculture, as outlined in Secretarial Memorandum 1076-023 (March 9, 2018), including an analysis of whether that realignment has any negative implications on the civil rights functions of the Department;

(D) efforts of the Department of Agriculture to identify actions, programs, or activities of the Department of Agriculture that may adversely affect employees, contractors, or beneficiaries (including participants) of the action, program, or activity based on the membership of the employees, contractors, or beneficiaries in a group that is protected under Federal law from discrimination in employment, contracting, or provision of an action, program, or activity, as applicable; and

(E) efforts of the Department of Agriculture to strategically plan actions to decrease discrimination and civil rights complaints within the Department of Agriculture or in the carrying out of the programs and authorities of the Department of Agriculture.

(2) *REPORT.*—Not later than 60 days after the date of completion of the study under paragraph (1), the Comptroller General shall submit a report describing the results of the study to—

(A) the Committee on Agriculture of the House of Representatives; and

(B) the Committee on Agriculture, Nutrition, and Forestry of the Senate.

SEC. 12404. FARM SERVICE AGENCY.

(a) *IN GENERAL.*—Section 226 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6932) is amended—

(1) in the section heading, by striking “**CONSOLIDATED FARM**” and inserting “**FARM**”;

(2) in subsection (b), in the subsection heading, by striking “**OF CONSOLIDATED FARM SERVICE AGENCY**”;

(3) by striking “Consolidated Farm” each place it appears and inserting “Farm”.

(b) *CONFORMING AMENDMENTS.*—

(1) Section 246 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6962) is amended—

(A) in subsection (c), by striking “Consolidated Farm” each place it appears and inserting “Farm”; and

(B) in subsection (e)(2), by striking “Consolidated Farm” each place it appears and inserting “Farm”.

(2) Section 271(2)(A) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991(2)(A)) is amended by striking “Consolidated Farm” each place it appears and inserting “Farm”.

(3) Section 275(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6995(b)) is amended by striking “Consolidated Farm” each place it appears and inserting “Farm”.

SEC. 12405. UNDER SECRETARY OF AGRICULTURE FOR FARM PRODUCTION AND CONSERVATION.

(a) *OFFICE OF RISK MANAGEMENT.*—Section 226A(d)(1) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6933(d)(1)) is amended by striking “Under Secretary of Agriculture for Farm and Foreign Agricultural Services” and inserting “Under Secretary of Agriculture for Farm Production and Conservation”.

(b) *MULTIAGENCY TASK FORCE.*—Section 242(b)(3) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6952(b)(3)) is amended by striking “Under Secretary for Farm and Foreign Agricultural Services” and inserting “Under Secretary of Agriculture for Farm Production and Conservation”.

(c) *FOOD AID CONSULTATIVE GROUP.*—Section 205(b)(2) of the Food for Peace Act (7 U.S.C. 1725(b)(2)) is amended by striking “Under Secretary of Agriculture for Farm and Foreign Agricultural Services” and inserting “Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs”.

(d) *INTERAGENCY COMMITTEE ON MINORITY CAREERS IN INTERNATIONAL AFFAIRS.*—Section 625(c)(1)(A) of the Higher Education Act of 1965 (20 U.S.C. 1131c(c)(1)(A)) is amended by striking “Under Secretary” and all that follows through “designee” and inserting “Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs, or the designee of that Under Secretary”.

SEC. 12406. OFFICE OF PARTNERSHIPS AND PUBLIC ENGAGEMENT.

(a) *CHANGING NAME OF OFFICE.*—

(1) *IN GENERAL.*—Section 226B of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934) is amended—

(A) in the section heading, by striking “**ADVOCACY AND OUTREACH**” and inserting “**PARTNERSHIPS AND PUBLIC ENGAGEMENT**”;

(B) by striking “Advocacy and Outreach” each place it appears in subsections (a)(2), (b)(1), and (d)(4)(B) and inserting “Partnerships and Public Engagement”.

(2) *REFERENCES.*—Beginning on the date of the enactment of this Act, any reference to the Office of Advocacy and Outreach established under section 226B of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934) in any provision of Federal law shall be deemed to be a reference to the Office of Partnerships and Public Engagement.

(b) *INCREASING OUTREACH.*—Section 226B of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934), as amended by subsection (a), is further amended—

(1) in subsection (b)(1)—

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

(B) in subparagraph (B)—

(i) in clause (ii), by striking “and” at the end;

(ii) in clause (iii), by striking the period at the end and inserting a semicolon; and

(iii) by adding at the end the following new clauses:

“(iv) limited resource producers; and

“(v) veteran farmers and ranchers; and”;

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

“(C) to promote youth outreach.”; and

(2) in subsection (c)—

(A) in the matter preceding paragraph (1), by inserting “veteran farmers and ranchers,” after “beginning farmers or ranchers.”;

(B) in paragraph (1), by striking “or socially disadvantaged” and inserting “socially disadvantaged, or veteran”;

(C) in paragraph (5), by inserting “veteran farmers or ranchers,” after “beginning farmers or ranchers.”.

(c) *AUTHORIZATION OF APPROPRIATIONS.*—Section 226B(f)(3)(B) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6934(f)(3)(B)) is amended by striking “2018” and inserting “2023”.

SEC. 12407. UNDER SECRETARY OF AGRICULTURE FOR RURAL DEVELOPMENT.

Section 231 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6941) is amended—

(1) in subsection (a), by striking “is authorized to” and inserting “shall”;

(2) in subsection (b), by striking “If the Secretary” and all that follows through “the Under Secretary shall” and inserting “The Under Secretary of Agriculture for Rural Development shall”.

SEC. 12408. ADMINISTRATOR OF THE RURAL UTILITIES SERVICE.

(a) *RATE OF PAY.*—

(1) *IN GENERAL.*—Section 232(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6942(b)) is amended to read as follows:

“(b) *ADMINISTRATOR.*—

“(1) *APPOINTMENT.*—The Rural Utilities Service shall be headed by an Administrator who shall be appointed by the President.

“(2) *COMPENSATION.*—The Administrator of the Rural Utilities Service shall receive basic pay at a rate not to exceed the maximum amount of compensation payable to a member of the Senior Executive Service under subsection (b) of section 5382 of title 5, United States Code.”.

(2) *CONFORMING AMENDMENT.*—Section 5315 of title 5, United States Code, is amended by striking “Administrator, Rural Utilities Service, Department of Agriculture.”.

(b) *OTHER AMENDMENT RELATING TO ADMINISTRATOR.*—Section 748 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2002 (7 U.S.C. 918b) is amended by inserting “the Secretary of Agriculture, acting through” before “the Administrator of the Rural Utilities Service”.

SEC. 12409. RURAL HEALTH LIAISON.

Subtitle C of title II of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6941 et seq.) is amended by adding at the end the following:

“SEC. 236. RURAL HEALTH LIAISON.

“(a) *AUTHORIZATION.*—The Secretary shall establish in the Department the position of Rural Health Liaison.

“(b) *DUTIES.*—The Rural Health Liaison shall—

“(1) in consultation with the Secretary of Health and Human Services, coordinate the role of the Department with respect to rural health;

“(2) integrate across the Department the strategic planning and activities relating to rural health;

“(3) improve communication relating to rural health within the Department and between Federal agencies;

“(4) advocate on behalf of the health care and relevant infrastructure needs in rural areas;

“(5) provide to stakeholders, potential grant applicants, Federal agencies, State agencies, Indian Tribes, private organizations, and academic institutions relevant data and information, including the eligibility requirements for, and availability and outcomes of, Department programs applicable to the advancement of rural health;

“(6) maintain communication with public health, medical, occupational safety, and telecommunication associations, research entities, and other stakeholders to ensure that the Department is aware of current and upcoming issues relating to rural health;

“(7) consult on programs, pilot projects, research, training, and other affairs relating to rural health at the Department and other Federal agencies;

“(8) provide expertise on rural health to support the activities of the Secretary as Chair of the Council on Rural Community Innovation and Economic Development; and

“(9) provide technical assistance and guidance with respect to activities relating to rural health to the outreach, extension, and county offices of the Department.”.

SEC. 12410. NATURAL RESOURCES CONSERVATION SERVICE.

(a) **FIELD OFFICES.**—Section 246 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6962) (as amended by section 12404(b)(1)) is amended by adding at the end the following:

“(g) **FIELD OFFICES.**—

“(1) **IN GENERAL.**—The Secretary shall not close any field office of the Natural Resources Conservation Service unless, not later than 30 days before the date of the closure, the Secretary submits to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a notification of the closure.

“(2) **EMPLOYEES.**—The Secretary shall not permanently relocate any field-based employees of the Natural Resources Conservation Service or the rural development mission area if doing so would result in a field office of the Natural Resources Conservation Service or the rural development mission area with 2 or fewer employees, unless, not later than 30 days before the date of the permanent relocation, the Secretary submits to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a notification of the permanent relocation.

“(3) **SUNSET.**—The requirements under paragraphs (1) and (2) shall cease to be effective on September 30, 2023.”.

(b) **TECHNICAL CORRECTIONS.**—Section 246 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6962) (as amended by subsection (a)) is further amended—

(1) in subsection (b)—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3) through (6) as paragraphs (2) through (5), respectively;

(C) in paragraph (4) (as so redesignated), by inserting “; Public Law 101–624” after “note”; and

(D) in paragraph (5) (as so redesignated), by striking “3831–3836” and inserting “3831 et seq.”; and

(2) in subsection (c), in the matter preceding paragraph (1), by striking “paragraphs (1), (2), and (4) of subsection (b) and the program under subchapter C of chapter 1 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3837–3837f)” and inserting “paragraphs (1) and (3) of subsection (b)”.

(c) **RELOCATION IN ACT.**—

(1) **IN GENERAL.**—Section 246 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6962) (as amended by subsections (a) and (b)) is—

(A) redesignated as section 228; and

(B) moved so as to appear at the end of subtitle B of title II (7 U.S.C. 6931 et seq.).

(2) **CONFORMING AMENDMENTS.**—

(A) Section 226 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6932) (as amended by section 12404(a)) is amended—

(i) in subsection (b)(5), by striking “section 246(b)” and inserting “section 228(b)”; and

(ii) in subsection (g)(2), by striking “section 246(b)” and inserting “section 228(b)”.

(B) Section 271(2)(F) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6991(2)(F)) is amended by striking “section 246(b)” and inserting “section 228(b)”.

SEC. 12411. OFFICE OF THE CHIEF SCIENTIST.

(a) **IN GENERAL.**—Section 251(e) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(e)) is amended—

(1) in the subsection heading, by striking “RESEARCH, EDUCATION, AND EXTENSION OFFICE” and inserting “OFFICE OF THE CHIEF SCIENTIST”;

(2) in paragraph (1), by striking “Research, Education, and Extension Office” and inserting “Office of the Chief Scientist”;

(3) in paragraph (2), in the matter preceding subparagraph (A), by striking “Research, Education, and Extension Office” and inserting “Office of the Chief Scientist”;

(4) in paragraph (3)(C), by striking “subparagraph (A) shall not exceed 4 years” and inserting “clauses (i) and (iii) of subparagraph (A) shall be for not less than 3 years”;

(5) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively;

(6) by inserting after paragraph (3) the following:

“(4) **ADDITIONAL LEADERSHIP DUTIES.**—In addition to selecting the Division Chiefs under paragraph (3), using available personnel authority under title 5, United States Code, the Under Secretary shall select personnel—

“(A) to oversee implementation, training, and compliance with the scientific integrity policy of the Department;

“(B)(i) to integrate strategic program planning and evaluation functions across the programs of the Department; and

“(ii) to help prepare the annual report to Congress on the relevance and adequacy of programs under the jurisdiction of the Under Secretary;

“(C) to assist the Chief Scientist in coordinating the international engagements of the Department with the Department of State and other international agencies and offices of the Federal Government; and

“(D) to oversee other duties as may be required by Federal law or Department policy.”;

(7) in paragraph (5) (as so redesignated)—

(A) in subparagraph (A), by striking “Notwithstanding” and inserting the following:

“(i) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated such sums as are necessary to fund the costs of Division personnel.

“(ii) **ADDITIONAL FUNDING.**—In addition to amounts made available under clause (i), notwithstanding”; and

(B) in subparagraph (C)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:

“(iii) provides strong staff continuity to the Office of the Chief Scientist.”; and

(8) in paragraph (6) (as so redesignated), by striking “Research, Education and Extension Office” and inserting “Office of the Chief Scientist”.

(b) **CONFORMING AMENDMENTS.**—

(1) Section 251(f)(5)(B) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6971(f)(5)(B)) is amended by striking “Research, Education and Extension Office” and inserting “Office of the Chief Scientist”.

(2) Section 296(b)(6)(B) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)(6)(B)) is amended by striking “Research, Education, and Extension Office” and inserting “Office of the Chief Scientist”.

SEC. 12412. APPOINTMENT OF NATIONAL APPEALS DIVISION HEARING OFFICERS.

Section 272(e) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6992(e)) is amended to read as follows:

“(e) **DIVISION PERSONNEL.**—

“(1) **IN GENERAL.**—The Director shall recommend to the Secretary persons for appointment as hearing officers as are necessary for the conduct of hearings under section 277. The Director shall appoint such other employees as are necessary for the administration of the Division. A hearing officer or other employee of the Division shall have no duties other than those that are necessary to carry out this subtitle. Each position of the Division shall be filled by an individual who is not a political appointee.

“(2) **POLITICAL APPOINTEE.**—In this subsection, the term ‘political appointee’ means an individual occupying—

“(A) a position described under sections 5312 through 5316 of title 5, United States Code (relating to the Executive Schedule);

“(B) a noncareer position in the Senior Executive Service, as described under section 3132(a)(7) of that title;

“(C) a position in the executive branch of the Government of a confidential or policy-determining character under schedule C of subpart C of part 213 of title 5, Code of Federal Regulations; or

“(D) a position which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.”.

SEC. 12413. TRADE AND FOREIGN AGRICULTURAL AFFAIRS.

The Department of Agriculture Reorganization Act of 1994 is amended—

(1) by redesignating subtitle J (7 U.S.C. 7011 et seq.) as subtitle K; and

(2) by inserting after subtitle I (7 U.S.C. 7005 et seq.) the following:

“Subtitle J—Trade and Foreign Agricultural Affairs**“SEC. 287. UNDER SECRETARY OF AGRICULTURE FOR TRADE AND FOREIGN AGRICULTURAL AFFAIRS.**

“(a) **ESTABLISHMENT.**—There is established in the Department the position of Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs.

“(b) **APPOINTMENT.**—The Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs shall be appointed by the President, by and with the advice and consent of the Senate.

“(c) **FUNCTIONS.**—

“(1) **PRINCIPAL FUNCTIONS.**—The Secretary shall delegate to the Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs those functions and duties under the jurisdiction of the Department that are related to trade and foreign agricultural affairs.

“(2) **ADDITIONAL FUNCTIONS.**—The Under Secretary of Agriculture for Trade and Foreign Agricultural Affairs shall perform such other functions and duties as may be—

“(A) required by law; or

“(B) prescribed by the Secretary.”.

SEC. 12414. REPEALS.

(a) **DEPARTMENT OF AGRICULTURE REORGANIZATION ACT OF 1994.**—The following provisions of the Department of Agriculture Reorganization Act of 1994 are repealed:

(1) Section 211 (7 U.S.C. 6911).

(2) Section 213 (7 U.S.C. 6913).

(3) Section 214 (7 U.S.C. 6914).

(4) Section 217 (7 U.S.C. 6917).

(5) Section 247 (7 U.S.C. 6963).

(6) Section 252 (7 U.S.C. 6972).

(7) Section 295 (7 U.S.C. 7013).

(b) **OTHER PROVISION.**—Section 3208 of the Agricultural Act of 2014 (7 U.S.C. 6935) is repealed.

(c) **RULE OF CONSTRUCTION.**—Nothing in the amendments made by this section shall be construed as affecting—

(1) the authority of the Secretary to continue to carry out a function vested in, and performed by, the Secretary as of the date of enactment of this Act under any provision of Federal law other than the provisions repealed by subsections (a) and (b); or

(2) the authority of an agency, office, officer, or employee of the Department of Agriculture to continue to perform all functions delegated or assigned to the agency, office, officer, or employee as of the date of enactment of this Act any provision of Federal law other than the provisions repealed by subsections (a) and (b).

SEC. 12415. TECHNICAL CORRECTIONS.

(a) **OFFICE OF RISK MANAGEMENT.**—Section 226A(a) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6933(a)) is amended by striking “Subject to subsection (e), the Secretary” and inserting “The Secretary”.

(b) **CORRECTION OF ERROR.**—

(1) **ASSISTANT SECRETARIES OF AGRICULTURE.**—Section 218 of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6918) (as in effect on the day before the effective date of the amendments made by section 2(a)(1) of the Presidential Appointment Efficiency and Streamlining Act of 2011 (Public Law 112–166; 126 Stat. 1283, 1295)) is amended by striking “Senate.” in

subsection (b) and all that follows through “responsibility for—” in the matter preceding paragraph (1) of subsection (d) and inserting the following: “Senate.”

“(c) **DUTIES OF ASSISTANT SECRETARY OF AGRICULTURE FOR CIVIL RIGHTS.**—The Secretary may delegate to the Assistant Secretary for Civil Rights responsibility for—”.

(2) **EFFECTIVE DATE.**—The amendments made by paragraph (1) take effect on the effective date described in section 6(a) of the Presidential Appointment Efficiency and Streamlining Act of 2011 (Public Law 112–166; 126 Stat. 1295).

SEC. 12416. TERMINATION OF AUTHORITY.

Section 296(b) of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 7014(b)) is amended by adding at the end the following:

“(9) The authority of the Secretary to carry out the amendments made to this title by section 772 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2018.

“(10) The authority of the Secretary to carry out the amendments made to this title by the Agriculture Improvement Act of 2018.”.

Subtitle E—Other Miscellaneous Provisions **PART I—MISCELLANEOUS AGRICULTURE PROVISIONS**

SEC. 12501. ACER ACCESS AND DEVELOPMENT PROGRAM.

Section 12306(f) of the Agricultural Act of 2014 (7 U.S.C. 1632c(f)) is amended by striking “2018” and inserting “2023”.

SEC. 12502. PROTECTING ANIMALS WITH SHELTER.

(a) **CRIMES RELATED TO DOMESTIC VIOLENCE AND STALKING TARGETING PETS.**—

(1) **INTERSTATE STALKING.**—Section 2261A of title 18, United States Code, is amended—

(A) in paragraph (1)(A)—

(i) in clause (ii), by striking “or” at the end; and

(ii) by inserting after clause (iii) the following: “(iv) the pet, service animal, emotional support animal, or horse of that person; or”; and

(B) in paragraph (2)(A)—

(i) by inserting after “to a person” the following: “, a pet, a service animal, an emotional support animal, or a horse”; and

(ii) by striking “or (iii)” and inserting “(iii), or (iv)”.

(2) **INTERSTATE VIOLATION OF PROTECTION ORDER.**—Section 2262 of title 18, United States Code, is amended—

(A) in subsection (a)—

(i) in paragraph (1), by inserting after “another person” the following: “or the pet, service animal, emotional support animal, or horse of that person”; and

(ii) in paragraph (2), by inserting after “proximity to, another person” the following “or the pet, service animal, emotional support animal, or horse of that person”; and

(B) in subsection (b)(5), by inserting after “in any other case,” the following: “including any case in which the offense is committed against a pet, service animal, emotional support animal, or horse.”.

(3) **RESTITUTION TO INCLUDE VETERINARY SERVICES.**—Section 2264 of title 18, United States Code, is amended in subsection (b)(3)—

(A) by redesignating subparagraph (F) as subparagraph (G);

(B) in subparagraph (E), by striking “and” at the end; and

(C) by inserting after subparagraph (E) the following:

“(F) veterinary services relating to physical care for the victim’s pet, service animal, emotional support animal, or horse; and”.

(4) **DEFINITIONS.**—Section 2266 of title 18, United States Code, is amended by inserting after paragraph (10) the following:

“(11) **PET.**—The term ‘pet’ means a domesticated animal, such as a dog, cat, bird, rodent, fish, turtle, or other animal that is kept for pleasure rather than for commercial purposes.

“(12) **EMOTIONAL SUPPORT ANIMAL.**—The term ‘emotional support animal’ means an animal that is covered by the exclusion specified in section 5.303 of title 24, Code of Federal Regulations (or a successor regulation), and that is not a service animal.

“(13) **SERVICE ANIMAL.**—The term ‘service animal’ has the meaning given the term in section 36.104 of title 28, Code of Federal Regulations (or a successor regulation).”.

(b) **EMERGENCY AND TRANSITIONAL PET SHELTER AND HOUSING ASSISTANCE GRANT PROGRAM.**—

(1) **GRANT PROGRAM.**—

(A) **IN GENERAL.**—The Secretary, acting in consultation with the Office of the Violence Against Women of the Department of Justice, the Secretary of Housing and Urban Development, and the Secretary of Health and Human Services, shall award grants under this subsection to eligible entities to carry out programs to provide the assistance described in paragraph (3) with respect to victims of domestic violence, dating violence, sexual assault, or stalking and the pets, service animals, emotional support animals, or horses of such victims.

(B) **MEMORANDUM OF UNDERSTANDING.**—The Secretary may enter into a memorandum of understanding with the head of another Department or agency, as appropriate, to carry out any of the authorities provided to the Secretary under this section.

(2) **APPLICATION.**—

(A) **IN GENERAL.**—An eligible entity seeking a grant under this subsection shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require, including—

(i) a description of the activities for which a grant under this subsection is sought;

(ii) such assurances as the Secretary determines to be necessary to ensure compliance by the entity with the requirements of this subsection; and

(iii) a certification that the entity, before engaging with any individual domestic violence victim, will disclose to the victim any mandatory duty of the entity to report instances of abuse and neglect (including instances of abuse and neglect of pets, service animals, emotional support animals, or horses).

(B) **ADDITIONAL REQUIREMENTS.**—In addition to the requirements of subparagraph (A), each application submitted by an eligible entity under that subparagraph shall—

(i) not include proposals for any activities that may compromise the safety of a domestic violence victim, including—

(I) background checks of domestic violence victims; or

(II) clinical evaluations to determine the eligibility of such a victim for support services;

(ii) not include proposals that would require mandatory services for victims or that a victim obtain a protective order in order to receive proposed services; and

(iii) reflect the eligible entity’s understanding of the dynamics of domestic violence, dating violence, sexual assault, or stalking.

(C) **RULES OF CONSTRUCTION.**—Nothing in this paragraph shall be construed to require—

(i) domestic violence victims to participate in the criminal justice system in order to receive services; or

(ii) eligible entities receiving a grant under this subsection to breach client confidentiality.

(3) **USE OF FUNDS.**—Grants awarded under this subsection may only be used for programs that provide—

(A) emergency and transitional shelter and housing assistance for domestic violence victims with pets, service animals, emotional support animals, or horses, including assistance with respect to any construction or operating expenses of newly developed or existing emergency and transitional pet, service animal, emotional support animal, or horse shelter and housing (regardless of whether such shelter and housing is co-located at a victim service provider or within the community);

(B) short-term shelter and housing assistance for domestic violence victims with pets, service animals, emotional support animals, or horses, including assistance with respect to expenses incurred for the temporary shelter, housing, boarding, or fostering of the pets, service animals, emotional support animals, or horses of domestic violence victims and other expenses that are incidental to securing the safety of such a pet, service animal, emotional support animal, or horse during the sheltering, housing, or relocation of such victims;

(C) support services designed to enable a domestic violence victim who is fleeing a situation of domestic violence, dating violence, sexual assault, or stalking to—

(i) locate and secure—

(I) safe housing with the victim’s pet, service animal, emotional support animal, or horse; or

(II) safe accommodations for the victim’s pet, service animal, emotional support animal, or horse; or

(ii) provide the victim with pet, service animal, emotional support animal, or horse related services, such as transportation, care services, and other assistance; or

(D) for the training of relevant stakeholders on—

(i) the link between domestic violence, dating violence, sexual assault, or stalking and the abuse and neglect of pets, service animals, emotional support animals, and horses;

(ii) the needs of domestic violence victims;

(iii) best practices for providing support services to such victims;

(iv) best practices for providing such victims with referrals to victims’ services; and

(v) the importance of confidentiality.

(4) **GRANT CONDITIONS.**—An eligible entity that receives a grant under this subsection shall, as a condition of such receipt, agree—

(A) to be bound by the nondisclosure of confidential information requirements of section 40002(b)(2) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(b)(2)); and

(B) that the entity shall not condition the receipt of support, housing, or other benefits provided pursuant to this subsection on the participation of domestic violence victims in any or all of the support services offered to such victims through a program carried out by the entity using grant funds.

(5) **DURATION OF ASSISTANCE PROVIDED TO VICTIMS.**—

(A) **IN GENERAL.**—Subject to subparagraph (B), assistance provided with respect to a pet, service animal, emotional support animal, or horse of a domestic violence victim using grant funds awarded under this subsection shall be provided for a period of not more than 24 months.

(B) **EXTENSION.**—An eligible entity that receives a grant under this subsection may extend the 24-month period referred to in subparagraph (A) for a period of not more than 6 months in the case of a domestic violence victim who—

(i) has made a good faith effort to acquire permanent housing for the victim and the victim’s pet, service animal, emotional support animal, or horse during that 24-month period; and

(ii) has been unable to acquire such permanent housing within that period.

(6) **REPORT TO THE SECRETARY.**—Not later than 1 year after the date on which an eligible entity receives a grant under this subsection and each year thereafter in which the grant funds are used, the entity shall submit to the Secretary a report that contains, with respect to assistance provided by the entity to domestic violence victims with pets, service animals, emotional support animals, or horses using grant funds received under this subsection, information on—

(A) the number of domestic violence victims with pets, service animals, emotional support animals, or horses provided such assistance; and

(B) the purpose, amount, type of, and duration of such assistance.

(7) **REPORT TO CONGRESS.**—

(A) **REPORTING REQUIREMENT.**—Not later than November 1 of each even-numbered fiscal year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that contains a compilation of the information contained in the reports submitted under paragraph (6).

(B) **AVAILABILITY OF REPORT.**—The Secretary shall transmit a copy of the report submitted under subparagraph (A) to—

(i) the Office on Violence Against Women of the Department of Justice;

(ii) the Office of Community Planning and Development of the Department of Housing and Urban Development; and

(iii) the Administration for Children and Families of the Department of Health and Human Services.

(8) **AUTHORIZATION OF APPROPRIATIONS.**—

(A) **IN GENERAL.**—There is authorized to be appropriated to carry out this subsection \$3,000,000 for each of fiscal years 2019 through 2023.

(B) **LIMITATION.**—Of the amount made available under subparagraph (A) in any fiscal year, not more than 5 percent may be used for evaluation, monitoring, salaries, and administrative expenses.

(9) **DEFINITIONS.**—In this subsection:

(A) **DOMESTIC VIOLENCE VICTIM DEFINED.**—The term “domestic violence victim” means a victim of domestic violence, dating violence, sexual assault, or stalking.

(B) **ELIGIBLE ENTITY.**—The term “eligible entity” means—

(i) a State;

(ii) a unit of local government;

(iii) an Indian tribe; or

(iv) any other organization that has a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking (as determined by the Secretary), including—

(I) a domestic violence and sexual assault victim service provider;

(II) a domestic violence and sexual assault coalition;

(III) a community-based and culturally specific organization;

(IV) any other nonprofit, nongovernmental organization; and

(V) any organization that works directly with pets, service animals, emotional support animals, or horses and collaborates with any organization referred to in clauses (i) through (iv), including—

(aa) an animal shelter; and

(bb) an animal welfare organization.

(C) **EMOTIONAL SUPPORT ANIMAL.**—The term “emotional support animal” means an animal that is covered by the exclusion specified in section 5.303 of title 24, Code of Federal Regulations (or a successor regulation), and that is not a service animal.

(D) **PET.**—The term “pet” means a domesticated animal, such as a dog, cat, bird, rodent, fish, turtle, or other animal that is kept for pleasure rather than for commercial purposes.

(E) **SERVICE ANIMAL.**—The term “service animal” has the meaning given the term in section 36.104 of title 28, Code of Federal Regulations (or a successor regulation).

(F) **OTHER TERMS.**—Except as otherwise provided in this subsection, terms used in this section shall have the meaning given such terms in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)).

(c) **SENSE OF CONGRESS.**—It is the sense of Congress that States should encourage the inclusion of protections against violent or threatening acts against the pet, service animal, emotional support animal, or horse of a person in domestic violence protection orders.

SEC. 12503. MARKETING ORDERS.

Section 8e(a) of the Agricultural Adjustment Act (7 U.S.C. 608e-1(a)), reenacted with amendments by the Agricultural Marketing Agreement

Act of 1937, is amended by inserting “cherries, pecans,” after “walnuts,”.

SEC. 12504. ESTABLISHMENT OF FOOD LOSS AND WASTE REDUCTION LIAISON.

Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6901 et seq.), as amended by sections 12202, 12302, and 12403, is further amended by adding at the end the following:

“SEC. 224. FOOD LOSS AND WASTE REDUCTION LIAISON.

“(a) **ESTABLISHMENT.**—The Secretary shall establish a Food Loss and Waste Reduction Liaison to coordinate Federal, State, local, and nongovernmental programs, and other efforts, to measure and reduce the incidence of food loss and waste in accordance with this section.

“(b) **IN GENERAL.**—The Food Loss and Waste Reduction Liaison shall—

“(1) coordinate food loss and waste reduction efforts within the Department of Agriculture and with other Federal agencies, including the Environmental Protection Agency and the Food and Drug Administration;

“(2) support and promote Federal programs to measure and reduce the incidence of food loss and waste and increase food recovery;

“(3) provide information to, and serve as a resource for, entities engaged in food loss and waste reduction and food recovery, including information about the availability of, and eligibility requirements for, participation in Federal, State, local, and nongovernmental programs;

“(4) raise awareness of the liability protections afforded under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791) to persons engaged in food loss and waste reduction and food recovery; and

“(5) make recommendations with respect to expanding innovative food recovery models and reducing the incidence of food loss and waste.

“(c) **COOPERATIVE AGREEMENTS.**—For purposes of carrying out the duties under subsection (b), the Food Loss and Waste Reduction Liaison may enter into contracts or cooperative agreements with the research centers of the Research, Education, and Economics mission area, institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)), or nonprofit organizations for—

“(1) the development of educational materials;

“(2) the conduct of workshops and courses; or

“(3) the conduct of research on best practices with respect to food loss and waste reduction and food recovery.

“(d) **STUDY ON FOOD WASTE.**—The Secretary shall conduct a study, in consultation with the Food Loss and Waste Reduction Liaison, to evaluate and determine—

“(1) methods of measuring food waste;

“(2) standards for the volume of food waste;

“(3) factors that contribute to food waste;

“(4) the cost and volume of food loss;

“(5) the effectiveness of existing liability protections afforded under the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791); and

“(6) measures to ensure that programs contemplated, undertaken, or funded by the Department of Agriculture do not disrupt existing food waste recovery and disposal efforts by commercial, marketing, or business relationships.

“(e) **REPORTS.**—

“(1) **INITIAL REPORT.**—Not later than 1 year after the date of enactment of this section, the Food Loss and Waste Liaison shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the results of the study conducted under subsection (d).

“(2) **REPORT.**—Not later than 1 year after the date of the submission of the report under paragraph (1), the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report

that contains, with respect to the preceding year—

“(A) an estimate of the quantity of food waste during such year; and

“(B) the results of the food waste reduction and loss prevention activities carried out or led by the Department of Agriculture.”.

SEC. 12505. REPORT ON BUSINESS CENTERS.

(a) **IN GENERAL.**—Not later than 365 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report evaluating each business center established in the Department of Agriculture.

(b) **INCLUSIONS.**—The report under subsection (a) shall include—

(1) an examination of the effectiveness of each business center in carrying out its mission, including any recommendations to improve the operation of and function of any of those business centers; and

(2) an evaluation of—

(A) the impact the business centers have on customer service of the Department of Agriculture;

(B) the impact on the annual budget for agencies the budget offices of which have been relocated to the business center, and the effectiveness of funds used to support the business centers, including an accounting of all discretionary and mandatory funding provided to the business center for conservation and farm services from—

(i) the Natural Resources Conservation Service;

(ii) the Farm Service Agency; and

(iii) the Risk Management Agency;

(C) funding described in subparagraph (B) spent on information technology modernizations;

(D) the impact that the business centers have had on the human resources of the Department of Agriculture, including hiring;

(E) any concerns or problems with the business centers; and

(F) any positive or negative impact that the business centers have had on the functionality of the Department of Agriculture.

SEC. 12506. REPORT ON PERSONNEL.

For the period of fiscal years 2019 through 2023, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a biannual report describing the number of staff years and employees of each agency of the Department of Agriculture.

SEC. 12507. REPORT ON ABSENT LANDLORDS.

(a) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a report describing the effects of absent landlords on the long-term economic health of agricultural production, including the effect of absent landlords on—

(1) land valuation;

(2) soil health; and

(3) the economic stability of rural communities.

(b) **CONTENTS.**—The report under subsection (a) shall include—

(1) a description of the positive and negative effects of an absent landlord on the land owned by the landlord, including—

(A) the effect of an absent landlord on the long-term value of the land; and

(B) the environmental and economic impact of an absent landlord on the surrounding community; and

(2) recommendations to policymakers concerning how to mitigate those effects when necessary.

SEC. 12508. CENTURY FARMS PROGRAM.

The Secretary shall establish a program under which the Secretary recognizes any farm that—

(1) a State department of agriculture or similar statewide agricultural organization recognizes as a Century Farm; or

(2)(A) is defined as a farm or ranch under section 4284.902 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act);

(B) has been in continuous operation for at least 100 years; and

(C) has been owned by the same family for at least 100 consecutive years, as verified through deeds, wills, abstracts, tax statements, or other similar legal documents considered appropriate by the Secretary.

SEC. 12509. REPORT ON IMPORTATION OF LIVE DOGS.

(a) *IN GENERAL.*—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report on the importation of live dogs into the United States.

(b) *CONTENTS.*—The report submitted under subsection (a) shall include, with respect to the importation of live dogs into the United States for each of the 3 most recent calendar years for which data are available—

(1) the total number of live dogs imported;

(2) the number of live dogs imported as personal pets;

(3) the number of live dogs imported for resale (as defined in section 18(a) of the Animal Welfare Act (7 U.S.C. 2148(a)));

(4) the number of live dogs for which importation was requested but denied due to the proposed importation failing to meet the requirements under—

(A) section 18 of the Animal Welfare Act (7 U.S.C. 2148);

(B) section 71.51 of title 42, Code of Federal Regulations (or any successor regulations); or

(C) any other Federal law; and

(5) any recommendations of the Secretary for modifications to Federal law (including regulations) relating to the importation of live dogs, including for the protection of public health.

(c) *PROVISION OF INFORMATION.*—To facilitate the preparation of the report submitted under subsection (a), not later than 180 days after the date of enactment of this Act, the Secretary of Commerce, the Secretary of Health and Human Services, and the Secretary of Homeland Security shall each provide to the Secretary of Agriculture all available data and information relating to the importation of live dogs into the United States, including—

(1) the data described in paragraphs (1) through (4) of subsection (b) for each of the 3 most recent calendar years for which data is available; and

(2) any recommendations for modifications to Federal law (including regulations) relating to the importation of live dogs, including for the protection of public health.

SEC. 12510. TRIBAL PROMISE ZONES.

(a) *IN GENERAL.*—In this section, the term “Tribal Promise Zone” means an area that—

(1) is nominated by 1 or more Indian tribes (as defined in section 4(13) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(13))) for designation as a Tribal Promise Zone (in this section referred to as a “nominated zone”);

(2) has a continuous boundary; and

(3) the Secretary designates as a Tribal Promise Zone, after consultation with the Secretary of Commerce, the Secretary of Education, the Attorney General, the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of Health and Human Services, the Secretary of Labor, the Secretary of the Treasury, the Secretary of Transportation, and other agencies as appropriate.

(b) *AUTHORIZATION AND NUMBER OF DESIGNATIONS.*—Not later than 1 year after the date of enactment of this Act, the Secretary shall nominate a minimum number of nominated zones, as determined by the Secretary in consultation with Indian tribes, to be designated as Tribal Promise Zones.

(c) *PERIOD OF DESIGNATIONS.*—

(1) *IN GENERAL.*—The Secretary shall designate nominated zones as Tribal Promise Zones before January 1, 2020.

(2) *EFFECTIVE DATES OF DESIGNATIONS.*—The designation of any Tribal Promise Zone shall take effect—

(A) for purposes of priority consideration in Federal grant programs and initiatives (other than this section), upon execution of the Tribal Promise Zone agreement with the Secretary; and

(B) for purposes of this section, on January 1 of the first calendar year beginning after the date of the execution of the Tribal Promise Zone agreement.

(3) *TERMINATION OF DESIGNATIONS.*—The designation of any Tribal Promise Zone shall end on the earlier of—

(A)(i) with respect to a Tribal Promise Zone not described in paragraph (4), the end of the 10-year period beginning on the date that such designation takes effect; or

(ii) with respect to a Tribal Promise Zone described in paragraph (4), the end of the 10-year period beginning on the date the area was designated as a Tribal Promise Zone before the date of the enactment of this Act; or

(B) the date of the revocation of such designation.

(4) *APPLICATION TO CERTAIN ZONES ALREADY DESIGNATED.*—In the case of any area designated as a Tribal Promise Zone by the Secretary before the date of the enactment of this Act, such area shall be deemed a Tribal Promise Zone designated under this section (notwithstanding whether any such designation has been revoked before the date of the enactment of this Act) and shall reduce the number of Tribal Promise Zones remaining to be designated under paragraph (1).

(d) *LIMITATIONS ON DESIGNATIONS.*—No area may be designated under this section unless—

(1) the entities nominating the area have the authority to nominate the area of designation under this section;

(2) such entities provide written assurances satisfactory to the Secretary that the competitiveness plan described in the application under subsection (e) for such area will be implemented and that such entities will provide the Secretary with such data regarding the economic conditions of the area (before, during, and after the area’s period of designation as a Tribal Promise Zone) as the Secretary may require; and

(3) the Secretary determines that any information furnished is reasonably accurate.

(e) *APPLICATION.*—No area may be designated under this section unless the application for such designation—

(1) demonstrates that the nominated zone satisfies the eligibility criteria described in subsection (a); and

(2) includes a competitiveness plan that—

(A) addresses the need of the nominated zone to attract investment and jobs and improve educational opportunities;

(B) leverages the nominated zone’s economic strengths and outlines targeted investments to develop competitive advantages;

(C) demonstrates collaboration across a wide range of stakeholders;

(D) outlines a strategy that connects the nominated zone to drivers of regional economic growth; and

(E) proposes a strategy for focusing on increased access to high quality affordable housing and improved public safety.

(f) *SELECTION CRITERIA.*—

(1) *IN GENERAL.*—From among the nominated zones eligible for designation under this section, the Secretary shall designate Tribal Promise Zones on the basis of—

(A) the effectiveness of the competitiveness plan submitted under subsection (e) and the assurances made under subsection (d);

(B) unemployment rates, poverty rates, vacancy rates, crime rates, and such other factors as the Secretary may identify, including household income, labor force participation, and educational attainment; and

(C) other criteria as determined by the Secretary.

(2) *MINIMAL STANDARDS.*—The Secretary may set minimal standards for the levels of unemployment and poverty that must be satisfied for designation as a Tribal Promise Zone.

SEC. 12511. PRECISION AGRICULTURE CONNECTIVITY.

(a) *FINDINGS.*—Congress finds the following:

(1) Precision agriculture technologies and practices allow farmers to significantly increase crop yields, eliminate overlap in operations, and reduce inputs such as seed, fertilizer, pesticides, water, and fuel.

(2) These technologies allow farmers to collect data in real time about their fields, automate field management, and maximize resources.

(3) Studies estimate that precision agriculture technologies can reduce agricultural operation costs by up to 25 dollars per acre and increase farm yields by up to 70 percent by 2050.

(4) The critical cost savings and productivity benefits of precision agriculture cannot be realized without the availability of reliable broadband Internet access service delivered to the agricultural land of the United States.

(5) The deployment of broadband Internet access service to unserved agricultural land is critical to the United States economy and to the continued leadership of the United States in global food production.

(6) Despite the growing demand for broadband Internet access service on agricultural land, broadband Internet access service is not consistently available where needed for agricultural operations.

(7) The Federal Communications Commission has an important role to play in the deployment of broadband Internet access service on unserved agricultural land to promote precision agriculture.

(b) *TASK FORCE.*—

(1) *DEFINITIONS.*—In this subsection:

(A)(i) The term “broadband Internet access service” means a mass-market retail service by wire or radio that provides the capability to transmit data to, and receive data from, all or substantially all Internet endpoints, including any capabilities that are incidental to, and enable the operation of, the communications service, but excluding dial up internet access service.

(ii) Such term includes any service the Commission finds to be providing a functional equivalent of the service described in clause (i).

(B) The term “Commission” means the Federal Communications Commission.

(C) The term “Department” means the Department of Agriculture.

(D) The term “Secretary” means the Secretary of Agriculture.

(E) The term “Task Force” means the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States established under paragraph (2).

(2) *ESTABLISHMENT.*—Not later than 1 year after the date of enactment of this Act, the Commission shall establish the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States.

(3) *DUTIES.*—

(A) *IN GENERAL.*—The Task Force shall consult with the Secretary, or a designee of the Secretary, and collaborate with public and private stakeholders in the agriculture and technology fields to—

(i) identify and measure current gaps in the availability of broadband Internet access service on agricultural land;

(ii) develop policy recommendations to promote the rapid, expanded deployment of broadband Internet access service on unserved agricultural land, with a goal of achieving reliable capabilities on 95 percent of agricultural land in the United States by 2025;

(iii) promote effective policy and regulatory solutions that encourage the adoption of broadband Internet access service on farms and ranches and promote precision agriculture;

(iv) recommend specific new rules or amendments to existing rules of the Commission that the Commission should issue to achieve the goals and purposes of the policy recommendations described in clause (ii);

(v) recommend specific steps that the Commission should take to obtain reliable and standardized data measurements of the availability of broadband Internet access service as may be necessary to target funding support, from future programs of the Commission dedicated to the deployment of broadband Internet access service, to unserved agricultural land in need of broadband Internet access service; and

(vi) recommend specific steps that the Commission should consider to ensure that the expertise of the Secretary and available farm data are reflected in future programs of the Commission dedicated to the infrastructure deployment of broadband Internet access service and to direct available funding to unserved agricultural land where needed.

(B) **NO DUPLICATE DATA REPORTING.**—In performing the duties of the Commission under subparagraph (A), the Commission shall ensure that no provider of broadband Internet access service is required to report data to the Commission that is, on the day before the date of enactment of this Act, required to be reported by the provider of broadband Internet access service.

(C) **HOLD HARMLESS.**—The Task Force and the Commission shall not interpret the phrase “future programs of the Commission”, as used in clauses (v) and (vi) of subparagraph (A), to include the universal service programs of the Commission established under section 254 of the Communications Act of 1934 (47 U.S.C. 254).

(D) **CONSULTATION.**—The Secretary, or a designee of the Secretary, shall explain and make available to the Task Force the expertise, data mapping information, and resources of the Department that the Department uses to identify cropland, ranchland, and other areas with agricultural operations that may be helpful in developing the recommendations required under subparagraph (A).

(E) **LIST OF AVAILABLE FEDERAL PROGRAMS AND RESOURCES.**—Not later than 180 days after the date of enactment of this Act, the Secretary and the Commission shall jointly submit to the Task Force a list of all Federal programs or resources available for the expansion of broadband Internet access service on unserved agricultural land to assist the Task Force in carrying out the duties of the Task Force.

(4) **MEMBERSHIP.**—

(A) **IN GENERAL.**—The Task Force shall be—
(i) composed of not more than 15 voting members who shall—

(I) be selected by the Chairman of the Commission, in consultation with the Secretary; and
(II) include—

(aa) agricultural producers representing diverse geographic regions and farm sizes, including owners and operators of farms of less than 100 acres;

(bb) an agricultural producer representing tribal agriculture;

(cc) Internet service providers, including regional or rural fixed and mobile broadband Internet access service providers and telecommunications infrastructure providers;

(dd) representatives from the electric cooperative industry;

(ee) representatives from the satellite industry;

(ff) representatives from precision agriculture equipment manufacturers, including drone manufacturers, manufacturers of autonomous agricultural machinery, and manufacturers of farming robotics technologies;

(gg) representatives from State and local governments; and

(hh) representatives with relevant expertise in broadband network data collection, geospatial analysis, and coverage mapping; and
(ii) fairly balanced in terms of technologies, points of view, and fields represented on the Task Force.

(B) **PERIOD OF APPOINTMENT; VACANCIES.**—

(i) **IN GENERAL.**—A member of the Committee appointed under subparagraph (A)(i) shall serve for a single term of 2 years.

(ii) **VACANCIES.**—Any vacancy in the Task Force—

(I) shall not affect the powers of the Task Force; and

(II) shall be filled in the same manner as the original appointment.

(C) **EX-OFFICIO MEMBER.**—The Secretary, or a designee of the Secretary, shall serve as an ex-officio, nonvoting member of the Task Force.

(5) **REPORTS.**—Not later than 1 year after the date on which the Commission establishes the Task Force, and annually thereafter, the Task Force shall submit to the Chairman of the Commission a report, which shall be made public not later than 30 days after the date on which the Chairman receives the report, that details—

(A) the status of fixed and mobile broadband Internet access service coverage of agricultural land;

(B) the projected future connectivity needs of agricultural operations, farmers, and ranchers; and

(C) the steps being taken to accurately measure the availability of broadband Internet access service on agricultural land and the limitations of current, as of the date of the report, measurement processes.

(6) **TERMINATION.**—The Commission shall renew the Task Force every 2 years until the Task Force terminates on January 1, 2025.

(c) **NO ADDITIONAL FUNDS AUTHORIZED.**—No additional funds is authorized to be appropriated to carry out this section. This section shall be carried out using amounts otherwise authorized.

SEC. 12512. IMPROVEMENTS TO UNITED STATES DROUGHT MONITOR.

(a) **IN GENERAL.**—The Secretary shall coordinate with the Director of the National Drought Mitigation Center and the Administrator of the National Oceanic and Atmospheric Administration to enhance the collection of data to improve the accuracy of the United States Drought Monitor.

(b) **UTILIZATION.**—To the maximum extent practicable, the Secretary shall utilize a consistent source or sources of data for programs that are based on drought or precipitation indices, such as the livestock forage disaster program established under section 1501(c) of the Agricultural Act of 2014 (7 U.S.C. 9081(c)) or policies or plans of insurance established under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.).

(c) **REVIEW.**—Not later than 1 year after the date of enactment of this Act, the Secretary shall conduct a review of—

(1) the types of data currently utilized by the United States Drought Monitor;

(2) the geographic coverage and density of existing data collection sites; and

(3) other meteorological or climatological data that is being collected by other Federal agencies, State and local governments, and non-Federal entities that could be utilized by the United States Drought Monitor.

(d) **IMPROVEMENTS.**—

(1) **IN GENERAL.**—Upon the completion of the review prescribed in subsection (c), the Secretary shall—

(A) seek to expand the collection of relevant data in States or geographic areas where coverage is currently lacking as compared to other States or geographic areas; and

(B) to the maximum extent practicable, develop standards to allow the integration of meteorological or climatological data into the United States Drought Monitor derived from—

(i) in-situ soil moisture profile measuring devices;

(ii) citizen science (as defined in the Crowdsourcing and Citizen Science Act (15 U.S.C. 3724)), including data from the Cooperative Observer Program of the National Weather Service; and

(iii) other Federal agencies, State and local governments, and non-Federal entities.

(2) **AUTHORIZATION OF APPROPRIATIONS.**—There is to be authorized to be appropriated to the Secretary to carry out this subsection \$5,000,000 for each of fiscal years 2019 through 2023.

SEC. 12513. DAIRY BUSINESS INNOVATION INITIATIVES.

(a) **DEFINITIONS.**—In this section:

(1) **DAIRY BUSINESS.**—The term “dairy business” means a business that develops, produces, markets, or distributes dairy products.

(2) **INITIATIVE.**—The term “initiative” means a dairy product and business innovation initiative established under subsection (b).

(b) **ESTABLISHMENT.**—The Secretary shall establish not less than 3 regionally-located dairy product and business innovation initiatives for the purposes of—

(1) diversifying dairy product markets to reduce risk and develop higher-value uses for dairy products;

(2) promoting business development that diversifies farmer income through processing and marketing innovation; and

(3) encouraging the use of regional milk production.

(c) **SELECTION OF INITIATIVES.**—An initiative—

(1) shall be positioned to draw on existing dairy industry resources, including activities conducted by the National Dairy Promotion and Research Board and other dairy promotion entities, research capacity, academic and industry expertise, a density of dairy farms or farmland suitable for dairying, and dairy businesses; and
(2) may serve a certain product niche, such as specialty cheese, or serve dairy businesses with dairy products derived from the milk of a specific type of dairy animal, including dairy products made from cow milk, sheep milk, and goat milk.

(d) **ENTITIES ELIGIBLE TO HOST INITIATIVE.**—

(1) **IN GENERAL.**—Subject to paragraph (2), any of the following entities may submit to the Secretary an application to host an initiative:

(A) A State department of agriculture or other State entity.
(B) A nonprofit organization.
(C) An institution of higher education.
(D) A cooperative extension service.

(2) **CAPACITY OF ELIGIBLE ENTITY.**—Any entity described in subparagraphs (A) through (D) of paragraph (1) shall be eligible to submit an application under that paragraph if the entity has—

(A) a capacity to provide consultation and expertise necessary to advance the purpose and activities of the proposed initiative; and

(B) expertise in grant distribution and tracking.

(3) **INELIGIBLE ENTITY.**—A dairy promotion program shall not be eligible to host an initiative under this section.

(e) **PARTNERS.**—

(1) **IN GENERAL.**—An entity described in subsection (d)(1) may establish as a partner an organization or entity described in paragraph (2)—

(A) prior to the submission of the application under that subsection; or

(B) after approval of the application, in consultation with the Secretary.

(2) **PARTNER DESCRIBED.**—A partner under paragraph (1) shall be an organization or entity with expertise or experience in dairy, including the marketing, research, education, or promotion of dairy.

(f) **ACTIVITIES OF INITIATIVES.**—

(1) **DIRECT ASSISTANCE TO DAIRY BUSINESSES.**—An initiative shall provide nonmonetary assistance directly to dairy businesses through private consultation or widely available distribution—

(A) by the entity that hosts the initiative under subsection (d)(1);

(B) through contracting with industry experts;

(C) through the provision of technical assistance, such as informational websites, webinars, conferences, trainings, plant tours, and field days; or

(D) through research institutions, including cooperative extension services.

(2) TYPES OF ASSISTANCE.—Eligible forms of assistance include—

(A) business consulting, including business plan development for processed dairy products, strategic planning assistance, and distribution and supply chain innovation;

(B) marketing and branding assistance, including market messaging, packaging innovation, consumer assessments, innovation in emerging market opportunities, and evaluation of regional, national, and international markets;

(C) assistance in product innovation, including the development of value-added products, innovation in byproduct reprocessing and use maximization, and dairy product production training, including in new, rare, or innovative techniques; and

(D) other nonmonetary assistance, as determined by the Secretary.

(3) GRANTS TO DAIRY BUSINESSES.—

(A) IN GENERAL.—An initiative shall provide grants on a competitive basis to new and existing dairy businesses for the purposes of—

(i) modernization, specialization, and grazing transition on dairy farms;

(ii) value chain and commodity innovation and facility and process updates for dairy processors; and

(iii) product development, packaging, and marketing of dairy products.

(B) GRANTS TO CERTAIN ENTITIES.—An initiative may provide a grant on a noncompetitive basis to an entity that receives assistance under paragraph (1) to advance the business activities recommended as a result of that assistance.

(C) GRANT AMOUNTS.—Grants provided under this paragraph shall not exceed \$500,000, unless a greater amount is approved by the Secretary.

(4) CONSULTATION.—An entity that hosts an initiative shall consult with the National Dairy Promotion and Research Board, the Secretary, and the Administrator of the Agricultural Marketing Service in carrying out the initiative.

(5) CONFLICT OF INTEREST.—

(A) IN GENERAL.—The Secretary shall establish guidelines and procedures to prevent any conflict of interest or the appearance of a conflict of interest by an initiative (including a partner of the initiative) during the allocation of direct assistance under paragraph (1) or grant funding under paragraph (3).

(B) PENALTY.—The Secretary may suspend or terminate an initiative if the initiative (including a partner of the initiative) is found to be in violation of the guidelines and procedures established under subparagraph (A).

(g) DISTRIBUTION OF FUNDS.—

(1) IN GENERAL.—Using the funds made available to carry out this section, the Secretary—

(A) shall provide not less than 3 awards to eligible entities described in subsection (d) for the purposes of carrying out the activities under subsection (f); and

(B) is encouraged to award funds under subparagraph (A) in multiyear funding allocations.

(2) USE OF FUNDS.—Not less than 50 percent of the funds made available under subsection (i) shall be allocated to grants under subsection (f)(3).

(3) PRIORITY.—An entity hosting an initiative shall give priority to the provision of direct assistance under subsection (f)(1) and grants under subsection (f)(3) to—

(A) dairy farms and dairy businesses with limited access to other forms of assistance;

(B) employee-owned dairy businesses;

(C) cooperatives; and

(D) dairy businesses that seek to create dairy products that add substantial value in processing or marketing, such as specialty cheeses.

(4) REQUIREMENT.—Assistance or a grant shall not be made available to a foreign person mak-

ing direct investment (as those terms are defined in section 801.2 of title 15, Code of Federal Regulations (or successor regulations)) in the United States in the case of—

(A) direct assistance under subsection (f)(1) that is provided to a specific dairy business and is not publicly available, as determined by the Secretary; or

(B) a grant under subsection (f)(3).

(5) SUPPLEMENTATION.—To the extent practicable, the Secretary shall ensure that funds provided to an initiative supplement, and do not duplicate or replace, existing dairy product research, development, and promotion activities.

(h) REPORT.—Not later than January 31, 2022, the Secretary shall submit to Congress a report on the outcomes of the program under this section and any related activities and opportunities to further increase dairy innovation.

(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$20,000,000 for each fiscal year.

SEC. 12514. REPORT ON FUNDING FOR THE NATIONAL INSTITUTE OF FOOD AND AGRICULTURE AND OTHER EXTENSION PROGRAMS.

(a) IN GENERAL.—Not later than 2 years after the date on which the census of agriculture required to be conducted in calendar year 2017 under section 2 of the Census of Agriculture Act of 1997 (7 U.S.C. 2204g) is released, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes the funding necessary to adequately address the needs of the National Institute of Food and Agriculture, activities carried out under the Smith-Lever Act (7 U.S.C. 341 et seq.), and research and extension programs carried out at an 1890 Institution (as defined in section 2 of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7601)) or an institution designated under the Act of July 2, 1862 (commonly known as the “First Morrill Act”) (12 Stat. 503, chapter 130; 7 U.S.C. 301 et seq.), to provide adequate services for the growth and development of the economies of rural communities based on the changing demographic in the rural and farming communities in the various States.

(b) REQUIREMENTS.—In preparing the report under subsection (a), the Secretary shall focus on the funding needs of the programs described in subsection (a) with respect to carrying out activities relating to small and diverse farms and ranches, veteran farmers and ranchers, value-added agriculture, direct-to-consumer sales, and specialty crops.

SEC. 12515. PROHIBITION ON SLAUGHTER OF DOGS AND CATS FOR HUMAN CONSUMPTION.

(a) IN GENERAL.—Except as provided in subsection (c), no person may—

(1) knowingly slaughter a dog or cat for human consumption; or

(2) knowingly ship, transport, move, deliver, receive, possess, purchase, sell, or donate—

(A) a dog or cat to be slaughtered for human consumption; or

(B) a dog or cat part for human consumption.

(b) SCOPE.—Subsection (a) shall apply only with respect to conduct—

(1) in or affecting interstate commerce or foreign commerce; or

(2) within the special maritime and territorial jurisdiction of the United States.

(c) EXCEPTION FOR INDIAN TRIBES.—The prohibition in subsection (a) shall not apply to an Indian (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304)) carrying out any activity described in subsection (a) for the purpose of a religious ceremony.

(d) PENALTY.—Any person who violates subsection (a) shall be subject to a fine in an amount not greater than \$5,000 for each violation.

(e) EFFECT ON STATE LAW.—Nothing in this section—

(1) limits any State or local law or regulation protecting the welfare of animals; or

(2) prevents a State or unit of local government from adopting and enforcing an animal welfare law or regulation that is more stringent than this section.

SEC. 12516. LABELING EXEMPTION FOR SINGLE INGREDIENT FOODS AND PRODUCTS.

The food labeling requirements under section 403(q) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 343(q)) shall not require that the nutrition facts label of any single-ingredient sugar, honey, agave, or syrup, including maple syrup, that is packaged and offered for sale as a single-ingredient food bear the declaration “Includes X g Added Sugars.”

SEC. 12517. SOUTH CAROLINA INCLUSION IN VIRGINIA/CAROLINA PEANUT PRODUCING REGION.

Section 1308(c)(2)(B)(iii) of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 7958(c)(2)(B)(iii)) is amended by striking “Virginia and North Carolina” and inserting “Virginia, North Carolina, and South Carolina”.

SEC. 12518. FOREST SERVICE HIRE AUTHORITY.

(a) IN GENERAL.—The Secretary of Agriculture may appoint, without regard to the provisions of subchapter I of chapter 33 of title 5, United States Code, other than sections 3303 and 3328 of such title, a qualified candidate described in subsection (b) directly to a position with the Department of Agriculture, Forest Service for which the candidate meets Office of Personnel Management qualification standards.

(b) QUALIFICATIONS.—Subsection (a) applies to a former resource assistant (as defined in section 203 of the Public Land Corps Act (16 U.S.C. 1722)) who—

(1) completed a rigorous internship with a land managing agency, such as the Forest Service Resource Assistant Program;

(2) successfully fulfilled the requirements of the internship program; and

(3) earned an undergraduate or graduate degree from an accredited institution of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)).

(c) LIMITATION.—The direct hire authority under this section may not be exercised with respect to a specific qualified candidate after the end of the 2-year period beginning on the date on which the candidate completed the undergraduate or graduate degree, as the case may be, or has successfully fulfilled the requirements of the internship program, whichever is later.

SEC. 12519. CONVERSION AUTHORITY.

The Secretary may, notwithstanding subchapter I of chapter 33 of title 5, United States Code, governing appointments in the competitive or excepted service, noncompetitively convert to an appointment in the competitive service, in an agency or office within the Department of Agriculture, a recent graduate or student who is a United States citizen and has been awarded and successfully completed a scholarship program granted to the individual by the Department through the 1890 National Scholars Program or the 1994 Tribal Scholars Program carried out by the Department, provided the individual meets the requirements for such conversion and meets Office of Personnel Management qualification standards, as determined by the Secretary. Nothing in the preceding sentence shall be construed as requiring the Secretary to convert an individual under the authority under such sentence.

SEC. 12520. AUTHORIZATION OF PROTECTION OPERATIONS FOR THE SECRETARY OF AGRICULTURE AND OTHERS.

(a) IN GENERAL.—The Department of Agriculture is authorized to employ qualified law enforcement officers or special agents to provide—

(1) protection for the Secretary and the Deputy Secretary during the performance of official duties by each such officer and during any activity that is preliminary or postliminary to the performance of official duties by each such officer;

(2) protection, incidental to the protection provided pursuant to paragraph (1), to an individual accompanying each such officer who is participating in an activity or event relating to the official duties of each such officer when there is an articulable threat to such individual;

(3) continuous protection to the Secretary and Deputy Secretary (including during periods not described in paragraph (1)) if there is an articulable threat of physical harm, in accordance with guidelines established by the Secretary; and

(4) protection of another senior officer representing the Secretary (including a person nominated to be the Secretary during the pendency of such nomination) if there is an articulable threat of physical harm, in accordance with guidelines established by the Secretary.

(b) **AUTHORITIES OF THE PROTECTIVE OPERATION.**—

(1) **IN GENERAL.**—The Secretary may authorize officers or special agents employed pursuant to subsection (a)—

(A) to carry firearms;

(B) to conduct criminal investigations into potential threats to the security of persons protected under this section;

(C) to make arrests without a warrant for any offense against the United States committed in the presence of such officer or special agent;

(D) to perform protective intelligence work, including identifying and mitigating potential threats and conducting advance work to review security matters relating to sites and events; and

(E) to coordinate with local law enforcement agencies.

(2) **GUIDELINES.**—The authority conveyed under this section shall be exercised in accordance with any—

(A) guidelines issued by the Attorney General; and

(B) such additional guidelines as may be issued by the Secretary.

(c) **EXCEPTION.**—The authorities granted under this section may be exercised notwithstanding section 1343(b)(1) of title 31, United States Code.

(d) **REPORT.**—Not later than September 30, 2019, and each September 30 through 2024, the Secretary shall provide to the Committee on Agriculture of the House of Representatives and Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the protection provided, and accounting for the expenditures made, pursuant to this section.

PART II—NATIONAL OILHEAT RESEARCH ALLIANCE

SEC. 12531. NATIONAL OILHEAT RESEARCH ALLIANCE.

(a) **IN GENERAL.**—Section 713 of the National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106-469) is amended by striking “18 years” and inserting “28 years”.

(b) **LIMITATION ON OBLIGATIONS OF FUNDS.**—The National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106-469) is amended by inserting after section 707 the following:

“SEC. 708. LIMITATION ON OBLIGATION OF FUNDS.

“(a) **IN GENERAL.**—In each calendar year of the covered period, the Alliance may not obligate an amount greater than the sum of—

“(1) 75 percent of the amount of assessments estimated to be collected under section 707 in that calendar year;

“(2) 75 percent of the amount of assessments actually collected under section 707 in the most recent calendar year for which an audit report has been submitted under section 706(f)(2)(B) as of the beginning of the calendar year for which the amount that may be obligated is being determined, less the estimate made pursuant to paragraph (1) for that most recent calendar year; and

“(3) amounts permitted in preceding calendar years to be obligated pursuant to this subsection that have not been obligated.

“(b) **EXCESS AMOUNTS DEPOSITED IN ESCROW ACCOUNT.**—Assessments collected under section 707 in excess of the amount permitted to be obligated under subsection (a) in a calendar year shall be deposited in an escrow account for the duration of the covered period.

“(c) **TREATMENT OF AMOUNTS IN ESCROW ACCOUNT.**—

“(1) **IN GENERAL.**—During the covered period, the Alliance may not obligate, expend, or borrow against amounts required under subsection (b) to be deposited in the escrow account.

“(2) **INTEREST.**—Any interest earned on amounts described in paragraph (1) shall be—

“(A) deposited in the escrow account; and

“(B) unavailable for obligation for the duration of the covered period.

“(d) **RELEASE OF AMOUNTS IN ESCROW ACCOUNT.**—Beginning on October 1, 2028, the Alliance may withdraw and obligate any amount in the escrow account.

“(e) **COVERED PERIOD DEFINED.**—In this section, the term ‘covered period’ means the period that begins on February 6, 2019, and ends on September 30, 2028.”.

(c) **CONFORMING AMENDMENTS.**—The National Oilheat Research Alliance Act of 2000 (42 U.S.C. 6201 note; Public Law 106-469) is amended—

(1) in section 706(d)(1), by striking “not exceed 7 percent of the amount of assessments collected in any calendar year, except that during the first year of operation of the Alliance such expenses and amounts shall not exceed 10 percent of the amount of assessments” and inserting “not exceed 7 percent of the amount of assessments collected in any calendar year that are permitted to be obligated in that calendar year”; and

(2) in section 707—

(A) in subsection (e), by inserting “that are permitted to be obligated” after “amount of assessments collected in the State” each place it appears; and

(B) in subsection (f), by inserting “and permitted to be obligated” after “assessments collected” each place it appears.

Subtitle F—General Provisions

SEC. 12601. BAITING OF MIGRATORY GAME BIRDS.

(a) **DEFINITIONS.**—In this section:

(1) **NORMAL AGRICULTURAL OPERATION.**—The term “normal agricultural operation” has the meaning given the term in section 20.11 of title 50, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(2) **POST-DISASTER FLOODING.**—The term “post-disaster flooding” means the destruction of a crop through flooding in accordance with practices required by the Federal Crop Insurance Corporation for agricultural producers to obtain crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) on land on which a crop was not harvestable due to a natural disaster (including any hurricane, storm, tornado, flood, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, drought, fire, snowstorm, or other catastrophe that is declared a major disaster by the President in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170)) in the crop year—

(A) in which the natural disaster occurred; or

(B) immediately preceding the crop year in which the natural disaster occurred.

(3) **RICE RATOONING.**—The term “rice ratooning” means the agricultural practice of harvesting rice by cutting the majority of the aboveground portion of the rice plant but leaving the roots and growing shoot apices intact to allow the plant to recover and produce a second crop yield.

(b) **REGULATIONS TO EXCLUDE RICE RATOONING AND POST-DISASTER FLOODING.**—Not later than 30 days after the date of enactment of this Act, the Secretary of the Interior, in consultation with the Secretary of Agriculture, shall revise part 20 of title 50, Code of Federal Regulations, to clarify that rice ratooning and

post-disaster flooding, when carried out as part of a normal agricultural operation, do not constitute baiting.

(c) **REPORTS.**—Not less frequently than once each year—

(1) the Secretary of Agriculture shall submit to the Secretary of the Interior a report that describes any changes to normal agricultural operations across the range of crops grown by agricultural producers in each region of the United States in which the official recommendations described in section 20.11(h) of title 50, Code of Federal Regulations (as in effect on the date of enactment of this Act), are provided to agricultural producers; and

(2) the Secretary of the Interior, in consultation with the Secretary of Agriculture and after seeking input from the heads of State departments of fish and wildlife or the Regional Migratory Bird Flyway Councils of the United States Fish and Wildlife Service, shall publicly post a report on the impact that rice ratooning and post-disaster flooding have on the behavior of migratory game birds that are hunted in the area in which rice ratooning and post-disaster flooding, respectively, have occurred.

SEC. 12602. PIMA AGRICULTURE COTTON TRUST FUND.

Section 12314 of the Agricultural Act of 2014 (7 U.S.C. 2101 note; Public Law 113-79) is amended—

(1) by striking “2018” each place it appears and inserting “2023”;

(2) by striking “calendar year 2013” each place it appears and inserting “the prior calendar year”;

(3) in subsection (b)(2)—

(A) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively;

(B) in the matter preceding clause (i) (as so redesignated), by striking “(2) Twenty-five” and inserting the following:

“(2)(A) Except as provided in subparagraph (B), twenty-five”;

(C) in subparagraph (A)(ii) (as so designated), by striking “subparagraph (A)” and inserting “clause (i)”; and

(D) by adding at the end the following:

“(B)(i) A yarn spinner shall not receive an amount under subparagraph (A) that exceeds the cost of pima cotton that—

“(I) was purchased during the prior calendar year; and

“(II) was used in spinning any cotton yarns.

“(ii) The Secretary shall reallocate any amounts reduced by reason of the limitation under clause (i) to spinners using the ratio described in subparagraph (A), disregarding production of any spinner subject to that limitation.”.

(4) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “(b)(2)(A)” and inserting “(b)(2)(A)(i)”;

(B) in paragraph (2), by striking “and” at the end;

(C) in paragraph (3), by striking the period at the end and inserting “; and”; and

(D) by adding at the end the following:

“(4) the dollar amount of pima cotton purchased during the prior calendar year—

“(A) that was used in spinning any cotton yarns; and

“(B) for which the producer maintains supporting documentation.”;

(5) in subsection (e)—

(A) in the matter preceding paragraph (1), by striking “by the Secretary—” and inserting “by the Secretary not later than March 15 of the applicable calendar year.”; and

(B) by striking paragraphs (1) and (2); and

(6) in subsection (f), by striking “subsection (b)—” in the matter preceding paragraph (1) and all that follows through “not later than” in paragraph (2) and inserting “subsection (b) not later than”.

SEC. 12603. AGRICULTURE WOOL APPAREL MANUFACTURERS TRUST FUND.

Section 12315 of the Agricultural Act of 2014 (7 U.S.C. 7101 note; Public Law 113-79) is amended—

(1) by striking “2019” each place it appears and inserting “2023”;

(2) in subsection (b)—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) in the matter preceding clause (i), by striking “the payment—” and inserting “the payment, payments in amounts authorized under that paragraph.”; and

(II) by striking clauses (i) and (ii); and

(ii) in subparagraph (B)—

(I) in the matter preceding clause (i), by striking “4002(c)—” and inserting “4002(c), payments in amounts authorized under that paragraph.”; and

(II) by striking clauses (i) and (ii); and

(B) in paragraph (2), by striking “submitted—” in the matter preceding subparagraph (A) and all that follows through “to the Secretary” in subparagraph (B) and inserting “submitted to the Secretary.”; and

(3) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking “subsection (b)—” and inserting “subsection (b) not later than April 15 of the year of the payment.”; and

(B) by striking paragraphs (1) and (2).

SEC. 12604. WOOL RESEARCH AND PROMOTION.

Section 12316(a) of the Agricultural Act of 2014 (7 U.S.C. 7101 note; Public Law 113-79) is amended by striking “2015 through 2019” and inserting “2019 through 2023”.

SEC. 12605. EMERGENCY CITRUS DISEASE RESEARCH AND DEVELOPMENT TRUST FUND.

(a) **DEFINITION OF CITRUS.**—In this section, the term “citrus” means edible fruit of the family Rutaceae, including any hybrid of that fruit and any product of that hybrid that is produced for commercial purposes in the United States.

(b) **ESTABLISHMENT OF TRUST FUND.**—There is established in the Treasury of the United States a trust fund, to be known as the Emergency Citrus Disease Research and Development Trust Fund (referred to in this section as the “Citrus Trust Fund”), consisting of such amounts as shall be transferred to the Citrus Trust Fund pursuant to subsection (d).

(c) **USE OF FUND.**—From amounts in the Citrus Trust Fund, the Secretary shall, beginning in fiscal year 2019, carry out the Emergency Citrus Disease Research and Extension Program in section 412(j) of the Agricultural Research, Extension, and Education Reform Act of 1998 (7 U.S.C. 7632(j)).

(d) **FUNDING.**—Of the funds of the Commodity Credit Corporation, the Secretary shall transfer to the Citrus Trust Fund \$25,000,000 for each of fiscal years 2019 through 2023, to remain available until expended.

SEC. 12606. EXTENSION OF MERCHANDISE PROCESSING FEES.

Section 503 of the United States-Korea Free Trade Agreement Implementation Act (Public Law 112-41; 19 U.S.C. 3805 note) is amended by striking “February 24, 2027” and inserting “May 26, 2027”.

SEC. 12607. REPORTS ON LAND ACCESS AND FARMLAND OWNERSHIP DATA COLLECTION.

(a) **LAND ACCESS.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Agriculture, in consultation with the Chief Economist, shall submit to Congress and make publicly available a report identifying—

(1) the barriers that prevent or hinder the ability of beginning farmers and ranchers (as defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a))) and socially disadvantaged farmers and ranchers (as defined in such section) to acquire or access farmland;

(2) the extent to which Federal programs, including agricultural conservation easement programs, land transition programs, and financing programs, are improving—

(A) farmland access and tenure for beginning farmers and ranchers and socially disadvantaged farmers and ranchers; and

(B) farmland transition and succession; and

(3) the regulatory, operational, or statutory changes that are necessary to improve—

(A) the ability of beginning farmers and ranchers and socially disadvantaged farmers and ranchers to acquire or access farmland;

(B) farmland tenure for beginning farmers and ranchers and socially disadvantaged farmers and ranchers; and

(C) farmland transition and succession.

(b) **FARMLAND OWNERSHIP.**—The Secretary shall collect and, not less frequently than once every 3 years report, data and analysis on farmland ownership, tenure, transition, and entry of beginning farmers and ranchers and socially disadvantaged farmers and ranchers (as those terms are defined in section 2501(a) of the Food, Agriculture, Conservation, and Trade Act of 1990 (7 U.S.C. 2279(a))). In carrying out this subsection, the Secretary shall, at a minimum—

(1) collect and distribute comprehensive reporting of trends in farmland ownership, tenure, transition, barriers to entry, profitability, and viability of beginning farmers and ranchers and socially disadvantaged farmers and ranchers;

(2) develop surveys and report statistical and economic analysis on farmland ownership, tenure, transition, barriers to entry, profitability, and viability of beginning farmers and ranchers, including a regular follow-on survey to each Census of Agriculture with results of the follow-on survey made public not later than 3 years after the previous Census of Agriculture; and

(3) require the National Agricultural Statistics Service to include in the Tenure, Ownership, and Transition of Agricultural Land survey questions relating to—

(A) the extent to which non-farming landowners are purchasing and holding onto farmland for the sole purpose of real estate investment;

(B) the impact of these farmland ownership trends on the successful entry and viability of beginning farmers and ranchers and socially disadvantaged farmers and ranchers;

(C) the extent to which farm and ranch land with undivided interests and no administrative authority identified have farms or ranches operating on that land; and

(D) the impact of land tenure patterns, categorized by—

(i) race, gender, and ethnicity; and

(ii) region.

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$3,000,000 for each fiscal years 2019 through 2023, to remain available until expended.

SEC. 12608. REAUTHORIZATION OF RURAL EMERGENCY MEDICAL SERVICES TRAINING AND EQUIPMENT ASSISTANCE PROGRAM.

Section 330J of the Public Health Service Act (42 U.S.C. 254c-15) is amended—

(1) in subsection (a), by striking “in rural areas” and inserting “in rural areas or to residents of rural areas”;

(2) by striking subsections (b) through (f) and inserting the following:

“(b) **ELIGIBILITY; APPLICATION.**—To be eligible to receive grant under this section, an entity shall—

“(1) be—

“(A) an emergency medical services agency operated by a local or tribal government (including fire-based and non-fire based); or

“(B) an emergency medical services agency that is described in section 501(c) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

“(2) submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

“(c) **USE OF FUNDS.**—An entity—

“(1) shall use amounts received through a grant under subsection (a) to—

“(A) train emergency medical services personnel as appropriate to obtain and maintain li-

censes and certifications relevant to service in an emergency medical services agency described in subsection (b)(1);

“(B) conduct courses that qualify graduates to serve in an emergency medical services agency described in subsection (b)(1) in accordance with State and local requirements;

“(C) fund specific training to meet Federal or State licensing or certification requirements; and

“(D) acquire emergency medical services equipment; and

“(2) may use amounts received through a grant under subsection (a) to—

“(A) recruit and retain emergency medical services personnel, which may include volunteer personnel;

“(B) develop new ways to educate emergency health care providers through the use of technology-enhanced educational methods; or

“(C) acquire personal protective equipment for emergency medical services personnel as required by the Occupational Safety and Health Administration.

“(d) **GRANT AMOUNTS.**—Each grant awarded under this section shall be in an amount not to exceed \$200,000.

“(e) **DEFINITIONS.**—In this section:

“(1) The term ‘emergency medical services’—

“(A) means resources used by a public or private nonprofit licensed entity to deliver medical care outside of a medical facility under emergency conditions that occur as a result of the condition of the patient; and

“(B) includes services delivered (either on a compensated or volunteer basis) by an emergency medical services provider or other provider that is licensed or certified by the State involved as an emergency medical technician, a paramedic, or an equivalent professional (as determined by the State).

“(2) The term ‘rural area’ means—

“(A) a nonmetropolitan statistical area;

“(B) an area designated as a rural area by any law or regulation of a State; or

“(C) a rural census tract of a metropolitan statistical area (as determined under the most recent rural urban commuting area code as set forth by the Office of Management and Budget).

“(f) **MATCHING REQUIREMENT.**—The Secretary may not award a grant under this section to an entity unless the entity agrees that the entity will make available (directly or through contributions from other public or private entities) non-Federal contributions toward the activities to be carried out under the grant in an amount equal to 10 percent of the amount received under the grant.”; and

(3) in subsection (g)(1), by striking “2002 through 2006” and inserting “2019 through 2023”.

SEC. 12609. COMMISSION ON FARM TRANSITIONS—NEEDS FOR 2050.

(a) **ESTABLISHMENT.**—There is established a commission to be known as the Commission on Farm Transitions—Needs for 2050 (referred to in this section as the “Commission”).

(b) **STUDY.**—The Commission shall conduct a study on issues impacting the transition of agricultural operations from established farmers and ranchers to the next generation of farmers and ranchers, including—

(1) access to, and availability of—

(A) quality land and necessary infrastructure;

(B) affordable credit;

(C) adequate risk management tools; and

(D) apprenticeship and mentorship programs;

(2) agricultural asset transfer strategies in use as of the date of the enactment of this Act and improvements to such strategies;

(3) incentives that may facilitate agricultural asset transfers to the next generation of farmers and ranchers, including an assessment of, and recommendations for, how existing and new Federal tax policies—

(A) facilitate lifetime and estate transfers; and

(B) impact individuals seeking to farm who do not have family farm lineage or access to farmland;

(4) the causes of the failures of such transitions, if any; and

(5) the effectiveness of programs and incentives providing assistance with respect to such transitions in effect on the date of the enactment of this Act and opportunities for the revision or improvement of such programs.

(c) **MEMBERSHIP.**—

(1) **COMPOSITION.**—The Commission shall be composed of 10 members, as follows:

(A) 3 members appointed by the Secretary.

(B) 3 members appointed by the Committee on Agriculture, Nutrition, and Forestry of the Senate.

(C) 3 members appointed by the Committee on Agriculture of the House of Representatives.

(D) The Chief Economist of the Department of Agriculture.

(2) **FEDERAL GOVERNMENT EMPLOYMENT.**—In addition to the Chief Economist of the Department of Agriculture, the membership of the Commission may include 1 or more employees of the Department of Agriculture or other Federal agencies.

(3) **DATE OF APPOINTMENTS.**—The appointment of all members of the Commission shall be made not later than 60 days after the date of enactment of this Act.

(4) **TERM; VACANCIES.**—

(A) **TERM.**—A member shall be appointed for the life of the Commission.

(B) **VACANCIES.**—A vacancy on the Commission—

(i) shall not affect the powers of the Commission; and

(ii) shall be filled in the same manner as the original appointment was made.

(5) **INITIAL MEETING.**—Not later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold the initial meeting of the Commission.

(d) **QUORUM.**—A majority of the members of the Commission shall constitute a quorum for the transaction of business, but a lesser number of members may hold hearings.

(e) **CHAIRPERSON.**—The Secretary shall appoint 1 of the members of the Commission to serve as Chairperson of the Commission.

(f) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Commission shall submit to the President, the Committee on Agriculture of the House of Representatives, and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report containing the results of the study required by subsection (b), including such recommendations as the Commission considers appropriate.

(g) **HEARINGS.**—The Commission may hold such hearings, meet and act at such times and places, take such testimony, and receive such evidence as the Commission considers advisable to carry out this section.

(h) **INFORMATION FROM FEDERAL AGENCIES.**—The Commission may secure directly from a Federal agency such information as the Commission considers necessary to carry out this section. On request of the Chairperson of the Commission, the head of the agency shall provide the information to the Commission.

(i) **POSTAL SERVICES.**—The Commission may use the United States mail in the same manner and under the same conditions as other agencies of the Federal Government.

(j) **ASSISTANCE FROM SECRETARY.**—The Secretary may provide to the Commission appropriate office space and such reasonable administrative and support services as the Commission may request.

(k) **COMPENSATION OF MEMBERS.**—

(1) **NON-FEDERAL EMPLOYEES.**—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(2) **FEDERAL EMPLOYEES.**—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(3) **TRAVEL EXPENSES.**—A member of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(l) **FEDERAL ADVISORY COMMITTEE ACT.**—Sections 9 and 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission or any proceeding of the Commission.

(m) **TERMINATION.**—The Commission shall terminate on September 30, 2023.

SEC. 12610. EXCEPTIONS UNDER UNITED STATES GRAIN STANDARDS ACT.

(a) **GEOGRAPHIC BOUNDARIES FOR OFFICIAL AGENCIES.**—Section 7 of the United States Grain Standards Act (7 U.S.C. 79) is amended—

(1) in subsection (f)(2)—

(A) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (iii), and (iv), respectively, and indenting appropriately;

(B) in the matter preceding clause (i) (as so redesignated), by striking “Not more” and inserting the following:

“(A) IN GENERAL.—Subject to subparagraph (B), not more”;

(C) in subparagraph (A) (as so designated), in the matter preceding clause (i) (as so redesignated), by striking “Secretary, except that, if” and inserting the following: “Secretary.

“(B) EXCEPTIONS.—Subject to subsection (g)(4)(A), if”;

(D) in subparagraph (B) (as so designated), by inserting after clause (i) the following:

“(ii) a person requesting inspection services in that geographic area has not been receiving official inspection services from the current designated official agency for that geographic area;”; and

(E) by adding at the end the following:

“(C) **TERMINATION OF NONUSE OF SERVICE EXCEPTION.**—The exception under subparagraph (B)(ii) may only be terminated if all parties to that exception jointly agree on the termination, unless terminated according to subsection (g)(4)(A).

“(D) **RESTORATION OF CERTAIN EXCEPTIONS.**—“(i) **DEFINITION OF ELIGIBLE GRAIN HANDLING FACILITY.**—In this subparagraph, the term ‘eligible grain handling facility’ means a grain handling facility that—

“(I) was granted an exception under the final rule entitled ‘Exceptions to Geographic Areas for Official Agencies Under the USGSA’ (68 Fed. Reg. 19137 (April 18, 2003)); and

“(II) had that exception revoked between September 30, 2015, and the date of enactment of the Agriculture Improvement Act of 2018.

“(ii) **RESTORATION OF EXCEPTIONS.**—Within 90 days of notification from an eligible grain handling facility, the Secretary shall restore an exception described in clause (i)(I) with an official agency if—

“(I) the eligible grain handling facility and the former excepted official agency agree to restore that exception; and

“(II) the eligible grain handling facility notifies the Secretary of the preferred date for restoration of the exception within 90 days of enactment of the Agriculture Improvement Act of 2018.”; and

(2) in subsection (g), by adding at the end the following:

“(4) **EFFECT ON EXCEPTIONS.**—

“(A) IN GENERAL.—The exceptions under clauses (ii) and (iv) of subsection (f)(2)(B) shall not apply if the designation of an official agency is terminated, pursuant to paragraph (1).

“(B) **DESIGNATION RENEWED OR RESTORED.**—If the designation of an official agency is renewed

or restored after being terminated under paragraph (1), the Secretary may renew or restore the exceptions under subsection (f)(2)(B) in accordance with that subsection.”.

(b) **UNAUTHORIZED WEIGHING PROHIBITED.**—Section 7A(i)(2) of the United States Grain Standards Act (7 U.S.C. 79a(i)(2)) is amended—

(1) by redesignating subparagraphs (A) and (B) as clauses (i) and (iii), respectively, and indenting appropriately;

(2) in the matter preceding clause (i) (as so redesignated), by striking “Not more” and inserting the following:

“(A) IN GENERAL.—Subject to subparagraph (B), not more”;

(3) in subparagraph (A) (as so designated), in the matter preceding clause (i) (as so redesignated), by striking “Secretary, except that, if” and inserting the following: “Secretary.

“(B) EXCEPTIONS.—If”;

(4) in subparagraph (B) (as so designated)—

(A) in clause (i), by striking “or” at the end; and

(B) by inserting after clause (i) the following: “(ii) a person requesting weighing services in that geographic area has not been receiving official weighing services from the current designated official agency for that geographic area; or”;

(5) by adding after subparagraph (B) (as so designated)—

“(C) **RESTORATION OF CERTAIN EXCEPTIONS.**—“(i) **DEFINITION OF ELIGIBLE GRAIN HANDLING FACILITY.**—In this subparagraph, the term ‘eligible grain handling facility’ means a grain handling facility that—

“(I) was granted an exception under the final rule entitled ‘Exceptions to Geographic Areas for Official Agencies Under the USGSA’ (68 Fed. Reg. 19137 (April 18, 2003)); and

“(II) had that exception revoked between September 30, 2015 and the date of enactment of the Agriculture Improvement Act of 2018.

“(ii) **RESTORATION OF EXCEPTIONS.**—Within 90 days of notification from an eligible grain handling facility, the Secretary shall restore an exception described in clause (i)(I) with an official agency if—

“(I) the eligible grain handling facility and the former excepted official agency agree to restore that exception; and

“(II) the eligible grain handling facility notifies the Secretary of the preferred date for restoration of the exception within 90 days of enactment of the Agriculture Improvement Act of 2018.”.

(c) **TECHNICAL CORRECTION.**—Section 7(f)(1) of the United States Grain Standards Act (7 U.S.C. 79(f)(1)) is amended by indenting subparagraph (C) appropriately.

SEC. 12611. CONFERENCE REPORT REQUIREMENT THRESHOLD.

Section 14209(a)(3)(A) of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 2255b(a)(3)(A)) is amended by striking “\$10,000” and inserting “\$50,000”.

SEC. 12612. NATIONAL AGRICULTURE IMAGERY PROGRAM.

(a) **IN GENERAL.**—The Secretary of Agriculture, acting through the Administrator of the Farm Service Agency, shall carry out a national agriculture imagery program to annually acquire aerial imagery during agricultural growing seasons from the continental United States.

(b) **DATA.**—The aerial imagery acquired under this section shall—

(1) consist of high resolution processed digital imagery;

(2) be made available in a format that can be provided to Federal, State, and private sector entities;

(3) be technologically compatible with geospatial information technology; and

(4) be consistent with the standards established by the Federal Geographic Data Committee.

(c) **SUPPLEMENTAL SATELLITE IMAGERY.**—The Secretary of Agriculture may supplement the

aerial imagery collected under this section with satellite imagery.

(d) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$23,000,000 for fiscal year 2019 and each fiscal year thereafter.

SEC. 12613. REPORT ON INCLUSION OF NATURAL STONE PRODUCTS IN COMMODITY PROMOTION, RESEARCH, AND INFORMATION ACT OF 1996.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Agriculture shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report examining the effect the establishment of a Natural Stone Research and Promotion Board pursuant to the Commodity Promotion, Research, and Information Act of 1996 (7 U.S.C. 7401 et seq.) would have on the natural stone industry, including how such a program would effect—

- (1) research conducted on, and the promotion of, natural stone;
- (2) the development and expansion of domestic markets for natural stone;
- (3) economic activity of the natural stone industry subject to such a Board;
- (4) economic development in rural areas; and
- (5) benefits to consumers in the United States of natural stone products.

SEC. 12614. ESTABLISHMENT OF FOOD ACCESS LIAISON.

(a) **IN GENERAL.**—Subtitle A of the Department of Agriculture Reorganization Act of 1994 (7 U.S.C. 6901 et seq.), as amended by sections 12202, 12302, 12403, and 12504, is amended by adding at the end the following:

“SEC. 225. FOOD ACCESS LIAISON.

“(a) **ESTABLISHMENT.**—The Secretary shall establish the position of Food Access Liaison to coordinate Department programs to reduce barriers to food access and monitor and evaluate the progress of such programs in accordance with this section.

“(b) **DUTIES.**—The Food Access Liaison shall—

“(1) coordinate the efforts of the Department, including regional offices, to experiment and consider programs and policies aimed at reducing barriers to food access for consumers, including but not limited to participants in nutrition assistance programs;

“(2) provide outreach to entities engaged in activities to reduce barriers to food access in accordance with the statutory authorization for each program;

“(3) provide outreach to entities engaged in activities to reduce barriers to food access, including retailers, markets, producers, and others involved in food production and distribution, with respect to the availability of, and eligibility for, Department programs;

“(4) raise awareness of food access issues in interactions with employees of the Department;

“(5) make recommendations to the Secretary with respect to efforts to reduce barriers to food access; and

“(6) submit to Congress an annual report with respect to the efforts of the Department to reduce barriers to food access.”.

(b) **TECHNICAL ASSISTANCE.**—The Secretary shall provide technical assistance to entities that are participants, or seek to participate, in Department of Agriculture programs related to reduction of barriers to food access.

SEC. 12615. ELIGIBILITY FOR OPERATORS ON HEIRS PROPERTY LAND TO OBTAIN A FARM NUMBER.

(a) **DEFINITIONS.**—In this section:

(1) **ELIGIBLE DOCUMENTATION.**—The term “eligible documentation”, with respect to land for which a farm operator seeks assignment of a farm number under subsection (b)(1), includes—

(A) in States that have adopted a statute consisting of an enactment or adoption of the Uniform Partition of Heirs Property Act, as approved and recommended for enactment in all

States by the National Conference of Commissioners on Uniform State Laws in 2010—

(i) a court order verifying the land meets the definition of heirs property (as defined in that Act); or

(ii) a certification from the local recorder of deeds that the recorded owner of the land is deceased and not less than 1 heir of the recorded owner of the land has initiated a procedure to retitle the land in the name of the rightful heir;

(B) a fully executed, unrecorded tenancy-in-common agreement that sets out ownership rights and responsibilities among all of the owners of the land that—

(i) has been approved by a majority of the ownership interests in that property;

(ii) has given a particular owner the right to manage and control any portion or all of the land for purposes of operating a farm or ranch; and

(iii) was validly entered into under the authority of the jurisdiction in which the land is located;

(C) the tax return of a farm operator farming a property with undivided interests for each of the 5 years preceding the date on which the farm operator submits the tax returns as eligible documentation under subsection (b);

(D) self-certification that the farm operator has control of the land for purposes of operating a farm or ranch; and

(E) any other documentation identified by the Secretary under subsection (c).

(2) **FARM NUMBER.**—The term “farm number” has the meaning given the term in section 718.2 of title 7, Code of Federal Regulations (as in effect on the date of enactment of this Act).

(b) **FARM NUMBER.**—

(1) **IN GENERAL.**—The Secretary shall provide for the assignment of a farm number to any farm operator who provides any form of eligible documentation for purposes of demonstrating that the farm operator has control of the land for purposes of defining that land as a farm.

(2) **ELIGIBILITY.**—Any farm number provided under paragraph (1) shall be sufficient to satisfy any requirement of the Secretary to have a farm number to participate in a program of the Secretary.

(c) **ELIGIBLE DOCUMENTATION.**—The Secretary shall identify alternative forms of eligible documentation that a farm operator may provide in seeking the assignment of a farm number under subsection (b)(1).

SEC. 12616. EXTENDING PROHIBITION ON ANIMAL FIGHTING TO THE TERRITORIES.

(a) **IN GENERAL.**—Section 26 of the Animal Welfare Act (7 U.S.C. 2156) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “Except as provided in paragraph (3), it” and inserting “it”; and

(B) by striking paragraph (3);

(2) by striking subsection (d); and

(3) by redesignating subsections (e), (f), (g), (h), (i), and (j) as subsections (d), (e), (f), (g), (h), and (i), respectively.

(b) **USE OF POSTAL SERVICE OR OTHER INTERSTATE INSTRUMENTALITIES.**—Section 26(c) of the Animal Welfare Act (7 U.S.C. 2156(c)) is amended by striking “(e)” and inserting “(d)”.

(c) **CRIMINAL PENALTIES.**—Subsection (i) of section 26 of the Animal Welfare Act (7 U.S.C. 2156), as redesignated by section 2(3), is amended by striking “(e)” and inserting “(d)”.

(d) **ENFORCEMENT OF ANIMAL FIGHTING PROHIBITIONS.**—Section 49(a) of title 18, United States Code, is amended by striking “(e)” and inserting “(d)”.

(e) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date that is one year after the date of the enactment of this Act.

SEC. 12617. EXEMPTION OF EXPORTATION OF CERTAIN ECHINODERMS FROM PERMISSION AND LICENSING REQUIREMENTS.

(a) **DEFINITIONS.**—In this section:

(1) **CONSERVATION AND MANAGEMENT.**—The term “conservation and management” has the

meaning given the term in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802).

(2) **MARINE FISHERIES COMMISSION.**—The term “Marine Fisheries Commission” means an interstate commission (as that term is used in the Interjurisdictional Fisheries Act of 1986 (16 USC 4101 et seq.)).

(3) **STATE JURISDICTION.**—The term “State jurisdiction” means areas under the jurisdiction and authority of a State as described in section 306(a)(2) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1856(a)(2)).

(b) **EXEMPTION.**—Not later than 90 days after the date of enactment of this Act, the Director of the United States Fish and Wildlife Service shall amend section 14.92 of title 50, Code of Federal Regulations, to clarify that—

(1) except as provided in paragraph (2) and subsection (d)(2)—

(A) fish and wildlife described in subsection (c) are fishery products exempt from the export permission requirements of section 9(d)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538(d)(1)); and

(B) any person may engage in business as an exporter of fish or wildlife described in subsection (c) without procuring—

(i) permission under section 9(d)(1) of the Endangered Species Act of 1973 (16 U.S.C. 1538(d)(1)); or

(ii) an export license under subpart I of part 14 of title 50, Code of Federal Regulations (or successor regulations); and

(2) notwithstanding paragraph (1), unless the person has qualified for and obtained an export license described in paragraph (1)(B)(ii), any person that has been convicted of 1 or more violations of a Federal law relating to the importation, transportation, or exportation of wildlife shall not be permitted, during the 5-year period beginning on the date of the most recent conviction, to engage in business as an exporter of fish or wildlife described in subsection (c).

(c) **COVERED FISH OR WILDLIFE.**—The fish or wildlife referred to in subsection (b) are members of the species *Strongylocentrotus droebachiensis* (commonly known as the “green sea urchin”), including any products of that species, that—

(1) do not require a permit under part 16, 17, or 23 of title 50, Code of Federal Regulations (or successor regulations);

(2)(A) are harvested in waters under State jurisdiction; or

(B) are imported for processing in the United States pursuant to an import license as required under section 14.91 of title 50, Code of Federal Regulations (or a successor regulation), and not exempt from import license requirements under section 14.92 of that title (as in effect on the day before the date of enactment of this Act); and

(3) are exported for purposes of human or animal consumption.

(d) **INFORMATION COLLECTION ON EXPORTS.**—

(1) **IN GENERAL.**—The State agency that regulates or otherwise oversees a State fishery in which the fish and wildlife described in subsection (c) are harvested shall annually transmit the conservation and management data (as defined in subsection (a)) to the Interstate Fisheries Management Program Policy Board of the applicable Marine Fisheries Commission.

(2) **PRIVACY.**—Such data thereafter shall not be released and shall be maintained as confidential by such applicable Marine Fisheries Commission, including data requested under the section 552 of title 5, United States Code, unless disclosure is required under court order or unless the data is essential for an enforcement action under Federal wildlife management laws.

(3) **EXCLUSION.**—The exemption under subsection (b)(1) shall not apply in a State if—

(A) the State fails to transmit the data required under paragraph (1); or

(B) the applicable Marine Fisheries Commission determines, in consultation with the primary research agency of such Commission, after notice and an opportunity to comment, that the

data required under paragraph (1) fails to prove that the State agency or official is engaged in conservation and management of the fish or wildlife described in subsection (c).

SEC. 12618. DATA ON CONSERVATION PRACTICES.

Subtitle E of title XII of the Food Security Act of 1985 (16 U.S.C. 3841 et seq.) is amended by adding at the end the following:

“SEC. 1247. DATA ON CONSERVATION PRACTICES.

“(a) DATA ON CONSERVATION PRACTICES.—The Secretary shall identify available data sets within the Department of Agriculture regarding the use of conservation practices and the effect of such practices on farm and ranch profitability (including such effects relating to crop yields, soil health, and other risk-related factors).

“(b) REPORT.—Not later than 1 year after the date of enactment of the Agriculture Improvement Act of 2018, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that includes—

“(1) a summary of the data sets identified under subsection (a);

“(2) a summary of the steps the Secretary would have to take to provide access to such data sets by university researchers, including taking into account any technical, privacy, or administrative considerations;

“(3) a summary of safeguards the Secretary employs when providing access to data to university researchers;

“(4) a summary of appropriate procedures to maximize the potential for research benefits while preventing any violations of privacy or confidentiality; and

“(5) recommendations for any necessary authorizations or clarifications of Federal law to allow access to such data sets to maximize the potential for research benefits.”.

SEC. 12619. CONFORMING CHANGES TO CONTROLLED SUBSTANCES ACT.

(a) IN GENERAL.—Section 102(16) of the Controlled Substances Act (21 U.S.C. 802(16)) is amended—

(1) by striking “(16) The” and inserting “(16)(A) Subject to subparagraph (B), the”; and

(2) by striking “Such term does not include the” and inserting the following:

“(B) The term ‘marihuana’ does not include—

“(i) hemp, as defined in section 297A of the Agricultural Marketing Act of 1946; or

“(ii) the”.

(b) TETRAHYDROCANNABINOL.—Schedule I, as set forth in section 202(c) of the Controlled Substances Act (21 U.S.C. 812(c)), is amended in subsection (c)(17) by inserting after “Tetrahydrocannabinols” the following: “, except for tetrahydrocannabinols in hemp (as defined under section 297A of the Agricultural Marketing Act of 1946)”.

And the Senate agree to the same.

From the Committee on Agriculture, for consideration of the House bill and the Senate amendment, and modifications committed to conference:

K. MICHAEL CONAWAY,
GLENN THOMPSON of
Pennsylvania,
BOB GOODLATTE,
FRANK D. LUCAS,
MIKE ROGERS of Alabama,
AUSTIN SCOTT of Georgia,
ERIC A. “RICK” CRAWFORD,
VICKY HARTZLER,
RODNEY DAVIS of Illinois,
TED S. YOHO,
DAVID ROUZER,
ROGER W. MARSHALL,
JODEY C. ARRINGTON,
COLLIN C. PETERSON,
DAVID SCOTT of Georgia,
JIM COSTA,
MARCIA L. FUDGE,
JAMES P. MCGOVERN,
FILEMON VELA,
ANN M. KUSTER of New

Hampshire,
TOM O’HALLERAN,
VIRGINIA FOXX,
RICK W. ALLEN,
ALMA S. ADAMS,
KEVIN CRAMER,
EDWARD R. ROYCE,
STEVE CHABOT,
ELIOT L. ENGEL,
ROB BISHOP of Utah,
BRUCE WESTERMAN,
RAÚL M. GRIJALVA,
JAMES COMER,
RALPH LEE ABRAHAM,
NEAL P. DUNN,
EDDIE BERNICE JOHNSON of
Texas,
JEFF DENHAM,
BOB GIBBS,
CHERI BUSTOS.

Managers on the Part of the House.

PAT ROBERTS,
MITCH MCCONNELL,
JOHN BOOZMAN,
JOHN HOEVEN,
JONI ERNST,
DEBBIE STABENOW,
PATRICK J. LEAHY,
SHERROD BROWN,
HEIDI HETKAMP.

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

Pursuant to House Resolution 1176, the previous question was ordered on the conference report to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. BOST, announced that the ayes had it.

Mr. CONAWAY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶163.18 CONFERENCE REPORT TO H.R. 2—
UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced the unfinished business to be the question of agreeing to said conference report to the bill (H.R. 2) to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

The question being put,

Will the House agree to said conference report?

The vote was taken by electronic device.

It was decided in the { Yeas 369
affirmative } Nays 47

¶163.19

[Roll No. 434]

YEAS—369

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington

Babin
Bacon
Balderson
Banks (IN)
Barr
Barragán
Bass

Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)

Bishop (UT)
Black
Blackburn
Blum
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Bucshon
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Cheney
Chu, Judy
Ciallone
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doyle, Michael
F.
Duffy
Dunn
Emmer
Engel
Eshoo
Espallat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gianforte

Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Hanabusa
Handel
Harper
Hastings
Heck
Hern
Herrera Beutler
Higgins (LA)
Higgins (NY)
Hill
Himes
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebbeck
Lofgren
Long
Love
Lowenthal
Lowe
Lucas
Luetkemeyer
Lujan, Ben Ray
Lynch
MacArthur
Maloney
Malone, B.
Maloney, Sean
Marchant
Marino
Marshall
Matsui
McCarthy
McCaul
McCollum
McEachin

McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
Meeks
Meng
Messer
Mitchell
Moolenaar
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Noem
Nolan
Norcross
Nunes
O’Halleran
O’Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarelli
Paulsen
Pearce
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Thomas
J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sanchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell (AL)
Shea-Porter
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto

Speier	Turner	Weber (TX)
Stefanik	Upton	Webster (FL)
Stivers	Valadao	Welch
Suozzi	Vargas	Wenstrup
Swalwell (CA)	Veasey	Westerman
Takano	Vela	Wild
Taylor	Velázquez	Williams
Tenney	Visclosky	Wilson (FL)
Thompson (CA)	Wagner	Wilson (SC)
Thompson (MS)	Walberg	Wittman
Thompson (PA)	Walden	Womack
Thornberry	Walker	Woodall
Tipton	Walorski	Yarmuth
Titus	Walters, Mimi	Yoder
Tonko	Wasserman	Yoho
Torres	Schultz	Young (AK)
Trott	Waters, Maxine	Young (IA)
Tsongas	Watson Coleman	Zeldin

NAYS—47

Amash	Gallagher	Massie
Biggs	Garrett	Mast
Blumenauer	Gohmert	McClintock
Brat	Gosar	McSally
Buck	Harris	Meadows
Budd	Hensarling	Mooney (WV)
Carter (GA)	Hice, Jody B.	Norman
Chabot	Holding	Perry
Coffman	Johnson, Sam	Posey
Davidson	Jordan	Ratcliffe
Doggett	Kind	Rooney, Francis
Duncan (SC)	Lamborn	Rothfus
Duncan (TN)	Lance	Sanford
Foxx	Lesko	Schweikert
Frelinghuysen	Lewis (MN)	Sensenbrenner
Gaetz	Loudermilk	

NOT VOTING—16

Barletta	Jones (NC)	Moore
Barton	Keating	Payne
Buchanan	Knight	Polis
Donovan	Labrador	Stewart
Ellison	Lujan Grisham,	Walz
Hartzler	M.	

So the conference report was agreed to.

A motion to reconsider the vote whereby said conference report was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶163.20 AMENDMENT OF THE SENATE TO H.R. 2454—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WEBER of Texas, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 2454) to direct the Secretary of Homeland Security to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department, and for other purposes.

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. WEBER of Texas, announced that two-thirds of those present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶163.21 AED TRAINING IN THE NATION'S SCHOOLS

On motion of Mr. LEWIS of Minnesota, by unanimous consent, the Committee on Education and the Workforce and the Committee on Energy and Commerce were discharged from further consideration of the following resolution (H. Res. 35):

Whereas the American Red Cross advocates that improved training and access to automated external defibrillators (AEDs) could save 50,000 lives each year;

Whereas the average response time to a 911 call is 8 to 12 minutes;

Whereas the likelihood of survival is reduced approximately 10 percent for each minute defibrillation is delayed; and

Whereas sudden cardiac arrest is most effectively treated by combining CPR and defibrillation: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) public schools in possession of one or more AEDs should schedule annual AED training for all school personnel, for which staff meetings or in-service days allocated under State law for training programs in emergency first aid and cardiopulmonary resuscitation (CPR) may be used;

(2) such public schools should consider including in such annual AED training instruction on the use of AEDs and information for school personnel relating to the locations of AEDs, the school's response plan, and the members of the school response team;

(3) each public school in possession of one or more AEDs should conduct an annual CPR and AED drill for school personnel to practice the use of these life-saving measures and to evaluate the school's preparedness in the event of a sudden cardiac arrest; and

(4) when planning the training and drills, local educational agencies (LEAs) and schools should coordinate with other schools operating training programs, any State-issued recommendations as to the development or usage of appropriate programs, and the American Heart Association Guidelines for Cardiopulmonary Resuscitation and Emergency Cardiovascular Care.

When said resolution was considered.

Mr. LEWIS of Minnesota, submitted the following amendment which was agreed to:

Page 2, line 4, strike "training" and insert "education".

Page 2, line 6, strike "training" and insert "professional development".

Page 2, line 10, strike "training" and insert "education".

Page 2, line 21, strike "training" and insert "education".

Page 2, line 23, strike "training" and insert "education".

The resolution, as amended, was agreed to.

Mr. LEWIS of Minnesota, submitted the following amendment to the preamble, which was agreed to:

In the first whereas clause of the preamble, strike "training" and insert "education".

By unanimous consent, the title was amended so as to read: "A resolution expressing the sense of the House of Representatives relating to automated external defibrillator (AED) education in the Nation's schools."

A motion to reconsider the votes whereby said resolution, as amended, was agreed to and the preamble and the title were amended was, by unanimous consent, laid on the table.

¶163.22 NONCITIZENS ELIGIBLE FOR POSTHUMOUS CITIZENSHIP IN THE PHILIPPINES

On motion of Mr. GOODLATTE, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill (H.R. 887) to amend the Immigration and Nationality Act to extend honorary citizenship to otherwise qualified noncitizens who enlisted in the Philippines and died while serving on active duty with the United States Armed Forces during certain periods of hostilities, and for other purposes.

When said bill was considered, read twice, ordered to be engrossed and read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶163.23 CYBERTIPLINE MODERNIZATION

On motion of Mr. GOODLATTE, by unanimous consent, the Committee on the Judiciary was discharged from further consideration of the bill of the Senate (S. 3170) to amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and for other purposes.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶163.24 GLEN DOHERTY, TYRONE WOODS, J. CHRISTOPHER STEVENS, AND SEAN SMITH CONGRESSIONAL GOLD MEDAL

On motion of Mr. BARR, by unanimous consent, the Committee on Financial Services was discharged from further consideration of the bill (H.R. 2315) to posthumously award the Congressional Gold Medal to each of Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith in recognition of their contributions to the Nation.

When said bill was considered and read twice.

Mr. BARR submitted the following amendment which was agreed to:

Strike all after the enacting clause and insert the following:

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) On September 11, 2012, the United States consulate, and its personnel in Benghazi, Libya, were attacked by militants.

(2) Four Americans were killed in the attack, including Ambassador J. Christopher Stevens, Sean Smith, Glen Doherty, and Tyrone Woods.

(3) Glen Doherty and Tyrone Woods were former Navy SEALs who served as security personnel in Libya. As the attack unfolded, they bravely attempted to defend American property and protect United States diplomatic personnel. In so doing, they selflessly sacrificed their own lives.

(4) Glen Doherty was a Navy SEAL for 12 years and served in Iraq and Afghanistan. He attained the rank of Petty Officer First Class and earned the Navy and Marine Corps Commendation Medal. After leaving the Navy, Glen Doherty worked with the Department of State to protect American diplomats.

(5) Tyrone Woods served for 20 years as a Navy SEAL including tours in Iraq and Afghanistan. In Iraq he led multiple raids and reconnaissance missions and earned the Bronze Star. After retiring from the Navy as a Senior Chief Petty Officer, Tyrone Woods worked with the Department of State to protect American diplomats.

(6) J. Christopher Stevens served for 21 years in the U.S. Foreign Service. He was serving as U.S. Ambassador to Libya and previously served twice in the country, as both Special Representative to the Libyan Transitional National Council and as the Deputy Chief of Mission. Earlier in his life, he also served as a Peace Corps volunteer teaching English in Morocco.

(7) Sean Smith served for 6 years in the U.S. Air Force. He attained the rank of Staff Sergeant and was awarded the Air Force Commendation Medal. After leaving the Air Force, Sean Smith served for 10 years in the State Department on various assignments, which took him to places such as Baghdad, Brussels, Pretoria, and The Hague.

(8) As their careers attest, all four men served their country honorably.

SEC. 2. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the posthumous award, on behalf of the Congress, of a single gold medal of appropriate design collectively in commemoration of Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

(b) DESIGN AND STRIKING.—For the purposes of the award referred to in subsection (a), the Secretary of the Treasury (hereafter in this Act referred to as the “Secretary”) shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) CENTRAL INTELLIGENCE AGENCY MUSEUM.—

(1) IN GENERAL.—Following the award of the gold medal under subsection (a), the gold medal shall be given to the Central Intelligence Agency Museum, where it will be displayed as appropriate and made for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Central Intelligence Agency Museum should make the gold medal received under paragraph (1) available for display elsewhere, particularly at other appropriate locations associated with Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith.

SEC. 3. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 2, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold medal.

SEC. 4. NATIONAL MEDALS.

Medals struck pursuant to this Act are national medals for purposes of chapter 51 of title 31, United States Code.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title, and passed.

By unanimous consent, the title was amended so as to read: “An Act to posthumously award the Congressional

Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.”.

A motion to reconsider the votes whereby said bill was passed and the title was amended was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶163.25 YOUTH ACCESS TO JOBS

On motion of Mr. BARR, by unanimous consent, the Committee on Financial Services and the Committee on House Administration were discharged from further consideration of the bill of the Senate (S. 1050) to establish a pilot program to promote public-private partnerships among apprenticeships or other job training programs, local educational agencies, and community colleges, and for other purposes.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶163.26 USS INDIANAPOLIS

CONGRESSIONAL GOLD MEDAL

On motion of Mr. BARR, by unanimous consent, the Committee on Financial Services was discharged from further consideration of the bill of the Senate (S. 2101) to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶163.27 HOUR OF MEETING

On motion of Mr. BARR, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10:30 a.m. on Thursday, December 13, 2018.

¶163.28 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed, without amendment, bills of the House of the following titles:

H.R. 1872. An Act to promote access for United States diplomats and other officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

H.R. 3996. An Act to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court.

H.R. 5759. An Act to improve executive agency digital services, and for other purposes.

The message also announced that the Senate has passed, with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 6964. An Act to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

The message also announced that the Senate has passed bills and a joint resolution of the following titles, in which the concurrence of the House is requested:

S. 1092. An Act to protect the right of law-abiding citizens to transport knives interstate, notwithstanding a patchwork of local and State prohibitions.

S. 2961. An Act to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S.J. Res. 64. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Treasury relating to “Returns by Exempt Organizations and Returns by Certain Non-Exempt Organizations”.

¶163.29 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3342. An Act to impose sanctions with respect to foreign persons that are responsible for using civilians as human shields, and for other purposes.

H.R. 4111. An Act to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes.

H.R. 4407. An Act to designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the “Corporal Jeffrey Allen Williams Post Office Building”.

¶163.30 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 245. An Act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes.

And then,

¶163.31 ADJOURNMENT

On motion of Mr. FORTENBERRY, pursuant to the previous order of the House, at 6 o'clock and 12 minutes p.m., the House adjourned until 10:30 a.m. on Thursday, December 13, 2018.

¶163.32 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 6021. A bill to amend the Sarbanes-Oxley Act of 2002 to exclude privately held, non-custody brokers and dealers that are in good standing from certain requirements under title I of that Act, and for other purposes; with amendments (Rept. 115-1075). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6130. A bill to provide for a 5 year extension of certain exemptions and reduced disclosure requirements for companies that were emerging growth companies and would continue to be emerging growth companies but for the 5-year restriction on emerging growth companies, and for other purposes (Rept. 115-1076). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6745. A bill to amend the Securities Exchange Act of 1934 to revise the shareholder threshold for registration under such Act for issuers that receive support through certain Federal universal service support mechanisms, and for other purposes; with an amendment (Rept. 115-1077). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4758. A bill to amend the Federal Reserve Act to require the Federal Open Market Committee to establish interest rates on balances maintained at a Federal Reserve Bank by depository institutions (Rept. 115-1078). Referred to the Committee of the Whole House on the state of the Union.

163.33 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mrs. LOWEY:

H.R. 7264. A bill making further additional continuing appropriations for fiscal year 2019, and for other purposes; to the Committee on Appropriations.

By Mr. PALAZZO (for himself and Mr. ADERHOLT):

H.R. 7265. A bill to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration; to the Committee on Science, Space, and Technology.

By Mr. MEADOWS:

H.R. 7266. A bill to require the Secretary of Health and Human Services to consider the Margaret R. Pardee Memorial Hospital as a covered entity for purposes of the 340B drug discount program; to the Committee on Energy and Commerce.

By Miss RICE of New York (for herself, Mr. KILMER, and Mr. GALLAGHER):

H.R. 7267. A bill to amend the Federal Election Campaign Act of 1971 to apply the restrictions on the use of campaign funds for personal use to the funds of leadership PACs and other political committees, to clarify the treatment of certain coordinated expenditures as contributions to candidates, to require the sponsors of certain political advertisements to identify the source of funds used for the advertisements, and for other purposes; to the Committee on House Administration.

By Miss RICE of New York:

H.R. 7268. A bill to amend the Public Health Service Act to ensure that healthy research dogs and cats are adopted into suitable homes; to the Committee on Energy and Commerce.

By Mr. SAM JOHNSON of Texas:

H.R. 7269. A bill to amend title II of the Social Security Act to make the Social Security Trustees Report process more accountable and transparent, and for other purposes; to the Committee on Ways and Means.

By Mr. WEBER of Texas (for himself and Mr. CRIST):

H.R. 7270. A bill to amend the Omnibus Public Land Management Act of 2009 to clarify the authority of the Administrator of the

National Oceanic and Atmospheric Administration with respect to post-storm assessments, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committees on Natural Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CURTIS:

H.R. 7271. A bill to establish the Public-Private Partnership Advisory Council to End Human Trafficking, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BROOKS of Indiana (for herself and Ms. CLARKE of New York):

H.R. 7272. A bill to amend titles XVIII and XIX of the Social Security Act to promote the ability of individuals entitled to benefits under part A or enrolled under part B of the Medicare program and individuals enrolled under a State plan under the Medicaid program to access their personal medical claim data, including their providers, prescriptions, tests, and diagnoses, through a mobile health record application of the individual's choosing, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARR (for himself and Ms. GABBARD):

H.R. 7273. A bill to require the Secretary of Veterans Affairs to establish a tiger team dedicated to addressing the difficulties encountered by the Department of Veterans Affairs in carrying out section 3313 of title 38, United States Code, after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017; to the Committee on Veterans' Affairs.

By Mr. BEYER:

H.R. 7274. A bill to provide an incentive for firearm owners to sell their firearms safely and responsibly; to the Committee on the Judiciary.

By Mr. BLUMENAUER:

H.R. 7275. A bill to amend the Immigration and Nationality Act to clarify the admissibility and deportability of aliens acting in accordance with State and foreign marijuana laws, and for other purposes; to the Committee on the Judiciary.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 7276. A bill to prohibit the Social Security Administration from reinstating the reconsideration level of appeal for disability determinations in the 10 prototype States, and for other purposes; to the Committee on Ways and Means.

By Ms. ESHOO (for herself and Mr. JONES of North Carolina):

H.R. 7277. A bill to limit the use of funds for kinetic military operations on or against Iran; to the Committee on Foreign Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ESTES of Kansas:

H.R. 7278. A bill to amend the Employee Retirement Income Security Act of 1974; to the Committee on Education and the Workforce.

By Mr. GIBBS (for himself, Mrs. NAPOLITANO, Mr. LATTA, Ms. FUDGE, Mr. CHABOT, and Mrs. BUSTOS):

H.R. 7279. A bill to amend the Federal Water Pollution Control Act to provide for an integrated planning process, to promote green infrastructure, and for other purposes; to the Committee on Transportation and Infrastructure.

By Miss GONZÁLEZ-COLÓN of Puerto Rico:

H.R. 7280. A bill to direct the Architect of the Capitol to install a commemorative plaque next to each office previously used by a Member of Congress who became President of the United States, and for other purposes; to the Committee on House Administration.

By Mr. AL GREEN of Texas (for himself, Ms. MOORE, Mr. HASTINGS, Ms. SCHAKOWSKY, Ms. ADAMS, Ms. BASS, Mrs. BEATTY, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BISHOP of Georgia, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Mr. DANNY K. DAVIS of Illinois, Mr. EVANS, Ms. FUDGE, Ms. NORRIS, Ms. JACKSON LEE, Mr. JEFFRIES, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Mr. LAWSON of Florida, Ms. LEE, Mr. LEWIS of Georgia, Mr. MCBEACHIN, Mr. MEEKS, Mr. PAYNE, Mr. RICHMOND, Mr. RUSH, Mr. SCOTT of Virginia, Mr. DAVID SCOTT of Georgia, Ms. SEWELL of Alabama, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. WILSON of Florida, and Mr. CARSON of Indiana):

H.R. 7281. A bill to amend title 23, United States Code, to establish a grant program for States that establish specific standards for education and training programs concerning civilian and law enforcement encounters during traffic stops and other in-person encounters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GRIJALVA:

H.R. 7282. A bill to amend title 54, United States Code, to make Hispanic-serving institutions eligible for technical and financial assistance for the establishment of preservation training and degree programs; to the Committee on Natural Resources.

By Ms. KELLY of Illinois (for herself and Mr. TED LIEU of California):

H.R. 7283. A bill to provide minimal cybersecurity operational standards for Internet-connected devices purchased by Federal agencies, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILDEE (for himself, Mr. BERGMAN, Mrs. DINGELL, Mr. LEVIN, Mr. WELCH, and Mr. HUFFMAN):

H.R. 7284. A bill to require the Director of the United States Geological Survey to perform a nationwide survey of perfluorinated compounds, and for other purposes; to the Committee on Natural Resources.

By Ms. MENG (for herself, Mr. ENGEL, and Mr. KEATING):

H.R. 7285. A bill to provide women and girls safe access to sanitation facilities in refugee camps; to the Committee on Foreign Affairs.

By Mr. MOULTON:

H.R. 7286. A bill to provide for a more inclusive voluntary civilian national service program to promote civic engagement, enhance national unity, and foster a sense of shared sacrifice by helping young Americans participate in national service, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such pro-

visions as fall within the jurisdiction of the committee concerned.

By Mr. RUIZ (for himself, Mr. CASTRO of Texas, Mr. BILIRAKIS, and Mr. KING of New York):

H.R. 7287. A bill to amend title 38, United States Code, to provide for the eligibility of certain individuals exposed to burn pits for hospital care, medical services, and nursing home care furnished by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. RUIZ (for himself, Mr. CASTRO of Texas, and Mr. BILIRAKIS):

H.R. 7288. A bill to amend title 38, United States Code, to provide for a presumption of service connection for certain diseases in veterans who were exposed to burn pits; to the Committee on Veterans' Affairs.

By Mr. SMITH of Missouri:

H.R. 7289. A bill to amend the Internal Revenue Code of 1986 to terminate the credit for new qualified plug-in electric drive motor vehicles and to provide for a Federal Highway user fee on alternative fuel vehicles; to the Committee on Ways and Means.

¶163.34 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 12: Mr. MORELLE and Ms. SCANLON.
 H.R. 334: Mr. THOMPSON of California.
 H.R. 893: Mr. BEYER.
 H.R. 919: Mr. HULTGREN.
 H.R. 963: Mr. DELANEY.
 H.R. 1160: Ms. LOFGREN.
 H.R. 1168: Mr. NEAL.
 H.R. 1818: Mr. TONKO.
 H.R. 1820: Mr. PETERS.
 H.R. 1957: Mr. MCNERNEY.
 H.R. 2119: Ms. MAXINE WATERS of California, Mr. COSTA, and Mr. MCNERNEY.
 H.R. 2267: Mr. BRENDAN F. BOYLE of Pennsylvania.
 H.R. 2598: Mr. MORELLE.
 H.R. 2640: Ms. SÁNCHEZ, Mr. ESPAILLAT, Mr. CONNOLLY, Ms. SPEIER, Mr. COSTA, and Mr. KENNEDY.
 H.R. 2660: Mr. NORMAN.
 H.R. 2889: Mr. VISCLOSKEY.
 H.R. 3222: Mr. MCNERNEY.
 H.R. 3947: Mr. MORELLE.
 H.R. 4240: Mr. MORELLE.
 H.R. 4253: Mr. RUPPERSBERGER.
 H.R. 4271: Mr. WELCH.
 H.R. 4485: Mr. YOUNG of Alaska.
 H.R. 4647: Mrs. BROOKS of Indiana and Mr. RASKIN.
 H.R. 4657: Mr. BYRNE.
 H.R. 4691: Mr. BERA, Mr. SERRANO, and Mrs. LAWRENCE.
 H.R. 5158: Ms. CASTOR of Florida and Ms. LOFGREN.
 H.R. 5244: Ms. PINGREE.
 H.R. 5471: Ms. CASTOR of Florida.
 H.R. 5856: Mr. JODY B. HICE of Georgia.
 H.R. 6016: Ms. SPEIER.
 H.R. 6043: Ms. MICHELLE LUJAN GRISHAM of New Mexico, Mr. SOTO, Ms. MCCOLLUM, and Mr. NOLAN.
 H.R. 6060: Mr. FOSTER, Mr. LIPINSKI, and Mr. DESAULNIER.
 H.R. 6239: Mr. PAYNE.
 H.R. 6274: Ms. CASTOR of Florida.
 H.R. 6454: Mr. LOWENTHAL, Mrs. NAPOLITANO, and Ms. BASS.
 H.R. 6455: Mr. NADLER.
 H.R. 6502: Mr. PETERSON.
 H.R. 6503: Ms. SÁNCHEZ.
 H.R. 6609: Mr. NADLER.
 H.R. 6643: Mr. CLEAVER.
 H.R. 6646: Mr. KING of New York.
 H.R. 6836: Ms. LOFGREN.
 H.R. 6880: Mr. PASCRELL.
 H.R. 6959: Ms. LOFGREN.
 H.R. 6961: Mr. SCHWEIKERT and Mrs. LESKO.

H.R. 6988: Mr. TONKO, Ms. LOFGREN, and Ms. PINGREE.

H.R. 7108: Mr. SUOZZI, Mr. SERRANO, Mr. TONKO, and Mr. HIGGINS of New York.

H.R. 7123: Mr. KIND, Mr. KENNEDY, and Ms. PINGREE.

H.R. 7127: Mr. BEYER.
 H.R. 7150: Ms. SÁNCHEZ.

H.R. 7173: Ms. JUDY CHU of California.
 H.R. 7202: Ms. KUSTER of New Hampshire.

H.R. 7224: Mr. DAVIDSON.
 H.R. 7225: Mr. DAVIDSON.

H.R. 7228: Mr. DESAULNIER and Mr. KIND.
 H.J. Res. 31: Mr. MORELLE.

H. Con. Res. 142: Ms. MAXINE WATERS of California, Mr. SUOZZI, Mrs. NAPOLITANO, Mr. DEUTCH, Ms. TITUS, Mr. SCHIFF, Mr. BEN RAY LUJÁN of New Mexico, Miss RICE of New York, and Mr. LANGEVIN.

H. Res. 274: Mr. MEEKS.
 H. Res. 826: Mr. HECK.

H. Res. 969: Ms. NORTON.
 H. Res. 1031: Ms. PLASKETT, Mr. LAMB, Mr. WALZ, Mrs. LAWRENCE, and Ms. MAXINE WATERS of California.

H. Res. 1125: Ms. BONAMICI.
 H. Res. 1130: Ms. TITUS, Mr. KILMER, and Mr. PAYNE.

THURSDAY, DECEMBER 13, 2018 (164)

¶164.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. POE of Texas, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
 U.S. HOUSE OF REPRESENTATIVES,
 WASHINGTON, DC,
 December 13, 2018.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶164.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. POE of Texas, announced he had examined and approved the Journal of the proceedings of Wednesday, December 12, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶164.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7155. A letter from the Acting Director, Bureau of Consumer Financial Protection, transmitting the Bureau's Fair Lending Report for 2017, pursuant to 12 U.S.C. 5493(c)(2)(D); Public Law 111-203, Sec. 1013(c)(2)(D); (124 Stat. 1970); to the Committee on Financial Services.

7156. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oxytetracycline; Pesticide Tolerances [EPA-HQ-OPP-2015-0820; FRL-9986-87] December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7157. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2018-0627; FRL-9986-74] (RIN: 2070-AB27) received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7158. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extension of Tolerances for Emergency Exemptions (Multiple Chemicals) [EPA-HQ-OPP-2018-0717; FRL-9985-77] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7159. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Findings of Failure To Submit Complete State Implementation Plans Required for the 1997, 2006, and 2012 PM_{2.5} NAAQS; California; San Joaquin Valley [EPA-R09-OAR-2018-0778; FRL-9987-38-Region 9] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7160. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Georgia; Revisions To VOC Definitions and Ambient Air Quality Standards [EPA-R04-OAR-2018-0116; FRL-9987-12-Region 4] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7161. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List: Deletion of the Tomah Armory Landfill Superfund Site [EPA-HQ-SFUND-1987-0002; FRL-9987-16-Region 5] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7162. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Calcium formate; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2018-0091; FRL-9986-06] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7163. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clomazone; Pesticide Tolerances [EPA-HQ-OPP-2017-0372; FRL-9985-83] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7164. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Bixafen; Pesticide Tolerances [EPA-HQ-OPP-2016-0538; FRL-9982-42] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7165. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; South Dakota; Regional Haze 5-Year Progress Report State Implementation Plan [EPA-R08-OAR-2017-0672; FRL-9986-75-Region 8] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7166. A letter from the Assistant Secretary for Congressional and Intergovernmental Affairs, Department of Housing and Urban Development, transmitting the Department's Annual Financial Report for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576,

Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7167. A letter from the Acting Chairman, Federal Maritime Commission, transmitting the Commission's Semiannual Report to Congress, of the Office of Inspector General, covering the period from April 1, 2018, through September 30, 2018, pursuant to Public Law 95-452, of the Inspector General Act of 1978, also the Management Report on Final Actions for the Six-Month Period Ending September 30, 2018; to the Committee on Oversight and Government Reform.

7168. A letter from the Chairman, National Mediation Board, transmitting the Board's annual Performance and Accountability Report for FY 2018, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7169. A letter from the Labor Member and Management Member, Railroad Retirement Board, transmitting the Board's Semiannual Report to Congress, of the Office of Inspector General, covering the period from April 1, 2018, through September 30, 2018, pursuant to Public Law 95-452, of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

¶164.4 H. RES. 1091—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 1091) calling on the Government of Burma to release Burmese journalists Wa Lone and Kyaw Soe Oo sentenced to seven years imprisonment after investigating attacks against civilians by Burma's military and security forces, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and agree to said resolution, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 394
affirmative Nays 1

¶164.5 [Roll No. 435]

YEAS—394

Abraham	Boyle, Brendan	Clarke (NY)
Adams	F.	Cleaver
Aderholt	Brady (PA)	Cloud
Aguilar	Brady (TX)	Clyburn
Allen	Brat	Coffman
Amash	Brooks (AL)	Cohen
Amodei	Brooks (IN)	Cole
Arrington	Brown (MD)	Collins (GA)
Babin	Buck	Collins (NY)
Bacon	Bucshon	Comer
Balderson	Budd	Conaway
Banks (IN)	Burgess	Connolly
Barr	Bustos	Cook
Barragán	Butterfield	Cooper
Barton	Byrne	Correa
Bass	Calvert	Costa
Beatty	Capuano	Costello (PA)
Bera	Carbajal	Courtney
Bergman	Cárdenas	Crawford
Bilirakis	Carson (IN)	Crist
Bishop (GA)	Carter (GA)	Crowley
Bishop (MI)	Carter (TX)	Cuellar
Black	Cartwright	Culberson
Blackburn	Castor (FL)	Cummings
Blum	Castro (TX)	Curtis
Blumenauer	Chabot	Davidson
Blunt Rochester	Cheney	Davis (CA)
Bonamici	Chu, Judy	Davis, Danny
Bost	Cicilline	Davis, Rodney
	Clark (MA)	DeFazio

DeGette	Kind	Quigley	Wilson (FL)	Woodall	Young (AK)
Delaney	King (IA)	Raskin	Wilson (SC)	Yarmuth	Young (IA)
DeLauro	King (NY)	Ratcliffe	Wittman	Yoder	Zeldin
DelBene	Kinzinger	Reed	Womack	Yoho	
Demings	Krishnamoorthi	Reichert			
DeSaulnier	Kuster (NH)	Rice (NY)			
Deutch	Kustoff (TN)	Rice (SC)			
Diaz-Balart	LaHood	Roby			
Dingell	LaMalfa	Roe (TN)			
Doggett	Lamb	Rogers (AL)			
Doyle, Michael	Lamborn	Rogers (KY)			
F.	Lance	Rohrabacher			
Duffy	Langevin	Rooney, Francis			
Duncan (SC)	Larsen (WA)	Rooney, Thomas			
Dunn	Larson (CT)	J.			
Emmer	Latta	Ros-Lehtinen			
Engel	Lawrence	Rosen			
Eshoo	Lawson (FL)	Roskam			
Español	Lee	Ross			
Estes (KS)	Lesko	Rothfus			
Esty (CT)	Levin	Rouzer			
Evans	Lewis (GA)	Roybal-Allard			
Faso	Lewis (MN)	Royce (CA)			
Ferguson	Lieu, Ted	Ruiz			
Fitzpatrick	Lipinski	Ruppersberger			
Fleischmann	LoBiondo	Rush			
Flores	Loebuck	Russell			
Fortenberry	Lofgren	Rutherford			
Foster	Long	Ryan (OH)			
Fox	Loudermilk	Sánchez			
Frankel (FL)	Lowenthal	Sanford			
Frelinghuysen	Lowey	Sarbanes			
Gabbard	Lucas	Scalise			
Gaetz	Luetkemeyer	Scanlon			
Gallagher	Lujan, Ben Ray	Shakowsky			
Gallego	Lynch	Schiff			
Garamendi	MacArthur	Schneider			
Garrett	Maloney,	Schrader			
Gianforte	Carolyn B.	Schweikert			
Gibbs	Maloney, Sean	Scott (VA)			
Gohmert	Marchant	Scott, Austin			
Gomez	Marshall	Scott, David			
Gonzalez (TX)	Massie	Sensenbrenner			
Goodlatte	Mast	Serrano			
Gosar	Matsui	Sessions			
Gottheimer	McCarthy	Sewell (AL)			
Granger	McCauley	Shea-Porter			
Graves (GA)	McClintock	Sherman			
Graves (LA)	McCollum	Shimkus			
Graves (MO)	McEachin	Shuster			
Green, Al	McGovern	Simpson			
Green, Gene	McHenry	Sinema			
Griffith	McKinley	Sires			
Grothman	McMorris	Smith (MO)			
Guthrie	Rodgers	Smith (NE)			
Handel	McNerney	Smith (NJ)			
Harper	McSally	Smith (TX)			
Harris	Meadows	Smith (WA)			
Hastings	Meeks	Smucker			
Heck	Meng	Soto			
Hensarling	Messer	Speier			
Hern	Mitchell	Stefanik			
Herrera Beutler	Moolenaar	Stivers			
Hice, Jody B.	Mooney (WV)	Suozzi			
Higgins (LA)	Moore	Swalwell (CA)			
Higgins (NY)	Morelle	Takano			
Hill	Moulton	Taylor			
Himes	Mullin	Tenney			
Holding	Murphy (FL)	Thompson (CA)			
Hollingsworth	Nadler	Thompson (MS)			
Hoyer	Napolitano	Thompson (PA)			
Hudson	Neal	Thornberry			
Huffman	Newhouse	Tipton			
Huelskamp	Noem	Titus			
Huelskamp	Nolan	Tonko			
Hultgren	Norcross	Torres			
Hunter	Norman	Tsongas			
Hurd	Nunes	Turner			
Issa	O'Halleran	Upton			
Jackson Lee	O'Rourke	Valadao			
Jayapal	Olson	Vargas			
Jeffries	Palazzo	Veasey			
Johnson (GA)	Pallone	Vela			
Johnson (LA)	Palmer	Velázquez			
Johnson (OH)	Panetta	Walberg			
Johnson, E. B.	Pascarella	Walden			
Johnson, Sam	Payne	Walker			
Jones (MI)	Pearce	Walorski			
Jordan	Pelosi	Walters, Mimi			
Joyce (OH)	Perlmutter	Wasserman			
Kaptur	Perry	Schultz			
Katko	Peters	Waters, Maxine			
Kelly (IL)	Peterson	Watson Coleman			
Kelly (MS)	Pingree	Weber (TX)			
Kelly (PA)	Pittenger	Webster (FL)			
Kennedy	Pocan	Welch			
Khanna	Poe (TX)	Wenstrup			
Kihuen	Poliquin	Westerman			
Kildee	Posey	Wild			
Kilmer	Price (NC)	Williams			

NAYS—1

Biggs

NOT VOTING—37

Barletta	Ellison	Lujan Grisham,
Beyer	Fudge	M.
Bishop (UT)	Grijalva	Marino
Brownley (CA)	Gutiérrez	Paulsen
Buchanan	Hanabusa	Polis
Clay	Hartzler	Renacci
Comstock	Jenkins (KS)	Richmond
Cramer	Jones (NC)	Rokita
Curbelo (FL)	Keating	Stewart
Denham	Knight	Trott
DesJarlais	Labrador	Visclosky
Donovan	Love	Wagner
Duncan (TN)		Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution, as amended, was agreed to.

By unanimous consent, the title was amended so as to read: "A resolution expressing the sense of the House of Representatives that atrocities committed against the Rohingya by the Burmese military and security forces since August 2017 constitute crimes against humanity and genocide and calling on the Government of Burma to release Burmese journalists Wa Lone and Kyaw Soe Oo sentenced to seven years imprisonment after investigating attacks against civilians by the Burmese military and security forces, and for other purposes."

A motion to reconsider the votes whereby the rules were suspended and said resolution, as amended, was agreed to and the title was amended was, by unanimous consent, laid on the table.

¶164.6 AMENDMENT OF THE SENATE TO H.R. 6964

On motion of Mr. LEWIS of Minnesota, by unanimous consent, the bill (H.R. 6964) to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Juvenile Justice Reform Act of 2018".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Application of amendments.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

Sec. 101. Purposes.

Sec. 102. Definitions.

TITLE II—CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM

Sec. 201. Concentration of Federal efforts.

Sec. 202. Coordinating Council on Juvenile Justice and Delinquency Prevention.

Sec. 203. Annual report.

Sec. 204. Allocation of funds.

Sec. 205. State plans.

Sec. 206. Repeal of juvenile delinquency prevention block grant program.

Sec. 207. Research and evaluation; statistical analyses; information dissemination.

Sec. 208. Training and technical assistance.

Sec. 209. Administrative authority.

TITLE III—INCENTIVE GRANTS FOR PRISON REDUCTION THROUGH OPPORTUNITIES, MENTORING, INTERVENTION, SUPPORT, AND EDUCATION

Sec. 301. Short Title.

Sec. 302. Definitions.

Sec. 303. Duties and functions of the administrator.

Sec. 304. Grants for delinquency prevention programs.

Sec. 305. Grants for tribal delinquency prevention and response programs.

Sec. 306. Evaluation by Government Accountability Office.

Sec. 307. Technical amendment.

TITLE IV—MISCELLANEOUS PROVISIONS

Sec. 401. Evaluation by Government Accountability Office.

Sec. 402. Authorization of appropriations; accountability and oversight.

SEC. 3. APPLICATION OF AMENDMENTS.

The amendments made by this Act shall not apply with respect to funds appropriated for any fiscal year that begins before the date of the enactment of this Act.

TITLE I—DECLARATION OF PURPOSE AND DEFINITIONS

SEC. 101. PURPOSES.

Section 102 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11102) is amended—

(1) in paragraph (1), by inserting “, tribal,” after “State”;

(2) in paragraph (2)—

(A) by inserting “, tribal,” after “State”; and

(B) by striking “and” at the end;

(3) by amending paragraph (3) to read as follows:

“(3) to assist State, tribal, and local governments in addressing juvenile crime through the provision of technical assistance, research, training, evaluation, and the dissemination of current and relevant information on effective and evidence-based programs and practices for combating juvenile delinquency; and”;

(4) by adding at the end the following:

“(4) to support a continuum of evidence-based or promising programs (including delinquency prevention, intervention, mental health, behavioral health and substance abuse treatment, family services, and services for children exposed to violence) that are trauma informed, reflect the science of adolescent development, and are designed to meet the needs of at-risk youth and youth who come into contact with the justice system.”.

SEC. 102. DEFINITIONS.

Section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11103) is amended—

(1) in paragraph (8)—

(A) in subparagraph (B)(ii), by adding “or” at the end;

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(2) in paragraph (18)—

(A) by inserting “for purposes of title II,” before “the term”;

(B) by adding at the end the following:

“that has a law enforcement function, as determined by the Secretary of the Interior in consultation with the Attorney General.”;

(3) by amending paragraph (22) to read as follows:

“(22) the term ‘jail or lockup for adults’ means a secure facility that is used by a State, unit of local government, or law enforcement authority to detain or confine adult inmates.”;

(4) by amending paragraph (25) to read as follows:

“(25) the term ‘sight or sound contact’ means any physical, clear visual, or verbal contact that is not brief and inadvertent.”;

(5) by amending paragraph (26) to read as follows:

“(26) the term ‘adult inmate’—

“(A) means an individual who—

“(i) has reached the age of full criminal responsibility under applicable State law; and

“(ii) has been arrested and is in custody for or awaiting trial on a criminal charge, or is convicted of a criminal offense; and

“(B) does not include an individual who—

“(i) at the time of the offense, was younger than the maximum age at which a youth can be held in a juvenile facility under applicable State law; and

“(ii) was committed to the care and custody or supervision, including post-placement or parole supervision, of a juvenile correctional agency by a court of competent jurisdiction or by operation of applicable State law.”;

(6) in paragraph (28), by striking “and” at the end;

(7) in paragraph (29), by striking the period at the end and inserting a semicolon; and

(8) by adding at the end the following:

“(30) the term ‘core requirements’—

“(A) means the requirements described in paragraphs (11), (12), (13), and (15) of section 223(a); and

“(B) does not include the data collection requirements described in subparagraphs (A) through (K) of section 207(1);

“(31) the term ‘chemical agent’ means a spray or injection used to temporarily incapacitate a person, including oleoresin capsicum spray, tear gas, and 2-chlorobenzalmalononitrile gas;

“(32) the term ‘isolation’—

“(A) means any instance in which a youth is confined alone for more than 15 minutes in a room or cell; and

“(B) does not include—

“(i) confinement during regularly scheduled sleeping hours;

“(ii) separation based on a treatment program approved by a licensed medical or mental health professional;

“(iii) confinement or separation that is requested by the youth; or

“(iv) the separation of the youth from a group in a nonlocked setting for the limited purpose of calming;

“(33) the term ‘restraints’ has the meaning given that term in section 591 of the Public Health Service Act (42 U.S.C. 290ii);

“(34) the term ‘evidence-based’ means a program or practice that—

“(A) is demonstrated to be effective when implemented with fidelity;

“(B) is based on a clearly articulated and empirically supported theory;

“(C) has measurable outcomes relevant to juvenile justice, including a detailed description of the outcomes produced in a particular population, whether urban or rural; and

“(D) has been scientifically tested and proven effective through randomized control studies or comparison group studies and with the ability to replicate and scale;

“(35) the term ‘promising’ means a program or practice that—

“(A) is demonstrated to be effective based on positive outcomes relevant to juvenile justice from one or more objective, independent, and scientifically valid evaluations, as documented in writing to the Administrator; and

“(B) will be evaluated through a well-designed and rigorous study, as described in paragraph (34)(D);

“(36) the term ‘dangerous practice’ means an act, procedure, or program that creates an unreasonable risk of physical injury, pain, or psychological harm to a juvenile subjected to the act, procedure, or program;

“(37) the term ‘screening’ means a brief process—

“(A) designed to identify youth who may have mental health, behavioral health, substance abuse, or other needs requiring immediate attention, intervention, and further evaluation; and

“(B) the purpose of which is to quickly identify a youth with possible mental health, behav-

ioral health, substance abuse, or other needs in need of further assessment;

“(38) the term ‘assessment’ includes, at a minimum, an interview and review of available records and other pertinent information—

“(A) by an appropriately trained professional who is licensed or certified by the applicable State in the mental health, behavioral health, or substance abuse fields; and

“(B) which is designed to identify significant mental health, behavioral health, or substance abuse treatment needs to be addressed during a youth’s confinement;

“(39) for purposes of section 223(a)(15), the term ‘contact’ means the points at which a youth and the juvenile justice system or criminal justice system officially intersect, including interactions with a juvenile justice, juvenile court, or law enforcement official;

“(40) the term ‘trauma-informed’ means—

“(A) understanding the impact that exposure to violence and trauma have on a youth’s physical, psychological, and psychosocial development;

“(B) recognizing when a youth has been exposed to violence and trauma and is in need of help to recover from the adverse impacts of trauma; and

“(C) responding in ways that resist retraumatization;

“(41) the term ‘racial and ethnic disparity’ means minority youth populations are involved at a decision point in the juvenile justice system at disproportionately higher rates than non-minority youth at that decision point;

“(42) the term ‘status offender’ means a juvenile who is charged with or who has committed an offense that would not be criminal if committed by an adult;

“(43) the term ‘rural’ means an area that is not located in a metropolitan statistical area, as defined by the Office of Management and Budget;

“(44) the term ‘internal controls’ means a process implemented to provide reasonable assurance regarding the achievement of objectives in—

“(A) effectiveness and efficiency of operations, such as grant management practices;

“(B) reliability of reporting for internal and external use; and

“(C) compliance with applicable laws and regulations, as well as recommendations of the Office of Inspector General and the Government Accountability Office; and

“(45) the term ‘tribal government’ means the governing body of an Indian Tribe.”.

TITLE II—CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM

SEC. 201. CONCENTRATION OF FEDERAL EFFORTS.

Section 204 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11114) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the first sentence—

(i) by striking “a long-term plan, and implement” and inserting the following: “a long-term plan to improve the juvenile justice system in the United States, taking into account scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents, and shall implement”;

(ii) by striking “research, and improvement of the juvenile justice system in the United States” and inserting “and research”;

(B) in paragraph (2)(B), by striking “Federal Register” and all that follows and inserting “Federal Register during the 30-day period ending on October 1 of each year.”;

(2) in subsection (b)—

(A) by striking paragraph (7);

(B) by redesignating paragraphs (5) and (6) as paragraphs (6) and (7), respectively;

(C) by inserting after paragraph (4), the following:

“(5) not later than 1 year after the date of enactment of the Juvenile Justice Reform Act of 2018, in consultation with Indian Tribes, develop a policy for the Office of Juvenile Justice and Delinquency Prevention to collaborate with representatives of Indian Tribes with a criminal justice function on the implementation of the provisions of this Act relating to Indian Tribes;”;

(D) in paragraph (6), as so redesignated, by adding “and” at the end; and

(E) in paragraph (7), as so redesignated—

(i) by striking “monitoring”;

(ii) by striking “section 223(a)(15)” and inserting “section 223(a)(14)”;

(iii) by striking “to review the adequacy of such systems; and” and inserting “for monitoring compliance.”.

SEC. 202. COORDINATING COUNCIL ON JUVENILE JUSTICE AND DELINQUENCY PREVENTION.

Section 206 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11116) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “the Assistant Secretary for Mental Health and Substance Use, the Secretary of the Interior,” after “the Secretary of Health and Human Services;”;

(ii) by striking “Commissioner of Immigration and Naturalization” and inserting “Assistant Secretary for Immigration and Customs Enforcement”;

(B) in paragraph (2), by striking “United States” and inserting “Federal Government”;

(2) in subsection (c)—

(A) in paragraph (1), by striking “paragraphs (12)(A), (13), and (14) of section 223(a) of this title” and inserting “the core requirements”;

(B) in paragraph (2)—

(i) in the matter preceding subparagraph (A), by inserting “, on an annual basis” after “collectively”;

(ii) by striking subparagraph (B) and inserting the following:

“(B) not later than 120 days after the completion of the last meeting of the Council during any fiscal year, submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on the Judiciary of the Senate a report that—

“(i) contains the recommendations described in subparagraph (A);

“(ii) includes a detailed account of the activities conducted by the Council during the fiscal year, including a complete detailed accounting of expenses incurred by the Council to conduct operations in accordance with this section;

“(iii) is published on the websites of the Office of Juvenile Justice and Delinquency Prevention, the Council, and the Department of Justice; and

“(iv) is in addition to the annual report required under section 207.”.

SEC. 203. ANNUAL REPORT.

Section 207 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11117) is amended—

(1) in the matter preceding paragraph (1), by striking “a fiscal year” and inserting “each fiscal year”;

(2) in paragraph (1)—

(A) in subparagraph (B), by striking “and gender” and inserting “, gender, and ethnicity, as such term is defined by the Bureau of the Census;”;

(B) in subparagraph (E), by striking “and” at the end;

(C) in subparagraph (F)—

(i) by inserting “and other” before “disabilities;”;

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(G) a summary of data from 1 month of the applicable fiscal year of the use of restraints

and isolation upon juveniles held in the custody of secure detention and correctional facilities operated by a State or unit of local government;

“(H) the number of status offense cases petitioned to court, number of status offenders held in secure detention, the findings used to justify the use of secure detention, and the average period of time a status offender was held in secure detention;”

“(I) the number of juveniles released from custody and the type of living arrangement to which they are released;

“(J) the number of juveniles whose offense originated on school grounds, during school-sponsored off-campus activities, or due to a referral by a school official, as collected and reported by the Department of Education or similar State educational agency; and

“(K) the number of juveniles in the custody of secure detention and correctional facilities operated by a State or unit of local or tribal government who report being pregnant.”; and

(3) by adding at the end the following:

“(5) A description of the criteria used to determine what programs qualify as evidence-based and promising programs under this title and title V and a comprehensive list of those programs the Administrator has determined meet such criteria in both rural and urban areas.

“(6) A description of funding provided to Indian Tribes under this Act or for a juvenile delinquency or prevention program under the Tribal Law and Order Act of 2010 (Public Law 111–211; 124 Stat. 2261), including direct Federal grants and funding provided to Indian Tribes through a State or unit of local government.

“(7) An analysis and evaluation of the internal controls at the Office of Juvenile Justice and Delinquency Prevention to determine if grantees are following the requirements of the Office of Juvenile Justice and Delinquency Prevention grant programs and what remedial action the Office of Juvenile Justice and Delinquency Prevention has taken to recover any grant funds that are expended in violation of the grant programs, including instances—

“(A) in which supporting documentation was not provided for cost reports;

“(B) where unauthorized expenditures occurred; or

“(C) where subrecipients of grant funds were not compliant with program requirements.

“(8) An analysis and evaluation of the total amount of payments made to grantees that the Office of Juvenile Justice and Delinquency Prevention recouped from grantees that were found to be in violation of policies and procedures of the Office of Juvenile Justice and Delinquency Prevention grant programs, including—

“(A) the full name and location of the grantee;

“(B) the violation of the program found;

“(C) the amount of funds sought to be recouped by the Office of Juvenile Justice and Delinquency Prevention; and

“(D) the actual amount recouped by the Office of Juvenile Justice and Delinquency Prevention.”.

SEC. 204. ALLOCATION OF FUNDS.

(a) TECHNICAL ASSISTANCE.—Section 221(b)(1) of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11131(b)(1)) is amended by striking “2 percent” and inserting “5 percent”.

(b) OTHER ALLOCATIONS.—Section 222 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11132) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “age eighteen” and inserting “18 years of age, based on the most recent data available from the Bureau of the Census”; and

(B) by striking paragraphs (2) and (3) and inserting the following:

“(2)(A) If the aggregate amount appropriated for a fiscal year to carry out this title is less than \$75,000,000, then—

“(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than \$400,000; and

“(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than \$75,000.

“(B) If the aggregate amount appropriated for a fiscal year to carry out this title is not less than \$75,000,000, then—

“(i) the amount allocated to each State other than a State described in clause (ii) for that fiscal year shall be not less than \$600,000; and

“(ii) the amount allocated to the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands for that fiscal year shall be not less than \$100,000.”.

(2) in subsection (c), by striking “efficient administration, including monitoring, evaluation, and one full-time staff position” and inserting “effective and efficient administration of funds, including the designation of not less than one individual who shall coordinate efforts to achieve and sustain compliance with the core requirements and certify whether the State is in compliance with such requirements”; and

(3) in subsection (d), by striking “5 per centum of the minimum” and inserting “not more than 5 percent of the”.

(c) CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM.—Part B of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11131 et seq.) is amended—

(1) in the part heading, by striking “FEDERAL ASSISTANCE FOR STATE AND LOCAL PROGRAMS” and inserting “CHARLES GRASSLEY JUVENILE JUSTICE AND DELINQUENCY PREVENTION PROGRAM”; and

(2) by inserting before section 221 the following:

“SHORT TITLE

“SEC. 220. This part may be cited as the ‘Charles Grassley Juvenile Justice and Delinquency Prevention Program’.”.

SEC. 205. STATE PLANS.

Section 223 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11133) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “and shall describe the status of compliance with State plan requirements,” and inserting “and shall describe how the State plan is supported by or takes account of scientific knowledge regarding adolescent development and behavior and regarding the effects of delinquency prevention programs and juvenile justice interventions on adolescents. Not later than 60 days after the date on which a plan or amended plan submitted under this subsection is finalized, a State shall make the plan or amended plan publicly available by posting the plan or amended plan on the State’s publicly available website.”;

(B) in paragraph (1), by striking “described in section 299(c)(1)” and inserting “as designated by the chief executive officer of the State”;

(C) in paragraph (3)—

(i) in subparagraph (A)—

(I) in clause (i), by inserting “adolescent development,” after “concerning”;

(II) in clause (ii)—

(aa) in subclause (III), by striking “mental health, education, special education” and inserting “child and adolescent mental health, education, child and adolescent substance abuse, special education, services for youth with disabilities”;

(bb) in subclause (V), by striking “delinquents or potential delinquents” and inserting “delinquent youth or youth at risk of delinquency”;

(cc) in subclause (VI), by striking “youth workers involved with” and inserting “representatives of”;

(dd) in subclause (VII), by striking “and” at the end;

(ee) by striking subclause (VIII) and inserting the following:

“(VIII) persons, licensed or certified by the applicable State, with expertise and competence in preventing and addressing mental health and substance abuse needs in delinquent youth and youth at risk of delinquency;

“(IX) representatives of victim or witness advocacy groups, including at least one individual with expertise in addressing the challenges of sexual abuse and exploitation and trauma, particularly the needs of youth who experience disproportionate levels of sexual abuse, exploitation, and trauma before entering the juvenile justice system; and

“(X) for a State in which one or more Indian Tribes are located, an Indian tribal representative (if such representative is available) or other individual with significant expertise in tribal law enforcement and juvenile justice in Indian tribal communities;”;

(III) in clause (iv), by striking “24 at the time of appointment” and inserting “28 at the time of initial appointment”; and

(IV) in clause (v) by inserting “or, if not feasible and in appropriate circumstances, who is the parent or guardian of someone who has been or is currently under the jurisdiction of the juvenile justice system” after “juvenile justice system”;

(ii) in subparagraph (C), by striking “30 days” and inserting “45 days”;

(iii) in subparagraph (D)—

(I) in clause (i), by striking “and” at the end; and

(II) in clause (ii), by striking “at least annually recommendations regarding State compliance with the requirements of paragraphs (11), (12), and (13)” and inserting “at least every 2 years a report and necessary recommendations regarding State compliance with the core requirements”; and

(iv) in subparagraph (E)—

(I) in clause (i), by adding “and” at the end; and

(II) in clause (ii), by striking the period at the end and inserting a semicolon;

(D) in paragraph (5)(C), by striking “Indian tribes” and all that follows through “applicable to the detention and confinement of juveniles” and inserting “Indian Tribes that agree to attempt to comply with the core requirements applicable to the detention and confinement of juveniles”;

(E) in paragraph (7)—

(i) in subparagraph (A), by striking “performs law enforcement functions” and inserting “has jurisdiction”; and

(ii) in subparagraph (B)—

(I) in clause (iii), by striking “and” at the end; and

(II) by striking clause (iv) and inserting the following:

“(iv) a plan to provide alternatives to detention for status offenders, survivors of commercial sexual exploitation, and others, where appropriate, such as specialized or problem-solving courts or diversion to home-based or community-based services or treatment for those youth in need of mental health, substance abuse, or co-occurring disorder services at the time such juveniles first come into contact with the juvenile justice system;

“(v) a plan to reduce the number of children housed in secure detention and corrections facilities who are awaiting placement in residential treatment programs;

“(vi) a plan to engage family members, where appropriate, in the design and delivery of juvenile delinquency prevention and treatment services, particularly post-placement;

“(vii) a plan to use community-based services to respond to the needs of at-risk youth or youth who have come into contact with the juvenile justice system;

“(viii) a plan to promote evidence-based and trauma-informed programs and practices; and

“(ix) not later than 1 year after the date of enactment of the Juvenile Justice Reform Act of 2018, a plan which shall be implemented not later than 2 years after the date of enactment of the Juvenile Justice Reform Act of 2018, to—

“(I) eliminate the use of restraints of known pregnant juveniles housed in secure juvenile detention and correction facilities, during labor, delivery, and post-partum recovery, unless credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; and

“(II) eliminate the use of abdominal restraints, leg and ankle restraints, wrist restraints behind the back, and four-point restraints on known pregnant juveniles, unless—

“(aa) credible, reasonable grounds exist to believe the detainee presents an immediate and serious threat of hurting herself, staff, or others; or

“(bb) reasonable grounds exist to believe the detainee presents an immediate and credible risk of escape that cannot be reasonably minimized through any other method;”;

(F) in paragraph (8), by striking “existing” and inserting “evidence-based and promising”;

(G) in paragraph (9)—

(i) in the matter preceding subparagraph (A), by inserting “, with priority in funding given to entities meeting the criteria for evidence-based or promising programs” after “used for”;

(ii) in subparagraph (A)—

(I) in clause (i)—

(aa) by inserting “status offenders and other” before “youth who need”; and

(bb) by striking “and” at the end;

(II) in clause (ii) by adding “and” at the end; and

(III) by inserting after clause (ii) the following:

“(iii) for youth who need specialized intensive and comprehensive services that address the unique issues encountered by youth when they become involved with gangs;”;

(iii) in subparagraph (B)(i)—

(I) by striking “parents and other family members” and inserting “status offenders, other youth, and the parents and other family members of such offenders and youth”; and

(II) by striking “be retained” and inserting “remain”;

(iv) in subparagraph (E)—

(I) in the matter preceding clause (i), by striking “delinquent” and inserting “at-risk or delinquent youth”; and

(II) in clause (i), by inserting “, including for truancy prevention and reduction” before the semicolon;

(v) in subparagraph (F), in the matter preceding clause (i), by striking “expanding” and inserting “programs to expand”;

(vi) by redesignating subparagraphs (G) through (S) as subparagraphs (H) through (T), respectively;

(vii) by inserting after subparagraph (F), the following:

“(G) programs—

“(i) to ensure youth have access to appropriate legal representation; and

“(ii) to expand access to publicly supported, court-appointed legal counsel who are trained to represent juveniles in adjudication proceedings,

except that the State may not use more than 2 percent of the funds received under section 222 for these purposes;”;

(viii) in subparagraph (H), as so redesignated, by striking “State,” each place the term appears and inserting “State, tribal,”;

(ix) in subparagraph (M), as so redesignated—

(I) in clause (i)—

(aa) by inserting “pre-adjudication and” before “post-adjudication”;

(bb) by striking “restraints” and inserting “alternatives”; and

(cc) by inserting “specialized or problem-solving courts,” after “(including);” and

(II) in clause (ii)—

(aa) by striking “by the provision by the Administrator”; and

(bb) by striking “to States”;

(x) in subparagraph (N), as so redesignated—

(I) by inserting “and reduce the risk of recidivism” after “families”; and

(II) by striking “so that such juveniles may be retained in their homes”;

(xi) in subparagraph (S), as so redesignated, by striking “and” at the end;

(xii) in subparagraph (T), as so redesignated—

(I) by inserting “or co-occurring disorder” after “mental health”;

(II) by inserting “court-involved or” before “incarcerated”;

(III) by striking “suspected to be”;

(IV) by striking “and discharge plans” and inserting “provision of treatment, and development of discharge plans”; and

(V) by striking the period at the end and inserting a semicolon; and

(xiii) by inserting after subparagraph (T) the following:

“(U) programs and projects designed—

“(i) to inform juveniles of the opportunity and process for sealing and expunging juvenile records; and

“(ii) to assist juveniles in pursuing juvenile record sealing and expungements for both adjudications and arrests not followed by adjudications;

except that the State may not use more than 2 percent of the funds received under section 222 for these purposes;

“(V) programs that address the needs of girls in or at risk of entering the juvenile justice system, including pregnant girls, young mothers, survivors of commercial sexual exploitation or domestic child sex trafficking, girls with disabilities, and girls of color, including girls who are members of an Indian Tribe; and

“(W) monitoring for compliance with the core requirements and providing training and technical assistance on the core requirements to secure facilities;”;

(H) by striking paragraph (11) and inserting the following:

“(11)(A) in accordance with rules issued by the Administrator, provide that a juvenile shall not be placed in a secure detention facility or a secure correctional facility, if—

“(i) the juvenile is charged with or has committed an offense that would not be criminal if committed by an adult, excluding—

“(I) a juvenile who is charged with or has committed a violation of section 922(x)(2) of title 18, United States Code, or of a similar State law;

“(II) a juvenile who is charged with or has committed a violation of a valid court order issued and reviewed in accordance with paragraph (23); and

“(III) a juvenile who is held in accordance with the Interstate Compact on Juveniles as enacted by the State; or

“(ii) the juvenile—

“(I) is not charged with any offense; and

“(II)(aa) is an alien; or

“(bb) is alleged to be dependent, neglected, or abused; and

“(B) require that—

“(i) not later than 3 years after the date of enactment of the Juvenile Justice Reform Act of 2018, unless a court finds, after a hearing and in writing, that it is in the interest of justice, juveniles awaiting trial or other legal process who are treated as adults for purposes of prosecution in criminal court and housed in a secure facility—

“(I) shall not have sight or sound contact with adult inmates; and

“(II) except as provided in paragraph (13), may not be held in any jail or lockup for adults;

“(ii) in determining under clause (i) whether it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults, or have sight or sound contact with adult inmates, a court shall consider—

“(I) the age of the juvenile;

“(II) the physical and mental maturity of the juvenile;

“(III) the present mental state of the juvenile, including whether the juvenile presents an imminent risk of harm to the juvenile;

“(IV) the nature and circumstances of the alleged offense;

“(V) the juvenile’s history of prior delinquent acts;

“(VI) the relative ability of the available adult and juvenile detention facilities to not only meet the specific needs of the juvenile but also to protect the safety of the public as well as other detained youth; and

“(VII) any other relevant factor; and

“(iii) if a court determines under clause (i) that it is in the interest of justice to permit a juvenile to be held in any jail or lockup for adults—

“(I) the court shall hold a hearing not less frequently than once every 30 days, or in the case of a rural jurisdiction, not less frequently than once every 45 days, to review whether it is still in the interest of justice to permit the juvenile to be so held or have such sight or sound contact; and

“(II) the juvenile shall not be held in any jail or lockup for adults, or permitted to have sight or sound contact with adult inmates, for more than 180 days, unless the court, in writing, determines there is good cause for an extension or the juvenile expressly waives this limitation.”;

(I) in paragraph (12)(A), by striking “contact” and inserting “sight or sound contact”;

(J) in paragraph (13), by striking “contact” each place it appears and inserting “sight or sound contact”;

(K) in paragraph (14)—

(i) by striking “adequate system” and inserting “effective system”;

(ii) by inserting “lock-ups,” after “monitoring jails,”;

(iii) by inserting “and” after “detention facilities,”;

(iv) by striking “, and non-secure facilities”;

(v) by striking “insure” and inserting “ensure”;

(vi) by striking “requirements of paragraphs (11), (12), and (13)” and inserting “core requirements”;

(vii) by striking “, in the opinion of the Administrator,”;

(L) by striking paragraphs (22) and (27);

(M) by redesignating paragraph (28) as paragraph (27);

(N) by redesignating paragraphs (15) through (21) as paragraphs (16) through (22), respectively;

(O) by inserting after paragraph (14) the following:

“(15) implement policy, practice, and system improvement strategies at the State, territorial, local, and tribal levels, as applicable, to identify and reduce racial and ethnic disparities among youth who come into contact with the juvenile justice system, without establishing or requiring numerical standards or quotas, by—

“(A) establishing or designating existing coordinating bodies, composed of juvenile justice stakeholders, (including representatives of the educational system) at the State, local, or tribal levels, to advise efforts by States, units of local government, and Indian Tribes to reduce racial and ethnic disparities;

“(B) identifying and analyzing data on race and ethnicity at decision points in State, local, or tribal juvenile justice systems to determine which such points create racial and ethnic disparities among youth who come into contact with the juvenile justice system; and

“(C) developing and implementing a work plan that includes measurable objectives for policy, practice, or other system changes, based on the needs identified in the data collection and analysis under subparagraph (B);”;

(P) in paragraph (16), as so redesignated, by inserting “ethnicity,” after “race,”;

(Q) in paragraph (21), as so redesignated, by striking “local,” each place the term appears and inserting “local, tribal,”;

(R) in paragraph (23)—

(i) in subparagraphs (A), (B), and (C), by striking “juvenile” each place it appears and inserting “status offender”;

(ii) in subparagraph (B), by striking “and” at the end;

(iii) in subparagraph (C)—

(I) in clause (i), by striking “and” at the end;

(II) in clause (ii), by adding “and” at the end; and

(III) by adding at the end the following:

“(iii) if such court determines the status offender should be placed in a secure detention facility or correctional facility for violating such order—

“(I) the court shall issue a written order that—

“(aa) identifies the valid court order that has been violated;

“(bb) specifies the factual basis for determining that there is reasonable cause to believe that the status offender has violated such order;

“(cc) includes findings of fact to support a determination that there is no appropriate less restrictive alternative available to placing the status offender in such a facility, with due consideration to the best interest of the juvenile;

“(dd) specifies the length of time, not to exceed 7 days, that the status offender may remain in a secure detention facility or correctional facility, and includes a plan for the status offender’s release from such facility; and

“(ee) may not be renewed or extended; and

“(II) the court may not issue a second or subsequent order described in subclause (I) relating to a status offender unless the status offender violates a valid court order after the date on which the court issues an order described in subclause (I); and”;

(iv) by adding at the end the following:

“(D) there are procedures in place to ensure that any status offender held in a secure detention facility or correctional facility pursuant to a court order described in this paragraph does not remain in custody longer than 7 days or the length of time authorized by the court, whichever is shorter.”;

(S) in paragraph (26)—

(i) by inserting “and in accordance with confidentiality concerns,” after “maximum extent practicable,”; and

(ii) by striking the semicolon at the end and inserting the following: “, so as to provide for—

“(A) data in child abuse or neglect reports relating to juveniles entering the juvenile justice system with a prior reported history of arrest, court intake, probation and parole, juvenile detention, and corrections; and

“(B) a plan to use the data described in subparagraph (A) to provide necessary services for the treatment of such victims of child abuse or neglect.”;

(T) in paragraph (27), as so redesignated, by striking the period at the end and inserting a semicolon; and

(U) by adding at the end the following:

“(28) provide for the coordinated use of funds provided under this title with other Federal and State funds directed at juvenile delinquency prevention and intervention programs;

“(29) describe the policies, procedures, and training in effect for the staff of juvenile State correctional facilities to eliminate the use of dangerous practices, unreasonable restraints, and unreasonable isolation, including by developing effective behavior management techniques;

“(30) describe—

“(A) the evidence-based methods that will be used to conduct mental health and substance abuse screening, assessment, referral, and treatment for juveniles who—

“(i) request a screening;

“(ii) show signs of needing a screening; or

“(iii) are held for a period of more than 24 hours in a secure facility that provides for an initial screening; and

“(B) how the State will seek, to the extent practicable, to provide or arrange for mental health and substance abuse disorder treatment for juveniles determined to be in need of such treatment;

“(31) describe how reentry planning by the State for juveniles will include—

“(A) a written case plan based on an assessment of needs that includes—

“(i) the pre-release and post-release plans for the juveniles;

“(ii) the living arrangement to which the juveniles are to be discharged; and

“(iii) any other plans developed for the juveniles based on an individualized assessment; and

“(B) review processes;

“(32) provide an assurance that the agency of the State receiving funds under this title collaborates with the State educational agency receiving assistance under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) to develop and implement a plan to ensure that, in order to support educational progress—

“(A) the student records of adjudicated juveniles, including electronic records if available, are transferred in a timely manner from the educational program in the juvenile detention or secure treatment facility to the educational or training program into which the juveniles will enroll;

“(B) the credits of adjudicated juveniles are transferred; and

“(C) adjudicated juveniles receive full or partial credit toward high school graduation for secondary school coursework satisfactorily completed before and during the period of time during which the juveniles are held in custody, regardless of the local educational agency or entity from which the credits were earned; and

“(33) describe policies and procedures to—

“(A) screen for, identify, and document in records of the State the identification of victims of domestic human trafficking, or those at risk of such trafficking, upon intake; and

“(B) divert youth described in subparagraph (A) to appropriate programs or services, to the extent practicable.”;

(2) by amending subsection (c) to read as follows:

“(c)(1) If a State fails to comply with any of the core requirements in any fiscal year, then—

“(A) subject to subparagraph (B), the amount allocated to such State under section 222 for the subsequent fiscal year shall be reduced by not less than 20 percent for each core requirement with respect to which the failure occurs; and

“(B) the State shall be ineligible to receive any allocation under such section for such fiscal year unless—

“(i) the State agrees to expend 50 percent of the amount allocated to the State for such fiscal year to achieve compliance with any such core requirement with respect to which the State is in noncompliance; or

“(ii) the Administrator determines that the State—

“(I) has achieved substantial compliance with such applicable requirements with respect to which the State was not in compliance; and

“(II) has made, through appropriate executive or legislative action, an unequivocal commitment to achieving full compliance with such applicable requirements within a reasonable time.

“(2) Of the total amount of funds not allocated for a fiscal year under paragraph (1)—

“(A) 50 percent of the unallocated funds shall be reallocated under section 222 to States that have not failed to comply with the core requirements; and

“(B) 50 percent of the unallocated funds shall be used by the Administrator to provide additional training and technical assistance to States for the purpose of promoting compliance with the core requirements.”;

(3) in subsection (d)—

(A) by striking “described in paragraphs (11), (12), (13), and (22) of subsection (a)” and inserting “described in the core requirements”; and

(B) by striking “the requirements under paragraphs (11), (12), (13), and (22) of subsection (a)” and inserting “the core requirements”;

(4) in subsection (f)(2)—

(A) by striking subparagraph (A); and

(B) by redesignating subparagraphs (B) through (E) as subparagraphs (A) through (D), respectively; and

(5) by adding at the end the following:

“(g) COMPLIANCE DETERMINATION.—

“(1) IN GENERAL.—For each fiscal year, the Administrator shall make a determination regarding whether each State receiving a grant under this title is in compliance or out of compliance with respect to each of the core requirements.

“(2) REPORTING.—The Administrator shall—

“(A) issue an annual public report—

“(i) describing any determination described in paragraph (1) made during the previous year, including a summary of the information on which the determination is based and the actions to be taken by the Administrator (including a description of any reduction imposed under subsection (c)); and

“(ii) for any such determination that a State is out of compliance with any of the core requirements, describing the basis for the determination; and

“(B) make the report described in subparagraph (A) available on a publicly available website.

“(3) DETERMINATIONS REQUIRED.—The Administrator may not—

“(A) determine that a State is ‘not out of compliance’, or issue any other determination not described in paragraph (1), with respect to any core requirement; or

“(B) otherwise fail to make the compliance determinations required under paragraph (1).”.

SEC. 206. REPEAL OF JUVENILE DELINQUENCY PREVENTION BLOCK GRANT PROGRAM.

Part C of title II of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11141 et seq.) is repealed.

SEC. 207. RESEARCH AND EVALUATION; STATISTICAL ANALYSES; INFORMATION DISSEMINATION.

Section 251 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11161) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “may” and inserting “shall”;

(ii) in subparagraph (A), by striking “plan and identify” and inserting “annually publish a plan to identify”; and

(iii) in subparagraph (B)—

(I) by striking clause (iii) and inserting the following:

“(iii) successful efforts to prevent status offenders and first-time minor offenders from subsequent involvement with the juvenile justice and criminal justice systems;”;

(II) by striking clause (vii) and inserting the following:

“(vii) the prevalence and duration of behavioral health needs (including mental health, substance abuse, and co-occurring disorders) among juveniles pre-placement and post-placement in the juvenile justice system, including an examination of the effects of secure detention in a correctional facility;”;

(III) by redesignating clauses (ix), (x), and (xi) as clauses (xvi), (xvii), and (xviii), respectively; and

(IV) by inserting after clause (viii) the following:

“(ix) training efforts and reforms that have produced reductions in or elimination of the use of dangerous practices;

“(x) methods to improve the recruitment, selection, training, and retention of professional personnel who are focused on the prevention, identification, and treatment of delinquency;

“(xi) methods to improve the identification and response to victims of domestic child sex trafficking within the juvenile justice system;

“(xii) identifying positive outcome measures, such as attainment of employment and educational degrees, that States and units of local government should use to evaluate the success of programs aimed at reducing recidivism of youth who have come in contact with the juvenile justice system or criminal justice system;

“(xiii) evaluating the impact and outcomes of the prosecution and sentencing of juveniles as adults;”

“(xiv) successful and cost-effective efforts by States and units of local government to reduce recidivism through policies that provide for consideration of appropriate alternative sanctions to incarceration of youth facing nonviolent charges, while ensuring that public safety is preserved;”;

(B) in paragraph (4)—

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

(I) by striking “date of enactment of this paragraph, the” and inserting “date of enactment of the Juvenile Justice Reform Act of 2018, the”; and

(II) by inserting “in accordance with applicable confidentiality requirements” after “wards of the State”; and

(ii) in subparagraph (D), by inserting “and Indian Tribes” after “State”;.

(iii) in subparagraph (F), by striking “and” at the end;

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

(v) by adding at the end the following:

“(H) a description of the best practices in discharge planning; and

“(I) an assessment of living arrangements for juveniles who, upon release from confinement in a State correctional facility, cannot return to the residence they occupied prior to such confinement.”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “may” and inserting “shall”; and

(3) by adding at the end the following:

“(f) NATIONAL RECIDIVISM MEASURE.—The Administrator, in accordance with applicable confidentiality requirements and in consultation with experts in the field of juvenile justice research, recidivism, and data collection, shall—

“(1) establish a uniform method of data collection and technology that States may use to evaluate data on juvenile recidivism on an annual basis;

“(2) establish a common national juvenile recidivism measurement system; and

“(3) make cumulative juvenile recidivism data that is collected from States available to the public.”.

SEC. 208. TRAINING AND TECHNICAL ASSISTANCE.

Section 252 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11162) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1), by striking “may”;

(B) in paragraph (1)—

(i) by inserting “shall” before “develop and carry out projects”; and

(ii) by striking “and” after the semicolon;

(C) in paragraph (2)—

(i) by inserting “may” before “make grants to and contracts with”; and

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

(D) by adding at the end the following:

“(3) shall provide periodic training for States regarding implementation of the core requirements, current protocols and best practices for achieving and monitoring compliance, and information sharing regarding relevant Office resources on evidence-based and promising programs or practices that promote the purposes of this Act.”;

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking “may”;

(B) in paragraph (1)—

(i) by inserting “shall” before “develop and implement projects”;.

(ii) by inserting “, including compliance with the core requirements” after “this title”; and

(iii) by striking “and” at the end;

(C) in paragraph (2)—

(i) by inserting “may” before “make grants to and contracts with”; and

(ii) by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

“(3) shall provide technical assistance to States and units of local government on achieving compliance with the amendments to the core requirements and State Plans made by the Juvenile Justice Reform Act of 2018, including training and technical assistance and, when appropriate, pilot or demonstration projects intended to develop and replicate best practices for achieving sight and sound separation in facilities or portions of facilities that are open and available to the general public and that may or may not contain a jail or a lock-up; and

“(4) shall provide technical assistance to States in support of efforts to establish partnerships between a State and a university, institution of higher education, or research center designed to improve the recruitment, selection, training, and retention of professional personnel in the fields of medicine, law enforcement, the judiciary, juvenile justice, social work and child protection, education, and other relevant fields who are engaged in, or intend to work in, the field of prevention, identification, and treatment of delinquency.”;

(3) in subsection (c)—

(A) by inserting “prosecutors,” after “public defenders,”; and

(B) by inserting “status offenders and” after “needs of”; and

(4) by adding at the end the following:

“(d) BEST PRACTICES REGARDING LEGAL REPRESENTATION OF CHILDREN.—In consultation with experts in the field of juvenile defense, the Administrator shall—

“(1) share best practices that may include sharing standards of practice developed by recognized entities in the profession, for attorneys representing children; and

“(2) provide a State, if it so requests, technical assistance to implement any of the best practices shared under paragraph (1).

“(e) BEST PRACTICES FOR STATUS OFFENDERS.—Based on the available research and State practices, the Administrator shall—

“(1) disseminate best practices for the treatment of status offenders with a focus on reduced recidivism, improved long-term outcomes, and limited usage of valid court orders to place status offenders in secure detention; and

“(2) provide a State, on request, technical assistance to implement any of the best practices shared under paragraph (1).

“(f) TRAINING AND TECHNICAL ASSISTANCE FOR LOCAL AND STATE JUVENILE DETENTION AND CORRECTIONS PERSONNEL.—The Administrator shall coordinate training and technical assistance programs with juvenile detention and corrections personnel of States and units of local government—

“(1) to promote methods for improving conditions of juvenile confinement, including methods that are designed to minimize the use of dangerous practices, unreasonable restraints, and isolation and methods responsive to cultural differences; and

“(2) to encourage alternative behavior management techniques based on positive youth development approaches that may include methods responsive to cultural differences.

“(g) TRAINING AND TECHNICAL ASSISTANCE TO SUPPORT MENTAL HEALTH OR SUBSTANCE ABUSE TREATMENT INCLUDING HOME-BASED OR COMMUNITY-BASED CARE.—The Administrator shall provide training and technical assistance, in conjunction with the appropriate public agencies, to individuals involved in making decisions regarding the disposition and management of cases for youth who enter the juvenile justice system about the appropriate services and placement for youth with mental health or substance abuse needs, including—

“(1) juvenile justice intake personnel;

“(2) probation officers;

“(3) juvenile court judges and court services personnel;

“(4) prosecutors and court-appointed counsel; and

“(5) family members of juveniles and family advocates.

“(h) **TRAINING AND TECHNICAL ASSISTANCE TO SUPPORT JUVENILE COURT JUDGES AND PERSONNEL.**—The Attorney General, acting through the Office of Juvenile Justice and Delinquency Prevention and the Office of Justice Programs in consultation with entities in the profession, shall provide directly, or through grants or contracts, training and technical assistance to enhance the capacity of State and local courts, judges, and related judicial personnel to—

“(1) improve the lives of children currently involved in or at risk of being involved in the juvenile court system; and

“(2) carry out the requirements of this Act.

“(i) **FREE AND REDUCED PRICE SCHOOL LUNCHES FOR INCARCERATED JUVENILES.**—The Attorney General, in consultation with the Secretary of Agriculture, shall provide guidance to States relating to existing options for school food authorities in the States to apply for reimbursement for free or reduced price lunches under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) for juveniles who are incarcerated and would, if not incarcerated, be eligible for free or reduced price lunches under that Act.”

SEC. 209. ADMINISTRATIVE AUTHORITY.

Section 299A of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11182) is amended—

(1) in subsection (d)—

(A) by inserting “(1)” before “The Administrator”;

(B) by striking “, after appropriate consultation with representatives of States and units of local government,”;

(C) by inserting “guidance,” after “regulations,”; and

(D) by adding at the end the following: “In developing guidance and procedures, the Administrator shall consult with representatives of States and units of local government, including those individuals responsible for administration of this Act and compliance with the core requirements.”

“(2) The Administrator shall ensure that—

“(A) reporting, compliance reporting, State plan requirements, and other similar documentation as may be required from States is requested in a manner that respects confidentiality, encourages efficiency and reduces the duplication of reporting efforts; and

“(B) States meeting all the core requirements are encouraged to experiment with offering innovative, data-driven programs designed to further improve the juvenile justice system.”; and

(2) in subsection (e), by striking “requirements described in paragraphs (1), (12), and (13) of section 223(a)” and inserting “core requirements”.

TITLE III—INCENTIVE GRANTS FOR PRISON REDUCTION THROUGH OPPORTUNITIES, MENTORING, INTERVENTION, SUPPORT, AND EDUCATION

SEC. 301. SHORT TITLE.

Section 501 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11101 note) is amended—

(1) by inserting “Youth Promise” before “Grants”; and

(2) by striking “2002” and inserting “2018”.

SEC. 302. DEFINITIONS.

Section 502 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11281) is amended to read as follows:

“SEC. 502. DEFINITIONS.

“In this title—

“(1) the term ‘at-risk’ has the meaning given that term in section 1432 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6472);

“(2) the term ‘eligible entity’ means—

“(A) a unit of local government that is in compliance with the requirements of part B of title II; or

“(B) a nonprofit organization in partnership with a unit of local government described in subparagraph (A);

“(3) the term ‘delinquency prevention program’ means a delinquency prevention program that is evidence-based or promising and that may include—

“(A) alcohol and substance abuse prevention or treatment services;

“(B) tutoring and remedial education, especially in reading and mathematics;

“(C) child and adolescent health and mental health services;

“(D) recreation services;

“(E) leadership and youth development activities;

“(F) the teaching that individuals are and should be held accountable for their actions;

“(G) assistance in the development of job training skills;

“(H) youth mentoring programs;

“(I) after-school programs;

“(J) coordination of a continuum of services that may include—

“(i) early childhood development services;

“(ii) voluntary home visiting programs;

“(iii) nurse-family partnership programs;

“(iv) parenting skills training;

“(v) child abuse prevention programs;

“(vi) family stabilization programs;

“(vii) child welfare services;

“(viii) family violence intervention programs;

“(ix) adoption assistance programs;

“(x) emergency, transitional and permanent housing assistance;

“(xi) job placement and retention training;

“(xii) summer jobs programs;

“(xiii) alternative school resources for youth who have dropped out of school or demonstrate chronic truancy;

“(xiv) conflict resolution skill training;

“(xv) restorative justice programs;

“(xvi) mentoring programs;

“(xvii) targeted gang prevention, intervention and exit services;

“(xviii) training and education programs for pregnant teens and teen parents; and

“(xix) pre-release, post-release, and reentry services to assist detained and incarcerated youth with transitioning back into and reentering the community; and

“(K) other data-driven evidence-based or promising prevention programs;

“(4) the term ‘local policy board’, when used with respect to an eligible entity, means a policy board that the eligible entity will engage in the development of the eligible entity’s plan described in section 504(e)(5), and that includes—

“(A) not fewer than 15 and not more than 21 members; and

“(B) a balanced representation of—

“(i) public agencies and private nonprofit organizations serving juveniles and their families; and

“(ii) business and industry;

“(C) at least one representative of the faith community, one adjudicated youth, and one parent of an adjudicated youth; and

“(D) in the case of an eligible entity described in paragraph (1)(B), a representative of the nonprofit organization of the eligible entity;

“(5) the term ‘mentoring’ means matching 1 adult with 1 or more youths for the purpose of providing guidance, support, and encouragement through regularly scheduled meetings for not less than 9 months;

“(6) the term ‘State advisory group’ means the advisory group appointed by the chief executive officer of a State under a plan described in section 223(a); and

“(7) the term ‘State entity’ means the State agency designated under section 223(a)(1) or the entity receiving funds under section 223(d).”

SEC. 303. DUTIES AND FUNCTIONS OF THE ADMINISTRATOR.

Section 503 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11282) is amended—

(1) by striking paragraph (1); and

(2) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively.

SEC. 304. GRANTS FOR DELINQUENCY PREVENTION PROGRAMS.

Section 504 of the Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11281 et seq.) is amended to read as follows:

“SEC. 504. GRANTS FOR LOCAL DELINQUENCY PREVENTION PROGRAMS.

“(a) **PURPOSE.**—The purpose of this section is to enable local communities to address the unmet needs of at-risk or delinquent youth, including through a continuum of delinquency prevention programs for juveniles who have had contact with the juvenile justice system or who are likely to have contact with the juvenile justice system.

“(b) **PROGRAM AUTHORIZED.**—The Administrator shall—

“(1) for each fiscal year for which less than \$25,000,000 is appropriated under section 506, award grants to not fewer than 3 State entities, but not more than 5 State entities, that apply under subsection (c) and meet the requirements of subsection (d); or

“(2) for each fiscal year for which \$25,000,000 or more is appropriated under section 506, award grants to not fewer than 5 State entities that apply under subsection (c) and meet the requirements of subsection (d).

“(c) **STATE APPLICATION.**—To be eligible to receive a grant under this section, a State entity shall submit an application to the Administrator that includes the following:

“(1) An assurance the State entity will use—

“(A) not more than 10 percent of such grant,

in the aggregate—

“(i) for the costs incurred by the State entity to carry out this section, except that not more than 3 percent of such grant may be used for such costs; and

“(ii) to provide technical assistance to eligible entities receiving a subgrant under subsection (e) in carrying out delinquency prevention programs under the subgrant; and

“(B) the remainder of such grant to award subgrants to eligible entities under subsection (e).

“(2) An assurance that such grant will supplement, and not supplant, State and local efforts to prevent juvenile delinquency.

“(3) An assurance the State entity will evaluate the capacity of eligible entities receiving a subgrant under subsection (e) to fulfill the requirements under such subsection.

“(4) An assurance that such application was prepared after consultation with, and participation by, the State advisory group, units of local government, community-based organizations, and organizations that carry out programs, projects, or activities to prevent juvenile delinquency in the local juvenile justice system served by the State entity.

“(d) **APPROVAL OF STATE APPLICATIONS.**—In awarding grants under this section for a fiscal year, the Administrator may not award a grant to a State entity for a fiscal year unless—

“(1)(A) the State that will be served by the State entity submitted a plan under section 223 for such fiscal year; and

“(B) such plan is approved by the Administrator for such fiscal year; or

“(2) after finding good cause for a waiver, the Administrator waives the plan required under subparagraph (A) for such State for such fiscal year.

“(e) **SUBGRANT PROGRAM.**—

“(1) **PROGRAM AUTHORIZED.**—

“(A) **IN GENERAL.**—Each State entity receiving a grant under this section shall award subgrants to eligible entities in accordance with this subsection.

“(B) **PRIORITY.**—In awarding subgrants under this subsection, the State shall give priority to eligible entities that demonstrate ability in—

“(i) plans for service and agency coordination and collaboration including the collocation of services;

“(ii) innovative ways to involve the private nonprofit and business sector in delinquency prevention activities;

“(iii) developing data-driven prevention plans, employing evidence-based prevention strategies, and conducting program evaluations to determine impact and effectiveness;

“(iv) identifying under the plan submitted under paragraph (5) potential savings and efficiencies associated with successful implementation of such plan; and

“(v) describing how such savings and efficiencies may be used to carry out delinquency prevention programs and be reinvested in the continuing implementation of such programs after the end of the subgrant period.

“(C) SUBGRANT PROGRAM PERIOD AND DIVERSITY OF PROJECTS.—

“(i) PROGRAM PERIOD.—A subgrant awarded to an eligible entity by a State entity under this section shall be for a period of not more than 5 years, of which the eligible entity—

“(I) may use not more than 18 months for completing the plan submitted by the eligible entity under paragraph (5); and

“(II) shall use the remainder of the subgrant period, after planning period described in subclause (I), for the implementation of such plan.

“(ii) DIVERSITY OF PROJECTS.—In awarding subgrants under this subsection, a State entity shall ensure, to the extent practicable and applicable, that such subgrants are distributed throughout different areas, including urban, suburban, and rural areas.

“(2) LOCAL APPLICATION.—An eligible entity that desires a subgrant under this subsection shall submit an application to the State entity in the State of the eligible entity, at such time and in such manner as determined by the State entity, and that includes—

“(A) a description of—

“(i) the local policy board and local partners the eligible entity will engage in the development of the plan described in paragraph (5);

“(ii) the unmet needs of at-risk or delinquent youth in the community;

“(iii) available resources in the community to meet the unmet needs identified in the needs assessment described in paragraph (5)(A);

“(iv) potential costs to the community if the unmet needs are not addressed;

“(B) a specific time period for the planning and subsequent implementation of its continuum of local delinquency prevention programs;

“(C) the steps the eligible entity will take to implement the plan under subparagraph (A); and

“(D) a plan to continue the grant activity with non-Federal funds, if proven successful according to the performance evaluation process under paragraph (5)(D), after the grant period.

“(3) MATCHING REQUIREMENT.—An eligible entity desiring a subgrant under this subsection shall agree to provide a 50 percent match of the amount of the subgrant that may include the value of in-kind contributions.

“(4) SUBGRANT REVIEW.—

“(A) REVIEW.—Not later than the end of the second year of a subgrant period for a subgrant awarded to an eligible entity under this subsection and before awarding the remaining amount of the subgrant to the eligible entity, the State entity shall—

“(i) ensure that the eligible entity has completed the plan submitted under paragraph (2) and that the plan meets the requirements of such paragraph; and

“(ii) verify that the eligible entity will begin the implementation of its plan upon receiving the next installment of its subgrant award.

“(B) TERMINATION.—If the State entity finds through the review conducted under subparagraph (A) that the eligible entity has not met the requirements of clause (i) of such subparagraph, the State entity shall reallocate the amount remaining on the subgrant of the eligible entity to other eligible entities receiving a subgrant under this subsection or award the amount to an eligible entity during the next subgrant competition under this subsection.

“(5) LOCAL USES OF FUNDS.—An eligible entity that receives a subgrant under this subsection shall use the funds to implement a plan to carry out delinquency prevention programs in the community served by the eligible entity in a coordinated manner with other delinquency prevention programs or entities serving such community, which includes—

“(A) an analysis of the unmet needs of at-risk or delinquent youth in the community—

“(i) which shall include—

“(I) the available resources in the community to meet the unmet needs; and

“(II) factors present in the community that may contribute to delinquency, such as homelessness, food insecurity, teen pregnancy, youth unemployment, family instability, lack of educational opportunity; and

“(ii) may include an estimate—

“(I) for the most recent year for which reliable data is available, the amount expended by the community and other entities for delinquency adjudication for juveniles and the incarceration of adult offenders for offenses committed in such community; and

“(II) of potential savings and efficiencies that may be achieved through the implementation of the plan;

“(B) a minimum 3-year comprehensive strategy to address the unmet needs and an estimate of the amount or percentage of non-Federal funds that are available to carry out the strategy;

“(C) a description of how delinquency prevention programs under the plan will be coordinated;

“(D) a description of the performance evaluation process of the delinquency prevention programs to be implemented under the plan, which shall include performance measures to assess efforts to address the unmet needs of youth in the community analyzed under subparagraph (A);

“(E) the evidence or promising evaluation on which such delinquency prevention programs are based; and

“(F) if such delinquency prevention programs are proven successful according to the performance evaluation process under subparagraph (D), a strategy to continue such programs after the subgrant period with non-Federal funds, including a description of how any estimated savings or efficiencies created by the implementation of the plan may be used to continue such programs.”.

SEC. 305. GRANTS FOR TRIBAL DELINQUENCY PREVENTION AND RESPONSE PROGRAMS.

The Incentive Grants for Local Delinquency Prevention Programs Act of 2002 (34 U.S.C. 11281 et seq.) is amended by redesignating section 505 as section 506, and by inserting after section 504 the following:

“SEC. 505. GRANTS FOR TRIBAL DELINQUENCY PREVENTION AND RESPONSE PROGRAMS.

“(a) IN GENERAL.—The Administrator shall make grants under this section, on a competitive basis, to eligible Indian Tribes (or consortia of Indian Tribes) as described in subsection (b)—

“(1) to support and enhance—

“(A) tribal juvenile delinquency prevention services; and

“(B) the ability of Indian Tribes to respond to, and care for, at-risk or delinquent youth upon release; and

“(2) to encourage accountability of Indian tribal governments with respect to preventing juvenile delinquency, and responding to, and caring for, juvenile offenders.

“(b) ELIGIBLE INDIAN TRIBES.—To be eligible to receive a grant under this section, an Indian Tribe or consortium of Indian Tribes shall submit to the Administrator an application in such form as the Administrator may require.

“(c) CONSIDERATIONS.—In providing grants under this section, the Administrator shall take into consideration, with respect to the Indian Tribe to be served, the—

“(1) juvenile delinquency rates;

“(2) school dropout rates; and

“(3) number of youth at risk of delinquency.

“(d) AVAILABILITY OF FUNDS.—Of the amount available for a fiscal year to carry out this title, 11 percent shall be available to carry out this section.”.

SEC. 306. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) EVALUATION.—Not later than 2 years after the end of the 5th fiscal year for which funds are appropriated to carry out the Incentive Grants for Local Delinquency Prevention Programs Act of 2002, the Comptroller General of the United States shall conduct an evaluation of a sample of subgrantees selected by the Comptroller General in accordance with subsection (b)) that received funds under section 504(e) of such Act and shall submit a report of such evaluation to the Committee on the Judiciary of the United States Senate and the Committee on Education and the Workforce of the United States House of Representatives.

(b) CONSIDERATIONS FOR EVALUATION.—For purposes of subsection (a), the Comptroller General shall—

(1) ensure that the sample to be evaluated is made up of subgrantees in States that are diverse geographically and economically; and

(2) include in such sample subgrantees that proposed different delinquency prevention programs.

(c) RECOMMENDATIONS AND FINDINGS.—In conducting the evaluation required by subsection (a), the Comptroller General shall take into consideration whether—

(1) the delinquency prevention programs for which subgrantees received funds under section 504(e) of Incentive Grants for Local Delinquency Prevention Programs Act of 2002 achieved the outcomes and results anticipated by the particular State involved;

(2) in the case of outcomes and results of delinquency prevention programs defined by the State or a local entity, unanticipated improved outcomes or results for juveniles occurred;

(3) the number of subgrantees that continue after the expenditure of such funds to provide such delinquency prevention programs;

(4) such delinquency prevention programs replaced existing or planned programs or activities in the State; and

(5) the evidence-base information used to justify such delinquency prevention programs was used with fidelity by local entities in accordance with the approach used to find the evidence;

SEC. 307. TECHNICAL AMENDMENT.

Title V of the Juvenile Justice and Delinquency Prevention Act of 1974 as enacted by Public Law 93-415 (88 Stat. 1133) (relating to miscellaneous and conforming amendments) is repealed.

TITLE IV—MISCELLANEOUS PROVISIONS

SEC. 401. EVALUATION BY GOVERNMENT ACCOUNTABILITY OFFICE.

(a) EVALUATION.—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a comprehensive analysis and evaluation regarding the performance of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as “the agency”), its functions, its programs, and its grants;

(2) conduct a comprehensive audit and evaluation of a selected, sample of grantees (as determined by the Comptroller General) that receive Federal funds under grant programs administered by the agency including a review of internal controls (as defined in section 103 of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11103), as amended by this Act) to prevent fraud, waste, and abuse of funds by grantees; and

(3) submit a report in accordance with subsection (d).

(b) CONSIDERATIONS FOR EVALUATION.—In conducting the analysis and evaluation under subsection (a)(1), and in order to document the efficiency and public benefit of the Juvenile Jus-

tice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.), the Comptroller General shall take into consideration—

(1) the outcome and results of the programs carried out by the agency and those programs administered through grants by the agency;

(2) the extent to which the agency has complied with the Government Performance and Results Act of 1993 (Public Law 103-62; 107 Stat. 285);

(3) the extent to which the jurisdiction of, and the programs administered by, the agency duplicate or conflict with the jurisdiction and programs of other agencies;

(4) the potential benefits of consolidating programs administered by the agency with similar or duplicative programs of other agencies, and the potential for consolidating those programs;

(5) whether less restrictive or alternative methods exist to carry out the functions of the agency and whether current functions or operations are impeded or enhanced by existing statutes, rules, and procedures;

(6) the number and types of beneficiaries or persons served by programs carried out by the agency;

(7) the manner with which the agency seeks public input and input from State and local governments on the performance of the functions of the agency;

(8) the extent to which the agency complies with section 552 of title 5, United States Code (commonly known as the Freedom of Information Act);

(9) whether greater oversight is needed of programs developed with grants made by the agency; and

(10) the extent to which changes are necessary in the authorizing statutes of the agency in order for the functions of the agency to be performed in a more efficient and effective manner.

(c) **CONSIDERATIONS FOR AUDITS.**—In conducting the audit and evaluation under subsection (a)(2), and in order to document the efficiency and public benefit of the Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.), the Comptroller General shall take into consideration—

(1) whether grantees timely file Financial Status Reports;

(2) whether grantees have sufficient internal controls to ensure adequate oversight of grant fund received;

(3) whether disbursements were accompanied with adequate supporting documentation (including invoices and receipts);

(4) whether expenditures were authorized;

(5) whether subrecipients of grant funds were complying with program requirements;

(6) whether salaries and fringe benefits of personnel were adequately supported by documentation;

(7) whether contracts were bid in accordance with program guidelines; and

(8) whether grant funds were spent in accordance with program goals and guidelines.

(d) **REPORT.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall—

(A) submit a report regarding the evaluation conducted under subsection (a) and audit under subsection (b), to the Speaker of the House of Representatives and the President pro tempore of the Senate; and

(B) make the report described in subparagraph (A) available to the public.

(2) **CONTENTS.**—The report submitted in accordance with paragraph (1) shall include all audit findings determined by the selected, statistically significant sample of grantees as required by subsection (a)(2) and shall include the name and location of any selected grantee as well as any findings required by subsection (a)(2).

SEC. 402. AUTHORIZATION OF APPROPRIATIONS; ACCOUNTABILITY AND OVERSIGHT.

(a) **IN GENERAL.**—The Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C.

11101 et seq.) is amended by adding at the end the following:

“TITLE VI—AUTHORIZATION OF APPROPRIATIONS; ACCOUNTABILITY AND OVERSIGHT

“SEC. 601. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this Act, except for titles III and IV, \$176,000,000 for each of fiscal years 2019 through 2023, of which not more than \$96,053,401 shall be used to carry out title V for each such fiscal year.

“SEC. 602. ACCOUNTABILITY AND OVERSIGHT.

“(a) **SENSE OF CONGRESS.**—It is the sense of Congress that, in order to ensure that at-risk youth, and youth who come into contact with the juvenile justice system or the criminal justice system, are treated fairly and that the outcome of that contact is beneficial to the Nation—

“(1) the Department of Justice, through its Office of Juvenile Justice and Delinquency Prevention, must restore meaningful enforcement of the core requirements in title II; and

“(2) States, which are entrusted with a fiscal stewardship role if they accept funds under title II must exercise vigilant oversight to ensure full compliance with the core requirements for juveniles provided for in title II.

“(b) **ACCOUNTABILITY.**—

“(1) **AGENCY PROGRAM REVIEW.**—

“(A) **PROGRAMMATIC AND FINANCIAL ASSESSMENT.**—

“(i) **IN GENERAL.**—Not later than 60 days after the date of enactment of the Juvenile Justice Reform Act of 2018, the Director of the Office of Audit, Assessment, and Management of the Office of Justice Programs at the Department of Justice (referred to in this section as the ‘Director’) shall—

“(I) conduct a comprehensive analysis and evaluation of the internal controls of the Office of Juvenile Justice and Delinquency Prevention (referred to in this section as the ‘agency’) to determine if States and Indian Tribes receiving grants are following the requirements of the agency grant programs and what remedial action the agency has taken to recover any grant funds that are expended in violation of grant programs, including instances where—

“(aa) supporting documentation was not provided for cost reports;

“(bb) unauthorized expenditures occurred; and

“(cc) subrecipients of grant funds were not in compliance with program requirements;

“(II) conduct a comprehensive audit and evaluation of a selected statistically significant sample of States and Indian Tribes (as determined by the Director) that have received Federal funds under title II, including a review of internal controls to prevent fraud, waste, and abuse of funds by grantees; and

“(III) submit a report in accordance with clause (iv).

“(ii) **CONSIDERATIONS FOR EVALUATIONS.**—In conducting the analysis and evaluation under clause (i)(I), and in order to document the efficiency and public benefit of titles II and V, the Director shall take into consideration the extent to which—

“(I) greater oversight is needed of programs developed with grants made by the agency;

“(II) changes are necessary in the authorizing statutes of the agency in order that the functions of the agency can be performed in a more efficient and effective manner; and

“(III) the agency has implemented recommendations issued by the Comptroller General or Office of Inspector General relating to the grant making and grant monitoring responsibilities of the agency.

“(iii) **CONSIDERATIONS FOR AUDITS.**—In conducting the audit and evaluation under clause (i)(II), and in order to document the efficiency and public benefit of titles II and V, the Director shall take into consideration—

“(I) whether grantees timely file Financial Status Reports;

“(II) whether grantees have sufficient internal controls to ensure adequate oversight of grant funds received;

“(III) whether grantees’ assertions of compliance with the core requirements were accompanied with adequate supporting documentation;

“(IV) whether expenditures were authorized;

“(V) whether subrecipients of grant funds were complying with program requirements; and

“(VI) whether grant funds were spent in accordance with the program goals and guidelines.

“(iv) **REPORT.**—The Director shall—

“(I) submit to the Congress a report outlining the results of the analysis, evaluation, and audit conducted under clause (i), including supporting materials, to the Speaker of the House of Representatives and the President pro tempore of the Senate; and

“(II) shall make such report available to the public online, not later than 1 year after the date of enactment of this section.

“(B) **ANALYSIS OF INTERNAL CONTROLS.**—

“(i) **IN GENERAL.**—Not later than 30 days after the date of enactment of the Juvenile Justice Reform Act of 2018, the Administrator shall initiate a comprehensive analysis and evaluation of the internal controls of the agency to determine whether, and to what extent, States and Indian Tribes that receive grants under titles II and V are following the requirements of the grant programs authorized under titles II and V.

“(ii) **REPORT.**—Not later than 180 days after the date of enactment of the Juvenile Justice Reform Act of 2018, the Administrator shall submit to Congress a report containing—

“(I) the findings of the analysis and evaluation conducted under clause (i);

“(II) a description of remedial actions, if any, that will be taken by the Administrator to enhance the internal controls of the agency and recoup funds that may have been expended in violation of law, regulations, or program requirements issued under titles II and V; and

“(III) a description of—

“(aa) the analysis conducted under clause (i);

“(bb) whether the funds awarded under titles II and V have been used in accordance with law, regulations, program guidance, and applicable plans; and

“(cc) the extent to which funds awarded to States and Indian Tribes under titles II and V enhanced the ability of grantees to fulfill the core requirements.

“(C) **REPORT BY THE ATTORNEY GENERAL.**—Not later than 180 days after the date of enactment of the Juvenile Justice Reform Act of 2018, the Attorney General shall submit to the appropriate committees of the Congress a report on the estimated amount of formula grant funds disbursed by the agency since fiscal year 2010 that did not meet the requirements for awards of formula grants to States under title II.

“(2) **OFFICE OF INSPECTOR GENERAL PERFORMANCE AUDITS.**—

“(A) **IN GENERAL.**—In order to ensure the effective and appropriate use of grants administered under this Act (excluding title IV) and to prevent waste, fraud, and abuse of funds by grantees, the Inspector General of the Department of Justice shall annually conduct audits of grantees that receive funds under this Act.

“(B) **ASSESSMENT.**—Not later than 1 year after the date of enactment of the Juvenile Justice Reform Act of 2018 and annually thereafter, the Inspector General shall conduct a risk assessment to determine the appropriate number of grantees to be audited under subparagraph (A) in the year involved.

“(C) **PUBLIC AVAILABILITY ON WEBSITE.**—The Attorney General shall make the summary of each review conducted under this section available on the website of the Department of Justice, subject to redaction as the Attorney General determines necessary to protect classified and other sensitive information.

“(D) **MANDATORY EXCLUSION.**—A recipient of grant funds under this Act (excluding title IV) that is found to have an unresolved audit find-

ing shall not be eligible to receive grant funds under this Act (excluding title IV) during the first 2 fiscal years beginning after the 12-month period beginning on the date on which the audit report is issued.

“(E) PRIORITY.—In awarding grants under this Act (excluding title IV), the Administrator shall give priority to a State or Indian Tribe that did not have an unresolved audit finding during the 3 fiscal years prior to the date on which the State or Indian Tribe submits an application for a grant under this Act.

“(F) REIMBURSEMENT.—If a State or an Indian Tribe is awarded a grant under this Act (excluding title IV) during the 2-fiscal-year period in which the recipient is barred from receiving grants under subparagraph (D), the Attorney General shall—

“(i) deposit an amount equal to the amount of the grant funds that were improperly awarded to the grantee into the general fund of the Treasury; and

“(ii) seek to recoup the costs of the repayment to the general fund under clause (i) from the grantee that was erroneously awarded grant funds.

“(G) DEFINITION.—In this paragraph, the term ‘unresolved audit finding’ means a finding in the final audit report of the Inspector General—

“(i) that the audited State or Indian Tribe has used grant funds for an unauthorized expenditure or otherwise unallowable cost; and

“(ii) that is not closed or resolved during the 12-month period beginning on the date on which the final audit report is issued.

“(3) NONPROFIT ORGANIZATION REQUIREMENTS.—

“(A) DEFINITION.—For purposes of this paragraph and the grant programs described in this Act (excluding title IV), the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and is exempt from taxation under section 501(a) of such Code.

“(B) PROHIBITION.—The Administrator may not award a grant under any grant program described in this Act (excluding title IV) to a nonprofit organization that holds money in offshore accounts for the purpose of avoiding paying the tax described in section 511(a) of the Internal Revenue Code of 1986.

“(C) DISCLOSURE.—

“(i) IN GENERAL.—Each nonprofit organization that is awarded a grant under a grant program described in this Act (excluding title IV) and uses the procedures prescribed in regulations to create a rebuttable presumption of reasonableness for the compensation of its officers, directors, trustees, and key employees, shall disclose to the Administrator, in the application for the grant, the process for determining such compensation, including—

“(I) the independent persons involved in reviewing and approving such compensation;

“(II) the comparability data used; and

“(III) contemporaneous substantiation of the deliberation and decision.

“(ii) PUBLIC INSPECTION UPON REQUEST.—Upon request, the Administrator shall make the information disclosed under clause (i) available for public inspection.

“(4) CONFERENCE EXPENDITURES.—

“(A) LIMITATION.—No amounts authorized to be appropriated to the Department of Justice under this Act may be used by the Attorney General, or by any individual or organization awarded discretionary funds through a cooperative agreement under this Act, to host or support any expenditure for conferences that uses more than \$20,000 in funds made available to the Department of Justice, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference.

“(B) WRITTEN APPROVAL.—Written approval under subparagraph (A) shall include a written

estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and entertainment.

“(C) REPORT.—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on Education and the Workforce of the House of Representatives on all conference expenditures approved under this paragraph.

“(5) PROHIBITION ON LOBBYING ACTIVITY.—

“(A) IN GENERAL.—Amounts authorized to be appropriated under this Act may not be utilized by any recipient of a grant made using such amounts—

“(i) to lobby any representative of the Department of Justice regarding the award of grant funding; or

“(ii) to lobby any representative of a Federal, State, local, or tribal government regarding the award of grant funding.

“(B) PENALTY.—If the Attorney General determines that any recipient of a grant made using amounts authorized to be appropriated under this Act has violated subparagraph (A), the Attorney General shall—

“(i) require the recipient to repay the grant in full; and

“(ii) prohibit the recipient to receive another grant under this Act for not less than 5 years.

“(C) CLARIFICATION.—For purposes of this paragraph, submitting an application for a grant under this Act shall not be considered lobbying activity in violation of subparagraph (A).

“(6) ANNUAL CERTIFICATION.—Beginning in the 1st fiscal year that begins after the effective date of this section, the Attorney General shall submit to the Committee on the Judiciary and the Committee on Appropriations of the Senate, and the Committee on Education and the Workforce and the Committee on Appropriations of the House of Representatives, an annual certification that—

“(A) all audits issued by the Inspector General of the Department of Justice under paragraph (2) have been completed and reviewed by the appropriate Assistant Attorney General or Director;

“(B) all mandatory exclusions required under paragraph (2)(D) have been issued;

“(C) all reimbursements required under paragraph (2)(F)(i) have been made; and

“(D) includes a list of any grant recipients excluded under paragraph (2) during the then preceding fiscal year.

“(c) PREVENTING DUPLICATIVE GRANTS.—

“(1) IN GENERAL.—Before the Attorney General awards a grant to an applicant under this Act, the Attorney General shall compare potential grant awards with other grants awarded under this Act to determine if duplicate grant awards are awarded for the same purpose.

“(2) REPORT.—If the Attorney General awards duplicate grants to the same applicant for the same purpose the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on Education and the Workforce of the House of Representatives a report that includes—

“(A) a list of all duplicate grants awarded, including the total dollar amount of any duplicate grants awarded; and

“(B) the reason the Attorney General awarded the duplicative grant.

“(d) COMPLIANCE WITH AUDITING STANDARDS.—The Administrator shall comply with the Generally Accepted Government Auditing Standards, published by the General Accountability Office (commonly known as the ‘Yellow Book’), in the conduct of fiscal, compliance, and programmatic audits of States.”.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 388(a) of the Juvenile Justice and Delinquency Prevention Act (34 U.S.C. 11280(a)) is amended—

(1) in paragraph (1)—

(A) by striking “section 345 and”; and

(B) by striking “\$140,000,000 for fiscal year 2009, and such sums as may be necessary for fis-

cal years 2010, 2011, 2012, and 2013” and inserting “\$127,421,000 for each of fiscal years 2019 through 2020”;

(2) in paragraph (3), by striking subparagraph (B) and inserting the following:

“(B) PERIODIC ESTIMATE.—Of the amount authorized to be appropriated under paragraph (1), such sums as may be necessary shall be made available to carry out section 345 for each of fiscal years 2019 through 2020.”; and

(3) in paragraph (4), by striking “fiscal year 2009 and such sums as may be necessary for fiscal years 2010, 2011, 2012, and 2013” and inserting “each of fiscal years 2019 through 2020”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The Juvenile Justice and Delinquency Prevention Act of 1974 (34 U.S.C. 11101 et seq.) is amended by striking—

(1) section 299 (34 U.S.C. 11171); and

(2) section 505.

On motion of Mr. LEWIS of Minnesota, said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶164.7 MESSAGE FROM THE SENATE

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

S. 3749. An Act to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, review, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes.

¶164.8 CONGRESSIONAL ACCOUNTABILITY REFORM

On motion of Mr. HARPER, by unanimous consent, the bill of the Senate (S. 3749) to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, review, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes; was taken from the Speaker's table.

When said bill was considered, read twice, ordered to be read a third time, was read a third time by title, and passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶164.9 ADJOURNMENT OVER

On motion of Mr. MESSER, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 11:30 a.m. on Monday, December 17, 2018.

¶164.10 FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Lasky, one of its clerks, an-

nounced that the Senate has passed, without amendment, bills of the House of the following titles:

H.R. 1210. An Act to designate the facility of the United States Postal Service located at 122 W. Goodwin Street, Pleasanton, Texas, as the "Pleasanton Veterans Post Office".

H.R. 1211. An Act to designate the facility of the United States Postal Service located at 400 N. Main Street, Encinal, Texas, as the "Encinal Veterans Post Office".

H.R. 3184. An Act to designate the facility of the United States Postal Service located at 180 McCormick Road in Charlottesville, Virginia, as the "Captain Humayun Khan Post Office".

H.R. 4326. An Act to designate the facility of the United States Postal Service located at 200 West North Street in Normal, Illinois, as the "Sgt. Josh Rodgers Post Office".

H.R. 5395. An Act to designate the facility of the United States Postal Service located at 116 Main Street in Dansville, New York, as the "Staff Sergeant Alexandria Gleason-Morrow Post Office Building".

H.R. 5412. An Act to designate the facility of the United States Postal Service located at 25 2nd Avenue in Brentwood, New York, as the "Army Specialist Jose L. Ruiz Post Office Building".

H.R. 5791. An Act to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the "Deputy Sheriff Zackari Spurlock Parrish, III, Post Office Building".

H.R. 5792. An Act to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the "Detective Heath McDonald Gumm Post Office".

H.R. 6020. An Act to designate the facility of the United States Postal Service located at 325 South Michigan Avenue in Howell, Michigan, as the "Sergeant Donald Burgett Post Office Building".

H.R. 6216. An Act to designate the facility of the United States Postal Service located at 3025 Woodgate Road in Montrose, Colorado, as the "Sergeant David Kinterknecht Post Office".

H.R. 6217. An Act to designate the facility of the United States Postal Service located at 241 N 4th Street in Grand Junction, Colorado, as the "Deputy Sheriff Derek Geer Post Office Building".

H.R. 6405. An Act to designate the facility of the United States Postal Service located at 2801 Mitchell Road in Ceres, California, as the "Lance Corporal Juana Navarro Arellano Post Office Building".

H.R. 6428. An Act to designate the facility of the United States Postal Service located at 332 Ramapo Valley Road in Oakland, New Jersey, as the "Frank Leone Post Office".

H.R. 6513. An Act to designate the facility of the United States Postal Service located at 1110 West Market Street in Athens, Alabama, as the "Judge James E. Horton, Jr. Post Office Building".

H.R. 6591. An Act to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the "Napoleon 'Nap' Ford Post Office Building".

H.R. 6621. An Act to designate the facility of the United States Postal Service located at 530 East Main Street in Johnson City, Tennessee, as the "Major Homer L. Pease Post Office".

H.R. 6628. An Act to designate the facility of the United States Postal Service located at 4301 Northeast 4th Street in Renton, Washington, as the "James Marshall 'Jimi' Hendrix Post Office Building".

H.R. 6655. An Act to designate the facility of the United States Postal Service located at 44160 State Highway 299 East Suite 1 in

McArthur, California, as the "Janet Lucille Oilar Post Office".

H.R. 6780. An Act to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the "Major Andreas O'Keeffe Post Office Building".

H.R. 6831. An Act to designate the facility of the United States Postal Service located at 35 West Main Street in Frisco, Colorado, as the "Patrick E. Mahany, Jr., Post Office Building".

H.R. 7120. An Act to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

The message also announced that the Senate has passed, with an amendment, in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 1222. An Act to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

The message also announced that the Senate has passed bills of the following titles, in which the concurrence of the House is requested:

S. 1158. An Act to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to present, mitigate, and respond to such crises.

S. 1580. An Act to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

S. 2076. An Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 3031. An Act to amend chapter 5 of title 40, United States Code, to improve the management of Federal personal property.

S. 3482. An Act to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children program.

S. 3748. An Act to amend the removal and transfer procedures for the Inspectors General of the Library of Congress, the Office of the Architect of the Capitol, and the Government Publishing Office.

The message also announced that pursuant to Public Law 115-254, the Chair, on behalf of the Majority Leader of the Senate, appoints the following individual as a member of the Syria Study Group:

Vance F. Serchuk of New York.

¶164.11 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1872. An Act to promote access for United States diplomats and other officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

H.R. 1918. An Act to oppose loans at international financial institution for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps

to hold free, fair, and transparent elections, and for other purposes.

H.R. 2454. An Act to direct the Secretary of Homeland Security to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department, and for other purposes.

H.R. 3996. An Act to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court.

H.R. 2454. An Act to improve executive agency digital services, and for other purposes.

¶164.12 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 825. An Act to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes.

S. 2465. An Act to amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment demonstration program and to provide for sickle cell disease research surveillance, prevention, and treatment.

S. 3029. An Act to revise and extend the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (PREEMIE Act).

S. 3119. An Act to allow for the taking of sea lions on the Columbia River and its tributaries to protect endangered and threatened species of salmon and other nonlisted fish species.

S. 3209. An Act to designate the facility of the United States Postal Service located at 413 Washington Avenue in Belleville, New Jersey, as the "Private Henry Svehla Post Office Building".

S. 3237. An Act to designate the facility of the United States Postal Service located at 120 12th Street Lobby in Columbus, Georgia, as the "Richard W. Williams, Jr. Chapter of the Triple Nickles (555th P.I.A.) Post Office.

¶164.13 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 11, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 1861. An Act to award a Congressional Gold Medal in honor of Lawrence Eugene "Larry" Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II.

H.R. 1417. An Act to amend the National Law Enforcement Museum Act to allow the Museum to acquire, receive, possess, collect, ship, transport, import, and display firearms, and for other purposes.

H.R. 5238. An Act to designate the facility of the United States Postal Service located at 1234 Saint Johns Place in Brooklyn, New York, as the "Major Robert Odell Owens Post Office".

H.R. 3398. An Act to amend the Real ID Act of 2005 to permit Freely Associated States to meet identification requirements under such Act, and for other purposes.

H.R. 6330. An Act to amend the Small Business Act to modify the method for prescribing size standards for business concerns.

H.R. 3946. An Act to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic.

H.R. 315. An Act to amend the Public Health Service Act to distribute maternity care health professionals to health profes-

sional shortage areas identified as in need of maternity care health services.

And then,

¶164.14 ADJOURNMENT

On motion of Mr. YODER, pursuant to the previous order of the House, at 1 o'clock and 40 minutes p.m., the House adjourned until 11:30 a.m. on Monday, December 17, 2018.

¶164.15 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CONNOLLY (for himself, Mr. CHABOT, Mr. ENGEL, Mr. FITZPATRICK, Mr. BERA, and Mrs. WAGNER):

H.R. 7290. A bill to authorize a comprehensive, strategic approach for United States foreign assistance to developing countries to strengthen global health security, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Armed Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself, Mr. ENGEL, Mr. CICILLINE, Mr. LOWENTHAL, Ms. LOFGREN, Mrs. LOWEY, Mr. TAKANO, and Mr. NADLER):

H.R. 7291. A bill to protect human rights and enhance opportunities for LGBTI people around the world, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas (for himself, Ms. JAYAPAL, Mr. GRIFFITH, and Mrs. BLACK):

H.R. 7292. A bill to require the Secretary of Health and Human Services to establish the Megan Rondini and Leah Griffin national sexual assault care and treatment task force, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORELLE (for himself, Mr. ZELDIN, Mr. KING of New York, Mr. SUOZZI, Miss RICE of New York, Mr. MEEKS, Ms. MENG, Ms. VELÁZQUEZ, Mr. JEFFRIES, Ms. CLARKE of New York, Mr. NADLER, Mr. DONOVAN, Mrs. CAROLYN B. MALONEY of New York, Mr. ESPAILLAT, Mr. CROWLEY, Mr. SERRANO, Mr. ENGEL, Mrs. LOWEY, Mr. SEAN PATRICK MALONEY of New York, Mr. FASO, Mr. TONKO, Ms. STEFANIK, Ms. TENNEY, Mr. REED, Mr. KATKO, and Mr. HIGGINS of New York):

H.R. 7293. A bill to designate the facility of the United States Postal Service located at 770 Ayrault Road in Fairport, New York, as the "Louise and Bob Slaughter Post Office"; to the Committee on Oversight and Government Reform.

By Mr. BEN RAY LUJÁN of New Mexico (for himself, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. LYNCH, Mr. POCAN, and Ms. SCHAKOWSKY):

H.R. 7294. A bill to establish the obligations of certain large business entities in the

United States, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Financial Services, House Administration, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSTER (for himself, Mr. CARSON of Indiana, Ms. DELAURO, Mr. GONZALEZ of Texas, Mr. GRIJALVA, Mr. JOHNSON of Georgia, and Ms. WASSERMAN SCHULTZ):

H.R. 7295. A bill to allow the HITECH Act to allow an individual to obtain a copy of such individual's protected health information at no cost in certain circumstances, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DANNY K. DAVIS of Illinois (for himself, Mr. LEWIS of Georgia, and Mr. LANGEVIN):

H.R. 7296. A bill to ensure that foster children are able to use their Social Security and Supplemental Security Income benefits to address their needs and improve their lives; to the Committee on Ways and Means.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 7297. A bill to amend the Higher Education Act of 1965 to provide basic and emergency supplemental living assistance grants under the student support services program; to the Committee on Education and the Workforce.

By Mr. BRAT:

H.R. 7298. A bill to repeal the perimeter rule for Ronald Reagan Washington National Airport, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARTWRIGHT:

H.R. 7299. A bill to provide for additional protections and disclosures to consumers when financial products or services are related to the consumers' military or Federal pensions, and for other purposes; to the Committee on Financial Services, and in addition to the Committees on Veterans' Affairs, Armed Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JUDY CHU of California (for herself, Mr. DOGGETT, Mr. LARSON of Connecticut, Mr. DANNY K. DAVIS of Illinois, Mr. HIGGINS of New York, and Ms. SÁNCHEZ):

H.R. 7300. A bill to provide for a one-time safe harbor for certain failures by individuals to pay estimated income tax; to the Committee on Ways and Means.

By Ms. DELAURO (for herself, Ms. NORTON, Mr. GRIJALVA, Ms. JACKSON LEE, Mr. MCGOVERN, Ms. MCCOLLUM, and Ms. LOFGREN):

H.R. 7301. A bill to authorize assistance to train and retain obstetrician-gynecologists and sub-specialists in urogynecology and to help improve the quality of care to meet the health care needs of women in least developed countries, and for other purposes; to the Committee on Foreign Affairs.

By Mr. GRIJALVA:

H.R. 7302. A bill to establish dual language education programs in low-income communities; to the Committee on Education and the Workforce.

By Mr. GRIJALVA:

H.R. 7303. A bill to amend the Higher Education Opportunity Act to restrict institutions of higher education from using revenues derived from Federal educational assistance funds for advertising, marketing, or recruiting purposes; to the Committee on Education and the Workforce.

By Mr. HARRIS (for himself, Mr. GAETZ, and Mr. GRIFFITH):

H.R. 7304. A bill to authorize the Secretary of the Treasury to issue Border Wall Bonds, and for other purposes; to the Committee on Ways and Means.

By Mr. SAM JOHNSON of Texas (for himself and Mrs. McMORRIS RODGERS):

H.R. 7305. A bill to amend title XVIII of the Social Security Act to clarify payment rules for manual wheelchairs under part B of the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KHANNA:

H.R. 7306. A bill to establish the Democracy Dollars Program under which citizens may direct the making of payments to candidates in elections for Federal office and to political committees supporting campaigns for election for Federal office, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. LEE (for herself, Mr. BEYER, Ms. CLARKE of New York, Ms. NORTON, and Mr. GRIJALVA):

H.R. 7307. A bill to direct the Secretary of Defense to establish the Ronald V. Dellums Memorial Fellowship for Women of Color in STEAM fields, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 7308. A bill to amend the Internal Revenue Code of 1986 to require the disclosure of notifications of intent to operate under section 501(c)(4); to the Committee on Ways and Means.

By Mr. POLIS (for himself, Mr. TIPTON, Mr. PERLMUTTER, and Ms. DEGETTE):

H.R. 7309. A bill to authorize the Every Word We Utter Monument to establish a commemorative work in the District of Columbia and its environs, and for other purposes; to the Committee on Natural Resources.

By Mr. SENSENBRENNER (for himself and Mr. JEFFRIES):

H.R. 7310. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to authorize the Attorney General to make grants to States and units of local government to deploy and implement gunfire detection and location technology, and for other purposes; to the Committee on the Judiciary.

By Mr. TAKANO (for himself and Mr. COLLINS of New York):

H.R. 7311. A bill to provide for the consideration of energy storage systems by electric utilities as part of a supply side resource process, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO (for himself and Mr. COLLINS of New York):

H.R. 7312. A bill to make innovative technology loan guarantee support available for battery storage technologies; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space,

and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TAKANO (for himself and Mr. COLLINS of New York):

H.R. 7313. A bill to require the Secretary of Energy to carry out an energy storage research program, loan program, and technical assistance and grant program, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. TORRES:

H.R. 7314. A bill to combat corruption and money laundering in Guatemala; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WESTERMAN (for himself, Ms. CHENEY, Mr. GIANFORTE, Mr. GOSAR, and Mr. LAMALFA):

H.R. 7315. A bill to protect American communities from wildfire, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PRICE of North Carolina (for himself, Mr. SARBANES, Ms. SCHAKOWSKY, Mr. POCAN, Ms. JAYAPAL, and Mr. DEUTCH):

H.J. Res. 145. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of the Treasury relating to "Returns by Exempt Organizations and Returns by Certain Non-Exempt Organizations"; to the Committee on Ways and Means.

By Mr. LEWIS of Georgia (for himself, Mr. JOHNSON of Georgia, Mr. CARTER of Georgia, Mr. BISHOP of Georgia, Mr. DAVID SCOTT of Georgia, Mr. WOODALL, Mr. FERGUSON, Mr. COLLINS of Georgia, Mr. LOUDERMILK, Mr. GRAVES of Georgia, Mrs. HANDEL, Mr. AUSTIN SCOTT of Georgia, and Mr. ALLEN):

H. Res. 1179. A resolution congratulating Atlanta United FC for winning the 2018 Major League Soccer championship; to the Committee on Oversight and Government Reform.

¶164.16 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 901: Ms. ESHOO.
H.R. 1245: Mr. KRISHNAMOORTHY.
H.R. 1322: Mr. CARTWRIGHT.
H.R. 1456: Mr. FRANCIS ROONEY of Florida.
H.R. 1494: Mr. KIND.
H.R. 2282: Ms. SCANLON.
H.R. 2472: Mr. KEATING.
H.R. 4022: Mr. GUTIERREZ.
H.R. 4138: Mr. KRISHNAMOORTHY.
H.R. 4256: Mr. CURTIS.
H.R. 4691: Mr. KIND, Mr. BEYER, and Ms. KUSTER of New Hampshire.
H.R. 4732: Mrs. WATSON COLEMAN and Mr. POCAN.
H.R. 5087: Ms. SCANLON.
H.R. 5476: Ms. SCANLON.
H.R. 5671: Mr. GRIJALVA and Mr. KENNEDY.

H.R. 5678: Mr. CUELLAR.
H.R. 5701: Mr. PETERSON.
H.R. 6043: Mr. SCHIFF.
H.R. 6081: Mr. POCAN.
H.R. 6269: Mr. KINZINGER.
H.R. 6454: Mr. RASKIN.
H.R. 6510: Mr. COLLINS of New York, Mr. WILSON of South Carolina, and Mr. LIPINSKI.
H.R. 6692: Ms. SCHAKOWSKY.
H.R. 6734: Mr. DELANEY.
H.R. 6953: Mr. MOULTON.
H.R. 7066: Mr. DESAULNIER.
H.R. 7079: Mr. DESAULNIER.
H.R. 7142: Ms. SCHAKOWSKY.
H.R. 7146: Ms. SCHAKOWSKY.
H.R. 7191: Mr. KILMER and Mr. WOODALL.
H.R. 7220: Ms. CLARKE of New York.
H.R. 7285: Ms. NORTON.
H. Res. 849: Mr. MCEACHIN.
H. Res. 1031: Mr. BROWN of Maryland, Mr. EVANS, Mr. CASTRO of Texas, Mr. LIPINSKI, Mr. SHERMAN, Mr. GOMEZ, Mr. SCHNEIDER, Mr. PETERS, and Mr. SCHRADER.
H. Res. 1156: Mr. FLEISCHMANN.

MONDAY, DECEMBER 17, 2018 (165)

¶165.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. Francis ROONEY of Florida, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
December 17, 2018.

I hereby appoint the Honorable FRANCIS ROONEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶165.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, announced he had examined and approved the Journal of the proceedings of Thursday, December 13, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶165.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7170. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Accidental Release Prevention Requirements: Risk Management Programs Under the Clean Air Act [EPA-HQ-OEM-2015-0725; FRL-9987-23-OLEM] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7171. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Texas; Interstate Transport Requirements for the 1997 Ozone National Ambient Air Quality Standards [EPA-R06-OAR-2008-0408; FRL-9986-64-Region 6] received December 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7172. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Texas; Emission Statements [EPA-R06-OAR-2018-0676; FRL-9986-66-Region 6] received De-

cember 1, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7173. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan and Operating Permit Program Approval: AL, GA and SC; Revisions to Public Notice Provisions in Permitting Programs [EPA-R04-OAR-2018-0296; FRL-9987-13-Region 4] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7174. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — 1-Propanesulfonic acid, 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]—, homopolymer, sodium salt and 1-Propanesulfonic acid, 2-methyl-2-[(1-oxo-2-propen-1-yl)amino]—, sodium salt (1:1), homopolymer; Tolerance Exemption [EPA-HQ-OPP-2018-0290; FRL-9985-99] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

¶165.4 COMMUNICATION FROM THE MINORITY LEADER—APPOINTMENT—SYRIA STUDY GROUP

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, laid before the House the following communication, which was read as follows:

DECEMBER 17, 2018.

Hon. PAUL D. RYAN,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to section 1501(c) of the FAA Reauthorization Act of 2018 (Pub. L. 115-254), I am pleased to appoint Ms. Anne W. Patterson of Falls Church, Virginia to the Syria Study Group.

Thank you for your consideration of this recommendation.

Sincerely,

NANCY PELOSI,
House Democratic Leader.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶165.5 ADJOURNMENT OVER

On motion of the SPEAKER pro tempore, Mr. Francis ROONEY of Florida, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at noon on Wednesday, December 19, 2018, for morning-hour debate and 2 p.m. for legislative business.

¶165.6 PUBLIC WORKS PROJECTS

The SPEAKER pro tempore, Mr. Francis ROONEY of Florida, laid before the House a communication, which was read as follows:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, December 13, 2018.

Hon. PAUL D. RYAN,
Speaker of the House, House of Representatives,
The Capitol, Washington, DC.

DEAR MR. SPEAKER: On December 12, 2018, pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider four resolutions included in the General Services Administration's Capital Investment and Leasing Programs.

The Committee continues to work to reduce the cost of federal property and leases.

The four resolutions considered include two construction prospectuses, one alteration prospectus, and one lease prospectus and represent \$44 million in savings from avoided lease costs and space consolidations.

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on December 12, 2018.

Sincerely,

BILL SHUSTER.
Chairman.

Enclosures.

COMMITTEE RESOLUTION

NEW—U.S. COURTHOUSE, FORT LAUDERDALE, FL

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for site acquisition and related site work, design and construction of a new U.S. Courthouse of approximately 255,000 gross square feet, including approximately 50 inside parking spaces, in Fort Lauderdale, Florida at a site cost of \$15,675,000, a design cost of \$12,670,000, an estimated construction cost of \$152,365,000, and a management and inspection cost of \$9,290,000 for a total estimated project cost of \$190,000,000, for which a prospectus is attached to and included in this resolution.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than 12 courtrooms, including six for Active District Judges, one for Senior District Judges, two for Bankruptcy Judges, and three for Magistrate Judges.

Provided further, that, except as provided in the prospectus, the design of the new courthouse shall not deviate from the U.S. Courts Design Guide.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
FORT LAUDERDALE, FL**

Prospectus Number: PFL-CTC-FL18
Congressional District: 22

FY 2018 Project Summary

The General Services Administration (GSA) proposes construction of a new U.S. Courthouse of approximately 255,000 gross square feet (GSF), including 50 inside parking spaces, in Fort Lauderdale, FL. The courthouse will meet the 10-year space needs of the courts and court-related agencies, and the site will accommodate the expansion of the building to meet the anticipated 30-year needs of the courts.

FY 2018 House and Senate Committee Approval Requested

(Site, Design, Management and Inspection, Construction).....\$190,000,000

FY 2018 Funding (PL 115-141, March 23, 2018)

(Site, Design, Management and Inspection, Construction).....\$190,000,000

Overview of Project

The courts and related agencies currently occupy space in the existing Federal Building and U.S. Courthouse in downtown Fort Lauderdale. The new courthouse will provide 12 courtrooms and 17 chambers consistent with the application of courtroom sharing policies and the provision of no space for projected judgeships. The site for the new courthouse is still to be determined and may need to be acquired by the Government.

Site Information

To Be Determined Approximately 3-5 acres

Building Area¹

Gross square feet (excluding inside parking)	232,000 GSF
Gross square feet (including inside parking)	255,000 GSF
Inside parking spaces	50

¹ Square footages are approximate. The project may contain a variance in gross square footage from that listed in this prospectus.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
FORT LAUDERDALE, FL**

Prospectus Number: PFL-CTC-FL18

Congressional District: 22

Estimated Project Budget

Estimated Site	\$15,675,000
Estimated Design	12,670,000
Estimated Construction Cost (\$598/GSF including inside parking)	152,365,000
Estimated Management and Inspection (M&I)	9,290,000
Estimated Total Project Cost (ETPC)*	\$190,000,000²

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2019	FY 2024

Tenant Agencies

U.S. Court of Appeals, U.S. District Court, U.S. Bankruptcy Court, U.S. Probation Office; U.S. Department of Justice (DOJ)–Marshals Service; trial preparation space for the Judiciary Federal Public Defender and DOJ Office of the U.S. Attorney; and GSA.

Justification

The existing Federal Building and U.S. Courthouse, constructed in 1979, does not meet the United States Courts Design Guide standards and lacks adequate security to meet the standards for Facility Security Level 4 as defined by the Interagency Security Committee. The existing building configuration does not allow for distinct separation between restricted, secured, and public areas. There are also significant infrastructure issues, including ongoing water intrusion that allows water to enter tenant spaces, and failing storm drains and flashing systems.

The new courthouse will meet the long-term needs of the courts and provide separate circulation for the public, judges, and prisoners, thereby improving security and the efficiency of court operations.

Design Guide Exception

² GSA requests approval for an estimated total project cost. The subtotals comprising the estimated project budget are intended to provide a breakdown in support of the ETPC. The actual breakdown of the various subcomponents may differ from what is represented in this prospectus.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
FORT LAUDERDALE, FL**

Prospectus Number: PFL-CTC-FL18

Congressional District: 22

The following exception to the U.S. Courts Design Guide was approved by the Eleventh Circuit Judicial Council in 2015. The Judicial Conference of the United States approved this request on September 13, 2018.

- ☐ Special Proceedings Courtroom in lieu of a standard District Courtroom (additional 1,350 gross square feet) with costs for this exception at approximately \$790,000. The Judicial Conference determined that Fort Lauderdale merits a special proceedings courtroom due to complexity of caseload, especially as to multi-defendant cases.

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
-Active	5	1*	6	6
-Visiting	0	0**	0	1
-Senior	1	2	1	3
Court of Appeals				
-Active	0	1***	0	1
Magistrate	2	4	3	4
Bankruptcy	2	2	2	2
Total:	10	10	12	17

* Four district judgeships in Fort Lauderdale are currently vacant.

** Currently no dedicated visiting judge chambers

*** Currently in leased space

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
FORT LAUDERDALE, FL**

Prospectus Number: PFL-CTC-FL18

Congressional District: 22

Future of Existing Federal Building³

GSA plans to transfer the existing Fort Lauderdale Federal Building and U.S. Courthouse out of the federally owned inventory upon or soon after occupancy of the new courthouse. GSA intends to proceed with established disposal processes to transfer the property, since renovation and backfill by the Government is not cost-effective. Agencies currently located in the existing building that are not planned to move into the new courthouse will be relocated to commercial leased space in the surrounding area.

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
115-41	2018	\$190,000,000	Site, Design, Construction, M&I
Appropriations to Date		\$190,000,000	

*Public Law 115-141 funded \$190,000,000 for courthouse construction in Fort Lauderdale, FL, as requested by the Federal Judiciary in its Courthouse Project Priorities list.

Prior Committee Approvals

None

³ This section is included to address recommendations in the following Government Accountability Office (GAO) Report: *Federal Courthouses: Better Planning Needed Regarding Reuse of Old Courthouse*. (GAO-14-48).

GSA

PBS

PROSPECTUS
NEW U.S. COURTHOUSE
FORT LAUDERDALE, FL

Prospectus Number: PFL-CTC-FL18

Congressional District: 22

Certification of Need

The proposed project is the best solution to meet a validated Government need.

November 13, 2018

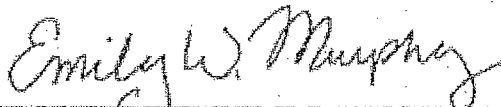
Submitted at Washington, DC, on _____

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

Locations	CURRENT			PROPOSED		
	Personnel	Office	Usable Square Feet (USF) ¹	Personnel	Office	Usable Square Feet (USF)
	Total	Office	Storage	Total	Office	Storage
Government-Owned Locations						
New U.S. Courthouse						
U.S. District Court (courtrooms/chambers)	-	-	-	40	948	56,109
U.S. Bankruptcy Court (courtrooms/chambers)	-	-	-	8	-	10,506
U.S. Bankruptcy - Clerk	-	-	-	22	8,939	8,939
U.S. District Court - Grand Jury	-	-	-	15	1,433	1,433
U.S. District Court - Magistrate	-	-	-	35	23,279	19,361
U.S. District Court - Clerk	-	-	-	44	11,165	23,279
U.S. Probation Office	-	-	-	37	7,782	11,165
DOJ - U.S. Marshals Service	-	-	-	12	-	9,069
U.S. Court of Appeals	-	-	-	2	437	2,482
U.S. Court of Appeals - Central Legal Staff	-	-	-	2	450	437
Federal Public Defender	-	-	-	-	-	-
DOJ - Office of the U.S. Attorney	-	-	-	2	1,788	1,788
GSA Public Buildings Service, Field Office	-	-	-	2	272	272
Joint Use	-	-	-	-	-	-
Subtotal	-	-	-	217	56,493	98,782
Federal Building-Courthouse						
U.S. District Court (courtrooms/chambers)	35	4,918	-	-	-	-
U.S. Bankruptcy Court (courtrooms/chambers)	8	257	-	-	-	-
U.S. Bankruptcy - Clerk	22	11,156	-	-	-	-
U.S. District Court - Grand Jury	-	155	-	-	-	-
U.S. District Court - Magistrate	12	372	-	-	-	-
U.S. District Court - Clerk	28	8,013	-	-	-	-
U.S. Probation Office	30	8,267	-	-	-	-
DOJ - U.S. Marshals Service	37	9,751	-	-	-	-
GSA Public Buildings Service, Field Offices	2	1,397	-	-	-	-
GSA - OIG	3	1,060	-	-	-	-
DOJ - Office of the U.S. Attorney	-	1,789	-	-	-	-
DOJ - Office of US Trustees	-	196	-	-	-	-
Department of Agriculture - OIG	4	2,639	-	-	-	-
Department of Justice - AIF	9	3,783	-	-	-	-
Department of Labor - Office of Mng. Standards	2	392	-	-	-	-
Department of Labor - Wage and Hour Division	14	2,463	-	-	-	-
Department of Homeland Security - ICE	30	6,139	-	-	-	-
Department of Homeland Security - National	5	742	-	-	-	-
Department of Defense - DCAA	2	1,639	-	-	-	-
Small Business Administration	4	659	-	-	-	-
Joint Use	-	1,462	-	-	-	-
Vacant	-	6,482	-	-	-	-
Subtotal	247	73,357	-	-	-	-
Lease Locations						
500 E. Broward Blvd.	8	-	-	-	-	-
U.S. Court of Appeals	-	-	-	-	-	-
New Lease*	-	-	-	73	-	-
Total	255	73,357	-	290	56,493	98,782

* GSA to work with Federal Executive agencies to define requirements

Special Space	USF
Holding Cells	1,600
Sallyport/Elevator	2,195
Fitness	2,334
Detention/Interview	2,940
Courtrooms	55,470
Judicial Chambers	32,988
Mailroom	880
Lactation Room	125
Food Service/Vending	250
Total	98,782

The project may contain a variance in gross square footage from that listed in this project upon measurement and review of the completed project.

AMENDED COMMITTEE RESOLUTION
LEASE—U.S. DEPARTMENT OF VETERANS
AFFAIRS, SAN DIEGO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 99,986 net usable square feet of space, and 550 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in San Diego, California at a proposed unserviced annual cost of \$5,844,182 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution. This resolution amends the Prospectus No. PCA-01-VA17 approved by the Committee on February 28, 2017.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated

area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the design of the outpatient clinic shall be consistent with the U.S. Department of Veterans Affairs' Community Based Outpatient Clinic Prototype Proposed Layouts.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease,

to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN DIEGO, CA**

Prospectus Number: PCA-01-VA19

Executive Summary

The General Services Administration (GSA) proposes an outpatient clinic lease of approximately 99,986 net usable square feet (NUSF) for the U.S. Department of Veterans Affairs (VA), currently located in a separate outpatient facility in San Diego, California.

The lease will provide continued services for the San Diego veterans community, and provide the necessary expansion services to meet current and projected health care service delivery gaps in the market.

Description

Occupant:	Veterans Affairs
Current NUSF:	43,473
Estimated Maximum NUSF:	99,986
Expansion/Reduction NUSF:	56,513 (expansion)
Estimated Maximum Rentable Square Feet:	134,981
Expiration Dates of Current Lease(s):	10/1/2023
Proposed Maximum Leasing Authority:	20 years
Delineated Area:	<u>North:</u> Proceed west on Navajo Road to Lake Murray Boulevard; proceed south to Beaver Lake Drive; proceed west to Cowles Mountain Boulevard; proceed south to Lake Adlon Drive; proceed west to Coral Lake Avenue; proceed south to Lake Andrita Avenue; proceed west to Twin Lake Drive; proceed south to Jackson Drive; proceed west to Golfcrest Drive; proceed north to Tuxedo Road; proceed east to Volclay; proceed north to Santar Avenue; proceed northeast to Jennite Drive; proceed north to Ruane Street; proceed west to Golfcrest Drive; proceed north to Mission Gorge Road; proceed west to Jackson Drive; proceed south to Doreen Road; proceed south to Hillandale Drive; proceed south to Deep Valley Road; proceed west to Deerfield Street; proceed north to Mission Gorge Road; proceed west to Friars Road; proceed west to I-15; proceed north to Aero Drive; proceed west to Highway 163. <u>East:</u> Proceed north on Highway 125 to Navajo Road;

GSA

PBS

**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN DIEGO, CA**

Prospectus Number: PCA-01-VA19

	<u>South:</u> Proceed east on I-8 to I-805; proceed south to El Cajon Boulevard; proceed east to merger with I-8, proceed east on I-8 to Highway 125;
	<u>West:</u> Starting from the intersection of I-805 and Highway 163, proceed south on Highway 163 to I-8.
Parking Spaces:	550
Scoring:	Operating Lease
Current Total Annual Cost:	\$1,714,749 (lease effective 10/1/2013)
Estimated Unserviced Rental Rate ¹ :	\$58.45 per NUSF
Estimated Total Unserviced Annual Cost ² :	\$5,844,182

Justification

A new 99,986 NUSF lease in San Diego will replace the existing 43,473 NUSF Mission Valley Clinic.

The current space in this facility is insufficient to meet VA's needs. The new lease will allow VA to expand its current primary care, mental health, specialty care, and ancillary services to veterans in a right-sized, state-of-the-art, energy-efficient healthcare facility.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required net usable area.

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is unserviced and excludes all operating expenses, real estate taxes, insurance, and management and maintenance reserve costs, whether paid by the lessor or directly by the Government.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

GSA

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PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN DIEGO, CA

Prospectus Number: PCA-01-VA19

Certification of Need

The proposed project is the best solution to meet a validated Government need.

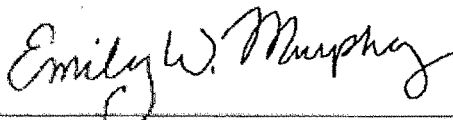
Submitted at Washington, DC, on December 4, 2018.

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

COMMITTEE RESOLUTION

NEW—U.S. COURTHOUSE, HUNTSVILLE, AL

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the site work, design and construction of a new U.S. Courthouse of approximately 123,100 gross square feet, including approximately 26 parking spaces, in Huntsville, Alabama at a site work cost of \$1,150,000, a design cost of

\$6,504,000, an estimated construction cost of \$73,799,000, and a management and inspection cost of \$5,010,000 for a total estimated project cost of \$86,463,00 for which a prospectus is attached to and included in this resolution.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than five courtrooms, including two for Active District Judges, one for Senior District Judges, one for Bankruptcy Judges, and one for Magistrate Judges.

Provided further, that the design of the new courthouse shall not deviate from the U.S. Courts Design Guide.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL**

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

FY 2018 Project Summary

The General Services Administration (GSA) proposes design and construction of a new U.S. Courthouse of approximately 123,100 gross square feet, including 26 parking spaces, in Huntsville, AL. The site for the new courthouse is envisioned to be provided to GSA via a donation from the City of Huntsville. The courthouse will meet the 10-year space needs of the Court and court-related agencies and the site can accommodate the anticipated 30-year needs of the Court. Part I of the Federal Judiciary's Courthouse Project Priorities list (approved by the Judicial Conference of the United States on September 12, 2017) includes a courthouse project in Huntsville, AL.

FY 2018 House and Senate Committee Approval Requested

(Site, Design, Construction, Management & Inspection).....\$86,463,000

FY 2018 Funding (PL 115-141, March 23, 2018)

(Design, Construction, Management & Inspection) \$110,000,000¹

Overview of Project

The courts and related agencies currently occupy space in the U.S. Courthouse and Post Office in Huntsville, AL, and leased space in Decatur, AL. The new courthouse will provide five courtrooms and six chambers consistent with the application of courtroom sharing policies and the provision of not providing space for projected judgeships. One District judge will move from Birmingham, AL, upon completion of the new courthouse in Huntsville. The Bankruptcy Court will vacate the leased location in Decatur and move to the new courthouse to co-locate with the District Court in the new building.

¹ The FY 2018 Public Law included \$110,000,000 for courthouse construction in Huntsville, AL, as requested by the Judiciary in the CPP which was based on site acquisition, new construction, and renovation of the existing facility. Due to changes in the program since that time, the project being proposed is for construction of a new courthouse at an estimated total project cost of \$86,463,000. GSA plans to utilize funds remaining from the courthouse appropriation to renovate and backfill the existing building. GSA will make a future request for prospectus approval for renovation of the existing building and a future transfer request from new construction to repair and alteration.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL**

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

Site Information

To Be Acquired by Municipal Donation Approximately 5 acres

Building Area²

Gross square feet (excluding inside parking) 111,400 GSF

Gross square feet (including inside parking) 123,100 GSF

Inside parking spaces 26

Estimated Project Budget

Estimated Site Work \$1,150,000³

Estimated Design \$6,504,000

Estimated Construction Cost (ECC) (\$600/GSF including inside parking) \$73,799,000

Estimated Management and Inspection (M&I) \$5,010,000

Estimated Total Project Cost (ETPC)* \$86,463,000⁴

* Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule**Start****End**

Design and Construction

FY 2019

FY 2024

² Square footages are approximate. The project may contain a variance in gross square footage from that listed in this prospectus.

³ Site funding is necessary to complete environmental studies and soil testing, address possible adverse soil conditions and relocation of existing utilities.

⁴ GSA requests approval for an estimated total project cost. The sub-totals comprising the estimated project budget are intended to provide a breakdown in support of the ETPC. The actual breakdown of the various subcomponents may differ from what is represented in this prospectus.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL**

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

Tenant Agencies

U.S. District Court, U.S. Bankruptcy Court, U.S. Probation Office, U.S. Department of Justice–Marshals Service, trial preparation space for the Federal Public Defender and the U.S. Department of Justice–Office of the U.S Attorney, and GSA.

Justification

The existing Huntsville Post Office and U.S. Courthouse, constructed in 1936, does not meet the United States Courts Design Guide Standards and lacks adequate security as defined in the Interagency Security Committee Facility Security Level 4. The existing building configuration does not allow for distinct separation between restricted, secured and public areas.

The site to be donated by the City of Huntsville is located at the northwest corner of Gallatin Street and Lowe Avenue. Federal development on this site offers compatibility with the city's Master Plan. The new courthouse will allow for co-location of court operations, separate circulation for the public, judges, and prisoners, thereby improving security as well as efficiency of court operations. Relocation of agencies from leased space in Decatur into the new courthouse in Huntsville will avoid approximately \$508,000 per year in private sector lease costs.

Design Guide Exception

There are no exceptions to the U.S. Courts Design Guide.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL**

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	1*	1*	2	2**
- Senior	1	1	1	1
- Visiting***	1	1	0	1
Magistrate	1	1	1	1
Bankruptcy***	1	1	1	1
Total:	5	5	5	6

* Currently unassigned courtroom and chambers

** This accounts for one replacement judge and one judge relocating from Birmingham

*** Visiting and Bankruptcy facilities are currently located in leased space in Decatur, AL

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Future of Existing Federal Building

GSA plans to reuse the existing Huntsville Post Office and U.S. Courthouse to house agencies currently located in leased space in the surrounding area. The tenant mix is pending confirmation of agency program requirements to determine the best housing solution. GSA plans to utilize funds remaining from the courthouse appropriation to renovate and backfill the existing building as was originally envisioned. The remaining funds total \$23,537,000. A prospectus requesting approval for the anticipated renovation project will be submitted at a future date along with a request to transfer the necessary funds from new construction to repair and alteration.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL**

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
115-141	2018	\$110,000,000	Site, Design, Construction, M&I
Appropriations to Date		\$110,000,000	

*Public Law 115-141 funded \$110,000,000 for courthouse construction in Huntsville, AL, as requested by the Federal Judiciary's Courthouse Project Priorities list. The \$110,000,000 on the CPP was based on site acquisition, new courthouse construction, and renovation of the existing courthouse. GSA plans to utilize funds remaining from the new courthouse appropriation to renovate and backfill the existing building. GSA will make a future request for prospectus approval for renovation of the existing building and a future transfer request from new construction to repair and alteration.

Prior Committee Approvals

None

GSA

PBS

PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL

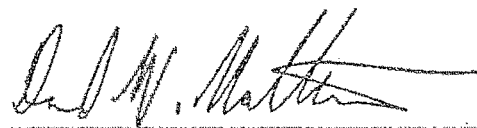
Prospectus Number: PAL-CTC-HU18
Congressional District: 5

Certification of Need

The proposed project is the best solution to meet a validated Government need.

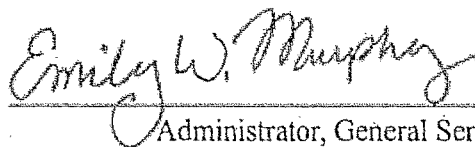
Submitted at Washington, DC, on September 24, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

PAL-CTC-HU18
Huntsville, ALNew U.S. Courthouse
Huntsville, AL

August 2018

Locations	CURRENT					PROPOSED				
	Personnel		Usable Square Feet (USF) ¹			Personnel		Usable Square Feet (USF)		
	Office	Total	Office	Storage	Special	Office	Total	Office	Storage	Special
Government-Owned Locations										
U.S. Post Office and Courthouse										
U.S. District Court (courtrooms/chambers)	4	4	4,442	705	13,318					
U.S. Probation Office	11	11	2,705	-	-					
DOJ - U.S. Marshals Service	9	9	711	-	1,431					
DOJ - Drug Enforcement Administration	10	10	318	-	318					
Joint Use	-	-	-	-	316					
Vacant	-	-	-	-	-					
Potential Leases for backfill*	-	-	-	-	-					
Subtotal	34	34	8,176	705	15,065					
New U.S. Courthouse										
U.S. District Court (courtrooms/chambers)	-	-	-	-	-	13	13	14,711	-	8,685
U.S. District Court - Magistrate (courtrooms/chambers)	-	-	-	-	-	3	3	3,696	-	2,220
U.S. District Court - Clerk	-	-	-	-	-	13	13	9,423	-	1,132
U.S. District Court - Grand Jury	-	-	-	-	-	-	-	1,433	-	-
U.S. Bankruptcy - Clerk	-	-	-	-	-	13	13	4,965	-	1,000
U.S. Bankruptcy Court (courtrooms/chambers)	-	-	-	-	-	3	3	3,083	-	2,170
U.S. Bankruptcy Administrator	-	-	-	-	-	4	4	2,113	-	2,150
U.S. Probation Office	-	-	-	-	-	15	15	3,680	-	1,410
Federal Public Defender	-	-	-	-	-	-	-	450	-	450
DOJ - Office of the U.S. Attorney	-	-	-	-	-	-	-	1,500	-	1,500
DOJ - U.S. Marshals Service	-	-	-	-	-	18	18	4,077	-	4,946
GSA - Public Buildings Service	-	-	-	-	-	4	4	544	-	544
Joint Use	-	-	-	-	-	-	-	-	-	1,255
Subtotal	-	-	-	-	-	86	86	49,675	-	24,968
Leased Location										
Seymour H. Lynne CF - Decatur, Alabama										
U.S. District Court (courtrooms/chambers)	7	7	8,405	-	-	-	-	-	-	-
U.S. Bankruptcy Clerk	13	13	7,754	-	-	-	-	-	-	-
U.S. Bankruptcy Court (courtrooms/chambers)	3	3	3,339	-	-	-	-	-	-	-
U.S. Bankruptcy Administrator	5	5	1,903	-	-	-	-	-	-	-
Subtotal	29	29	21,401	-	-	-	-	-	-	-
Potential Leases for backfill*	-	-	-	-	-	-	-	-	-	-
Total	63	63	29,577	705	15,065	86	86	49,675	-	24,968

*Backfill to be accomplished with a future project. GSA to work with Federal Executive agencies to define requirements.

NOTES:

¹USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

Special Space	USF
Courtrooms	10,800
Conference/Training	5,005
Restroom	250
ADP	1,050
Secure Storage	128
Food Service	1,590
Lactation Room	125
Mail Room	880
Fitness Center	1,100
Sally Port	950
Holding Cells/Secure Area/Vault	3,090
Total	24,968

COMMITTEE RESOLUTION

ALTERATION—FRANK E. MOSS U.S. COURTHOUSE,
SALT LAKE CITY, UTAH

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to address seismic deficiencies; undertake targeted building systems modernizations; and reconfigure, alter, and back-fill vacant space at the Frank E. Moss U.S.

Courthouse located at 350 South Main Street in Salt Lake City, Utah at a design cost of \$9,650,000, an estimated construction cost of \$100,016,000 and a management and inspection cost of \$7,227,000 for a total estimated project cost of \$116,893,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

PBS

**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to address seismic deficiencies; undertake targeted building systems modernizations; and reconfigure, alter, and backfill vacant space at the Frank E. Moss U. S. Courthouse (Moss Courthouse) located at 350 South Main Street in Salt Lake City, Utah. GSA's *Seismic Rating System Report*, released on March 31, 2016, lists the Moss Courthouse as having one of the highest seismic risk ratings in the GSA portfolio. Once renovated, relocation of agencies currently in leased space into the Moss Courthouse will provide an annual lease cost avoidance of approximately \$4,400,000 and an annual agency rent savings of approximately \$2,400,000.

Project Background

As part of its Fiscal Year (FY) 2014 Capital Investment and Leasing Program, GSA requested \$15,000,000 for the reconfiguration and alteration of existing space at the Moss Courthouse. The Consolidated Appropriations Act, 2014 (Public Law 113-76), appropriated a lump sum of \$593,288,000 for Major Repairs and Alterations and, as part of GSA's FY 2014 Major Repairs and Alterations Expenditure Plan, GSA allocated \$15,000,000 for the Moss Courthouse project. Upon re-evaluation of the building's repair and alteration needs, including the identification of significant seismic deficiencies, GSA, in collaboration with planned backfill tenants, decided to halt the FY 2014 project. This prospectus request reflects and is seeking approval of a more comprehensive project scope. The appropriation needed in support of this request has been reduced by the balance of funds remaining from the FY 2014 allocation.

FY 2019 Committee Approval Requested

(Design, Construction, Management & Inspection)\$116,893,000

FY 2019 Appropriation Requested

(Design, Construction, Management & Inspection) \$103,646,000¹

¹ A portion of the FY 2014 funds was expended on project development prior to the cessation of the project. The \$13,247,000 remaining will be used for this project, thereby lowering the overall appropriation request in this prospectus.

GSA

PBS

**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

Major Work Items

Seismic upgrades; interior alterations; building exterior restoration; roof repairs; heating, ventilation, and air conditioning (HVAC), fire and life safety, plumbing, electrical and conveyance systems upgrades; grounds and approaches, telecommunication and restroom upgrades; and hazardous material abatement

Project Budget

Design	\$9,650,000
Estimated Construction Cost (ECC)	100,016,000
Management and Inspection (M&I)	<u>7,227,000</u>
Estimated Total Project Cost (ETPC)*	\$116,893,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2019	FY 2023

Building

The Moss Courthouse is located in the Exchange Place Historic District of downtown Salt Lake City, Utah. Originally constructed in three distinct phases in 1905, 1912, and 1932, the building served as a United States Post Office and Courthouse and contains 229,807 gross square feet. The building has five stories above grade, with an elevator/mechanical penthouse and full basement below grade. The building is listed in the National Register of Historic Places as a contributing building and as the oldest structure in the Exchange Place Historic District. In 2014, the new U.S. Courthouse Annex was completed next to the Moss Courthouse, and the two buildings became physically connected through underground access tunnels, a shared loading dock, and a shared chilling system.

GSA

PBS

**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

Tenant Agencies

Department of Agriculture–National Agricultural Statistics Service; Department of Health and Human Services–Program Support Center; Department of Justice–Marshals Service, Bureau of Prisons and Trustees; Judiciary–Bankruptcy Court and Clerk; Department of Commerce–International Trade Administration; Department of the Interior–National Park Service; United States Tax Court; Department of Defense–Army Corps of Engineers, Armed Forces Recruiting, and Defense Contract Audit Agency; and GSA.

Proposed Project

The proposed project will address seismic deficiencies by utilizing shear walls and seismic bracing. The project will address structural deficiencies; upgrade mechanical systems; provide new and repaired floor, wall, and ceiling finishes in areas impacted by seismic retrofits; replace fixtures and improve access to comply with Architectural Barriers Act Accessibility Standards (ABBAS); upgrade plumbing; provide a new boiler; upgrade the HVAC system; upgrade elevators; and complete fire and life safety upgrades. Backfill of vacant space provides a long-term housing solution for various tenants in the historic Central Business District (CBD) of Salt Lake City and generates lease cost avoidance. Alterations will be completed while the building is vacant.

GSA

PBS

**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

Major Work Items

Seismic Upgrades	\$47,312,000
Interior Alterations	32,459,000
HVAC Upgrades	4,570,000
Building Exterior Restoration	4,507,000
Roofing Repairs	2,596,000
Fire and Life Safety Upgrades	2,106,000
Plumbing Upgrades	2,067,000
Grounds and Approaches Upgrades	1,294,000
Electrical Upgrades	1,034,000
Hazardous Material Abatement	1,026,000
Telecommunications Upgrades	513,000
Elevator Upgrades	378,000
Restroom Upgrades	154,000
Total ECC	\$100,016,000

Justification

Investment in the Moss Courthouse is needed to keep this historic building in the Federal inventory, comply with Executive Order 13717 (*Establishing a Federal Earthquake Risk Management Standard*), and protect building occupants and visitors by meeting current safety codes.

GSA's *Seismic Rating System Report*, released on March 31, 2016, lists the Moss Courthouse as having one of the highest seismic risk ratings in the GSA portfolio. The Moss Courthouse was determined to be a long-term seismic risk that requires a seismic mitigation plan to reduce the risk. To address this risk and comply with Executive Order 13717, this project adopts the *Standards of Seismic Safety for Existing Federally Owned and Leased Buildings* to meet the minimum level acceptable for managing earthquake risk.

When the U.S. District Court relocated to the new U.S. Courthouse Annex, it vacated approximately 91,000 usable square feet (USF) of the building's 151,000 USF. This project provides for the backfill of the vacant space with agencies located in leased space. GSA currently leases more than half a million USF in the Salt Lake City market. The Moss Courthouse is a desirable location near the light rail and CBD amenities, and provides a level of security that customer agencies require.

GSA

PBS

PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH

Prospectus Number: PUT-0017-SL19
Congressional District: 2

The last significant capital investment in the Moss Courthouse was over 24 years ago. The building systems have reached or exceeded their expected useful lives and are becoming more costly to repair. This project continues to leverage co-location of the two buildings by replacing the Moss Courthouse boiler, which is at the end of its useful life, with a new boiler to be located in the new U.S. Courthouse Annex in mechanical space specifically designed to accommodate a new boiler for the Moss Courthouse.

Current building occupants will be housed in temporary swing space outside of the building while construction occurs. The project will be completed while the building is empty to reduce risk, lessen the estimated construction timeline, and decrease estimated construction costs.

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

GSA received lump-sum funding in FY 2014 for Major Repairs and Alterations and allocated \$15,000,000 for a Moss Courthouse project, as described in greater detail in the Project Background section of this prospectus. A portion of the FY 2014 funds were expended on project development, but the remaining \$13,247,000 will be applied to this newly scoped project.

GSA

PBS

**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
Senate EPW	2/6/2014	\$15,000,000	Design=\$1,000,000 ECC=\$13,000,000 M&I=\$1,000,000
House T&I	3/13/2014	\$15,000,000	Design=\$1,000,000 ECC=\$13,000,000 M&I=\$1,000,000

Prior Prospectus Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

Alteration:\$111,516,000
Lease:\$164,172,000
New Construction:\$110,500,000

The 30-year, present value cost of alteration is \$1,016,000 more than the cost of new construction, with an equivalent annual cost disadvantage of \$50,489. Although alteration is slightly more expensive than the new construction alternative, alteration is the preferred alternative. The Moss Courthouse is adjacent to and shares critical building systems with the U.S. Courthouse Annex and is of historical significance.

Recommendation

ALTERATION

GSA

PBS

PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH

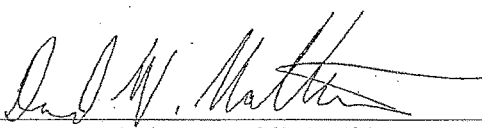
Prospectus Number: PUT-0017-SL19
Congressional District: 2

Certification of Need

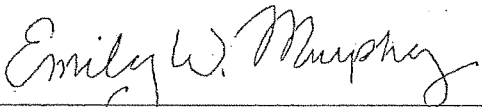
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on February 12, 2018

Recommended: _____


Commissioner, Public Buildings Service

Approved: _____


Administrator, General Services Administration

COMMITTEE RESOLUTION

NEW—U.S. COURTHOUSE, FORT LAUDERDALE, FL

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for site acquisition and related site work, design and construction of a new U.S. Courthouse of approximately 255,000 gross square feet, including approximately 50 inside parking spaces, in Fort Lauderdale, Florida at a site cost of

\$15,675,000, a design cost of \$12,670,000, an estimated construction cost of \$152,365,000, and a management and inspection cost of \$9,290,000 for a total estimated project cost of \$190,000,000, for which a prospectus is attached to and included in this resolution.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than 12 courtrooms, including six for Active District Judges, one for Senior District Judges, two for Bankruptcy Judges, and three for Magistrate Judges.

Provided further, that, except as provided in the prospectus, the design of the new courthouse shall not deviate from the U.S. Courts Design Guide.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
FORT LAUDERDALE, FL**

Prospectus Number: PFL-CTC-FL18

Congressional District: 22

FY 2018 Project Summary

The General Services Administration (GSA) proposes construction of a new U.S. Courthouse of approximately 255,000 gross square feet (GSF), including 50 inside parking spaces, in Fort Lauderdale, FL. The courthouse will meet the 10-year space needs of the courts and court-related agencies, and the site will accommodate the expansion of the building to meet the anticipated 30-year needs of the courts.

FY 2018 House and Senate Committee Approval Requested

(Site, Design, Management and Inspection, Construction).....\$190,000,000

FY 2018 Funding (PL 115-141, March 23, 2018)

(Site, Design, Management and Inspection, Construction).....\$190,000,000

Overview of Project

The courts and related agencies currently occupy space in the existing Federal Building and U.S. Courthouse in downtown Fort Lauderdale. The new courthouse will provide 12 courtrooms and 17 chambers consistent with the application of courtroom sharing policies and the provision of no space for projected judgeships. The site for the new courthouse is still to be determined and may need to be acquired by the Government.

Site Information

To Be Determined Approximately 3-5 acres

Building Area¹

Gross square feet (excluding inside parking)	232,000 GSF
Gross square feet (including inside parking)	255,000 GSF
Inside parking spaces	50

¹ Square footages are approximate. The project may contain a variance in gross square footage from that listed in this prospectus.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
FORT LAUDERDALE, FL**

Prospectus Number: PFL-CTC-FL18
Congressional District: 22

Estimated Project Budget

Estimated Site	\$15,675,000
Estimated Design	12,670,000
Estimated Construction Cost (\$598/GSF including inside parking)	152,365,000
Estimated Management and Inspection (M&I)	9,290,000
Estimated Total Project Cost (ETPC)*	\$190,000,000²

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2019	FY 2024

Tenant Agencies

U.S. Court of Appeals, U.S. District Court, U.S. Bankruptcy Court, U.S. Probation Office; U.S. Department of Justice (DOJ)–Marshals Service; trial preparation space for the Judiciary Federal Public Defender and DOJ Office of the U.S. Attorney; and GSA.

Justification

The existing Federal Building and U.S. Courthouse, constructed in 1979, does not meet the United States Courts Design Guide standards and lacks adequate security to meet the standards for Facility Security Level 4 as defined by the Interagency Security Committee. The existing building configuration does not allow for distinct separation between restricted, secured, and public areas. There are also significant infrastructure issues, including ongoing water intrusion that allows water to enter tenant spaces, and failing storm drains and flashing systems.

The new courthouse will meet the long-term needs of the courts and provide separate circulation for the public, judges, and prisoners, thereby improving security and the efficiency of court operations.

Design Guide Exception

² GSA requests approval for an estimated total project cost. The subtotals comprising the estimated project budget are intended to provide a breakdown in support of the ETPC. The actual breakdown of the various subcomponents may differ from what is represented in this prospectus.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
FORT LAUDERDALE, FL**

Prospectus Number: PFL-CTC-FL18

Congressional District: 22

The following exception to the U.S. Courts Design Guide was approved by the Eleventh Circuit Judicial Council in 2015. The Judicial Conference of the United States approved this request on September 13, 2018.

- ☐ Special Proceedings Courtroom in lieu of a standard District Courtroom (additional 1,350 gross square feet) with costs for this exception at approximately \$790,000. The Judicial Conference determined that Fort Lauderdale merits a special proceedings courtroom due to complexity of caseload, especially as to multi-defendant cases.

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
-Active	5	1*	6	6
-Visiting	0	0**	0	1
-Senior	1	2	1	3
Court of Appeals				
-Active	0	1***	0	1
Magistrate	2	4	3	4
Bankruptcy	2	2	2	2
Total:	10	10	12	17

* Four district judgeships in Fort Lauderdale are currently vacant.

** Currently no dedicated visiting judge chambers

*** Currently in leased space

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
FORT LAUDERDALE, FL**

Prospectus Number: PFL-CTC-FL18

Congressional District: 22

Future of Existing Federal Building³

GSA plans to transfer the existing Fort Lauderdale Federal Building and U.S. Courthouse out of the federally owned inventory upon or soon after occupancy of the new courthouse. GSA intends to proceed with established disposal processes to transfer the property, since renovation and backfill by the Government is not cost-effective. Agencies currently located in the existing building that are not planned to move into the new courthouse will be relocated to commercial leased space in the surrounding area.

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
115-41	2018	\$190,000,000	Site, Design, Construction, M&I
Appropriations to Date		\$190,000,000	

*Public Law 115-141 funded \$190,000,000 for courthouse construction in Fort Lauderdale, FL, as requested by the Federal Judiciary in its Courthouse Project Priorities list.

Prior Committee Approvals

None

³ This section is included to address recommendations in the following Government Accountability Office (GAO) Report: *Federal Courthouses: Better Planning Needed Regarding Reuse of Old Courthouses* (GAO-14-48).

GSA

PBS

PROSPECTUS
NEW U.S. COURTHOUSE
FORT LAUDERDALE, FL

Prospectus Number: PFL-CTC-FL18
Congressional District: 22

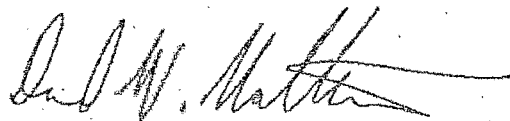
Certification of Need

The proposed project is the best solution to meet a validated Government need.

November 13, 2018

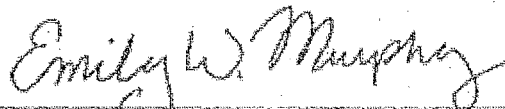
Submitted at Washington, DC, on _____

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

Locations	CURRENT			PROPOSED		
	Personnel		Usable Square Feet (USF)		Total	Total
	Office	Total	Office	Storage		
Government-Owned Locations						
New U.S. Courthouse						
U.S. District Court (courtrooms/chambers)	-	-	-	-	948	57,057
U.S. Bankruptcy Court (courtrooms/chambers)	-	-	-	-	-	10,506
U.S. Bankruptcy - Clerk	-	-	-	-	8,939	8,939
U.S. District Court - Grand Jury	-	-	-	-	1,433	1,433
U.S. District Court - Magistrate	-	-	-	-	15	19,361
U.S. District Court - Clerk	-	-	-	-	35	23,279
U.S. Probation Office	-	-	-	-	44	11,165
DOJ - U.S. Marshals Service	-	-	-	-	37	7,782
U.S. Court of Appeals	-	-	-	-	12	2,482
U.S. Court of Appeals - Central Legal Staff	-	-	-	-	2	437
Federal Public Defender	-	-	-	-	2	430
DOJ - Office of the U.S. Attorney	-	-	-	-	1,788	1,788
GSA Public Buildings Service, Field Office	-	-	-	-	272	272
Joint Use	-	-	-	-	-	1,255
Subtotal	-	-	-	-	56,493	98,782
Federal Building-Courthouse						
U.S. District Court (courtrooms/chambers)	35	35	4,918	-	28,181	33,099
U.S. Bankruptcy Court (courtrooms/chambers)	8	8	257	-	4,801	5,058
U.S. Bankruptcy - Clerk	22	22	11,156	-	1,849	13,005
U.S. District Court - Grand Jury	12	12	372	-	876	1,031
U.S. District Court - Magistrate	28	28	8,013	-	15,147	15,514
U.S. Probation Office	30	30	8,267	-	3,501	11,514
DOJ - U.S. Marshals Service	37	37	9,751	-	1,107	9,374
GSA Public Buildings Service, Field Offices	2	2	1,397	-	8,921	18,672
GSA - OIG	3	3	1,060	-	-	1,397
DOJ - Office of the U.S. Attorney	-	-	-	-	1,789	1,789
DOJ - Office of US Trustees	-	-	-	-	386	782
Department of Agriculture - OIG	4	4	2,639	-	-	2,639
Department of Justice - AITF	9	9	3,389	-	3783	3,783
Department of Labor - Office of Mng. Standards	2	2	392	-	394	392
Department of Labor - Wage and Hour Division	14	14	2,463	-	-	2,463
Department of Homeland Security - ICE	30	30	6,129	-	607	6,736
Department of Homeland Security - National	5	5	742	-	-	742
Department of Defense - DCAA	2	2	1,639	-	-	1,639
Small Business Administration	4	4	689	-	-	689
Joint Use	-	-	-	-	2,171	3,633
Vacant	-	-	-	-	1,462	6,797
Subtotal	247	247	73,357	-	68,451	141,808
Lease Locations						
500 E. Broward Blvd.	-	-	-	-	-	-
U.S. Court of Appeals	8	8	-	-	2,669	2,669
New Lease*	-	-	-	-	-	-
Total	255	255	73,357	-	71,120	144,477

* GSA to work with Federal Executive agencies to define requirements

Special Space	USF
Holding Cells	1,600
Salypoot/Elevator	2,195
Fitness	2,334
Detention/Interview	2,940
Courtrooms	55,470
Judicial Chambers	32,988
Mailroom	880
Lactation Room	125
Food Service/Vending	250
Total	98,782

The project may contain a variance in gross square footage from that listed in this project upon measurement and review of the completed project.

AMENDED COMMITTEE RESOLUTION
LEASE—U.S. DEPARTMENT OF VETERANS
AFFAIRS, SAN DIEGO, CA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease of up to 99,986 net usable square feet of space, and 550 parking spaces, for the Department of Veterans Affairs for a Community Based Outpatient Clinic in San Diego, California at a proposed unserviced annual cost of \$5,844,182 for a lease term of up to 20 years, a prospectus for which is attached to and included in this resolution. This resolution amends the Prospectus No. PCA-01-VA17 approved by the Committee on February 28, 2017.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

Provided, that to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated

area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

Provided further, that the design of the outpatient clinic shall be consistent with the U.S. Department of Veterans Affairs' Community Based Outpatient Clinic Prototype Proposed Layouts.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

Provided further, the Administrator of General Services may not enter into this lease if it does not contain a provision barring any individual holding a Federally-elected office, regardless of whether such individual took office before or after execution of this lease,

to directly participate in, or benefit from or under this lease or any part thereof and that such provision provide that if this lease is found to have been made in violation of the foregoing prohibition or it is found that this prohibition has been violated during the term of the lease, the lease shall be void, except that the foregoing limitation shall not apply if the lease is entered into with a publicly-held corporation or publicly-held entity for the general benefit of such corporation or entity.

Provided further, prior to entering into this lease or approving a novation agreement involving a change of ownership under this lease, the Administrator of General Services shall require the offeror or the parties requesting the novation, as applicable, to identify and disclose whether the owner of the leased space, including an entity involved in the financing thereof, is a foreign person or a foreign-owned entity; provided further, in such an instance, the Administrator of General Services shall notify the occupant agency(ies) in writing, and consult with such occupant agency(ies) regarding security concerns and necessary mitigation measures (if any) prior to award of the lease or approval of the novation agreement.

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PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN DIEGO, CA

Prospectus Number: PCA-01-VA19

Executive Summary

The General Services Administration (GSA) proposes an outpatient clinic lease of approximately 99,986 net usable square feet (NUSF) for the U.S. Department of Veterans Affairs (VA), currently located in a separate outpatient facility in San Diego, California.

The lease will provide continued services for the San Diego veterans community, and provide the necessary expansion services to meet current and projected health care service delivery gaps in the market.

Description

Occupant:	Veterans Affairs
Current NUSF:	43,473
Estimated Maximum NUSF:	99,986
Expansion/Reduction NUSF:	56,513 (expansion)
Estimated Maximum Rentable Square Feet:	134,981
Expiration Dates of Current Lease(s):	10/1/2023
Proposed Maximum Leasing Authority:	20 years
Delineated Area:	<u>North:</u> Proceed west on Navajo Road to Lake Murray Boulevard; proceed south to Beaver Lake Drive; proceed west to Cowles Mountain Boulevard; proceed south to Lake Adlon Drive; proceed west to Coral Lake Avenue; proceed south to Lake Andrita Avenue; proceed west to Twin Lake Drive; proceed south to Jackson Drive; proceed west to Golfcrest Drive; proceed north to Tuxedo Road; proceed east to Volclay; proceed north to Santar Avenue; proceed northeast to Jennite Drive; proceed north to Ruane Street; proceed west to Golfcrest Drive; proceed north to Mission Gorge Road; proceed west to Jackson Drive; proceed south to Doreen Road; proceed south to Hillandale Drive; proceed south to Deep Valley Road; proceed west to Deerfield Street; proceed north to Mission Gorge Road; proceed west to Friars Road; proceed west to I-15; proceed north to Aero Drive; proceed west to Highway 163. <u>East:</u> Proceed north on Highway 125 to Navajo Road;

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**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN DIEGO, CA**

Prospectus Number: PCA-01-VA19

	<u>South:</u> Proceed east on I-8 to I-805; proceed south to El Cajon Boulevard; proceed east to merger with I-8, proceed east on I-8 to Highway 125;
	<u>West:</u> Starting from the intersection of I-805 and Highway 163, proceed south on Highway 163 to I-8.
Parking Spaces:	550
Scoring:	Operating Lease
Current Total Annual Cost:	\$1,714,749 (lease effective 10/1/2013)
Estimated Unserviced Rental Rate ¹ :	\$58.45 per NUSF
Estimated Total Unserviced Annual Cost ² :	\$5,844,182

Justification

A new 99,986 NUSF lease in San Diego will replace the existing 43,473 NUSF Mission Valley Clinic.

The current space in this facility is insufficient to meet VA's needs. The new lease will allow VA to expand its current primary care, mental health, specialty care, and ancillary services to veterans in a right-sized, state-of-the-art, energy-efficient healthcare facility.

Resolutions of Approval

Resolutions adopted by the House Committee on Transportation and Infrastructure, and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required net usable area.

Interim Leasing

The Government will execute such interim leasing actions as are necessary to ensure continued housing prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

¹ This estimate is for fiscal year 2018 and may be escalated by 2.0 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is unserviced and excludes all operating expenses, real estate taxes, insurance, and management and maintenance reserve costs, whether paid by the lessor or directly by the Government.

² New leases may contain an escalation clause to provide for annual changes in real estate taxes and operating costs.

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**PROSPECTUS – LEASE
U.S. DEPARTMENT OF VETERANS AFFAIRS
SAN DIEGO, CA**

Prospectus Number: PCA-01-VA19

Certification of Need

The proposed project is the best solution to meet a validated Government need.

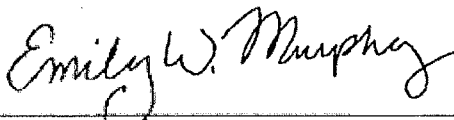
Submitted at Washington, DC, on December 4, 2018.

Recommended: _____



Commissioner, Public Buildings Service

Approved: _____



Administrator, General Services Administration

COMMITTEE RESOLUTION

NEW—U.S. COURTHOUSE, HUNTSVILLE, AL

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the site work, design and construction of a new U.S. Courthouse of approximately 123,100 gross square feet, including approximately 26 parking spaces, in Huntsville, Alabama at a site work cost of \$1,150,000, a design cost of

\$6,504,000, an estimated construction cost of \$73,799,000, and a management and inspection cost of \$5,010,000 for a total estimated project cost of \$86,463,000 for which a prospectus is attached to and included in this resolution.

Provided, that the Administrator of General Services shall ensure that construction of the new courthouse complies, at a minimum, with courtroom sharing requirements adopted by the Judicial Conference of the United States.

Provided further, that the Administrator of General Services shall ensure that the construction of the new courthouse contains no more than five courtrooms, including two for Active District Judges, one for Senior District Judges, one for Bankruptcy Judges, and one for Magistrate Judges.

Provided further, that the design of the new courthouse shall not deviate from the U.S. Courts Design Guide.

GSA

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**PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL**

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

FY 2018 Project Summary

The General Services Administration (GSA) proposes design and construction of a new U.S. Courthouse of approximately 123,100 gross square feet, including 26 parking spaces, in Huntsville, AL. The site for the new courthouse is envisioned to be provided to GSA via a donation from the City of Huntsville. The courthouse will meet the 10-year space needs of the Court and court-related agencies and the site can accommodate the anticipated 30-year needs of the Court. Part I of the Federal Judiciary's Courthouse Project Priorities list (approved by the Judicial Conference of the United States on September 12, 2017) includes a courthouse project in Huntsville, AL.

FY 2018 House and Senate Committee Approval Requested

(Site, Design, Construction, Management & Inspection).....\$86,463,000

FY 2018 Funding (PL 115-141, March 23, 2018)

(Design, Construction, Management & Inspection) \$110,000,000¹

Overview of Project

The courts and related agencies currently occupy space in the U.S. Courthouse and Post Office in Huntsville, AL, and leased space in Decatur, AL. The new courthouse will provide five courtrooms and six chambers consistent with the application of courtroom sharing policies and the provision of not providing space for projected judgeships. One District judge will move from Birmingham, AL, upon completion of the new courthouse in Huntsville. The Bankruptcy Court will vacate the leased location in Decatur and move to the new courthouse to co-locate with the District Court in the new building.

¹ The FY 2018 Public Law included \$110,000,000 for courthouse construction in Huntsville, AL, as requested by the Judiciary in the CPP which was based on site acquisition, new construction, and renovation of the existing facility. Due to changes in the program since that time, the project being proposed is for construction of a new courthouse at an estimated total project cost of \$86,463,000. GSA plans to utilize funds remaining from the courthouse appropriation to renovate and backfill the existing building. GSA will make a future request for prospectus approval for renovation of the existing building and a future transfer request from new construction to repair and alteration.

GSA

PBS

**PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL**

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

Site Information

To Be Acquired by Municipal Donation Approximately 5 acres

Building Area²

Gross square feet (excluding inside parking) 111,400 GSF
Gross square feet (including inside parking) 123,100 GSF
Inside parking spaces 26

Estimated Project Budget

Estimated Site Work \$1,150,000³
Estimated Design \$6,504,000
Estimated Construction Cost (ECC) (\$600/GSF including inside
parking) \$73,799,000
Estimated Management and Inspection (M&I) \$5,010,000
Estimated Total Project Cost (ETPC)* \$86,463,000⁴

* Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

<u>Schedule</u>	Start	End
Design and Construction	FY 2019	FY 2024

² Square footages are approximate. The project may contain a variance in gross square footage from that listed in this prospectus.

³ Site funding is necessary to complete environmental studies and soil testing, address possible adverse soil conditions and relocation of existing utilities.

⁴ GSA requests approval for an estimated total project cost. The sub-totals comprising the estimated project budget are intended to provide a breakdown in support of the ETPC. The actual breakdown of the various subcomponents may differ from what is represented in this prospectus.

GSA

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**PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL**

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

Tenant Agencies

U.S. District Court, U.S. Bankruptcy Court, U.S. Probation Office, U.S. Department of Justice–Marshals Service, trial preparation space for the Federal Public Defender and the U.S. Department of Justice–Office of the U.S Attorney, and GSA.

Justification

The existing Huntsville Post Office and U.S. Courthouse, constructed in 1936, does not meet the United States Courts Design Guide Standards and lacks adequate security as defined in the Interagency Security Committee Facility Security Level 4. The existing building configuration does not allow for distinct separation between restricted, secured and public areas.

The site to be donated by the City of Huntsville is located at the northwest corner of Gallatin Street and Lowe Avenue. Federal development on this site offers compatibility with the city's Master Plan. The new courthouse will allow for co-location of court operations, separate circulation for the public, judges, and prisoners, thereby improving security as well as efficiency of court operations. Relocation of agencies from leased space in Decatur into the new courthouse in Huntsville will avoid approximately \$508,000 per year in private sector lease costs.

Design Guide Exception

There are no exceptions to the U.S. Courts Design Guide.

GSA

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**PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL**

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

Space Requirements of the U.S. Courts

	Current		Proposed	
	Courtrooms	Judges	Courtrooms	Judges
District				
- Active	1*	1*	2	2**
- Senior	1	1	1	1
- Visiting***	1	1	0	1
Magistrate	1	1	1	1
Bankruptcy***	1	1	1	1
Total:	5	5	5	6

* Currently unassigned courtroom and chambers

** This accounts for one replacement judge and one judge relocating from Birmingham

*** Visiting and Bankruptcy facilities are currently located in leased space in Decatur, AL

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Future of Existing Federal Building

GSA plans to reuse the existing Huntsville Post Office and U.S. Courthouse to house agencies currently located in leased space in the surrounding area. The tenant mix is pending confirmation of agency program requirements to determine the best housing solution. GSA plans to utilize funds remaining from the courthouse appropriation to renovate and backfill the existing building as was originally envisioned. The remaining funds total \$23,537,000. A prospectus requesting approval for the anticipated renovation project will be submitted at a future date along with a request to transfer the necessary funds from new construction to repair and alteration.

GSA

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**PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL**

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

Prior Appropriations

Prior Appropriations			
Public Law	Fiscal Year	Amount	Proposed Project
115-141	2018	\$110,000,000	Site, Design, Construction, M&I
Appropriations to Date		\$110,000,000	

*Public Law 115-141 funded \$110,000,000 for courthouse construction in Huntsville, AL, as requested by the Federal Judiciary's Courthouse Project Priorities list. The \$110,000,000 on the CPP was based on site acquisition, new courthouse construction, and renovation of the existing courthouse. GSA plans to utilize funds remaining from the new courthouse appropriation to renovate and backfill the existing building. GSA will make a future request for prospectus approval for renovation of the existing building and a future transfer request from new construction to repair and alteration.

Prior Committee Approvals

None

GSA

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PROSPECTUS
NEW U.S. COURTHOUSE
HUNTSVILLE, AL

Prospectus Number: PAL-CTC-HU18
Congressional District: 5

Certification of Need

The proposed project is the best solution to meet a validated Government need.

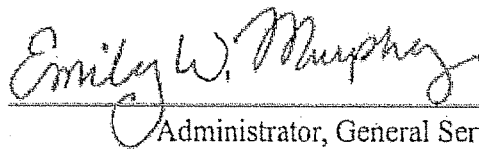
Submitted at Washington, DC, on September 24, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

Locations	CURRENT					PROPOSED				
	Personnel		Usable Square Feet (USF) ¹			Personnel		Usable Square Feet (USF)		
	Office	Total	Office	Storage	Special	Office	Total	Office	Storage	Special
Government-Owned Locations										
U.S. Post Office and Courthouse										
U.S. District Court (courtrooms/chambers)	4	4	4,442	705	13318					
U.S. Probation Office	11	11	2,705	-	-					
DOJ - U.S. Marshals Service	9	9	711	-	1431					
DOJ - Drug Enforcement Administration	10	10	318	-	-					
Joint Use	-	-	-	-	316					
Vacant	-	-	-	-	-					
Potential Leases for backfill*	-	-	-	-	-					
Subtotal	34	34	8,176	705	15,065					
New U.S. Courthouse										
U.S. District Court (courtrooms/chambers)	-	-	-	-	-					
U.S. District Court - Magistrate (courtrooms/chambers)	-	-	-	-	-					
U.S. District Court - Clerk	-	-	-	-	-					
U.S. District Court - Grand Jury	-	-	-	-	-					
U.S. Bankruptcy - Clerk	-	-	-	-	-					
U.S. Bankruptcy Court (courtrooms/chambers)	-	-	-	-	-					
U.S. Bankruptcy Administrator	-	-	-	-	-					
U.S. Probation Office	-	-	-	-	-					
Federal Public Defender	-	-	-	-	-					
DOJ - Office of the U.S. Attorney	-	-	-	-	-					
DOJ - U.S. Marshals Service	-	-	-	-	-					
GSA - Public Buildings Service	-	-	-	-	-					
Joint Use	-	-	-	-	-					
Subtotal	-	-	-	-	-					
Leased Location										
Seymour H. Lynne CT - Decatur, Alabama										
U.S. District Court (courtrooms/chambers)	7	7	8,405	-	-					
U.S. Bankruptcy Clerk	13	13	7,754	-	-					
U.S. Bankruptcy Court (courtrooms/chambers)	3	3	3,339	-	-					
U.S. Bankruptcy Administrator	5	5	1,903	-	-					
Subtotal	29	29	21,401	-	-					
Potential Leases for backfill*	-	-	-	-	-					
Total	61	63	29,577	705	15,065	86	86	49,675	-	24,968

*Backfill to be accomplished with a future project. GSA to work with Federal Executive agencies to define requirements.

NOTES:

¹ USF means the portion of the building available for use by a tenant's personnel and furnishings and space available jointly to the occupants of the building.

Special Space	
Courtrooms	USF
Conference/Training	10,800
Restroom	5,005
ADP	250
Secure Storage	1,050
Food Service	128
Lactation Room	1,500
Mail Room	125
Fitness Center	880
Sally Port	1,100
Holding Cells/Secure Area/Vault	950
Total	3,090
	24,968

COMMITTEE RESOLUTION

ALTERATION—FRANK E. MOSS U.S. COURTHOUSE,
SALT LAKE CITY, UTAH

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for repairs and alterations to address seismic deficiencies; undertake targeted building systems modernizations; and reconfigure, alter, and back-fill vacant space at the Frank E. Moss U.S.

Courthouse located at 350 South Main Street in Salt Lake City, Utah at a design cost of \$9,650,000, an estimated construction cost of \$100,016,000 and a management and inspection cost of \$7,227,000 for a total estimated project cost of \$116,893,000, a prospectus for which is attached to and included in this resolution.

Provided, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Provided further, not later than 30 calendar days after the date on which a request from the Chairman or Ranking Member of the Committee on Transportation and Infrastructure of the House of Representatives is received by the Administrator of General Services, the Administrator shall provide such Member a response in writing that provides any information requested regarding the project.

GSA

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**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

FY 2019 Project Summary

The General Services Administration (GSA) proposes a repair and alteration project to address seismic deficiencies; undertake targeted building systems modernizations; and reconfigure, alter, and backfill vacant space at the Frank E. Moss U. S. Courthouse (Moss Courthouse) located at 350 South Main Street in Salt Lake City, Utah. GSA's *Seismic Rating System Report*, released on March 31, 2016, lists the Moss Courthouse as having one of the highest seismic risk ratings in the GSA portfolio. Once renovated, relocation of agencies currently in leased space into the Moss Courthouse will provide an annual lease cost avoidance of approximately \$4,400,000 and an annual agency rent savings of approximately \$2,400,000.

Project Background

As part of its Fiscal Year (FY) 2014 Capital Investment and Leasing Program, GSA requested \$15,000,000 for the reconfiguration and alteration of existing space at the Moss Courthouse. The Consolidated Appropriations Act, 2014 (Public Law 113-76), appropriated a lump sum of \$593,288,000 for Major Repairs and Alterations and, as part of GSA's FY 2014 Major Repairs and Alterations Expenditure Plan, GSA allocated \$15,000,000 for the Moss Courthouse project. Upon re-evaluation of the building's repair and alteration needs, including the identification of significant seismic deficiencies, GSA, in collaboration with planned backfill tenants, decided to halt the FY 2014 project. This prospectus request reflects and is seeking approval of a more comprehensive project scope. The appropriation needed in support of this request has been reduced by the balance of funds remaining from the FY 2014 allocation.

FY 2019 Committee Approval Requested

(Design, Construction, Management & Inspection)\$116,893,000

FY 2019 Appropriation Requested

(Design, Construction, Management & Inspection) \$103,646,000¹

¹ A portion of the FY 2014 funds was expended on project development prior to the cessation of the project. The \$13,247,000 remaining will be used for this project, thereby lowering the overall appropriation request in this prospectus.

GSA

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**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

Major Work Items

Seismic upgrades; interior alterations; building exterior restoration; roof repairs; heating, ventilation, and air conditioning (HVAC), fire and life safety, plumbing, electrical and conveyance systems upgrades; grounds and approaches, telecommunication and restroom upgrades; and hazardous material abatement

Project Budget

Design	\$9,650,000
Estimated Construction Cost (ECC)	100,016,000
Management and Inspection (M&I)	7,227,000
Estimated Total Project Cost (ETPC)*	\$116,893,000

*Tenant agencies may fund an additional amount for alterations above the standard normally provided by GSA.

Schedule

	Start	End
Design and Construction	FY 2019	FY 2023

Building

The Moss Courthouse is located in the Exchange Place Historic District of downtown Salt Lake City, Utah. Originally constructed in three distinct phases in 1905, 1912, and 1932, the building served as a United States Post Office and Courthouse and contains 229,807 gross square feet. The building has five stories above grade, with an elevator/mechanical penthouse and full basement below grade. The building is listed in the National Register of Historic Places as a contributing building and as the oldest structure in the Exchange Place Historic District. In 2014, the new U.S. Courthouse Annex was completed next to the Moss Courthouse, and the two buildings became physically connected through underground access tunnels, a shared loading dock, and a shared chilling system.

GSA

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**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

Tenant Agencies

Department of Agriculture–National Agricultural Statistics Service; Department of Health and Human Services–Program Support Center; Department of Justice–Marshals Service, Bureau of Prisons and Trustees; Judiciary–Bankruptcy Court and Clerk; Department of Commerce–International Trade Administration; Department of the Interior–National Park Service; United States Tax Court; Department of Defense–Army Corps of Engineers, Armed Forces Recruiting, and Defense Contract Audit Agency; and GSA.

Proposed Project

The proposed project will address seismic deficiencies by utilizing shear walls and seismic bracing. The project will address structural deficiencies; upgrade mechanical systems; provide new and repaired floor, wall, and ceiling finishes in areas impacted by seismic retrofits; replace fixtures and improve access to comply with Architectural Barriers Act Accessibility Standards (ABBAS); upgrade plumbing; provide a new boiler; upgrade the HVAC system; upgrade elevators; and complete fire and life safety upgrades. Backfill of vacant space provides a long-term housing solution for various tenants in the historic Central Business District (CBD) of Salt Lake City and generates lease cost avoidance. Alterations will be completed while the building is vacant.

GSA

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**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

Major Work Items

Seismic Upgrades	\$47,312,000
Interior Alterations	32,459,000
HVAC Upgrades	4,570,000
Building Exterior Restoration	4,507,000
Roofing Repairs	2,596,000
Fire and Life Safety Upgrades	2,106,000
Plumbing Upgrades	2,067,000
Grounds and Approaches Upgrades	1,294,000
Electrical Upgrades	1,034,000
Hazardous Material Abatement	1,026,000
Telecommunications Upgrades	513,000
Elevator Upgrades	378,000
Restroom Upgrades	154,000
Total ECC	\$100,016,000

Justification

Investment in the Moss Courthouse is needed to keep this historic building in the Federal inventory, comply with Executive Order 13717 (*Establishing a Federal Earthquake Risk Management Standard*), and protect building occupants and visitors by meeting current safety codes.

GSA's *Seismic Rating System Report*, released on March 31, 2016, lists the Moss Courthouse as having one of the highest seismic risk ratings in the GSA portfolio. The Moss Courthouse was determined to be a long-term seismic risk that requires a seismic mitigation plan to reduce the risk. To address this risk and comply with Executive Order 13717, this project adopts the *Standards of Seismic Safety for Existing Federally Owned and Leased Buildings* to meet the minimum level acceptable for managing earthquake risk.

When the U.S. District Court relocated to the new U.S. Courthouse Annex, it vacated approximately 91,000 usable square feet (USF) of the building's 151,000 USF. This project provides for the backfill of the vacant space with agencies located in leased space. GSA currently leases more than half a million USF in the Salt Lake City market. The Moss Courthouse is a desirable location near the light rail and CBD amenities, and provides a level of security that customer agencies require.

GSA

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**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

The last significant capital investment in the Moss Courthouse was over 24 years ago. The building systems have reached or exceeded their expected useful lives and are becoming more costly to repair. This project continues to leverage co-location of the two buildings by replacing the Moss Courthouse boiler, which is at the end of its useful life, with a new boiler to be located in the new U.S. Courthouse Annex in mechanical space specifically designed to accommodate a new boiler for the Moss Courthouse.

Current building occupants will be housed in temporary swing space outside of the building while construction occurs. The project will be completed while the building is empty to reduce risk, lessen the estimated construction timeline, and decrease estimated construction costs.

Summary of Energy Compliance

This project will be designed to conform to requirements of the *Facilities Standards for the Public Buildings Service*. GSA encourages design opportunities to increase energy and water efficiency above the minimum performance criteria.

Prior Appropriations

GSA received lump-sum funding in FY 2014 for Major Repairs and Alterations and allocated \$15,000,000 for a Moss Courthouse project, as described in greater detail in the Project Background section of this prospectus. A portion of the FY 2014 funds were expended on project development, but the remaining \$13,247,000 will be applied to this newly scoped project.

GSA

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**PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH**

Prospectus Number: PUT-0017-SL19
Congressional District: 2

Prior Committee Approvals

Prior Committee Approvals			
Committee	Date	Amount	Purpose
Senate EPW	2/6/2014	\$15,000,000	Design=\$1,000,000 ECC=\$13,000,000 M&I=\$1,000,000
House T&I	3/13/2014	\$15,000,000	Design=\$1,000,000 ECC=\$13,000,000 M&I=\$1,000,000

Prior Prospectus Level Projects in Building (past 10 years)

None

Alternatives Considered (30-year, present value cost analysis)

Alteration:\$111,516,000
Lease:\$164,172,000
New Construction:\$110,500,000

The 30-year, present value cost of alteration is \$1,016,000 more than the cost of new construction, with an equivalent annual cost disadvantage of \$50,489. Although alteration is slightly more expensive than the new construction alternative, alteration is the preferred alternative. The Moss Courthouse is adjacent to and shares critical building systems with the U.S. Courthouse Annex and is of historical significance.

Recommendation

ALTERATION

GSA

PBS

PROSPECTUS – ALTERATION
FRANK E. MOSS U. S. COURTHOUSE
SALT LAKE CITY, UTAH

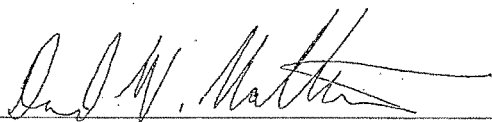
Prospectus Number: PUT-0017-SL19
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Certification of Need

The proposed project is the best solution to meet a validated Government need.

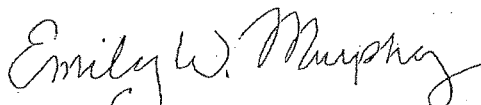
Submitted at Washington, DC, on February 12, 2018

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

The communication, together with the accompanying papers, was referred to the Committee on Appropriations.

¶165.7 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 13, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 4111. An Act to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes.

H.R. 1872. An Act to promote access for United States diplomats and other officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

H.R. 3996. An Act to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court.

H.R. 5759. An Act to improve executive agency digital services, and for other purposes.

H.R. 2454. An Act to direct the Secretary of Homeland Security to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department, and for other purposes.

H.R. 1918. An Act to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes.

H.R. 3342. An Act to impose sanctions with respect to foreign persons that are responsible for using civilians as human shields, and for other purposes.

H.R. 4407. An Act to designate the facility of the United States Postal Service located at 38101 Rockwell Street in Warrenville, Illinois, as the "Corporal Jeffrey Allen Williams Post Office Building".

And then,

¶165.8 ADJOURNMENT

On motion of the SPEAKER pro tempore, Mr. Francis ROONEY of Florida, by unanimous consent, and pursuant to the previous order of the House, at 11 o'clock and 35 minutes a.m., declared the House adjourned until noon on Wednesday, December 19, 2018.

¶165.9 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CHABOT: Committee on Small Business. Report on the Activities of the Committee on Small Business 115th Congress (Rept. 115-1079). Referred to the Committee of the Whole House on the state of the Union.

¶165.10 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SHUSTER:

H.R. 7316. A bill to make technical corrections to provisions of law enacted by the Frank LoBiondo Coast Guard Authorization

Act of 2018, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SHUSTER:

H.R. 7317. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program under which the Secretary shall enter into agreements for the construction, renovation, improvement, and lease of facilities in order to address the deferred capital backlog of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BARLETTA (for himself and Mr. DENHAM):

H.R. 7318. A bill to amend the Federal Assets Sale and Transfer Act of 2016 to ensure that the Public Buildings Reform Board has adequate time to carry out the responsibilities of the Board, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BARLETTA (for himself and Mr. DENHAM):

H.R. 7319. A bill to amend the Federal Assets Sale and Transfer Act of 2016 to provide flexibility with respect to the leaseback of certain Federal real property, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. CLARK of Massachusetts:

H.R. 7320. A bill to amend the Elementary and Secondary Education Act of 1965 to provide criteria for use of Federal funds to support trauma-informed practices in schools, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GALLAGHER (for himself, Ms. STEFANIK, Mrs. WALORSKI, Mr. LAMBORN, Mr. KING of New York, Mr. BACON, and Mr. BANKS of Indiana):

H.R. 7321. A bill to impose sanctions with respect to Iranian financial institutions and the development and use of Iranian digital currency, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Louisiana (for himself and Ms. PLASKETT):

H.R. 7322. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to ensure that unmet needs after a major disaster are met; to the Committee on Transportation and Infrastructure.

By Ms. JENKINS of Kansas:

H.R. 7323. A bill to amend the Federal Deposit Insurance Act with respect to shareholder claims arising from the appointment of a conservator or receiver for certain depository institutions, and for other purposes; to the Committee on Financial Services.

By Mr. KELLY of Pennsylvania:

H.R. 7324. A bill to clarify the orphan drug exception to the annual fee on branded prescription pharmaceutical manufacturers and importers, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PALAZZO:

H.R. 7325. A bill to provide for the issuance of revenue bonds to fund construction of a physical border barrier and related tech-

nology, roads, and lighting along the United States border with Mexico; to the Committee on Ways and Means, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RATCLIFFE (for himself and Miss RICE of New York):

H.R. 7326. A bill to amend section 175b of title 18, United States Code, to correct a scrivener's error; to the Committee on the Judiciary.

¶165.11 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 356: Ms. WILD and Ms. SCANLON.

H.R. 866: Ms. CLARKE of New York.

H.R. 1438: Mr. SWALWELL of California.

H.R. 1495: Mr. DELANEY.

H.R. 4240: Ms. SCANLON.

H.R. 5678: Mr. GONZALEZ of Texas.

H.R. 6454: Mr. PETERS and Ms. SCHA-KOWSKY.

H.R. 6649: Mr. MORELLE.

H.R. 6685: Ms. WILD.

H.R. 6693: Ms. WILD.

H.R. 6694: Ms. WILD.

H.R. 6759: Mr. ESPAILLAT, Mr. CARTWRIGHT, and Ms. LOFGREN.

H.R. 7030: Ms. ESHOO, Mr. LOWENTHAL, and Mr. LEWIS of Georgia.

H.R. 7082: Mr. RASKIN and Ms. MAXINE WATERS of California.

H.R. 7228: Mr. SOTO, Ms. VELÁZQUEZ, and Ms. CASTOR of Florida.

H.J. Res. 118: Mr. COOPER.

H. Con. Res. 138: Mr. RUPPERSBERGER.

H. Con. Res. 142: Mr. RUPPERSBERGER and Mr. SWALWELL of California.

H. Res. 637: Mr. ROUZER, Mr. CULBERSON, Mr. HERN, Mr. OLSON, Mr. FORTENBERRY, Mr. DUNCAN of South Carolina, Mr. KELLY of Mississippi, Mr. BACON, Mr. LOUDERMILK, and Mr. CLOUD.

H. Res. 910: Mrs. BUSTOS.

WEDNESDAY, DECEMBER 19, 2018 (166)

¶166.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order at noon by the SPEAKER pro tempore, Mr. MARSHALL, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
December 19, 2018.

I hereby appoint the Honorable ROGER W. MARSHALL to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

Whereupon, pursuant to the order of the House of January 8, 2018, Members were recognized for morning-hour debate.

¶166.2 RECESS—12:31 P.M.

The SPEAKER pro tempore, Mr. MARSHALL, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 31 minutes p.m., until 2 p.m.

¶166.3 AFTER RECESS—2 P.M.

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, called the House to order.

¶166.4 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, announced he had examined and approved the Journal of the proceedings of Monday, December 17, 2018.

Mr. COMER, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, announced that the ayes had it.

Mr. COMER objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶166.5 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7175. A letter from the Assistant Secretary of Defense, Homeland Defense and Global Security, Department of Defense, transmitting a report on the ongoing U.S. Government recovery effort of Hurricane Maria requested by House Report 115-676, which accompanied H.R. 5515, the National Defense Authorization Act for Fiscal Year 2019; to the Committee on Armed Services.

7176. A letter from the Attorney-Advisor, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rules — Truth in Lending (Regulation Z) (RIN: 3170-AA90) received December 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7177. A letter from the Attorney-Advisor, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rules — Consumer Leasing (Regulation M) (RIN: 3170-AA89) received December 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7178. A letter from the Secretary, Securities and Exchange Commission, transmitting the Commission's final rules — Covered Investment Fund Research Reports [Release Nos.: 33-10580; 34-84710; IC-33311; File No. S7-11-18] (RIN: 3235-AM24) received December 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7179. A letter from the Acting Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's semi-annual report on Energy Conservation Standards Activities for December 2018, pursuant to 42 U.S.C. 15834; Public Law 109-58, Sec. 141(b); (119 Stat. 648); to the Committee on Energy and Commerce.

7180. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Maryland; Continuous Opacity Monitoring Requirements for Municipal Waste Combustors and Cement Plants [EPA-R03-OAR-2018-0490; FRL-9987-81-Region 3] received December 11, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7181. A letter from the Director, Regulatory Management Division, Environmental

Protection Agency, transmitting the Agency's final rule — 6-Benzyladenine; Pesticide Tolerances [EPA-HQ-OPP-2017-0288 and EPA-HQ-OPP-2017-0283; FRL-9986-73] received December 11, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7182. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; West Virginia; Revisions to Regulation for Control of Ozone Season Nitrogen Oxide Emissions [EPA-R03-OAR-2017-0633; FRL-9986-89-Region 3] received December 3, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7183. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Oregon; Removal of Obsolete Regulations [EPA-R10-OAR-2018-0022; FRL-9987-60-Region 10] received December 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7184. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to California State Implementation Plan; South Coast Air Quality Management District, San Joaquin Valley Air Pollution Control District and Yolo-Solano Air Quality Management; Non-attainment New Source Review Requirements for the 2008 8-Hour Ozone Standard [EPA-R09-OAR-2018-0587; FRL-9986-16-Region 9] received December 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7185. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Significant New Use Rules on Certain Chemical Substances [EPA-HQ-OPPT-2018-0649; FRL-9987-43] (RIN: 2070-AB27) received December 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7186. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Indiana; Cross-State Air Pollution Rule [EPA-R05-OAR-2017-0700; FRL-9987-75-Region 5] received December 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7187. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Renewable Fuel Standard Program: Standards for 2019 and Biomass-Based Diesel Volume for 2020 [EPA-HQ-OAR-2018-0167; FRL-9987-66-OAR] (RIN: 2060-AT93) received December 11, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7188. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-096, pursuant to the reporting requirements of Section 36(c) and (d) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7189. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC

18-041, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7190. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-052, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7191. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-076, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7192. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 16-087, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7193. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-071, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7194. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-060, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7195. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 17-135, pursuant to the reporting requirements of Section 36(c) and (d) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7196. A communication from the President of the United States, transmitting notification that the national emergency with respect to serious human rights abuse and corruption, originally declared on December 20, 2017, by Executive Order 13818, is to continue in effect beyond December 20, 2018, pursuant to 50 U.S.C. 1622(d); Public Law 94-412, Sec. 202(d); (90 Stat. 1257) (H. Doc. No. 115-176); to the Committee on Foreign Affairs and ordered to be printed.

7197. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

7198. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a report on the value of sales of defense equipment for the fourth quarter of Fiscal Year 2018, July 1 — September 30, 2018, pursuant to Secs. 36(a) and 26(b) of the Arms Export Control Act, the March 24, 1979, Report by the Committee on Foreign Affairs (H. Rept. 96-70), and the July 31, 1981, Seventh Report by the Committee on Government Operations (H. Rept. 97-214); to the Committee on Foreign Affairs.

7199. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-014, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7200. A letter from the Secretary, Department of Labor, transmitting the Department's semiannual report from the Office of Inspector General for the period April 1, 2018, through September 30, 2018, pursuant to Sec. 5 of the Inspector General Act; to the Committee on Oversight and Government Reform.

7201. A letter from the Director, National Science Foundation, transmitting the Foundation's FY 2018 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049) and 31 U.S.C. 1116(h)(1)(A); Public Law 111-352, Sec. 4; (124 Stat. 3872); to the Committee on Oversight and Government Reform.

7202. A letter from the Chairman, Woods Hole, Martha's Vineyard and Nantucket Steamship Authority, transmitting the Authority's Annual Report for 2017, pursuant to Sec. 13 of the Acts of 1960, Chapter 701, as amended by Chapter 276 of the Acts of 1962; to the Committee on Oversight and Government Reform.

7203. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to the U.S. Navy Training and Testing Activities in the Atlantic Fleet Training and Testing Study Area [Docket No.: 170720687-8965-02] (RIN: 0648-BH06) received December 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7204. A letter from the Director, Administrative Office of the United States Courts, transmitting a report on compliance by the United States courts of appeals and district courts with the time limitations established for deciding habeas corpus death penalty petitions under Title 1 of the Antiterrorism and Effective Death Penalty Act of 1996; to the Committee on the Judiciary.

7205. A letter from the Federal Liaison Officer, United States Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — International Trademark Classification Changes [Docket No.: PTO-T-2018-0063] (RIN: 0651-AD32) received December 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

7206. A letter from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting a legislative proposal that would improve the current legal framework for collateral-review litigation; to the Committee on the Judiciary.

7207. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps' report on

Sabine Pass to Galveston Bay, Texas Coastal Storm Risk Management and Ecosystem Restoration: Final Integrated Feasibility Report — Environmental Impact Statement for December 7, 2017 (H. Doc. No. 115—174); to the Committee on Transportation and Infrastructure and ordered to be printed.

7208. A letter from the Program Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rules — Appraisals for Higher-Priced Mortgage Loans Exemption Threshold [Docket No.: OCC-2018-0031] (RIN: 1557-AE53) received December 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Small Business.

7209. A letter from the National Adjutant/Chief Executive Officer, Disabled American Veterans, transmitting the reports and proceedings of the 2018 National Convention of the Disabled American Veterans, held in Reno, Nevada, July 14-17, 2018, pursuant to 44 U.S.C. 1332; and 36 U.S.C. 50308; and 36 U.S.C. 10101 (H. Doc. No. 115—175); to the Committee on Veterans' Affairs and ordered to be printed.

7210. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Relief from the Once-In-Always-In Condition for Excluding Part-Time Employees from Making Elective Deferrals under Sec. 403(b) Plan [Notice 2018-95] received December 7, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7211. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Credit for Carbon Oxide Sequestration — Applicable Dollar Amounts [Notice 2018-93] received December 4, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7212. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Procedures on making a method change to comply with section 451(b) (Rev. Proc. 2018-60) received December 4, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7213. A letter from the Deputy Inspector General for Audit Services, Department of Health and Human Services, transmitting the Department's report titled "Review of Medicare Administrative Contractor Information Security Program Evaluations for Fiscal Year 2017", pursuant to 42 U.S.C. 1395kk-1(e)(2)(C)(ii); Aug. 14, 1935, ch. 531, title XVIII, Sec. 1874A(e)(2)(C)(ii) (as amended by Public Law 108-173, Sec. 912(a)); (117 Stat. 2388); jointly to the Committees on Energy and Commerce and Ways and Means.

7214. A letter from the Correspondence Specialist, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Patient Protection and Affordable Care Act; Adoption of the Methodology for the HHS-operated Permanent Risk Adjustment Program for the 2018 Benefit Year Final Rule [CMS-9919-F] (RIN: 0938-AT66) received December 10, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

7215. A letter from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting the Department's Major final rule — Modernized Drawback [CBP Dec. 18-15] [USCBP-2018-0029] (RIN: 1515-AE23) received December 6, 2018,

pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Homeland Security and Ways and Means.

¶166.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 17, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 17, 2018, at 1:36 p.m.:

That the Senate agreed to S.J. Res. 54.
That the Senate agreed to S.J. Res. 69.
That the Senate passed S. 645.
That the Senate passed S. 2322.
That the Senate passed S. 2599.
That the Senate passed S. 2827.
That the Senate passed S. 2863.
That the Senate passed S. 3461.
That the Senate passed with amendments H.R. 2606.

That the Senate passed with an amendment H.R. 6227.

That the Senate passed without an amendment H.R. 1318.

That the Senate passed without an amendment H.R. 4032.

That the Senate passed without an amendment H.R. 4431.

That the Senate passed without an amendment H.R. 6160.

Appointments:
Cyberspace Solarium Commission.
Syria Study Group.
With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶166.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 18, 2018, at 9:14 a.m.:

That the Senate agrees to the House amendment to the bill S. 1311.

That the Senate agrees to the House amendment to the bill S. 1312.

That the Senate passed S. 1520.

That the Senate passed S. 1862.

That the Senate passed with an amendment H.R. 2200.

With best wishes, I am
Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶166.8 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, laid before the

House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 18, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 18, 2018, at 12:50 p.m.:

That the Senate passed S. 3191.

That the Senate passed S. 3238.

That the Senate agrees to the House amendment to the bill S. 2511.

Appointment:

Syria Study Group

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶166.9 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 19, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 19, 2018, at 10:40 a.m.:

That the Senate agrees to the House amendment to the bill with a further amendment S. 756.

That the Senate passed with an amendment H.R. 6615.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶166.10 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 19, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 19, 2018, at 11:21 a.m.:

That the Senate passed S. 2.

That the Senate passed S. 2200.

That the Senate passed S. 3085.

That the Senate passed S. 3367.

That the Senate passed S. 3444.

That the Senate passed S. 3777.

That the Senate passed with amendments H.R. 4227.

That the Senate passed without amendment H.R. 1235.

That the Senate passed without amendment H.R. 7213.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶166.11 RECESS—2:15 P.M.

The SPEAKER pro tempore, Mr. Rodney DAVIS of Illinois, pursuant to clause 12(a) of rule I, declared the House in recess at 2 o'clock and 15 minutes p.m., until approximately 3 p.m.

¶166.12 AFTER RECESS—3:02 P.M.

The SPEAKER pro tempore, Mr. CARTER of Georgia, called the House to order.

¶166.13 AMENDMENT OF THE SENATE TO
H.R. 1222

Mr. WALDEN moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 1222) to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Congenital Heart Futures Reauthorization Act of 2017".

SEC. 2. NATIONAL CONGENITAL HEART DISEASE RESEARCH, SURVEILLANCE, AND AWARENESS.

Section 399V-2 of the Public Health Service Act (42 U.S.C. 280g-13) is amended to read as follows:

"SEC. 399V-2. NATIONAL CONGENITAL HEART DISEASE RESEARCH, SURVEILLANCE, AND AWARENESS.

"(a) IN GENERAL.—The Secretary shall, as appropriate—

"(1) enhance and expand research and data collection efforts related to congenital heart disease, including to study and track the epidemiology of congenital heart disease to understand health outcomes for individuals with congenital heart disease across all ages;

"(2) conduct activities to improve public awareness of, and education related to, congenital heart disease, including care of individuals with such disease; and

"(3) award grants to entities to undertake the activities described in this section.

"(b) ACTIVITIES.—

"(1) IN GENERAL.—The Secretary shall carry out activities, including, as appropriate, through a national cohort study and a nationally-representative, population-based surveillance system, to improve the understanding of the epidemiology of congenital heart disease in all age groups, with particular attention to—

"(A) the incidence and prevalence of congenital heart disease in the United States;

"(B) causation and risk factors associated with, and natural history of, congenital heart disease;

"(C) health care utilization by individuals with congenital heart disease;

"(D) demographic factors associated with congenital heart disease, such as age, race, ethnicity, sex, and family history of individuals who are diagnosed with the disease; and

"(E) evidence-based practices related to care and treatment for individuals with congenital heart disease.

"(2) PERMISSIBLE CONSIDERATIONS.—In carrying out the activities under this section, the Secretary may, as appropriate—

"(A) collect data on the health outcomes, including behavioral and mental health outcomes, of a diverse population of individuals of all ages with congenital heart disease, such that analysis of the outcomes will inform evidence-based practices for individuals with congenital heart disease; and

"(B) consider health disparities among individuals with congenital heart disease, which

may include the consideration of prenatal exposures.

"(c) AWARENESS CAMPAIGN.—The Secretary may carry out awareness and educational activities related to congenital heart disease in individuals of all ages, which may include information for patients, family members, and health care providers, on topics such as the prevalence of such disease, the effect of such disease on individuals of all ages, and the importance of long-term, specialized care for individuals with such disease.

"(d) PUBLIC ACCESS.—The Secretary shall ensure that, subject to subsection (e), information collected under this section is made available, as appropriate, to the public, including researchers.

"(e) PATIENT PRIVACY.—The Secretary shall ensure that the data and information collected under this section are made available in a manner that, at a minimum, protects personal privacy to the extent required by applicable Federal and State law.

"(f) ELIGIBILITY FOR GRANTS.—To be eligible to receive a grant under subsection (a)(3), an entity shall—

"(1) be a public or private nonprofit entity with specialized experience in congenital heart disease; and

"(2) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require.

"(g) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there are authorized to be appropriated \$10,000,000 for each of fiscal years 2020 through 2024."

SEC. 3. REPORT.

Not later than 3 years after the date of enactment of the Congenital Heart Futures Reauthorization Act of 2017, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives a report summarizing any activities carried out pursuant to section 399V-2 of the Public Health Service Act (as amended by section 2), including planned activities, and a summary of any research findings and ongoing research efforts, gaps, and areas of greatest need within the Department of Health and Human Services regarding congenital heart disease in patients of all ages.

The SPEAKER pro tempore, Mr. CARTER of Georgia, recognized Mr. WALDEN and Mr. TONKO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. CARTER of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶166.14 AMENDMENT OF THE SENATE TO
H.R. 6615

Mr. WALDEN moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 6615) to reauthorize the Traumatic Brain Injury program:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Traumatic Brain Injury Program Reauthorization Act of 2018”.

SEC. 2. PREVENTION AND CONTROL OF INJURIES.

Part J of title III of the Public Health Service Act (42 U.S.C. 280b et seq.) is amended—

(1) in section 393C (42 U.S.C. 280b-1d) by adding at the end the following:

“(c) NATIONAL CONCUSSION DATA COLLECTION AND ANALYSIS.—The Secretary, acting through the Director of the Centers for Disease Control and Prevention, may implement concussion data collection and analysis to determine the prevalence and incidence of concussion.”;

(2) in section 394A(b)(42 U.S.C. 280b-3(b)), by striking “\$6,564,000 for each of fiscal years 2015 through 2019” and inserting “\$11,750,000 for each of fiscal years 2020 through 2024”; and

(3) by striking section 393C-1 (42 U.S.C. 280b-1e).

SEC. 3. STATE GRANTS FOR PROJECTS REGARDING TRAUMATIC BRAIN INJURY.

Section 1252 of the Public Health Service Act (42 U.S.C. 300d-52) is amended—

(1) in subsection (a), by inserting “, acting through the Administrator for the Administration for Community Living,” after “The Secretary”;

(2) by striking subsection (e);

(3) by redesignating subsections (f) through (j) as subsections (e) through (i), respectively; and

(4) in subsection (i), as so redesignated, by striking “\$5,500,000 for each of the fiscal years 2015 through 2019” and inserting “\$7,321,000 for each of fiscal years 2020 through 2024”.

SEC. 4. STATE GRANTS FOR PROTECTION AND ADVOCACY SERVICES.

Section 1253 of the Public Health Service Act (42 U.S.C. 300d-53) is amended—

(1) in subsection (a), by inserting “, acting through the Administrator for the Administration for Community Living,” after “The Secretary”; and

(2) in subsection (l), by striking “\$3,100,000 for each of the fiscal years 2015 through 2019” and inserting “\$4,000,000 for each of fiscal years 2020 through 2024”.

The SPEAKER pro tempore, Mr. CARTER of Georgia, recognized Mr. WALDEN and Mr. TONKO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. CARTER of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WALDEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶166.15 BUILDING OUR LARGEST
DEMENTIA INFRASTRUCTURE FOR
ALZHEIMER’S

Mr. WALDEN moved to suspend the rules and pass the bill of the Senate (S. 2076) to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer’s disease, cognitive decline, and brain health under the Alzheimer’s Disease

and Healthy Aging Program, and for other purposes.

The SPEAKER pro tempore, Mr. CARTER of Georgia, recognized Mr. WALDEN and Mr. TONKO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CARTER of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WALDEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶166.16 STATE OFFICES OF RURAL
HEALTH

Mr. WALDEN moved to suspend the rules and pass the bill of the Senate (S. 2278) to amend the Public Health Service Act to provide grants to improve health care in rural areas.

The SPEAKER pro tempore, Mr. CARTER of Georgia, recognized Mr. WALDEN and Mr. TONKO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CARTER of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

Mr. WALDEN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶166.17 WATER INFRASTRUCTURE
IMPROVEMENT

Mr. GIBBS moved to suspend the rules and pass the bill (H.R. 7279) to amend the Federal Water Pollution Control Act to provide for an integrated planning process, to promote green infrastructure, and for other purposes.

The SPEAKER pro tempore, Mr. CARTER of Georgia, recognized Mr. GIBBS and Mrs. NAPOLITANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CARTER of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶166.18 SECURE TECHNOLOGY

Mr. HURD moved to suspend the rules and pass the bill (H.R. 7327) to require the Secretary of Homeland Security to establish a security vulnerability disclosure policy, to establish a bug bounty program for the Department of Homeland Security, to amend title 41, United States Code, to provide for Federal acquisition supply chain security, and for other purposes.

The SPEAKER pro tempore, Mr. CARTER of Georgia, recognized Mr. HURD and Ms. NORTON, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CARTER of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶166.19 AMENDMENT OF THE SENATE TO
H.R. 6227

Mr. SMITH of Texas, moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 6227) to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “National Quantum Initiative Act”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Purposes.

TITLE I—NATIONAL QUANTUM INITIATIVE

Sec. 101. National Quantum Initiative Program.

Sec. 102. National Quantum Coordination Office.

Sec. 103. Subcommittee on Quantum Information Science.

Sec. 104. National Quantum Initiative Advisory Committee.

Sec. 105. Sunset.

**TITLE II—NATIONAL INSTITUTE OF
STANDARDS AND TECHNOLOGY QUANTUM ACTIVITIES**

Sec. 201. National Institute of Standards and Technology activities and quantum consortium.

**TITLE III—NATIONAL SCIENCE
FOUNDATION QUANTUM ACTIVITIES**

Sec. 301. Quantum information science research and education program.

Sec. 302. Multidisciplinary Centers for Quantum Research and Education.

**TITLE IV—DEPARTMENT OF ENERGY
QUANTUM ACTIVITIES**

Sec. 401. Quantum Information Science Research program.

Sec. 402. National Quantum Information Science Research Centers.

SEC. 2. DEFINITIONS.

In this Act:

(1) **ADVISORY COMMITTEE.**—The term “Advisory Committee” means the National Quantum Initiative Advisory Committee established under section 104(a).

(2) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation of the Senate;

(B) the Committee on Energy and Natural Resources of the Senate; and

(C) the Committee on Science, Space, and Technology of the House of Representatives.

(3) **COORDINATION OFFICE.**—The term “Coordination Office” means the National Quantum Coordination Office established under section 102(a).

(4) **INSTITUTION OF HIGHER EDUCATION.**—The term “institution of higher education” has the meaning given the term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(5) **PROGRAM.**—The term “Program” means the National Quantum Initiative Program implemented under section 101(a).

(6) **QUANTUM INFORMATION SCIENCE.**—The term “quantum information science” means the use of the laws of quantum physics for the storage, transmission, manipulation, computing, or measurement of information.

(7) **SUBCOMMITTEE.**—The term “Subcommittee” means the Subcommittee on Quantum Information Science of the National Science and Technology Council established under section 103(b).

SEC. 3. PURPOSES.

The purpose of this Act is to ensure the continued leadership of the United States in quantum information science and its technology applications by—

(1) supporting research, development, demonstration, and application of quantum information science and technology—

(A) to expand the number of researchers, educators, and students with training in quantum information science and technology to develop a workforce pipeline;

(B) to promote the development and inclusion of multidisciplinary curriculum and research opportunities for quantum information science at the undergraduate, graduate, and postdoctoral level;

(C) to address basic research knowledge gaps, including computational research gaps;

(D) to promote the further development of facilities and centers available for quantum information science and technology research, testing and education; and

(E) to stimulate research on and promote more rapid development of quantum-based technologies;

(2) improving the interagency planning and coordination of Federal research and development of quantum information science and technology;

(3) maximizing the effectiveness of the Federal Government’s quantum information science and technology research, development, and demonstration programs;

(4) promoting collaboration among the Federal Government, Federal laboratories, industry, and universities; and

(5) promoting the development of international standards for quantum information science and technology security—

(A) to facilitate technology innovation and private sector commercialization; and

(B) to meet economic and national security goals.

TITLE I—NATIONAL QUANTUM INITIATIVE

SEC. 101. NATIONAL QUANTUM INITIATIVE PROGRAM.

(a) **IN GENERAL.**—The President shall implement a National Quantum Initiative Program.

(b) **REQUIREMENTS.**—In carrying out the Program, the President, acting through Federal agencies, councils, working groups, subcommittees, and the Coordination Office, as the President considers appropriate, shall—

(1) establish the goals, priorities, and metrics for a 10-year plan to accelerate development of quantum information science and technology applications in the United States;

(2) invest in fundamental Federal quantum information science and technology research, development, demonstration, and other activities to achieve the goals established under paragraph (1);

(3) invest in activities to develop a quantum information science and technology workforce pipeline;

(4) provide for interagency planning and coordination of Federal quantum information science and technology research, development, demonstration, standards engagement, and other activities under the Program;

(5) partner with industry and universities to leverage knowledge and resources; and

(6) leverage existing Federal investments efficiently to advance Program goals and priorities established under paragraph (1).

SEC. 102. NATIONAL QUANTUM COORDINATION OFFICE.

(a) **ESTABLISHMENT.**—

(1) **IN GENERAL.**—The President shall establish a National Quantum Coordination Office.

(2) **ADMINISTRATION.**—The Coordination Office shall have—

(A) a Director appointed by the Director of the Office of Science and Technology Policy, in consultation with the Secretary of Commerce, the Director of the National Science Foundation, and the Secretary of Energy; and

(B) staff comprised of employees detailed from the Federal departments and agencies described in section 103(b).

(b) **RESPONSIBILITIES.**—The Coordination Office shall—

(1) provide technical and administrative support to—

(A) the Subcommittee; and

(B) the Advisory Committee;

(2) oversee interagency coordination of the Program, including by encouraging and supporting joint agency solicitation and selection of applications for funding of activities under the Program;

(3) serve as the point of contact on Federal civilian quantum information science and technology activities for Federal departments and agencies, industry, universities professional societies, State governments, and such other persons as the Coordination Office considers appropriate to exchange technical and programmatic information;

(4) ensure coordination among the collaborative ventures or consortia established under section 201(a), Multidisciplinary Centers for Quantum Research and Education established under section 302(a), and the National Quantum Information Science Research Centers established under section 402(a);

(5) conduct public outreach, including the dissemination of findings and recommendations of the Advisory Committee, as appropriate;

(6) promote access to and early application of the technologies, innovations, and expertise derived from Program activities to agency missions and systems across the Federal Government, and to industry, including startup companies; and

(7) promote access, through appropriate Federal Government agencies, and an open and competitive merit-reviewed process, to existing quantum computing and communication systems developed by industry, universities, and Federal laboratories to the general user community in

pursuit of discovery of the new applications of such systems.

(c) **FUNDING.**—Funds necessary to carry out the activities of the Coordination Office shall be made available each fiscal year by the Federal departments and agencies described in section 103(b), as determined by the Director of the Office of Science and Technology Policy.

SEC. 103. SUBCOMMITTEE ON QUANTUM INFORMATION SCIENCE.

(a) **ESTABLISHMENT.**—The President shall establish, through the National Science and Technology Council, the Subcommittee on Quantum Information Science.

(b) **MEMBERSHIP.**—The Subcommittee shall include a representative of—

(1) the National Institute of Standards and Technology;

(2) the National Science Foundation;

(3) the Department of Energy;

(4) the National Aeronautics and Space Administration;

(5) the Department of Defense;

(6) the Office of the Director of National Intelligence;

(7) the Office of Management and Budget;

(8) the Office of Science and Technology Policy; and

(9) such other Federal department or agency as the President considers appropriate.

(c) **CHAIRPERSONS.**—The Subcommittee shall be jointly chaired by the Director of the National Institute of Standards and Technology, the Director of the National Science Foundation, and the Secretary of Energy.

(d) **RESPONSIBILITIES.**—The Subcommittee shall—

(1) coordinate the quantum information science and technology research, information sharing about international standards development and use, and education activities and programs of the Federal agencies;

(2) establish goals and priorities of the Program, based on identified knowledge and workforce gaps and other national needs;

(3) assess and recommend Federal infrastructure needs to support the Program;

(4) assess the status, development, and diversity of the United States quantum information science workforce;

(5) assess the global outlook for quantum information science research and development efforts;

(6) evaluate opportunities for international cooperation with strategic allies on research and development in quantum information science and technology; and

(7) propose a coordinated interagency budget for the Program to the Office of Management and Budget to ensure the maintenance of a balanced quantum information science research portfolio and an appropriate level of research effort.

(e) **STRATEGIC PLANS.**—In order to guide the activities of the Program and meet the goals, priorities, and anticipated outcomes of the Federal departments and agencies described in subsection (b), the Subcommittee shall—

(1) not later than 1 year after the date of enactment of this Act, develop a 5-year strategic plan;

(2) not later than 6 years after the date of enactment of this Act, develop a subsequent 5-year strategic plan; and

(3) periodically update each plan, as necessary.

(f) **SUBMITTAL TO CONGRESS.**—The chairpersons of the Subcommittee shall submit to the President, the Advisory Committee, and the appropriate committees of Congress each strategic plan developed under subsection (e) and any updates thereto.

(g) **ANNUAL PROGRAM BUDGET REPORT.**—

(1) **IN GENERAL.**—Each year, concurrent with the annual budget request submitted by the President to Congress under section 1105 of title 31, United States Code, the chairpersons of the Subcommittee shall submit to the appropriate

committees of Congress and such other committees of Congress as the chairpersons deem appropriate a report on the budget for the Program.

(2) **CONTENTS.**—Each report submitted under paragraph (1) shall include the following:

(A) The budget of the Program for the current fiscal year, for each Federal department and agency described in subsection (b).

(B) The budget proposed for the Program for the next fiscal year, for each Federal department and agency described in subsection (b).

(C) An analysis of the progress made toward achieving the goals and priorities established under subsection (d)(2).

SEC. 104. NATIONAL QUANTUM INITIATIVE ADVISORY COMMITTEE.

(a) **IN GENERAL.**—The President shall establish a National Quantum Initiative Advisory Committee.

(b) **QUALIFICATIONS.**—The Advisory Committee shall consist of members, appointed by the President, who are representative of industry, universities, and Federal laboratories and are qualified to provide advice and information on quantum information science and technology research, development, demonstrations, standards, education, technology transfer, commercial application, or national security and economic concerns.

(c) **MEMBERSHIP CONSIDERATION.**—In selecting the members of the Advisory Committee, the President may seek and give consideration to recommendations from the Congress, industry, the scientific community (including the National Academy of Sciences, scientific professional societies, and universities), the defense community, and other appropriate organizations.

(d) **DUTIES.**—

(1) **IN GENERAL.**—The Advisory Committee shall advise the President and the Subcommittee and make recommendations for the President to consider when reviewing and revising the Program.

(2) **INDEPENDENT ASSESSMENTS.**—The Advisory Committee shall conduct periodic, independent assessments of—

(A) any trends or developments in quantum information science and technology;

(B) the progress made in implementing the Program;

(C) the management, coordination, implementation, and activities of the Program;

(D) whether the Program activities and the goals and priorities established under section 103(d)(2) are helping to maintain United States leadership in quantum information science and technology;

(E) whether a need exists to revise the Program;

(F) whether opportunities exist for international cooperation with strategic allies on research and development in, and the development of open standards for, quantum information science and technology; and

(G) whether national security, societal, economic, legal, and workforce concerns are adequately addressed by the Program.

(e) **REPORTS.**—Not later than 180 days after the date of enactment of this Act, and at least biennially thereafter, the Advisory Committee shall submit to the President, the appropriate committees of Congress, and such other committees of Congress as the Advisory Committee deems appropriate a report on the findings of the independent assessment under subsection (d), including any recommendations for improvements to the Program.

(f) **TRAVEL EXPENSES OF NON-FEDERAL MEMBERS.**—Non-Federal members of the Advisory Committee, while attending meetings of the Advisory Committee or while otherwise serving at the request of the head of the Advisory Committee away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Government serving

without pay. Nothing in this subsection shall be construed to prohibit members of the Advisory Committee who are officers or employees of the United States from being allowed travel expenses, including per diem in lieu of subsistence, in accordance with existing law.

(g) **FACA EXEMPTION.**—The Advisory Committee shall be exempt from section 14 of the Federal Advisory Committee Act (5 U.S.C. App.).

SEC. 105. SUNSET.

(a) **IN GENERAL.**—Except as provided in subsection (b), the authority to carry out sections 101, 102, 103, and 104 shall terminate on the date that is 11 years after the date of enactment of this Act.

(b) **EXTENSION.**—The President may continue the activities under such sections if the President determines that such activities are necessary to meet national economic or national security needs.

TITLE II—NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY QUANTUM ACTIVITIES

SEC. 201. NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACTIVITIES AND QUANTUM CONSORTIUM.

(a) **NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY ACTIVITIES.**—As part of the Program, the Director of the National Institute of Standards and Technology—

(1) shall continue to support and expand basic and applied quantum information science and technology research and development of measurement and standards infrastructure necessary to advance commercial development of quantum applications;

(2) shall use the existing programs of the National Institute of Standards and Technology, in collaboration with other Federal departments and agencies, as appropriate, to train scientists in quantum information science and technology to increase participation in the quantum fields;

(3) shall establish or expand collaborative ventures or consortia with other public or private sector entities, including industry, universities, and Federal laboratories for the purpose of advancing the field of quantum information science and engineering; and

(4) may enter into and perform such contracts, including cooperative research and development arrangements and grants and cooperative agreements or other transactions, as may be necessary in the conduct of the work of the National Institute of Standards and Technology and on such terms as the Director considers appropriate, in furtherance of the purposes of this Act.

(b) **QUANTUM CONSORTIUM.**—

(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall convene a consortium of stakeholders to identify the future measurement, standards, cybersecurity, and other appropriate needs for supporting the development of a robust quantum information science and technology industry in the United States.

(2) **GOALS.**—The goals of the consortium shall be—

(A) to assess the current research on the needs identified in paragraph (1);

(B) to identify any gaps in the research necessary to meet the needs identified in paragraph (1); and

(C) to provide recommendations on how the National Institute of Standards and Technology and the Program can address the gaps in the necessary research identified in subparagraph (B).

(3) **REPORT TO CONGRESS.**—Not later than 2 years after the date of enactment of this Act, the Director of the National Institute of Standards and Technology shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives a report summarizing the findings of the consortium.

(c) **FUNDING.**—The Director of the National Institute of Standards and Technology shall allocate up to \$80,000,000 to carry out the activities under this section for each of fiscal years 2019 through 2023, subject to the availability of appropriations. Amounts made available to carry out this section shall be derived from amounts appropriated or otherwise made available to the National Institute of Standards and Technology.

TITLE III—NATIONAL SCIENCE FOUNDATION QUANTUM ACTIVITIES

SEC. 301. QUANTUM INFORMATION SCIENCE RESEARCH AND EDUCATION PROGRAM.

(a) **IN GENERAL.**—The Director of the National Science Foundation shall carry out a basic research and education program on quantum information science and engineering, including the competitive award of grants to institutions of higher education or eligible nonprofit organizations (or consortia thereof).

(b) **PROGRAM COMPONENTS.**—

(1) **IN GENERAL.**—In carrying out the program under subsection (a), the Director of the National Science Foundation shall carry out activities that—

(A) support basic interdisciplinary quantum information science and engineering research; and

(B) support human resources development in all aspects of quantum information science and engineering.

(2) **REQUIREMENTS.**—The activities described in paragraph (1) shall include—

(A) using the existing programs of the National Science Foundation, in collaboration with other Federal departments and agencies, as appropriate—

(i) to improve the teaching and learning of quantum information science and engineering at the undergraduate, graduate, and postgraduate levels; and

(ii) to increase participation in the quantum fields, including by individuals identified in sections 33 and 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a, 1885b);

(B) formulating goals for quantum information science and engineering research and education activities to be supported by the National Science Foundation;

(C) leveraging the collective body of knowledge from existing quantum information science and engineering research and education activities;

(D) coordinating research efforts funded through existing programs across the directorates of the National Science Foundation; and

(E) engaging with other Federal departments and agencies, research communities, and potential users of information produced under this section.

(c) **GRADUATE TRAINEESHIPS.**—The Director of the National Science Foundation may establish a program to provide traineeships to graduate students at institutions of higher education within the United States who are citizens of the United States and who choose to pursue masters or doctoral degrees in quantum information science.

SEC. 302. MULTIDISCIPLINARY CENTERS FOR QUANTUM RESEARCH AND EDUCATION.

(a) **IN GENERAL.**—The Director of the National Science Foundation, in consultation with other Federal departments and agencies, as appropriate, shall award grants to institutions of higher education or eligible nonprofit organizations (or consortia thereof) to establish at least 2, but not more than 5, Multidisciplinary Centers for Quantum Research and Education (referred to in this section as “Centers”).

(b) **COLLABORATIONS.**—A collaboration receiving an award under this subsection may include institutions of higher education, nonprofit organizations, and private sector entities.

(c) **PURPOSE.**—The purpose of the Centers shall be to conduct basic research and education

activities in support of the goals and priorities established under section 103(d)(2), including by—

- (1) continuing to advance quantum information science and engineering;
- (2) supporting curriculum and workforce development in quantum information science and engineering; and
- (3) fostering innovation by bringing industry perspectives to quantum research and workforce development, including by leveraging industry knowledge and resources.

(d) REQUIREMENTS.—

(1) **IN GENERAL.**—An institution of higher education or an eligible nonprofit organization (or a consortium thereof) seeking funding under this section shall submit an application to the Director of the National Science Foundation at such time, in such manner, and containing such information as the Director may require.

(2) **APPLICATIONS.**—Each application under paragraph (1) shall include a description of—

(A) how the Center will work with other research institutions and industry partners to leverage expertise in quantum science, education and curriculum development, and technology transfer;

(B) how the Center will promote active collaboration among researchers in multiple disciplines involved in quantum research, including physics, engineering, mathematics, computer science, chemistry, and material science;

(C) how the Center will support long-term and short-term workforce development in the quantum field;

(D) how the Center can support an innovation ecosystem to work with industry to translate Center research into applications; and

(E) a long-term plan to become self-sustaining after the expiration of funding under this section.

(e) SELECTION AND DURATION.—

(1) **IN GENERAL.**—Each Center established under this section is authorized to carry out activities for a period of 5 years.

(2) **REAPPLICATION.**—An awardee may reapply for additional, subsequent periods of 5 years on a competitive, merit-reviewed basis.

(3) **TERMINATION.**—Consistent with the authorities of the National Science Foundation, the Director of the National Science Foundation may terminate an underperforming Center for cause during the performance period.

(f) **FUNDING.**—The Director of the National Science Foundation shall allocate up to \$10,000,000 for each Center established under this section for each of fiscal years 2019 through 2023, subject to the availability of appropriations. Amounts made available to carry out this section shall be derived from amounts appropriated or otherwise made available to the National Science Foundation.

**TITLE IV—DEPARTMENT OF ENERGY
QUANTUM ACTIVITIES**

SEC. 401. QUANTUM INFORMATION SCIENCE RESEARCH PROGRAM.

(a) **IN GENERAL.**—The Secretary of Energy shall carry out a basic research program on quantum information science.

(b) **PROGRAM COMPONENTS.**—In carrying out the program under subsection (a), the Secretary of Energy shall—

(1) formulate goals for quantum information science research to be supported by the Department of Energy;

(2) leverage the collective body of knowledge from existing quantum information science research;

(3) provide research experiences and training for additional undergraduate and graduate students in quantum information science, including in the fields of—

- (A) quantum information theory;
- (B) quantum physics;
- (C) quantum computational science;
- (D) applied mathematics and algorithm development;
- (E) quantum networking;

(F) quantum sensing and detection; and

(G) materials science and engineering;

(4) coordinate research efforts funded through existing programs across the Department of Energy, including—

(A) the Nanoscale Science Research Centers;

(B) the Energy Frontier Research Centers;

(C) the Energy Innovation Hubs;

(D) the National Laboratories;

(E) the Advanced Research Projects Agency; and

(F) the National Quantum Information Science Research Centers; and

(5) coordinate with other Federal departments and agencies, research communities, and potential users of information produced under this section.

SEC. 402. NATIONAL QUANTUM INFORMATION SCIENCE RESEARCH CENTERS.

(a) ESTABLISHMENT.—

(1) **IN GENERAL.**—The Secretary of Energy, acting through the Director of the Office of Science (referred to in this section as the “Director”), shall ensure that the Office of Science carries out a program, in consultation with other Federal departments and agencies, as appropriate, to establish and operate at least 2, but not more than 5, National Quantum Information Science Research Centers (referred to in this section as “Centers”) to conduct basic research to accelerate scientific breakthroughs in quantum information science and technology and to support research conducted under section 401.

(2) REQUIREMENTS.—

(A) **COMPETITIVE, MERIT-REVIEWED PROCESS.**—The Centers shall be established through a competitive, merit-reviewed process.

(B) **APPLICATIONS.**—An eligible applicant under this subsection shall submit to the Director an application at such time, in such manner, and containing such information as the Director determines to be appropriate.

(C) **ELIGIBLE APPLICANTS.**—The Director shall consider applications from National Laboratories, institutions of higher education, research centers, multi-institutional collaborations, and any other entity that the Secretary of Energy determines to be appropriate.

(b) **COLLABORATIONS.**—A collaboration that receives an award under this section may include multiple types of research institutions and private sector entities.

(c) **REQUIREMENTS.**—To the maximum extent practicable, the Centers developed, constructed, operated, or maintained under this section shall serve the needs of the Department of Energy, industry, the academic community, and other relevant entities to create and develop processes for the purpose of advancing basic research in quantum information science and improving the competitiveness of the United States.

(d) **COORDINATION.**—The Secretary of Energy shall ensure the coordination, and avoid unnecessary duplication, of the activities of each Center with the activities of—

(1) other research entities of the Department of Energy, including—

(A) the Nanoscale Science Research Centers;

(B) the Energy Frontier Research Centers;

(C) the Energy Innovation Hubs; and

(D) the National Laboratories;

(2) institutions of higher education; and

(3) industry.

(e) DURATION.—

(1) **IN GENERAL.**—Each Center established under this section is authorized to carry out activities for a period of 5 years.

(2) **REAPPLICATION.**—An awardee may reapply for additional, subsequent periods of 5 years. The Director shall approve or disapprove of each reapplication on a competitive, merit-reviewed basis.

(3) **TERMINATION.**—Consistent with the authorities of the Department of Energy, the Secretary of Energy may terminate an underperforming Center for cause during the performance period.

(f) **FUNDING.**—The Secretary of Energy shall allocate up to \$25,000,000 for each Center established under this section for each of fiscal years 2019 through 2023, subject to the availability of appropriations. Amounts made available to carry out this section shall be derived from amounts appropriated or otherwise made available to the Department of Energy.

The SPEAKER pro tempore, Mr. CARTER of Georgia, recognized Mr. SMITH of Texas, and Ms. Eddie Bernice JOHNSON of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. CARTER of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

Mr. SMITH of Texas, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶166.20 NEW JERSEY COASTAL HERITAGE TRAIL

Mr. McCLINTOCK moved to suspend the rules and pass the bill (H.R. 6602) to reauthorize the New Jersey Coastal Heritage Trail Route, and for other purposes.

The SPEAKER pro tempore, Mr. CARTER of Georgia, recognized Mr. McCLINTOCK and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. CARTER of Georgia, announced that two-thirds of the Members present had voted in the affirmative.

Mr. McCLINTOCK objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. CARTER of Georgia, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, December 20, 2018.

The point of no quorum was considered as withdrawn.

¶166.21 AMENDMENTS OF THE SENATE TO H.R. 2606

Mr. McCLINTOCK moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 2606) to amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes:

(1) On page 3, line 12, strike **[**, as of said date, **]** and insert: *, as of the date of enactment of the Stigler Act Amendments of 2018,*

(2) At the end of the bill, add the following:

SEC. 5. RULE OF CONSTRUCTION PROVIDING FOR NO RETROACTIVITY.

Nothing in this Act, or the amendments made by this Act, shall be construed to revise or extend the restricted status of any lands under the Act of August 4, 1947 (61 Stat. 731, chapter 458) that lost restricted status under such Act before the date of enactment of this Act.

The SPEAKER pro tempore, Mr. CARTER of Georgia, recognized Mr. MCCLINTOCK and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and agree to said amendments of the Senate?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MCCLINTOCK objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed until Thursday, December 20, 2018.

The point of no quorum was considered as withdrawn.

¶166.22 KENNEWICK IRRIGATION DISTRICT CONVEYANCES

Mr. MCCLINTOCK moved to suspend the rules and pass the bill (H.R. 6652) to direct the Secretary of the Interior to convey certain facilities, easements, and rights-of-way to the Kennewick Irrigation District, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. MCCLINTOCK and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MCCLINTOCK objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶166.23 MODERNIZING RECREATIONAL FISHERIES MANAGEMENT

Mr. GRAVES of Louisiana, moved to suspend the rules and pass the bill of the Senate (S. 1520) to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. GRAVES of Louisiana, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

Mr. GRAVES of Louisiana, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶166.24 MUSEUM AND LIBRARY SERVICES

Mr. BANKS of Indiana, moved to suspend the rules and pass the bill of the Senate (S. 3530) to reauthorize the Museum and Library Services Act.

The SPEAKER pro tempore, Mr. POE of Texas, recognized Mr. BANKS of Indiana, and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. POE of Texas, announced that two-thirds of the Members present had voted in the affirmative.

Mr. BANKS of Indiana, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶166.25 RECESS—5:35 P.M.

The SPEAKER pro tempore, Mr. POE of Texas, pursuant to clause 12(a) of rule I, declared the House in recess at 5 o'clock and 35 minutes p.m., until approximately 6:30 p.m.

¶166.26 AFTER RECESS—6:30 P.M.

The SPEAKER pro tempore, Mr. HENSARLING, called the House to order.

¶166.27 AMENDMENT OF THE SENATE TO H.R. 1222—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HENSARLING, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 1222) to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the { Yeas 355
affirmative } Nays 7

¶166.28 [Roll No. 436]**YEAS—355**

Adams	Doyle, Michael	Lamb
Aderholt	F.	Lamborn
Aguilar	Duffy	Lance
Allen	Duncan (TN)	Langevin
Amodei	Dunn	Larsen (WA)
Arrington	Emmer	Larson (CT)
Babin	Engel	Latta
Bacon	Eshoo	Lawrence
Balderson	Espallat	Lawson (FL)
Banks (IN)	Estes (KS)	Lee
Barr	Esty (CT)	Lesko
Barragán	Evans	Levin
Bass	Faso	Lewis (GA)
Beatty	Ferguson	Lewis (MN)
Bera	Fitzpatrick	Lieu, Ted
Bergman	Fleischmann	LoBiondo
Beyer	Fortenberry	Loeback
Bilirakis	Fox	Lofgren
Bishop (GA)	Frankel (FL)	Long
Bishop (UT)	Frelinghuysen	Loudermilk
Blackburn	Fudge	Lowe
Blum	Gaetz	Lucas
Blumenauer	Gallagher	Luján, Ben Ray
Blunt Rochester	Gallego	Lynch
Bonamici	Garamendi	MacArthur
Bost	Gianforte	Maloney
Brady (TX)	Gibbs	Carolyn B.
Brooks (AL)	Gohmert	Maloney, Sean
Brooks (IN)	Gomez	Marino
Brown (MD)	Gonzalez (TX)	Marshall
Brownley (CA)	Goodlatte	Mast
Buck	Gosar	Matsui
Bucshon	Gottheimer	McCarthy
Burgess	Granger	McCaul
Bustos	Graves (GA)	McCollum
Butterfield	Graves (LA)	McEachin
Byrne	Graves (MO)	McGovern
Calvert	Green, Al	McKinley
Capuano	Green, Gene	McMorris
Carbajal	Griffith	Rodgers
Carson (IN)	Grijalva	McNerney
Carter (GA)	Grothman	Meadows
Carter (TX)	Guthrie	Meeks
Cartwright	Handel	Meng
Castor (FL)	Harper	Mitchell
Castro (TX)	Harris	Moolenaar
Chabot	Hartzler	Moore
Cheney	Hastings	Morelle
Chu, Judy	Heck	Mullin
Cicilline	Hensarling	Murphy (FL)
Clark (MA)	Hern	Nadler
Clarke (NY)	Herrera Beutler	Napolitano
Clay	Hice, Jody B.	Neal
Cleaver	Higgins (LA)	Newhouse
Cloud	Higgins (NY)	Norcross
Clyburn	Hill	O'Halleran
Coffman	Himes	O'Rourke
Cohen	Holding	Palazzo
Cole	Hollingsworth	Pallone
Collins (GA)	Hoyer	Palmer
Collins (NY)	Huffman	Panetta
Comer	Huizenga	Pascarella
Conaway	Hultgren	Payne
Connolly	Hunter	Pearce
Cook	Hurd	Pelosi
Cooper	Issa	Perlmutter
Correa	Jackson Lee	Perry
Costello (PA)	Jayapal	Peters
Courtney	Jeffries	Peterson
Crawford	Johnson (GA)	Pingree
Crist	Johnson (LA)	Pocan
Crowley	Johnson (OH)	Poe (TX)
Cuellar	Johnson, E. B.	Poliquin
Culberson	Jones (MI)	Posey
Cummings	Jordan	Price (NC)
Curbelo (FL)	Joyce (OH)	Quigley
Curtis	Kaptur	Raskin
Davis (CA)	Katko	Reed
Davis, Danny	Kelly (IL)	Reichert
Davis, Rodney	Kelly (MS)	Renacci
DeFazio	Kelly (PA)	Rice (SC)
DeGette	Khanna	Richmond
Delaney	Kihuen	Roby
DeLauro	Kildee	Roe (TN)
DelBene	Kilmer	Rogers (AL)
Demings	King (IA)	Rogers (KY)
DeSaulnier	Kinzinger	Rohrabacher
DesJarlais	Knight	Rokita
Deutch	Krishnamoorthi	Rooney, Francis
Diaz-Balart	Kuster (NH)	Rooney, Thomas
Dingell	Kustoff (TN)	J.
Doggett	Labrador	Roskam
Donovan	LaHood	Rothfus
	LaMalfa	Rouzer

Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Simpson
Sires

Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Tipton
Titus
Tonko
Torres
Trott
Turner
Upton
Vargas
Veasey
Velázquez

Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Zeldin

NAYS—7

Amash
Biggs
Davidson

Garrett
Massie
McClintock

Sanford

NOT VOTING—70

Abraham
Barletta
Barton
Bishop (MI)
Black
Boyle, Brendan
F.
Brady (PA)
Brat
Buchanan
Budd
Cárdenas
Comstock
Costa
Cramer
Denham
Duncan (SC)
Ellison
Flores
Foster
Gabbard
Gowdy
Gutiérrez
Hanabusa

Hudson
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kennedy
Kind
King (NY)
Lipinski
Love
Lowenthal
Luetkemeyer
Lujan Grisham,
M.
Marchant
McHenry
McSally
Messer
Mooney (WV)
Moulton
Noem
Nolan
Norman
Nunes

Olson
Paulsen
Pittenger
Polis
Ratcliffe
Rice (NY)
Ros-Lehtinen
Rosen
Ross
Scott, David
Shea-Porter
Shuster
Sinema
Speier
Thompson (MS)
Thornberry
Tsongas
Valadao
Vela
Walters, Mimi
Walz
Wild
Wilson (FL)
Yoho

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶166.29 AMENDMENT OF THE SENATE TO
H.R. 6615—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HENSARLING, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 6615) to reauthorize the Traumatic Brain Injury program.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the { Yeas 352
affirmative } Nays 6

¶166.30

[Roll No. 437]

YEAS—352

Adams
Aderholt
Aguiar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barr
Barragán
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Brady (TX)
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Carson (IN)
Carter (GA)
Handel
Carter (TX)
Cartwright
Harper
Harris
Hartzler
Hastings
Heck
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Crowley
Cuellar
Culberson
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan

Doyle, Michael
F.
Duffy
Duncan (TN)
Emmer
Engel
Eshoo
Español
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Fortenberry
Fox
Frankel (FL)
Frelinghuysen
Fudge
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Meng
Mitchell
Moolenaar
Moore
Morelle
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Norcross
O'Halloran
O'Rourke
Palazzo
Pallone
Palmer
Panetta
Pascarella
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Knight
Rooney, Francis
Rooney, Thomas
J.
Roskam
Rothfus
Rouzer

LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
LoBiondo
Loeb
Lofgren
Long
Loudermilk
Lowey
Lucas
Luján, Ben Ray
Lynch
MacArthur
Maloney
Carlynn B.
Maloney, Sean
Marino
Marshall
Mast
Matsui
McCarthy
McCauley
McCollum
McEachin
McGovern
McKinley
McMorris
Rodgers
McNerney
Meadows
Meeks
Meng
Mitchell
Moolenaar
Moore
Morelle
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Norcross
O'Halloran
O'Rourke
Palazzo
Pallone
Palmer
Panetta
Pascarella
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Knight
Rooney, Francis
Rooney, Thomas
J.
Roskam
Rothfus
Rouzer

Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Simpson

Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Takano
Tenney
Thompson (CA)
Thompson (PA)
Tipton
Titus
Tonko
Torres
Trott
Upton
Vargas
Veasey
Velázquez

Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Zeldin

NAYS—6

Amash
Davidson

Lesko
Massie

McClintock
Sanford

NOT VOTING—74

Abraham
Barletta
Barton
Bishop (MI)
Black
Blackburn
Boyle, Brendan
F.
Brady (PA)
Brat
Buchanan
Cárdenas
Comstock
Costa
Cramer
Curtis
Denham
Duncan (SC)
Dunn
Ellison
Flores
Foster
Gabbard
Gowdy
Gutiérrez
Hanabusa

Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kennedy
Kind
King (NY)
Lipinski
Love
Lowenthal
Luetkemeyer
Lujan Grisham,
M.
Marchant
McHenry
McSally
Messer
Mooney (WV)
Moulton
Noem
Nolan
Norman
Nunes
Olson
Paulsen
Pittenger

Polis
Ratcliffe
Rice (NY)
Ros-Lehtinen
Rosen
Ross
Scott, David
Shea-Porter
Shuster
Sinema
Speier
Taylor
Thompson (MS)
Thornberry
Tsongas
Turner
Valadao
Vela
Walters, Mimi
Walz
Wild
Williams
Wilson (FL)
Yoho

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶166.31 S. 2076—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HENSARLING, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2076) to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 361
affirmative { Nays 3

¶166.32

[Roll No. 438]

YEAS—361

Adams	Donovan	LaMalfa
Aderholt	Doyle, Michael	Lamb
Aguilar	F.	Lamborn
Allen	Duffy	Lance
Amodei	Duncan (TN)	Langevin
Arrington	Dunn	Larsen (WA)
Babin	Emmer	Larson (CT)
Bacon	Engel	Latta
Balderson	Eshoo	Lawrence
Banks (IN)	Espallat	Lawson (FL)
Barr	Estes (KS)	Lee
Barragán	Esty (CT)	Lesko
Bass	Evans	Levin
Beatty	Faso	Lewis (GA)
Bera	Ferguson	Lewis (MN)
Bergman	Fitzpatrick	Lieu, Ted
Beyer	Fleischmann	LoBiondo
Biggs	Fortenberry	Loeb sack
Bilirakis	Fox	Lofgren
Bishop (GA)	Frankel (FL)	Long
Bishop (UT)	Frelinghuysen	Loudermilk
Blum	Fudge	Lowey
Blumenauer	Gaetz	Lucas
Blunt Rochester	Gallagher	Luetkemeyer
Bonamici	Gallego	Luján, Ben Ray
Bost	Garamendi	Lynch
Brady (TX)	Gianforte	MacArthur
Brooks (AL)	Gibbs	Maloney,
Brooks (IN)	Gohmert	Carolyn B.
Brown (MD)	Gomez	Maloney, Sean
Brownley (CA)	Goodlatte	Marino
Buck	Gosar	Marshall
Bucshon	Gottheimer	Massie
Budd	Granger	Mast
Burgess	Graves (GA)	Matsui
Bustos	Graves (LA)	McCarthy
Butterfield	Graves (MO)	McCaul
Byrne	Green, Al	McCollum
Calvert	Green, Gene	McCollum
Capuano	Griffith	McEachin
Carbajal	Grijalva	McGovern
Carson (IN)	Grothman	McKinley
Carter (GA)	Guthrie	McMorris
Carter (TX)	Handel	Rodgers
Cartwright	Harper	McNerney
Castor (FL)	Harris	Meadows
Castro (TX)	Hartzler	Meeks
Chabot	Hastings	Meng
Cheney	Heck	Mitchell
Chu, Judy	Hensarling	Moolenaar
Cicilline	Hern	Mooney (WV)
Clark (MA)	Herrera Beutler	Moore
Clarke (NY)	Hice, Jody B.	Morelle
Clay	Higgins (LA)	Mullin
Cleaver	Higgins (NY)	Murphy (FL)
Cloud	Hill	Nadler
Clyburn	Himes	Napolitano
Coffman	Holding	Neal
Cohen	Hollingsworth	Newhouse
Cole	Hoyer	Norcross
Collins (GA)	Hudson	O'Halleran
Collins (NY)	Huffman	O'Rourke
Comer	Huizenga	Palazzo
Conaway	Hultgren	Pallone
Connolly	Hunter	Palmer
Cook	Hurd	Panetta
Cooper	Issa	Pascarella
Correa	Jackson Lee	Payne
Costello (PA)	Jayapal	Pearce
Courtney	Jeffries	Pelosi
Crawford	Johnson (GA)	Perlmutter
Crist	Johnson (LA)	Perry
Crowley	Johnson (OH)	Peters
Cuellar	Johnson, E. B.	Peterson
Culberson	Jones (MI)	Pingree
Cummings	Jordan	Pocan
Curbelo (FL)	Joyce (OH)	Poe (TX)
Curtis	Kaptur	Poliquin
Davidson	Katko	Posey
Davis (CA)	Kildee	Price (NC)
Davis, Danny	Kilmer	Quigley
Davis, Rodney	King (IA)	Raskin
DeFazio	Kinzing	Reed
DeGette	Knight	Reichert
Delaney	Krishnamoorthi	Renacci
DeLauro	Kuster (NH)	Rice (SC)
DeBene	Kustoff (TN)	Richmond
Demings	Labrador	Roby
DeSaulnier	LaHood	Roe (TN)
DesJarlais	Lamborn	Rogers (AL)
Deutch	Lance	Rogers (KY)
Diaz-Balart	Langevin	Rohrabacher
Dingell	Larsen (WA)	Rokita
Doggett	Larson (CT)	Rooney, Francis
	Latta	Rooney, Thomas
	Lawrence	J.
	Lawson (FL)	Roskam
	Lee	Rothfus
	Lesko	Rouzer
	Levin	Roybal-Allard
	Lewis (GA)	Ruiz
	Lewis (MN)	Ruppersberger
	Lieu, Ted	Rush
	LoBiondo	Russell
	Loeb sack	Rutherford
	Lofgren	Ryan (OH)
	Long	Sánchez
	Loudermilk	Sarbanes
	Lowey	Scalise
	Lucas	Scanlon
	Luetkemeyer	Schakowsky
	Luján, Ben Ray	Schiff
	Lynch	Schneider
		Schrader
		Schweikert
		Scott (VA)
		Scott, Austin
		Serrano
		Sessions
		Sewell (AL)
		Sherman
		Shimkus
		Simpson
		Sires

NAYS—3

NOT VOTING—68

Amash	McClintock	Sanford
Abraham	Gutiérrez	Paulsen
Barletta	Hanabusa	Pittenger
Barton	Jenkins (KS)	Polis
Bishop (MI)	Johnson, Sam	Ratcliffe
Black	Jones (NC)	Rice (NY)
Blackburn	Keating	Ros-Lehtinen
Boyle, Brendan	Kennedy	Rosen
F.	Kind	Ross
Brady (PA)	King (NY)	Scott, David
Brat	Lipinski	Shea-Porter
Buchanan	Love	Shuster
Cárdenas	Lowenthal	Sinema
Comstock	Lujan Grisham,	Speier
Costa	M.	Thompson (MS)
Cramer	Marchant	Thornberry
Denham	McHenry	Tsongas
Duncan (SC)	McSally	Vela
Ellison	Messer	Walters, Mimi
Flores	Moulton	Walz
Foster	Noem	Wild
Gabbard	Nolan	Wilson (FL)
Garrett	Norman	Yoho
Gonzalez (TX)	Nunes	
Gowdy	Olson	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶166.33 S. 2278—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. HENSARLING, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2278) to amend the Public Health Service Act to provide grants to improve health care in rural areas.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 357
affirmative { Nays 4

¶166.34

[Roll No. 439]

YEAS—357

Adams	Allen	Babin
Aderholt	Amodei	Bacon
Aguilar	Arrington	Balderson

Banks (IN)	Frelinghuysen	MacArthur
Barr	Fudge	Maloney,
Barragán	Gaetz	Carolyn B.
Bass	Gallagher	Maloney, Sean
Beatty	Gallego	Marino
Bera	Garamendi	Marshall
Bergman	Gianforte	Massie
Beyer	Gibbs	Mast
Bilirakis	Gohmert	Matsui
Bishop (GA)	Gomez	McCarthy
Bishop (UT)	Gonzalez (TX)	McCaul
Blum	Goodlatte	McClintock
Blumenauer	Gosar	McCollum
Blunt Rochester	Gottheimer	McEachin
Bonamici	Granger	McGovern
Bost	Graves (GA)	McKinley
Brady (TX)	Graves (LA)	McMorris
Brooks (AL)	Graves (MO)	Rodgers
Brown (MD)	Green, Al	McNerney
Brownley (CA)	Green, Gene	Meadows
Buck	Griffith	Meeks
Bucshon	Grijalva	Meng
Budd	Grothman	Mitchell
Burgess	Guthrie	Moolenaar
Bustos	Handel	Mooney (WV)
Butterfield	Harper	Moore
Byrne	Harris	Morelle
Calvert	Hartzler	Mullin
Capuano	Hastings	Murphy (FL)
Carbajal	Heck	Nadler
Carson (IN)	Hensarling	Napolitano
Carter (GA)	Hern	Neal
Carter (TX)	Herrera Beutler	Newhouse
Cartwright	Hice, Jody B.	Norcross
Castor (FL)	Higgins (LA)	O'Halleran
Castro (TX)	Higgins (NY)	O'Rourke
Chabot	Hill	Palazzo
Chu, Judy	Himes	Pallone
Cicilline	Holding	Palmer
Clyburn	Hoyer	Panetta
Coffman	Hudson	Pascarella
Cohen	Issa	Payne
Cole	Collins (NY)	Pearce
Collins (GA)	Comer	Pelosi
Collins (NY)	Conaway	Perlmutter
Comer	Connolly	Perry
Conaway	Cook	Peters
Connolly	Cook	Peterson
Cook	Cooper	Pingree
Cooper	Correa	Pittenger
Correa	Costello (PA)	Pocan
Costello (PA)	Courtney	Poe (TX)
Courtney	Crawford	Poliquin
Crawford	Crist	Posey
Crist	Crowley	Price (NC)
Crowley	Cuellar	Quigley
Cuellar	Culberson	Raskin
Culberson	Cummings	Reed
Cummings	Curbelo (FL)	Reichert
Curbelo (FL)	Curtis	Renacci
Curtis	Davidson	Rice (SC)
Davidson	Davis (CA)	Richmond
Davis (CA)	Davis, Danny	Roby
Davis, Danny	Davis, Rodney	Roe (TN)
Davis, Rodney	DeFazio	Rogers (AL)
DeFazio	DeGette	Rogers (KY)
DeGette	Delaney	Rohrabacher
Delaney	DeLauro	Rokita
DeLauro	Demings	Rooney, Francis
DeBene	DeSaulnier	Rooney, Thomas
Demings	DesJarlais	J.
DeSaulnier	Deutch	Roskam
DesJarlais	Diaz-Balart	Rothfus
Deutch	Dingell	Rouzer
Diaz-Balart	Doggett	Roybal-Allard
Dingell	Donovan	Ruiz
Doggett	Doyle, Michael	Ruppersberger
	F.	Rush
	Duffy	Russell
	Duncan (TN)	Rutherford
	Dunn	Ryan (OH)
	Emmer	Sánchez
	Engel	Sarbanes
	Eshoo	Scalise
	Espallat	Scanlon
	Estes (KS)	Schakowsky
	Esty (CT)	Schiff
	Evans	Schneider
	Faso	Schrader
	Ferguson	Schweikert
	Fitzpatrick	Scott (VA)
	Fleischmann	Scott, Austin
	Fortenberry	Serrano
	Fox	Sessions
	Frankel (FL)	Sewell (AL)
		Sherman
		Shimkus
		Simpson
		Sires

Smith (MO) Titus
Smith (NE) Tonko
Smith (NJ) Torres
Smith (TX) Trott
Smith (WA) Turner
Smucker Upton
Soto Valadao
Stefanik Vargas
Stewart Veasey
Stivers Velázquez
Suoizzi Visclosky
Swailwell (CA) Wagner
Takano Walberg
Taylor Walden
Tenney Walker
Thompson (CA) Walorski
Thompson (PA) Wasserman
Tipton Schultz

NAYS—4

Amash Sanford
Biggs Sensenbrenner

NOT VOTING—71

Abraham Garrett
Barletta Gowdy
Barton Gutiérrez
Bishop (MI) Hanabusa
Black Hollingsworth
Blackburn Jenkins (KS)
Boyle, Brendan Johnson, Sam
F. Jones (NC)
Brady (PA) Keating
Brat Kennedy
Brooks (IN) Kind
Buchanan King (NY)
Cárdenas Lipinski
Cheney Love
Cleaver Lowenthal
Collins (GA) Lujan Grisham,
Comstock M.
Costa Marchant
Cramer McHenry
Denham McSally
Duncan (SC) Messer
Ellison Moulton
Flores Noem
Foster Nolan
Gabbard Norman

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶166.35 H.R. 7327—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7327) to require the Secretary of Homeland Security to establish a security vulnerability disclosure policy, to establish a bug bounty program for the Department of Homeland Security, to amend title 41, United States Code, to provide for Federal acquisition supply chain security, and for other purposes.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that two-thirds of those present had voted in the affirmative.

Mr. MASSIE demanded a recorded vote on the motion to suspend the rules and pass said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 362
affirmative { Noes 1

¶166.36

[Roll No. 440]

AYES—362

Adams Doyle, Michael
Aderholt F.
Agular Duffy
Allen Duncan (TN)
Amash Dunn
Amodei Emmer
Arrington Engel
Babin Eshoo
Bacon Espallat
Balderson Estes (KS)
Banks (IN) Esty (CT)
Barr Evans
Barragán Faso
Bass Ferguson
Beatty Fitzpatrick
Bera Fleischmann
Bergman Fortenberry
Beyer Foe
Biggs Frank (FL)
Bilirakis Frelinghuysen
Bishop (UT) Fudge
Blum Gaetz
Blumenauer Gallagher
Blunt Rochester Gallego
Bonamici Garamendi
Bost Garrett
Brady (TX) Gianforte
Brooks (AL) Gibbs
Brooks (IN) Gohmert
Brown (MD) Gomez
Brownley (CA) Gonzalez (TX)
Buck Goodlatte
Bucshon Gosar
Budd Gottheimer
Burgess Granger
Bustos Graves (GA)
Butterfield Graves (LA)
Byrne Graves (MO)
Calvert Green, Al
Capuano Green, Gene
Cárdenas Griffith
Carrion Grijalva
Carson (IN) Grothman
Carter (GA) Guthrie
Carter (TX) Handal
Cartwright Harper
Castor (FL) Harris
Castro (TX) Hartzler
Chabot Hastings
Cheney Heck
Chu, Judy Hensarling
Cicilline Clark (MA)
Clarke (NY) Clarke (NY)
Clay Hice, Jody B.
Cleaver Higgins (LA)
Cloud Higgins (NY)
Clyburn Hill
Coffman Himes
Cohen Holding
Cole Hollingsworth
Collins (GA) Hoyer
Collins (NY) Hudson
Comer Huffman
Conaway Huizenga
Connolly Hultgren
Cook Hunter
Cooper Hurd
Correa Issa
Costello (PA) Jackson Lee
Courtney Jayapal
Crawford Jeffries
Crist Johnson (GA)
Crowley Johnson (LA)
Cuellar Johnson (OH)
Culberson Johnson, E. B.
Cummings Jones (MI)
Curbelo (FL) Jordan
Curtis Joyce (OH)
Davidson Kaptur
Davis (CA) Katko
Davis, Danny Kelly (IL)
Davis, Rodney Kelly (MS)
DeFazio Kelly (PA)
DeGette Khanna
Delaney Kihuen
DelBene Kildee
Demings Kilmer
DesSaulnier King (IA)
DesJarlais Kinzinger
Deutch Knight
Diaz-Balart Krishnamoorthi
Dingell Kuster (NH)
Doggett Kustoff (TN)
Donovan Labrador

Rooney, Francis Sherman
Roskam Shimkus
Rothfus Simpson
Rouzer Sires
Roybal-Allard Smith (MO)
Royce (CA) Smith (NE)
Ruiz Smith (NJ)
Ruppersberger Smith (TX)
Rush Smith (WA)
Russell Smucker
Rutherford Soto
Ryan (OH) Stefanik
Sánchez Stewart
Sanford Stivers
Sarbanes Suozzi
Scalise Takano
Scanlon Taylor
Schakowsky Tenney
Schiff Thompson (CA)
Schneider Thompson (PA)
Schradler Tipton
Schweikert Titus
Scott (VA) Tonko
Scott, Austin Torres
Sensenbrenner Trott
Serrano Turner
Sessions Upton
Sewell (AL) Valadao

NOES—1

Massie

NOT VOTING—69

Abraham Gutiérrez Paulsen
Barletta Hanabusa Polis
Barton Jenkins (KS) Ratcliffe
Bishop (GA) Johnson, Sam Rice (NY)
Bishop (MI) Jones (NC) Rooney, Thomas
Black Keating J.
Blackburn Kennedy Ros-Lehtinen
Boyle, Brendan Kind Rosen
F. King (NY) Ross
Brady (PA) Lipinski Scott, David
Brat Love Shea-Porter
Buchanan Lowenthal Shuster
Cárdenas Lujan Grisham, Sinema
Comstock M. Speier
Costa Marchant Swalwell (CA)
Cramer McHenry Thompson (MS)
DeLauro McSally Thornberry
Denham Messer Tsongas
Duncan (SC) Moulton Vela
Ellison Noem Walters, Mimi
Flores Nolan Walz
Foster Norman Wild
Gabbard Nunes Wilson (FL)
Gowdy Olson Yoho

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶166.37 H.R. 7279—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7279) to amend the Federal Water Pollution Control Act to provide for an integrated planning process, to promote green infrastructure, and for other purposes.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that two-thirds of those present had voted in the affirmative.

Mr. MASSIE demanded a recorded vote on the motion to suspend the rules and pass said bill, which demand was supported by one-fifth of a

quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 351
affirmative { Noes 10

¶166.38

[Roll No. 441]

AYES—351

Adams	Diaz-Balart	Kuster (NH)
Aderholt	Dingell	Kustoff (TN)
Aguilar	Doggett	Labrador
Allen	Donovan	LaHood
Amodei	Doyle, Michael	LaMalfa
Arrington	F.	Lamb
Babin	Duffy	Lamborn
Bacon	Duncan (TN)	Lance
Balderson	Dunn	Langevin
Banks (IN)	Emmer	Larsen (WA)
Barr	Engel	Larson (CT)
Barragán	Eshoo	Latta
Bass	Españat	Lawrence
Beatty	Estes (KS)	Lawson (FL)
Bera	Esty (CT)	Lee
Bergman	Evans	Lesko
Beyer	Faso	Levin
Bilirakis	Ferguson	Lewis (GA)
Bishop (UT)	Fitzpatrick	Lewis (MN)
Blumenauer	Fleischmann	Lieu, Ted
Blunt Rochester	Fortenberry	LoBiondo
Bonamici	Fox	Loeb
Bost	Frankel (FL)	Lofgren
Brady (TX)	Frelinghuysen	Long
Brooks (AL)	Fudge	Loudermilk
Brooks (IN)	Gallagher	Lowey
Brown (MD)	Galleo	Lucas
Brownley (CA)	Garamendi	Luetkemeyer
Buck	Gianforte	Luján, Ben Ray
Bucshon	Gibbs	Lynch
Budd	Gohmert	MacArthur
Burgess	Gomez	Maloney
Bustos	Gonzalez (TX)	Carolyn B.
Butterfield	Gosar	Maloney, Sean
Byrne	Gottheimer	Marino
Calvert	Granger	Marshall
Capuano	Graves (GA)	Mast
Carbajal	Graves (MO)	Matsui
Carson (IN)	Green, Al	McCarthy
Carter (GA)	Green, Gene	McCaul
Carter (TX)	Grijalva	McClintock
Cartwright	Guthrie	McColum
Castor (FL)	Handel	McEachin
Castro (TX)	Harper	McGovern
Chabot	Harris	McKinley
Cheney	Hartzler	McMorris
Chu, Judy	Hastings	Rodgers
Cicilline	Heck	McNerney
Clark (MA)	Hensarling	Meadows
Clarke (NY)	Hern	Meeks
Clay	Herrera Beutler	Meng
Cleaver	Hice, Jody B.	Mitchell
Cloud	Higgins (LA)	Moolenaar
Clyburn	Higgins (NY)	Mooney (WV)
Coffman	Hill	Moore
Cohen	Himes	Morelle
Cole	Holding	Mullin
Collins (GA)	Hollingsworth	Murphy (FL)
Collins (NY)	Hoyer	Nadler
Comer	Hudson	Napolitano
Conaway	Huffman	Neal
Connolly	Huizenga	Newhouse
Cook	Hultgren	Norcross
Cooper	Hunter	O'Halleran
Correa	Hurd	O'Rourke
Costello (PA)	Jackson Lee	Palazzo
Courtney	Jayapal	Pallone
Crawford	Jeffries	Palmer
Crist	Johnson (GA)	Panetta
Crowley	Johnson (LA)	Pascarell
Cuellar	Johnson (OH)	Payne
Culberson	Johnson, E. B.	Pearce
Cummings	Jones (MI)	Pelosi
Curbelo (FL)	Jordan	Perlmutter
Curtis	Joyce (OH)	Perry
Davidson	Kaptur	Peters
Davis (CA)	Katko	Peterson
Davis, Danny	Kelly (IL)	Pingree
Davis, Rodney	Kelly (MS)	Pittenger
DeFazio	Kelly (PA)	Pocan
DeGette	Khanna	Poe (TX)
Delaney	Kihuen	Poliquin
DeLauro	Kildee	Posey
DelBene	Kilmer	Price (NC)
Demings	King (IA)	Quigley
DeSaulnier	Kinzinger	Raskin
DesJarlais	Knight	Reed
Deutch	Krishnamoorthi	Reichert

Renacci	Scott, Austin
Rice (SC)	Serrano
Richmond	Sessions
Roby	Sewell (AL)
Roe (TN)	Sherman
Rogers (AL)	Shimkus
Rogers (KY)	Simpson
Rohrabacher	Sires
Rokita	Smith (MO)
Rooney, Francis	Smith (NE)
Roskam	Smith (NJ)
Rothfus	Smith (TX)
Rouzer	Smith (WA)
Roybal-Allard	Smucker
Royce (CA)	Soto
Ruiz	Stefanik
Ruppersberger	Stewart
Rush	Stivers
Russell	Suozzi
Rutherford	Takano
Ryan (OH)	Taylor
Sánchez	Tenney
Sarbanes	Thompson (CA)
Scalise	Thompson (PA)
Scanlon	Tipton
Schakowsky	Titus
Schiff	Tonko
Schneider	Torres
Schrader	Trott
Schweikert	Turner
Scott (VA)	Upton

NOES—10

Amash	Goodlatte
Biggs	Griffith
Blum	Grothman
Gaetz	Massie

NOT VOTING—71

Abraham	Gutiérrez	Paulsen
Barletta	Hanabusa	Polis
Barton	Issa	Ratcliffe
Bishop (GA)	Jenkins (KS)	Rice (NY)
Bishop (MI)	Johnson, Sam	Rooney, Thomas
Black	Jones (NC)	J.
Blackburn	Keating	Ros-Lehtinen
Boyle, Brendan	Kennedy	Rosen
F.	Kind	Ross
Brady (PA)	King (NY)	Scott, David
Brat	Lipinski	Shea-Porter
Buchanan	Love	Shuster
Cárdenas	Lowenthal	Sinema
Comstock	Lujan Grisham,	Speier
Costa	M.	Swalwell (CA)
Cramer	Marchant	Thompson (MS)
Denham	McHenry	Thornberry
Duncan (SC)	McSally	Tsongas
Ellison	Messer	Vela
Flores	Moulton	Walters, Mimi
Foster	Noem	Walz
Gabbard	Nolan	Wild
Garrett	Norman	Wilson (FL)
Gowdy	Nunes	Yoho
Graves (LA)	Olson	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶166.39 AMENDMENT OF THE SENATE TO
H.R. 6227—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 6227) to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States.

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that two-thirds of those present had voted in the affirmative.

Mr. MASSIE demanded a recorded vote on the motion to suspend the rules and agree to the amendment, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 348
affirmative { Noes 11

¶166.40

[Roll No. 442]

AYES—348

Adams	DeFazio	Johnson (LA)
Aderholt	DeGette	Johnson (OH)
Aguilar	Delaney	Johnson, E. B.
Allen	DeLauro	Jones (MI)
Amodei	DelBene	Jordan
Arrington	Demings	Joyce (OH)
Babin	DeSaulnier	Kaptur
Bacon	DesJarlais	Katko
Balderson	Deutch	Kelly (IL)
Banks (IN)	Diaz-Balart	Kelly (MS)
Barr	Dingell	Kelly (PA)
Barragán	Doggett	Khanna
Bass	Donovan	Kihuen
Beatty	Doyle, Michael	Kildee
Bera	F.	Kilmer
Bergman	Duffy	King (IA)
Beyer	Dunn	Kinzinger
Biggs	Emmer	Knight
Bilirakis	Engel	Krishnamoorthi
Bishop (UT)	Eshoo	Kuster (NH)
Blumenauer	Españat	Kustoff (TN)
Blunt Rochester	Estes (KS)	Labrador
Bonamici	Esty (CT)	LaHood
Bost	Evans	LaMalfa
Brady (TX)	Faso	Lamb
Brooks (AL)	Ferguson	Lamborn
Brooks (IN)	Fitzpatrick	Lance
Brown (MD)	Fleischmann	Langevin
Brownley (CA)	Fortenberry	Larsen (WA)
Bucshon	Fox	Larson (CT)
Budd	Frankel (FL)	Latta
Burgess	Frelinghuysen	Lawrence
Bustos	Fudge	Lawson (FL)
Butterfield	Gallagher	Lee
Byrne	Galleo	Lesko
Calvert	Garamendi	Levin
Capuano	Gianforte	Lewis (GA)
Carbajal	Gibbs	Lewis (MN)
Carson (IN)	Gomez	Lieu, Ted
Carter (GA)	Gonzalez (TX)	LoBiondo
Carter (TX)	Goodlatte	Loeb
Cartwright	Gosar	Lofgren
Castor (FL)	Gottheimer	Long
Castro (TX)	Granger	Loudermilk
Chabot	Graves (GA)	Lowey
Cheney	Graves (LA)	Lucas
Chu, Judy	Graves (MO)	Luetkemeyer
Cicilline	Green, Al	Luján, Ben Ray
Clark (MA)	Green, Gene	Lynch
Clarke (NY)	Griffith	MacArthur
Clay	Grijalva	Maloney
Cleaver	Guthrie	Carolyn B.
Cloud	Handel	Maloney, Sean
Clyburn	Harper	Marino
Coffman	Harris	Marshall
Cohen	Hartzler	Mast
Cole	Hastings	Matsui
Collins (GA)	Heck	McCarthy
Collins (NY)	Hensarling	McCaul
Comer	Hern	McColum
Conaway	Herrera Beutler	McEachin
Connolly	Hice, Jody B.	McGovern
Cook	Higgins (LA)	McKinley
Cooper	Higgins (NY)	McMorris
Correa	Hill	Rodgers
Costello (PA)	Himes	McNerney
Courtney	Holding	Meadows
Crawford	Hoyer	Meeks
Crist	Hudson	Meng
Crowley	Huffman	Mitchell
Cuellar	Huizenga	Moolenaar
Culberson	Hultgren	Mooney (WV)
Cummings	Hunter	Moore
Curbelo (FL)	Hurd	Morelle
Curtis	Jackson Lee	Mullin
Davis (CA)	Jayapal	Murphy (FL)
Davis, Danny	Jeffries	Nadler
Davis, Rodney	Johnson (GA)	Napolitano

Neal	Rouzer	Tenney
Newhouse	Roybal-Allard	Thompson (CA)
Norcross	Royce (CA)	Thompson (PA)
O'Halleran	Ruiz	Tipton
O'Rourke	Ruppersberger	Titus
Palazzo	Russell	Tonko
Pallone	Rutherford	Torres
Palmer	Ryan (OH)	Trott
Panetta	Sánchez	Turner
Pascarell	Sanford	Upton
Payne	Sarbanes	Valadao
Pearce	Scalise	Vargas
Pelosi	Scanlon	Veasey
Perlmutter	Schakowsky	Velazquez
Perry	Schiff	Visclosky
Peters	Schneider	Wagner
Peterson	Schrader	Walberg
Pingree	Schweikert	Walden
Pittenger	Scott (VA)	Walker
Pocan	Scott, Austin	Walorski
Poe (TX)	Serrano	Wasserman
Poliquin	Sessions	Schultz
Posey	Sewell (AL)	Waters, Maxine
Price (NC)	Sherman	Watson Coleman
Quigley	Shimkus	Weber (TX)
Raskin	Simpson	Webster (FL)
Reed	Sires	Welch
Reichert	Smith (MO)	Wenstrup
Renacci	Smith (NE)	Westerman
Rice (SC)	Smith (NJ)	Williams
Richmond	Smith (TX)	Wilson (SC)
Roby	Smith (WA)	Wittman
Roe (TN)	Smucker	Womack
Rogers (AL)	Soto	Woodall
Rogers (KY)	Stefanik	Yoder
Rohrabacher	Stewart	Young (AK)
Rokita	Stivers	Young (IA)
Rooney, Francis	Suozi	Zeldin
Roskam	Takano	
Rothfus	Taylor	

NOES—11

Amash	Duncan (TN)	Massie
Blum	Gaetz	McClintock
Buck	Gohmert	Sensenbrenner
Davidson	Grothman	

NOT VOTING—73

Abraham	Hollingsworth	Ratcliffe
Barletta	Issa	Rice (NY)
Barton	Jenkins (KS)	Rooney, Thomas
Bishop (GA)	Johnson, Sam	J.
Bishop (MI)	Jones (NC)	Ros-Lehtinen
Black	Keating	Rosen
Blackburn	Kennedy	Ross
Boyle, Brendan	Kind	Rush
F.	King (NY)	Scott, David
Brady (PA)	Lipinski	Shea-Porter
Brat	Love	Shuster
Buchanan	Lowenthal	Sinema
Cárdenas	Lujan Grisham,	Speier
Comstock	M.	Swalwell (CA)
Costa	Marchant	Thompson (MS)
Cramer	McHenry	Thornberry
Denham	McSally	Tsongas
Duncan (SC)	Messer	Vela
Ellison	Moulton	Walters, Mimi
Flores	Noem	Walz
Foster	Nolan	Wild
Gabbard	Norman	Wilson (FL)
Garrett	Nunes	Yarmuth
Gowdy	Olson	Yoho
Gutiérrez	Paulsen	
Hanabusa	Polis	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶166.41 H.R. 6652—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6652) to direct the Secretary of the Interior to convey certain facili-

ties, easements, and rights-of-way to the Kennewick Irrigation District, and for other purposes; as amended.

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that two-thirds of those present had voted in the affirmative.

Mr. MASSIE demanded a recorded vote on the motion to suspend the rules and pass said bill, as amended, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 359
affirmative { Noes 1

¶166.42

[Roll No. 443]

AYES—359

Adams	Crowley	Hastings
Aderholt	Cuellar	Heck
Aguiar	Culberson	Hensarling
Allen	Cummings	Hern
Amodei	Curbelo (FL)	Herrera Beutler
Arrington	Curtis	Hice, Jody B.
Babin	Davidson	Higgins (LA)
Bacon	Davis (CA)	Higgins (NY)
Balderson	Davis, Danny	Hill
Banks (IN)	Davis, Rodney	Himes
Barr	DeFazio	Holding
Barragán	DeGette	Hollingsworth
Bass	DeLauro	Hoyer
Beatty	DelBene	Hudson
Bera	Demings	Huffman
Bergman	DeSaulnier	Huizenga
Beyer	DesJarlais	Hultgren
Biggs	Deutch	Hunter
Bilirakis	Diaz-Balart	Hurd
Bishop (UT)	Dingell	Jackson Lee
Blum	Doggett	Jayapal
Blunt Rochester	Donovan	Jeffries
Bonamici	Doyle, Michael	Johnson (GA)
Bost	Duffy	Johnson (LA)
Brady (TX)	Duncan (TN)	Johnson (OH)
Brooks (AL)	Dunn	Johnson, E. B.
Brooks (IN)	Dunn	Jones (MI)
Brown (MD)	Emmer	Jordan
Brownley (CA)	Engel	Joyce (OH)
Buck	Eshoo	Kaptur
Bucshon	Españal	Katko
Budd	Estes (KS)	Kelly (IL)
Burgess	Esty (CT)	Kelly (MS)
Bustos	Evans	Kelly (PA)
Butterfield	Faso	Khanna
Byrne	Ferguson	Kihuen
Calvert	Fitzpatrick	Kildee
Capuano	Fleischmann	Kilmer
Carbajal	Fortenberry	King (IA)
Carson (IN)	Fox	Kinzing
Carter (GA)	Frankel (FL)	Knight
Carter (TX)	Frelinghuysen	Krishnamoorthi
Cartwright	Fudge	Kuster (NH)
Castor (FL)	Gaetz	Kustoff (TN)
Castro (TX)	Gallagher	Labrador
Chabot	Gallego	LaHood
Cheney	Garamendi	LaMalfa
Chu, Judy	Garrett	Lamb
Cicilline	Gianforte	Lamborn
Clark (MA)	Gibbs	Lance
Clarke (NY)	Gohmert	Langevin
Clay	Gomez	Larsen (WA)
Cleaver	Gonzalez (TX)	Larson (CT)
Cloud	Goodlatte	Latta
Clyburn	Gosar	Lawrence
Coffman	Gottheimer	Lawson (FL)
Cohen	Granger	Lee
Cole	Graves (GA)	Lesko
Collins (GA)	Graves (LA)	Levin
Collins (NY)	Graves (MO)	Lewis (GA)
Comer	Green, Al	Lewis (MN)
Conaway	Green, Gene	Lieu, Ted
Connolly	Griffith	LoBiondo
Cook	Grijalva	Loeb
Cooper	Grothman	Lofgren
Correa	Guthrie	Long
Costello (PA)	Handel	Loudermilk
Courtney	Harper	Lowey
Crawford	Harris	Lucas
Crist	Hartzler	Luetkemeyer

Luján, Ben Ray	Pittenger	Smith (MO)
Lynch	Pocan	Smith (NE)
MacArthur	Poe (TX)	Smith (NJ)
Maloney,	Poliquin	Smith (TX)
Carolyn B.	Posey	Smith (WA)
Maloney, Sean	Price (NC)	Smucker
Marino	Quigley	Soto
Marshall	Raskin	Stefanik
Massie	Reed	Stewart
Mast	Reichert	Stivers
Matsui	Renacci	Suozi
McCarthy	Rice (SC)	Takano
McCaul	Richmond	Taylor
McClintock	Roby	Tenney
McCollum	Roe (TN)	Thompson (CA)
McEachin	Rogers (AL)	Thompson (PA)
McGovern	Rogers (KY)	Tipton
McKinley	Rohrabacher	Titus
McMorris	Rokita	Tonko
Rodgers	Rooney, Francis	Torres
McNerney	Roskam	Trott
Meadows	Rothfus	Turner
Meeks	Rouzer	Upton
Meng	Roybal-Allard	Valadao
Mitchell	Royce (CA)	Vargas
Moolenaar	Ruiz	Veasey
Mooney (WV)	Ruppersberger	Velazquez
Moore	Rush	Visclosky
Morelle	Russell	Wagner
Mullin	Rutherford	Walberg
Murphy (FL)	Ryan (OH)	Walden
Nadler	Sánchez	Walker
Napolitano	Sanford	Walorski
Neal	Sarbanes	Wasserman
Newhouse	Scalise	Schultz
Norcross	Scanlon	Waters, Maxine
O'Halleran	Schakowsky	Watson Coleman
O'Rourke	Schiff	Weber (TX)
Palazzo	Schneider	Webster (FL)
Pallone	Schrader	Welch
Palmer	Schweikert	Wenstrup
Panetta	Scott (VA)	Westerman
Pascarell	Scott, Austin	Williams
Payne	Sensenbrenner	Wilson (SC)
Pearce	Serrano	Wittman
Pelosi	Sessions	Womack
Perlmutter	Sewell (AL)	Woodall
Perry	Sherman	Yoder
Peters	Shimkus	Young (AK)
Peterson	Simpson	Young (IA)
Pingree	Sires	Zeldin

NOES—1

Amash
NOT VOTING—72

Abraham	Gutiérrez	Paulsen
Barletta	Hanabusa	Polis
Barton	Issa	Ratcliffe
Bishop (GA)	Jenkins (KS)	Rice (NY)
Bishop (MI)	Johnson, Sam	Rooney, Thomas
Black	Jones (NC)	J.
Blackburn	Keating	Ros-Lehtinen
Blumenauer	Kennedy	Rosen
Boyle, Brendan	Kind	Ross
F.	King (NY)	Scott, David
Brady (PA)	Lipinski	Shea-Porter
Brat	Love	Shuster
Buchanan	Lowenthal	Sinema
Cárdenas	Lujan Grisham,	Speier
Comstock	M.	Swalwell (CA)
Costa	Marchant	Thompson (MS)
Cramer	McHenry	Thornberry
Delaney	McSally	Tsongas
Denham	Messer	Vela
Duncan (SC)	Moulton	Walters, Mimi
Ellison	Noem	Walz
Flores	Nolan	Wild
Foster	Norman	Wilson (FL)
Gabbard	Nunes	Yarmuth
Gowdy	Olson	Yoho

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶166.43 S. 1520—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to

clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1520) to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that two-thirds of those present had voted in the affirmative.

Mr. MASSIE demanded a recorded vote on the motion to suspend the rules and pass said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 350
affirmative { Noes 11

¶166.44 [Roll No. 444]

AYES—350

Adams	Correa	Grijalva
Aderholt	Costello (PA)	Grothman
Aguilar	Courtney	Guthrie
Allen	Crawford	Handel
Amodei	Crist	Harper
Arrington	Crowley	Harris
Babin	Cuellar	Hartzler
Bacon	Culberson	Hastings
Balderson	Cummings	Heck
Banks (IN)	Curbelo (FL)	Hensarling
Barr	Curtis	Hern
Barragán	Davis (CA)	Herrera Beutler
Bass	Davis, Danny	Hice, Jody B.
Beatty	Davis, Rodney	Higgins (LA)
Bera	DeFazio	Higgins (NY)
Bergman	DeGette	Hill
Beyer	DeLauro	Himes
Bilirakis	DelBene	Holding
Bishop (GA)	Demings	Hollingsworth
Bishop (UT)	DeSaulnier	Hoyer
Blunt Rochester	DesJarlais	Hudson
Bonamici	Deutch	Huffman
Bost	Diaz-Balart	Huizenga
Brady (TX)	Dingell	Hultgren
Brooks (AL)	Doggett	Hunter
Brooks (IN)	Donovan	Hurd
Brown (MD)	Doyle, Michael	Jackson Lee
Brownley (CA)	F.	Jayapal
Buck	Duffy	Jeffries
Bucshon	Dunn	Johnson (GA)
Budd	Emmer	Johnson (LA)
Burgess	Engel	Johnson (OH)
Bustos	Eshoo	Johnson, E. B.
Butterfield	Españillat	Jones (MI)
Byrne	Estes (KS)	Jordan
Calvert	Esty (CT)	Joyce (OH)
Capuano	Evans	Kaptur
Carbajal	Faso	Katko
Carson (IN)	Ferguson	Kelly (IL)
Carter (GA)	Fitzpatrick	Kelly (MS)
Carter (TX)	Fleischmann	Kelly (PA)
Cartwright	Fortenberry	Khanna
Castor (FL)	Fox	Kihuen
Castro (TX)	Frankel (FL)	Kildee
Chabot	Frelinghuysen	Kilmer
Cheney	Fudge	King (IA)
Chu, Judy	Gallagher	Kinzinger
Cicilline	Gallego	Knight
Clark (MA)	Garamendi	Krishnamoorthi
Clarke (NY)	Gianforte	Kuster (NH)
Clay	Gibbs	Kustoff (TN)
Cleaver	Gohmert	Labrador
Cloud	Gomez	LaHood
Clyburn	Gonzalez (TX)	LaMalfa
Coffman	Goodlatte	Lamb
Cohen	Gosar	Lamborn
Cole	Gottheimer	Lance
Collins (GA)	Granger	Langevin
Collins (NY)	Graves (GA)	Larsen (WA)
Comer	Graves (LA)	Larson (CT)
Conaway	Graves (MO)	Latta
Connolly	Green, Al	Lawrence
Cook	Green, Gene	Lawson (FL)
Cooper	Griffith	Lee

Lesko	Panetta	Sherman
Levin	Pascarell	Shimkus
Lewis (GA)	Payne	Simpson
Lewis (MN)	Pearce	Sires
Lieu, Ted	Pelosi	Smith (MO)
LoBiondo	Perlmutter	Smith (NE)
Loeback	Perry	Smith (NJ)
Lofgren	Peters	Smith (TX)
Long	Peterson	Smith (WA)
Loudermilk	Pingree	Smucker
Lowe	Pittenger	Soto
Lucas	Pocan	Stefanik
Luetkemeyer	Poe (TX)	Stewart
Lujan, Ben Ray	Poliquin	Stivers
Lynch	Posey	Suozzi
MacArthur	Price (NC)	Takano
Maloney	Quigley	Taylor
Carolyn B.	Raskin	Tenney
Maloney, Sean	Reed	Thompson (CA)
Marino	Reichert	Thompson (PA)
Marshall	Renacci	Tipton
Mast	Rice (SC)	Titus
Matsui	Richmond	Tonko
McCarthy	Roby	Torres
McCauley	Roe (TN)	Trott
McClintock	Rogers (AL)	Turner
McCollum	Rogers (KY)	Upton
McEachin	Rohrabacher	Valadao
McGovern	Rokita	Vargas
McKinley	Rooney, Francis	Veasey
McMorris	Roskam	Velazquez
Rodgers	Rothfus	Visclosky
McNerney	Rouzer	Wagner
Meadows	Roybal-Allard	Walberg
Meeks	Royce (CA)	Walden
Meng	Ruiz	Walker
Mitchell	Ruppersberger	Walorski
Moolenaar	Rush	Wasserman
Mooney (WV)	Russell	Schultz
Moore	Rutherford	Waters, Maxine
Morelle	Ryan (OH)	Watson Coleman
Mullin	Sánchez	Weber (TX)
Murphy (FL)	Sarbanes	Webster (FL)
Nadler	Scalise	Welch
Napolitano	Scanlon	Wenstrup
Neal	Schakowsky	Westerman
Newhouse	Schiff	Williams
Norcross	Schneider	Wilson (SC)
Norman	Schweikert	Wittman
O'Halleran	Scott (VA)	Womack
O'Rourke	Scott, Austin	Woodall
Palazzo	Sensenbrenner	Yoder
Pallone	Sessions	Young (IA)
Palmer	Sewell (AL)	Zeldin

NOES—11

Amash	Duncan (TN)	Sanford
Biggs	Gaetz	Schrader
Blum	Garrett	Young (AK)
Davidson	Massie	

NOT VOTING—71

Abraham	Hanabusa	Ratcliffe
Barletta	Issa	Rice (NY)
Barton	Jenkins (KS)	Rooney, Thomas
Bishop (MI)	Johnson, Sam	J.
Black	Jones (NC)	Ros-Lehtinen
Blackburn	Keating	Rosen
Blumenauer	Kennedy	Ross
Boyle, Brendan	Kind	Scott, David
F.	King (NY)	Serrano
Brady (PA)	Lipinski	Shea-Porter
Brat	Love	Shuster
Buchanan	Lowenthal	Sinema
Cárdenas	Lujan Grisham,	Speier
Comstock	M.	Swalwell (CA)
Costa	Marchant	Thompson (MS)
Cramer	McHenry	Thornberry
Delaney	McSally	Tsongas
Denham	Messer	Vela
Duncan (SC)	Moulton	Walters, Mimi
Ellison	Noem	Walz
Flores	Nolan	Wild
Foster	Nunes	Wilson (FL)
Gabbard	Olson	Yarmuth
Gowdy	Paulsen	Yoho
Gutiérrez	Polis	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶166.45 S. 3530—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3530) to reauthorize the Museum and Library Services Act.

The question being put, *viva voce*,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that two-thirds of those present had voted in the affirmative.

Mr. MASSIE demanded a recorded vote on the motion to suspend the rules and pass said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 331
affirmative { Noes 28

¶166.46 [Roll No. 445]

AYES—331

Adams	Correa	Guthrie
Aderholt	Costello (PA)	Handel
Aguilar	Courtney	Harper
Allen	Crawford	Hartzler
Amodei	Crist	Hastings
Arrington	Crowley	Heck
Babin	Cuellar	Hensarling
Bacon	Culberson	Hern
Banks (IN)	Cummings	Herrera Beutler
Barr	Curbelo (FL)	Higgins (LA)
Barragán	Curtis	Higgins (NY)
Bass	Davis (CA)	Hill
Beatty	Davis, Danny	Himes
Bera	Davis, Rodney	Holding
Bergman	DeFazio	Hollingsworth
Beyer	DeGette	Hoyer
Bilirakis	DeLauro	Huffman
Bishop (GA)	DelBene	Huizenga
Bishop (UT)	Demings	Hultgren
Blunt Rochester	DeSaulnier	Hunter
Bonamici	DesJarlais	Hurd
Bost	Deutch	Jackson Lee
Brady (TX)	Diaz-Balart	Jayapal
Brooks (AL)	Dingell	Jeffries
Brooks (IN)	Doggett	Johnson (GA)
Brown (MD)	Donovan	Johnson (OH)
Brownley (CA)	Doyle, Michael	Johnson, E. B.
Bucshon	F.	Jones (MI)
Budd	Duffy	Joyce (OH)
Burgess	Dunn	Kaptur
Bustos	Emmer	Katko
Butterfield	Engel	Kelly (IL)
Byrne	Eshoo	Kelly (MS)
Calvert	Españillat	Kelly (PA)
Capuano	Estes (KS)	Khanna
Carbajal	Esty (CT)	Kihuen
Carson (IN)	Evans	Kildee
Carter (GA)	Faso	Kilmer
Carter (TX)	Ferguson	King (IA)
Cartwright	Fitzpatrick	Kinzinger
Castor (FL)	Fleischmann	Knight
Castro (TX)	Fortenberry	Krishnamoorthi
Chabot	Fox	Kuster (NH)
Cheney	Frankel (FL)	Kustoff (TN)
Chu, Judy	Frelinghuysen	LaHood
Cicilline	Fudge	LaMalfa
Clark (MA)	Gallagher	Lamb
Clarke (NY)	Gallego	Lamborn
Clay	Garamendi	Lance
Cleaver	Gianforte	Langevin
Cloud	Gibbs	Larsen (WA)
Clyburn	Gomez	Larson (CT)
Coffman	Gonzalez (TX)	Latta
Cohen	Goodlatte	Lawrence
Cole	Gottheimer	Lawson (FL)
Collins (GA)	Granger	Lee
Collins (NY)	Graves (GA)	Levin
Comer	Graves (LA)	Lewis (GA)
Conaway	Graves (MO)	Lewis (MN)
Connolly	Green, Al	Lieu, Ted
Cook	Green, Gene	LoBiondo
Cooper	Griffith	Loeback

Lofgren	Perlmutter	Smith (NE)
Long	Peters	Smith (NJ)
Loudermilk	Peterson	Smith (TX)
Lowe	Pingree	Smith (WA)
Lucas	Pittenger	Smucker
Luetkemeyer	Poe (TX)	Soto
Lujan, Ben Ray	Poliquin	Stefanik
Lynch	Posey	Stewart
MacArthur	Price (NC)	Stivers
Maloney,	Quigley	Suozzi
Carolyn B.	Raskin	Takano
Maloney, Sean	Reed	Taylor
Marino	Reichert	Tenney
Marshall	Renacci	Thompson (CA)
Mast	Richmond	Thompson (PA)
Matsui	Roby	Tipton
McCarthy	Roe (TN)	Titus
McCaul	Rogers (AL)	Tonko
McColum	Rogers (KY)	Torres
McEachin	Rokita	Trott
McGovern	Rooney, Francis	Turner
McKinley	Roskam	Upton
McMorris	Rothfus	Valadao
Rodgers	Rouzer	Vargas
McNerney	Roybal-Allard	Veasey
Meadows	Royce (CA)	Velázquez
Meeks	Ruiz	Visclosky
Meng	Ruppersberger	Wagner
Mitchell	Rush	Walberg
Moolenaar	Russell	Walden
Mooney (WV)	Rutherford	Walker
Moore	Ryan (OH)	Walorski
Morelle	Sánchez	Wasserman
Mullin	Sarbanes	Schultz
Murphy (FL)	Scalise	Waters, Maxine
Nadler	Scanlon	Watson Coleman
Napolitano	Schakowsky	Webster (FL)
Neal	Schiff	Welch
Newhouse	Schneider	Wenstrup
Norcross	Schrader	Westerman
Norman	Scott (VA)	Williams
O'Halleran	Scott, Austin	Wilson (SC)
O'Rourke	Serrano	Wittman
Palazzo	Sessions	Womack
Pallone	Sewell (AL)	Woodall
Panetta	Sherman	Yoder
Pascrell	Shimkus	Young (AK)
Payne	Simpson	Young (IA)
Pearce	Sires	Zeldin
Pelosi	Smith (MO)	

NOES—28

Amash	Grothman	Palmer
Biggs	Harris	Perry
Blum	Hice, Jody B.	Rice (SC)
Buck	Hudson	Rohrabacher
Davidson	Johnson (LA)	Sanford
Duncan (TN)	Jordan	Schweikert
Gaetz	Labrador	Sensenbrenner
Garrett	Lesko	Weber (TX)
Gohmert	Massie	
Gosar	McClintock	

NOT VOTING—73

Abraham	Gutiérrez	Polis
Balderson	Hanabusa	Ratcliffe
Barletta	Issa	Rice (NY)
Barton	Jenkins (KS)	Rooney, Thomas J.
Bishop (MI)	Johnson, Sam	Ros-Lehtinen
Black	Jones (NC)	Rosen
Blackburn	Keating	Ross
Blumenauer	Kennedy	Scott, David
Boyle, Brendan F.	Kind	Shea-Porter
Brady (PA)	King (NY)	Shuster
Brat	Lipinski	Sinema
Buchanan	Love	Speier
Cárdenas	Lowenthal	Swalwell (CA)
Comstock	Lujan Grisham, M.	Thompson (MS)
Costa	Marchant	Thornberry
Cramer	McHenry	Tsongas
Delaney	McSally	Vela
Denham	Messer	Walters, Mimi
Duncan (SC)	Moulton	Walz
Ellison	Noem	Wild
Flores	Nolan	Wilson (FL)
Foster	Nunes	Yarmuth
Gabbard	Olson	Yoho
Gowdy	Paulsen	
Grijalva	Pocan	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶166.47 APPROVAL OF THE JOURNAL—
UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Monday, December 17, 2018.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that the ayes had it.

So the Journal was approved.

¶166.48 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BALDERSON, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 19, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 19, 2018, at 5:42 p.m.:

That the Senate passed S. 3247.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶166.49 MESSAGE FROM THE SENATE

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

H.R. 4174. An Act to amend titles 5 and 44, United States Code, to require Federal evaluation activities, improve Federal data management, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to the bill (S. 2736) "An Act to develop a long-term strategic vision and a comprehensive, multifaceted, and principled United States policy for the Indo-Pacific region, and for other purposes."

The message also announced that the Senate has passed a bill of the following title, in which the concurrence of the House is requested:

S. 3178. An Act to amend title 18, United States Code, to specify lynching as a deprivation of civil rights, and for other purposes.

¶166.50 PROVIDING FOR CONSIDERATION
OF THE AMENDMENT OF THE SENATE
TO H.R. 88

Mr. NEWHOUSE, by direction of the Committee on Rules, reported (Rept. No. 115-1084) the resolution (H. Res. 1180) providing for consideration of the Senate amendment to the bill (H.R. 88) to modify the boundary of the Shiloh

National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; providing for proceedings during the period from December 24, 2018, through January 3, 2019.

When said resolution and report were referred to the House Calendar and ordered printed.

¶166.51 WAIVING A REQUIREMENT OF
CLAUSE 6(A) OF RULE XIII AND
PROVIDING FOR MOTIONS TO SUSPEND
THE RULES

Mr. NEWHOUSE, by direction of the Committee on Rules, reported (Rept. No. 115-1085) the resolution (H. Res. 1181) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules.

When said resolution and report were referred to the House Calendar and ordered printed.

¶166.52 HOUR OF MEETING

On motion of Mr. NEWHOUSE, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 9 a.m. on Thursday, December 20, 2018.

¶166.53 RECESS—9:48 P.M.

The SPEAKER pro tempore, Mr. BALDERSON, pursuant to clause 12(a) of rule I, declared the House in recess at 9 o'clock and 48 minutes p.m., subject to the call of the Chair.

THURSDAY, DECEMBER 20
(LEGISLATIVE DAY OF DECEMBER
19), 2018

¶166.54 AFTER RECESS—1:18 A.M.

The SPEAKER pro tempore, Mr. BYRNE, called the House to order.

¶166.55 COMMUNICATION FROM THE
CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. BYRNE, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 19, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 19, 2018, at 10:55 p.m.:

That the Senate agrees to the amendment of the House of Representatives to the amendment of the Senate to the bill with a further amendment H.R. 695.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶166.56 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills

of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2. An Act to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

H.R. 1235. An Act to require the Secretary of the Treasury to mint coins in recognition of the 60th Anniversary of the Naismith Memorial Basketball Hall of Fame.

H.R. 1318. An Act to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

H.R. 4032. An Act to confirm undocumented Federal rights-of-way or easements on the Gila River Indian Reservation, clarify the northern boundary of the Gila River Indian Community's Reservation, to take certain land located in Maricopa County and Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes.

H.R. 4431. An Act to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service or certain volunteer service, and for other purposes.

H.R. 6160. An Act to amend title 5, United States Code, to clarify the sources of the authority to issue regulations regarding certifications and other criteria applicable to legislative branch employees under Wounded Warriors Federal Leave Act.

H.R. 6964. An Act to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

H.R. 7213. An Act to amend the Homeland Security Act of 2002 to establish the Countering Weapons of Mass Destruction Office, and for other purposes.

¶166.57 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1050. An Act to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1311. An Act to provide assistance in abolishing human trafficking in the United States.

S. 1312. An Act to prioritize the fight against human trafficking in the United States.

S. 2101. An Act to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States.

S. 2511. An Act to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, and for other purposes.

S. 3170. An Act to amend title 18, United States Code, to make certain changes to the reporting requirement of certain providers regarding child sexual exploitation visual depictions, and for other purposes.

S. 3749. An Act to amend the Congressional Accountability Act of 1995 to reform the pro-

cedures provided under such Act for the initiation, review, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes.

¶166.58 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 19, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 2. An Act to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

H.R. 1235. An Act to require the Secretary of the Treasury to mint coins in recognition of the 60th Anniversary of the Naismith Memorial Basketball Hall of Fame.

H.R. 1318. An Act to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

H.R. 4032. An Act to confirm undocumented Federal rights-of-way or easements on the Gila River Indian Reservation, clarify the northern boundary of the Gila River Indian Community's Reservation, to take certain land located in Maricopa County and Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes.

H.R. 4431. An Act to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service or certain volunteer service, and for other purposes.

H.R. 6160. An Act to amend title 5, United States Code, to clarify the sources of the authority to issue regulations regarding certifications and other criteria applicable to legislative branch employees under Wounded Warriors Federal Leave Act.

H.R. 7213. An Act to amend the Homeland Security Act of 2002 to establish the Countering Weapons of Mass Destruction Office, and for other purposes.

H.R. 6964. An Act to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

¶166.59 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Ms. ROSEN, for today and balance of the week.

And then,

¶166.60 ADJOURNMENT

On motion of Mr. SESSIONS, pursuant to the previous order of the House, at 1 o'clock and 19 minutes a.m., Thursday, December 20 (legislative day of December 19), 2018, the House adjourned until 9 a.m. on Thursday, December 20, 2018.

¶166.61 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on Science, Space, and Technology. Report on Activities of the Committee on Science, Space, and Technology for the 115th Congress (Rept. 115-1080). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3990. A bill to amend title 54, United States Code, to reform the Antiquities Act of 1906, and for other purposes; with an amendment (Rept. 115-1081). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6652. A bill to direct the Secretary of the Interior to convey certain facilities, easements, and rights-of-way to the Kennewick Irrigation District, and for other purposes; with an amendment (Rept. 115-1082). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6771. A bill to the Gulf of Mexico Energy Security Act of 2006, and for other purposes; with an amendment (Rept. 115-1083). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. House Resolution 1180. Resolution providing for consideration of the Senate amendment to the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; providing for proceedings during the period from December 24, 2018, through January 3, 2019 (Rept. 115-1084). Referred to the House Calendar.

Mr. SESSIONS: Committee on Rules. House Resolution 1181. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules (Rept. 115-1085). Referred to the House Calendar.

¶166.62 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HURD (for himself, Mr. MCCARTHY, Mr. RATCLIFFE, Mr. LANGEVIN, Mr. VELA, and Mr. TED LIEU of California):

H.R. 7327. A bill to require the Secretary of Homeland Security to establish a security vulnerability disclosure policy, to establish a bug bounty program for the Department of Homeland Security, to amend title 41, United States Code, to provide for Federal acquisition supply chain security, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned; considered and passed.

By Mrs. BROOKS of Indiana (for herself, Ms. ESHOO, Mr. LATTA, Ms. DEGETTE, Mr. GUTHRIE, and Mrs. DINGELL):

H.R. 7328. A bill to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that

are marketed without an approved drug application, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Veterans' Affairs, the Judiciary, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER:

H.R. 7329. A bill to make technical corrections to provisions of law enacted by the Frank LoBiondo Coast Guard Authorization Act of 2018, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. PINGREE (for herself, Mr. BISHOP of Georgia, Ms. DELAURO, Mr. POCAN, Mr. MCGOVERN, Ms. FUDGE, Mr. PANETTA, Ms. KUSTER of New Hampshire, Ms. NORTON, and Mr. HOYER):

H.R. 7330. A bill to amend the Department of Agriculture Reorganization Act of 1994 to reaffirm the authority of the Under Secretary of Agriculture for Research, Education, and Economics, and for other purposes; to the Committee on Agriculture.

By Mr. BABIN (for himself, Mr. WEBER of Texas, Ms. GRANGER, Mr. CONAWAY, Mr. HURD, Mr. VELA, Mr. THORNBERRY, Mr. VEASEY, Mr. SMITH of Texas, Mr. ARRINGTON, Mr. CARTER of Texas, Mr. CUELLAR, Mr. POE of Texas, Ms. JACKSON LEE, Mr. MCCAUL, Mr. RATCLIFFE, Mr. GENE GREEN of Texas, Mr. SESSIONS, Mr. OLSON, Mr. HENSARLING, Mr. CLOUD, Mr. AL GREEN of Texas, Mr. CULBERSON, Mr. MARCHANT, Mr. GONZALEZ of Texas, Mr. FORTENBERRY, Mr. MCCLINTOCK, Mr. CHABOT, Mr. BOST, and Mr. CURTIS):

H.R. 7331. A bill to designate the facility of the United States Postal Service located at 11158 Highway 146 North in Hardin, Texas, as the "Lucas Lowe Post Office"; to the Committee on Oversight and Government Reform.

By Ms. JACKSON LEE (for herself, Ms. BASS, Ms. CLARKE of New York, Ms. FUDGE, and Mr. CASTRO of Texas):

H.R. 7332. A bill to prohibit taxpayer funds from being used to build a wall between Mexico and the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE (for herself, Ms. KAPTUR, Mr. JOHNSON of Georgia, and Mr. PAYNE):

H.R. 7333. A bill to provide for reform and reorganization of the Federal Emergency Management Agency, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Small Business, Energy and Commerce, Education and the Workforce, the Judiciary, Financial Services, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BYRNE:

H.R. 7334. A bill to abolish certain executive agencies unless Congress disapproves of such abolishment, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 7335. A bill to amend the Internal Revenue Code of 1986 to increase the amount allowed as a deduction for interest on education loans paid by married couples; to the Committee on Ways and Means.

By Ms. DELAURO:

H.R. 7336. A bill to amend the Federal Meat Inspection Act, the Poultry Products Inspection Act, and the Egg Products Inspection Act to provide that meat, poultry, and egg products containing certain pathogens or contaminants are adulterated, and for other purposes; to the Committee on Agriculture.

By Ms. DELAURO (for herself, Ms. WASSERMAN SCHULTZ, Mr. RASKIN, Mr. RUSH, and Mr. VISCLOSKEY):

H.R. 7337. A bill to amend the Act of October 19, 1949 (15 U.S.C. 375 et seq.; commonly referred to as the "Jenkins Act"), to prevent the interstate sale and delivery of electronic cigarettes, cigars, and pipe tobacco to minors in violation of law; to the Committee on the Judiciary.

By Ms. DELAURO:

H.R. 7338. A bill to establish the Food Safety Administration to protect the public health by preventing foodborne illness, ensuring the safety of food, improving research on contaminants leading to foodborne illness, and improving security of food from intentional contamination, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself and Ms. SCHAKOWSKY):

H.R. 7339. A bill to amend the Social Security Act to establish a Medicare for America health program to provide for comprehensive health coverage for all Americans; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Natural Resources, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 7340. A bill to enhance beneficiary and provider protections and improve transparency in the Medicare Advantage market, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 7341. A bill to amend the Internal Revenue Code of 1986 to impose an excise tax on sugar-sweetened beverages, to dedicate the revenues from such tax to the prevention, treatment, and research of diet-related health conditions in priority populations, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO:

H.R. 7342. A bill to amend the Internal Revenue Code of 1986 to protect children's health by denying any deduction for advertising and marketing directed at children to promote the consumption of food of poor nutritional quality; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Louisiana (for himself and Mr. CRIST):

H.R. 7343. A bill to require the Federal Communications Commission and the Fed-

eral Trade Commission to jointly establish a robocaller bounty pilot program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MEADOWS:

H.R. 7344. A bill to reauthorize tuition assistance programs under the District of Columbia College Access Act of 1999; to the Committee on Oversight and Government Reform.

By Ms. NORTON:

H.R. 7345. A bill to create a national commission to combat workplace sexual harassment, and for other purposes; to the Committee on Education and the Workforce.

By Ms. NORTON:

H.R. 7346. A bill to provide for the compensation of Federal contractor employees that may be placed on unpaid leave as a result of the Federal Government shutdown, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. PETERS (for himself, Mr. MCKINLEY, Mr. VEASEY, and Mrs. BUSTOS):

H.R. 7347. A bill to support carbon dioxide utilization and direct air capture research, to facilitate the permitting and development of carbon capture, utilization, and sequestration projects and carbon dioxide pipelines, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science, Space, and Technology, Natural Resources, Transportation and Infrastructure, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SCHAKOWSKY:

H.R. 7348. A bill to amend the Public Health Service Act to establish an Office of Drug Manufacturing; to the Committee on Energy and Commerce.

By Mr. SESSIONS:

H.R. 7349. A bill to provide for each American the opportunity to provide for his or her retirement through a S.A.F.E. account, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself, Mr. MESSER, Mr. WELCH, Mr. MCGOVERN, Mr. KEATING, Mr. JOHNSON of Georgia, Mr. JONES of North Carolina, Mr. HASTINGS, Ms. GABBARD, Ms. CLARKE of New York, and Mr. DANNY K. DAVIS of Illinois):

H.R. 7350. A bill to require a joint resolution of approval for the entry into effect of a civilian nuclear cooperation agreement with Saudi Arabia, and for other purposes; to the Committee on Foreign Affairs.

By Mr. SHERMAN (for himself and Ms. ROS-LEHTINEN):

H.R. 7351. A bill to amend the Atomic Energy Act of 1954 to require congressional approval of agreements for peaceful nuclear cooperation with foreign countries, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHUSTER:

H.R. 7352. A bill to direct the Administrator of General Services to carry out a pilot program under which the Administrator shall enter into agreements for the construction, renovation, improvement, and lease of facilities in order to address the deferred capital backlog of the Department of Veterans Affairs, and for other purposes; to the Committee on Transportation and Infra-

structure, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS:

H.R. 7353. A bill to amend the Immigration and Nationality Act to establish the STEM Education and Training Account in order to enhance the economic competitiveness of the United States by providing funding for STEM education and training, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on the Judiciary, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. VELÁZQUEZ (for herself, Mr. MARSHALL, Mr. SCHNEIDER, and Mr. JONES of North Carolina):

H.R. 7354. A bill to amend the Truth in Lending Act to prohibit certain unfair credit practices, and for other purposes; to the Committee on Financial Services.

By Ms. VELÁZQUEZ (for herself, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. GRIJALVA, Mr. BISHOP of Utah, and Mr. BIGGS):

H.R. 7355. A bill to impose requirements on the payment of compensation to professional persons employed in voluntary cases commenced under title III of the Puerto Rico Oversight Management and Economic Stability Act (commonly known as "PROMESA"); to the Committee on the Judiciary.

By Mr. TAYLOR:

H. Res. 1182. A resolution designating the National Center for Coastal Resilience, a partnership among Old Dominion University, the Virginia Institute of Marine Science, and the College of William & Mary, as a national center of excellence for research in coastal flooding and recurrent flooding; to the Committee on Science, Space, and Technology.

¶166.63 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 20: Mr. MORELLE.
H.R. 356: Mr. MORELLE.
H.R. 912: Mr. PERLMUTTER.
H.R. 919: Mr. MARSHALL.
H.R. 947: Mr. MORELLE.
H.R. 1098: Mr. PETERS.
H.R. 1134: Mr. MORELLE.
H.R. 1300: Mr. VEASEY.
H.R. 1437: Mr. MOULTON.
H.R. 1439: Mr. MORELLE.
H.R. 1516: Mr. MORELLE.
H.R. 1582: Mr. DELANEY.
H.R. 1818: Mr. LEWIS of Georgia and Mr. SWALWELL of California.
H.R. 1869: Ms. WILD.
H.R. 1880: Ms. CLARKE of New York and Mr. MORELLE.
H.R. 1982: Ms. LOFGREN.
H.R. 2282: Mr. MORELLE and Ms. WILD.
H.R. 2491: Mr. MORELLE.
H.R. 2498: Mr. MORELLE.
H.R. 3227: Ms. CLARKE of New York.
H.R. 3671: Mr. WELCH.
H.R. 3773: Ms. MENG.
H.R. 3931: Mr. VISCLOSKEY.
H.R. 4052: Mr. VISCLOSKEY.
H.R. 4253: Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. TONKO, Mrs. MURPHY of Florida, Mr. SEAN PATRICK MALONEY of New York, and Mr. THOMPSON of Mississippi.
H.R. 4256: Mr. SHERMAN and Mr. OLSON.
H.R. 4691: Ms. SÁNCHEZ.
H.R. 4732: Mrs. NAPOLITANO.

H.R. 4745: Mr. HURD.
H.R. 4941: Mr. SMITH of New Jersey.
H.R. 5008: Mr. BLUMENAUER and Mr. DEFAZIO.
H.R. 5087: Mr. MORELLE.
H.R. 5155: Ms. MOORE.
H.R. 5336: Mr. BURGESS.
H.R. 5339: Mr. MORELLE.
H.R. 5360: Mr. NORMAN.
H.R. 5374: Mr. AGUILAR and Mr. MORELLE.
H.R. 5499: Mr. ADERHOLT, Mr. BERGMAN, Mr. COFFMAN, Mr. COLE, Mr. RODNEY DAVIS of Illinois, Mr. GOHMERT, Mr. HARRIS, Mr. JODY B. HICE of Georgia, Mr. KELLY of Mississippi, Mr. KELLY of Pennsylvania, Mr. MARSHALL, Mr. MEEKS, Ms. NORTON, Mrs. ROBY, Mr. AUSTIN SCOTT of Georgia, Ms. TENNEY, Mr. WALKER, Mr. WENSTRUP, Mr. WILSON of South Carolina, Mr. YOUNG of Alaska, Ms. ADAMS, Mr. BACON, Mr. BALDERSON, Ms. BASS, Mrs. BEATTY, Mr. BISHOP of Georgia, Mr. BISHOP of Utah, Mr. BLUMENAUER, Mr. BROOKS of Alabama, Mr. BROWN of Maryland, Mr. BUTTERFIELD, Mr. CARSON of Indiana, Mr. CHABOT, Mr. CLYBURN, Mr. COLLINS of Georgia, Mr. CRAWFORD, Mr. DANNY K. DAVIS of Illinois, Mrs. DEMINGS, Mr. DONOVAN, Mr. EMMER, Mr. EVANS, Mr. FERGUSON, Mr. GIANFORTE, Mr. GENE GREEN of Texas, Mr. HUDSON, Mr. HUIZENGA, Mr. HURD, Ms. JENKINS of Kansas, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. JONES of Michigan, Mr. JOYCE of Ohio, Mr. KIND, Mr. LAHOOD, Mr. LARSEN of Washington, Mrs. LAWRENCE, Mr. LAWSON of Florida, Ms. LEE, Mrs. LESKO, Mr. LEWIS of Georgia, Mr. LUCAS, Mr. MARCHANT, Mr. MCEACHIN, Mr. MOOLENAAR, Mr. NUNES, Mr. OLSON, Mr. PAYNE, Mr. PETERSON, Ms. PLASKETT, Ms. BLUNT ROCHESTER, Mr. ROYCE of California, Mr. RUPPERSBERGER, Mr. RUSH, Mr. DAVID SCOTT of Georgia, Mr. SHIMKUS, Mr. SMITH of Missouri, Mr. SMUCKER, Mr. STIVERS, Mr. THOMPSON of Pennsylvania, Mr. TURNER, Mrs. WATSON COLEMAN, Mr. BLUM, Mrs. BUSTOS, Mr. CÁRDENAS, Mr. COOK, Mr. CUMMINGS, Mr. DIAZ-BALART, Mr. ESTES of Kansas, Mr. GALLEG0, Mr. GARAMENDI, Mr. GIBBS, Miss GONZÁLEZ-COLÓN of Puerto Rico, Mr. KING of Iowa, Mr. KINZINGER, Mrs. LOVE, Mrs. LOWEY, Mr. BEN RAY LUJÁN of New Mexico, Mr. MAST, Mr. MCHENRY, Mr. MEADOWS, Ms. MENG, Mr. MOONEY of West Virginia, Mrs. MURPHY of Florida, Mrs. NAPOLITANO, Mr. NEWHOUSE, Mrs. NOEM, Mr. PALONE, Mr. PEARCE, Mr. QUIGLEY, Mr. FRANCIS ROONEY of Florida, Mr. RYAN of Ohio, Mr. SCHRADER, Mr. STEWART, Mr. TONKO, Mr. VELA, Ms. VELÁZQUEZ, Mr. WEBER of Texas, Mr. WILLIAMS, Mr. WOODALL, Mr. YARMUTH, Mr. ALLEN, Mr. AMODEI, Mr. ARRINGTON, Mr. BARR, Mr. BARTON, Mr. BISHOP of Michigan, Mrs. BLACK, Mrs. BLACKBURN, Mr. BOST, Mr. BRAT, Mrs. BROOKS of Indiana, Mr. BUCHANAN, Mr. BURGESS, Mr. CALVERT, Mr. CARTER of Georgia, Mr. CARTER of Texas, Mr. COMER, Mr. CONAWAY, Mr. CULBERSON, Mr. CURBELO of Florida, Mr. PALAZZO, Mr. PALMER, Mr. PERLMUTTER, Mr. PITTINGER, Mr. POE of Texas, Mr. POLIQUIN, Mr. POSEY, Mr. RATCLIFFE, Mr. REED, Mr. RENACCI, Mr. RICE of South Carolina, Mr. ROGERS of Kentucky, Mr. ROGERS of Alabama, Mr. ROHRBACHER, Mr. ROKITA, Mr. ROSKAM, Ms. ROS-LEHTINEN, Mr. ROTHFUS, Mr. ROUZER, Mr. RUTHERFORD, Mr. CURTIS, Mr. DENHAM, Mr. DUNCAN of South Carolina, Mr. DUNCAN of Tennessee, Mr. DUNN, Mr. FASO, Mr. FORTENBERRY, Mr. FRELINGHUYSEN, Mr. GARRETT, Mr. GOODLATTE, Mr. GOSAR, Ms. GRANGER, Mr. GRAVES of Georgia, Mr. GRIFFITH, Mr. GROTHMAN, Mrs. HANDEL, Mr. HERN, Mr. HOLDING, Mr. HULTGREN, Mr. HUNTER, Mr. SANFORD, Mr. SCHWEIKERT, Mr. SHUSTER, Mr. SMITH of Nebraska, Mr. SMITH of Texas, Mr. TAYLOR, Mr. TRIPTON, Mr. TROTT, Mr. VALADAO, Mr. VEASEY, Mrs. WAGNER, Mr. WALBERG, Mr. WALDEN, Mrs. WALORSKI, Mrs. MIMI WALTERS of California, Mr. WEBSTER of Florida, Mr.

WELCH, Mr. WESTERMAN, Mr. WITTMAN, Mr. YOHO, Mr. ISSA, Mr. JOHNSON of Ohio, Mr. KATKO, Mr. KIHUEN, Mr. KUSTOFF of Tennessee, Mr. LABRADOR, Mr. LAMALFA, Mr. LAMBORN, Mr. LATTI, Mr. LEWIS of Minnesota, Mr. LOBIONDO, Mr. LONG, Mr. LOUDERMILK, Mr. LUTKEMEYER, Mr. MARINO, Mr. MCCLINTOCK, Ms. MCSALLY, Mr. MESSER, Mr. MITCHELL, Mr. MULLIN, Ms. CHENEY, Mr. DEFAZIO, Ms. DELAULO, Mr. MICHAEL F. DOYLE of Pennsylvania, Mr. HASTINGS, Mr. ZELDIN, and Mr. SOTO.

H.R. 5658: Mr. DAVIDSON.
H.R. 5728: Mr. KENNEDY.
H.R. 5856: Mr. PETERSON.
H.R. 5879: Mr. GENE GREEN of Texas, Mr. RUPPERSBERGER, Mr. KING of New York, and Ms. CASTOR of Florida.
H.R. 5885: Ms. SCHAKOWSKY.
H.R. 6251: Mr. DEUTCH.
H.R. 6340: Ms. MOORE.
H.R. 6407: Mr. DELANEY.
H.R. 6467: Mr. KENNEDY.
H.R. 6505: Mr. GALLEG0 and Ms. WILD.
H.R. 6509: Mr. MORELLE.
H.R. 6510: Mr. SUOZZI.
H.R. 6543: Mr. KILDEE and Mr. WELCH.
H.R. 6545: Mr. POCAN.
H.R. 6618: Mr. SWALWELL of California.
H.R. 6795: Mr. CUMMINGS and Ms. BARRAGÁN.

H.R. 6809: Ms. VELÁZQUEZ.
H.R. 6880: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 6900: Mrs. CAROLYN B. MALONEY of New York.

H.R. 6932: Mrs. HARTZLER.
H.R. 6988: Mr. RODNEY DAVIS of Illinois.
H.R. 7028: Mr. PETERS.
H.R. 7116: Mr. LOWENTHAL and Mr. CARBAJAL.

H.R. 7138: Mr. DELANEY.
H.R. 7173: Mr. LIPINSKI and Mr. PETERS.
H.R. 7209: Mr. NEWHOUSE.
H.R. 7228: Mr. WELCH.
H.R. 7258: Mr. KILMER.
H.R. 7279: Mr. JOYCE of Ohio.
H.R. 7281: Ms. BLUNT ROCHESTER.

H.R. 7285: Ms. MOORE, Mr. MEEKS, Ms. JACKSON LEE, Ms. CLARKE of New York, Mr. MCGOVERN, Mr. ESPAILLAT, and Ms. LEE.

H.R. 7293: Ms. MOORE, Mr. MCGOVERN, Mr. YARMUTH, and Mr. HASTINGS.

H.R. 7320: Ms. MOORE, Ms. SEWELL of Alabama, Ms. KUSTER of New Hampshire, Mr. CARSON of Indiana, Mrs. BUSTOS, Ms. JACKSON LEE, and Ms. ESTY of Connecticut.

H.J. Res. 145: Mr. BEYER, Mrs. DINGELL, Mr. COOPER, Ms. NORTON, Mrs. CAROLYN B. MALONEY of New York, Mr. WELCH, Mr. KIND, Mr. HASTINGS, Mr. LOWENTHAL, Mr. CUMMINGS, Mr. CARBAJAL, Mr. GARAMENDI, and Mr. MCGOVERN.

H. Con. Res. 138: Ms. DELAULO and Mr. SWALWELL of California.

H. Con. Res. 142: Ms. DELAULO.

H. Res. 826: Mr. UPTON.

H. Res. 849: Mr. BEN RAY LUJÁN of New Mexico.

H. Res. 1031: Mr. DOGGETT, Mr. SABLAN, Ms. BORDALLO, Mr. COSTA, Mr. AGUILAR, and Mr. KRISHNAMOORTHY.

H. Res. 1137: Mr. DELANEY.

H. Res. 1174: Mr. MEEKS.

¶166.64 PETITIONS

Under clause 3 of rule XII,

127. The SPEAKER presented a petition of Mr. Gregory D. Watson, a citizen of Austin, TX, relative to requesting the enactment of legislation by Congress that would mandate that the ruling of any Judge(s) or Justice(s) of any Federal Court or smaller panel thereof—in order to be deemed valid—be formally prepared, and made available to the public, in written format, complete with signature(s), and never be deemed valid if solely and exclusively delivered only verbally by

the Judge(s) or the Justice(s); which was referred to the Committee on the Judiciary.

THURSDAY, DECEMBER 20, 2018 (167)

The House was called to order by the SPEAKER.

¶167.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Wednesday, December 19, 2018.

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

The question being put, *viva voce*, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. POE of Texas, objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶167.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7216. A letter from the Attorney-Advisor, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rules — Appraisals for Higher-Priced Mortgage Loans Exemption Threshold (RIN: 3170-AA91) received December 6, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7217. A letter from the Program Specialist, LRAD, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rules — Appraisals for Higher-Priced Mortgage Loans Exemption Threshold [Docket No.: OCC-2018-0031] (RIN: 1557-AE53) received December 11, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7218. A letter from the Assistant General Counsel for Regulatory Affairs, Office of the General Counsel, Consumer Product Safety Commission, transmitting the Commission's final rule — Safety Standards for Cigarette Lighters; Adjusted Customs Value for Cigarette Lighters received December 12, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7219. A letter from the Assistant General Counsel, Regulatory Affairs Division, Consumer Product Safety Commission, transmitting the Commission's direct final rule — Revisions to Safety Standard for Infant Bath Tubs [Docket No.: CPSC-2015-0019] received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7220. A letter from the Director, Regulations Policy and Management Staff, FDA, Department of Health and Human Services, transmitting the Department's final rule — List of Drug Products That Have Been Withdrawn or Removed From the Market for Reasons of Safety or Effectiveness [Docket No.: FDA-2016-N-2462] (RIN: 0910-AH35) received

December 11, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7221. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG114) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7222. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2018 Commercial Accountability Measure and Closure for South Atlantic Snowy Grouper [Docket No.: 0907271173-0629-03] (RIN: 0648-XG357) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7223. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2018 Commercial Accountability Measure and Closure for South Atlantic Golden Tilefish [Docket No.: 120404257-3325-02] (RIN: 0648-XF971) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7224. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's modification of fishing seasons — Fisheries Off West Coast States; Modifications of the West Coast Commercial Salmon Fisheries; Inseason Actions #2 through #11 [Docket No.: 170831849-8404-01] (RIN: 0648-XG337) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7225. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2017-18 Biennial Specifications and Management Measures; Inseason Adjustments [Docket No.: 160808696-7010-02] (RIN: 0648-BH86) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7226. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Northeastern United States; Northeast Skate Complex; Inseason Adjustment to the Skate Wing Possession Limit [Docket No.: 170710645-8098-02] (RIN: 0648-XG162) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7227. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Sablefish in the Aleutian Islands Subarea of the Bering Sea and Aleutian Islands Management Area [Docket No.: 170817779-8161-02] (RIN: 0648-XG370) received

December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7228. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Pacific Island Fisheries; Closure of 2018 Hawaii Shallow-Set Longline Fishery; Court Order [Docket No.: 120416010-2476-01] RIN: 0648-XG160) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7229. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — International Fisheries; Pacific Tuna Fisheries; Restrictions on Fishing for Sharks in the Eastern Pacific Ocean [Docket No.: 170712657-7999-02] (RIN: 0648-BG85) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7230. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Reopening of the Penaeid Shrimp Fishery Off South Carolina [Docket No.: 120919470-3513-02] (RIN: 0648-XG294) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7231. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska [Docket No.: 170816769-8162-02] (RIN: 0648-XG379) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7232. A letter from the Deputy Assistant Administrator for Regulatory Affairs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Fishing Year 2017; Emergency Removal of Southern Windowpane Accountability Measures [Docket No.: 170808738-7777-01] (RIN: 0648-BH11) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7233. A letter from the Assistant Administrator for Fisheries, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic Region; Amendment 37 [Docket No.: 160906822-7547-02] (RIN: 0648-BG33) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7234. A letter from the Deputy Assistant Administrator for Regulatory Affairs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's temporary rule — Temporary Rule To Establish Management Measures for the Limited Harvest and Possession of South Atlantic Red

Snapper in 2017 [Docket No.: 170803719-7719-01] (RIN: 0648-BH10) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7235. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — Revenue Ruling: 2018 Base Period T-Bill Rate (Rev. Rul. 2018-31) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7236. A letter from the Director, Office of Regulations and Reports Clearance, Social Security Administration, transmitting the Administration's final rule — Removal of Alternate Participant Program [Docket No.: SSA-2017-0071] (RIN: 0960-AI24) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶167.3 PROVIDING FOR CONSIDERATION OF THE AMENDMENT OF THE SENATE TO H.R. 88

Mr. SESSIONS, by direction of the Committee on Rules, called up the following resolution (H. Res. 1180):

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 115-87. The Senate amendment and the motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

SEC. 2. On any legislative day of the second session of the One Hundred Fifteenth Congress after December 23, 2018—

(a) the Journal of the proceedings of the previous day shall be considered as approved; and

(b) the Chair may at any time declare the House adjourned to meet at a date and time, within the limits of clause 4, section 5, article I of the Constitution, to be announced by the Chair in declaring the adjournment.

SEC. 3. The Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 2 of this resolution as though under clause 8(a) of rule I.

When said resolution was considered.

After debate,

On motion of Mr. SESSIONS, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. YODER, announced that the ayes had it.

Mr. SESSIONS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.4 WAIVING A REQUIREMENT OF CLAUSE 6(A) OF RULE XIII AND PROVIDING FOR MOTIONS TO SUSPEND THE RULES

Mr. COLE, by direction of the Committee on Rules, called up the following resolution (H. Res. 1181):

Resolved, That the requirement of clause 6(a) of rule XIII for a two-thirds vote to consider a report from the Committee on Rules on the same day it is presented to the House is waived with respect to any resolution reported through the legislative day of December 24, 2018.

SEC. 2. It shall be in order at any time through the calendar day of December 23, 2018, for the Speaker to entertain motions that the House suspend the rules as though under clause 1 of rule XV. The Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

When said resolution was considered.

After debate,

On motion of Mr. COLE, the previous question was ordered on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House agree to said resolution?

The SPEAKER pro tempore, Mr. YODER, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.5 RECESS—9:52 A.M.

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 12(a) of rule I, declared the House in recess at 9 o'clock and 52 minutes a.m., subject to the call of the Chair.

¶167.6 AFTER RECESS—10:15 A.M.

The SPEAKER pro tempore, Mr. YODER, called the House to order.

¶167.7 H. RES. 1180—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. YODER, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the resolution (H. Res. 1180) providing for consideration of the Senate amendment to the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; providing for proceedings during the period from December 24, 2018, through January 3, 2019.

The question being put,

Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 207
affirmative } Nays 170

¶167.8 [Roll No. 446]

YEAS—207

Abraham	Goodlatte	Palazzo
Aderholt	Gosar	Palmer
Allen	Gowdy	Paulsen
Amash	Granger	Pearce
Amodei	Graves (GA)	Perry
Arrington	Graves (LA)	Poe (TX)
Babin	Graves (MO)	Poliquin
Bacon	Griffith	Posey
Balderson	Grothman	Reed
Banks (IN)	Guthrie	Reichert
Barr	Handel	Renacci
Bergman	Harper	Rice (SC)
Biggs	Hartzler	Roby
Blirakis	Hensarling	Roe (TN)
Blackburn	Hern	Rogers (AL)
Blum	Hice, Jody B.	Rogers (KY)
Bost	Higgins (LA)	Rohrabacher
Brady (TX)	Hill	Rokita
Brat	Holding	Rooney, Francis
Brooks (AL)	Hollingsworth	Rooney, Thomas J.
Brooks (IN)	Hudson	Ros-Lehtinen
Buchanan	Huizenga	Rothfus
Buck	Hunter	Rouzer
Bucshon	Hurd	Royce (CA)
Budd	Issa	Russell
Burgess	Johnson (LA)	Rutherford
Byrne	Johnson (OH)	Sanford
Calvert	Jordan	Scalise
Carter (GA)	Joyce (OH)	Schweikert
Carter (TX)	Katko	Scott, Austin
Chabot	Kelly (MS)	Sensenbrenner
Cheney	Kelly (PA)	Sessions
Cloud	King (IA)	Shimkus
Coffman	King (NY)	Simpson
Cole	Kinzing	Smith (MO)
Collins (GA)	Kustoff (TN)	Smith (NE)
Collins (NY)	Labrador	Smith (NJ)
Comer	LaHood	Smith (TX)
Conaway	LaMalfa	Smucker
Cook	Lamborn	Stefanik
Costello (PA)	Lance	Stewart
Cramer	Latta	Stivers
Crawford	Lesko	Taylor
Culberson	Lewis (MN)	Tenney
Curbelo (FL)	LoBiondo	Thompson (PA)
Curtis	Long	Thornberry
Davidson	Lucas	Tipton
Davis, Rodney	Luetkemeyer	Trott
DesJarlais	MacArthur	Turner
Diaz-Balart	Marchant	Upton
Donovan	Marshall	Valadao
Duffy	Massie	Wagner
Duncan (TN)	Mast	Walberg
Dunn	McCarthy	Walden
Emmer	McCaul	Walker
Estes (KS)	McClintock	Walorski
Faso	McHenry	Weber (TX)
Ferguson	McKinley	Wenstrup
Fitzpatrick	McMorris	Westerman
Fleischmann	Rodgers	Williams
Flores	McSally	Wilson (SC)
Fortenberry	Meadows	Wittman
Fox	Messer	Womack
Frelinghuysen	Mitchell	Woodall
Gaetz	Moolenaar	Yoder
Gallagher	Mooney (WV)	Yoho
Garrett	Mullin	Young (IA)
Gianforte	Newhouse	Zeldin
Gibbs	Norman	
Gohmert	Nunes	

NAYS—170

Adams	Brownley (CA)	Clyburn
Aguilar	Bustos	Cohen
Barragán	Butterfield	Connolly
Bass	Carbajal	Cooper
Beatty	Cárdenas	Correa
Bera	Carson (IN)	Courtney
Beyer	Cartwright	Crist
Bishop (GA)	Castor (FL)	Cuellar
Blumenauer	Castro (TX)	Davis (CA)
Blunt Rochester	Chu, Judy	Davis, Danny
Bonamici	Cicilline	DeFazio
Boyle, Brendan F.	Clark (MA)	DeGette
Brady (PA)	Clarke (NY)	Delaney
Brown (MD)	Clay	DeLauro
	Cleaver	DelBene

Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Engel
Eshoo
Espallat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Grijalva
Gutiérrez
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer

Krishnamoorthi
Kuster (NH)
Lamb
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Loebbeck
Lofgren
Lowey
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson

Pingree
Pocan
Price (NC)
Quigley
Raskin
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sanchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schradner
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Smith (WA)
Soto
Speier
Suozi
Takano
Thompson (CA)
Titus
Tonko
Torres
Vargas
Veasey
Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wild
Yarmuth

NOT VOTING—55

Barletta
Barton
Bishop (MI)
Bishop (UT)
Black
Capuano
Comstock
Costa
Crowley
Cummings
Denham
Duncan (SC)
Ellison
Green, Gene
Hanabusa
Harris
Herrera Beutler
Hultgren
Jenkins (KS)

Johnson, Sam
Jones (NC)
Keating
Kind
Knight
Langevin
Lipinski
Loudermilk
Love
Lowenthal
Lujan Grisham,
M.
Marino
Moulton
Noem
Nolan
Olson
Pittenger
Polis

Ratcliffe
Rice (NY)
Rosen
Roskam
Ross
Scott, David
Shea-Porter
Shuster
Sinema
Swalwell (CA)
Thompson (MS)
Tsongas
Vela
Walters, Mimi
Walz
Webster (FL)
Wilson (FL)
Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶167.9 H. RES. 1181—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. JOHNSON of Ohio, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the resolution (H. Res. 1181) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, and providing for consideration of motions to suspend the rules.

The question being put,

Will the House agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 350
affirmative Nays 30

¶167.10

[Roll No. 447]

YEAS—350

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barr
Barragan
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Blackburn
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Correa
Costello (PA)
Courtney
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Curtis
Davis (CA)
Davis, Danny
Davis, Rodney
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan

Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Espallat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallego
Garamendi
Gianforte
Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Hartzler
Hastings
Heck
Hensarling
Hern
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin

Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
LoBiondo
Loebbeck
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Lujan, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meeks
Meng
Messer
Mitchell
Moolenaar
Moore
Morelle
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Norcross
Nunes
O'Halleran
O'Rourke
Palazzo
Panetta
Pascrell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poe (TX)
Poliquin
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz

Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sanchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schweikert
Scott (VA)
Scott, Austin
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Shimkus
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)

Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suzuki
Takano
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Trott
Turner
Upton
Valadao
Vargas
Veasey
Velázquez

Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (IA)
Zeldin

NAYS—30

Amash
Biggs
Blum
Brat
Cloud
Cooper
DeFazio
Gallagher
Garrett
Gohmert

Gosar
Hice, Jody B.
Jordan
Labrador
Massie
Meadows
Mooney (WV)
Norman
Pallone
Palmer

Pearce
Perry
Posey
Rice (SC)
Sanford
Schradner
Sherman
Taylor
Visclosky
Yoho

NOT VOTING—52

Barletta
Barton
Bishop (MI)
Bishop (UT)
Black
Capuano
Comstock
Costa
Crowley
Cummings
Davidson
Denham
Duncan (SC)
Ellison
Green, Gene
Griffith
Hanabusa
Harris

Herrera Beutler
Hultgren
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Knight
Lipinski
Love
Lowenthal
Lujan Grisham,
M.
Moulton
Noem
Nolan
Olson
Pittenger

Polis
Ratcliffe
Rice (NY)
Rosen
Roskam
Ross
Scott, David
Shea-Porter
Shuster
Sinema
Swalwell (CA)
Thompson (MS)
Tsongas
Vela
Walz
Wilson (FL)
Young (AK)

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶167.11 APPROVAL OF THE JOURNAL—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. JOHNSON of Ohio, pursuant to clause 8 of rule XX, announced the further unfinished business to be the question on agreeing to the Chair's approval of the Journal of Wednesday, December 19, 2018.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. JOHNSON of Ohio, announced that the ayes had it.

So the Journal was approved.

¶167.12 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. JOHNSON of Ohio, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 20, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 20, 2018, at 10:03 a.m.:

That the Senate passed S. 3456.

That the Senate passed S. 3523.

That the Senate agrees to the House amendment to the bill S. 943.

That the Senate agrees to the House amendment to the bill S. 2248.

That the Senate passed without amendment H.R. 1162.

That the Senate passed without amendment H.R. 1850.

That the Senate passed without amendment H.R. 3383.

That the Senate passed without amendment H.R. 5205.

That the Senate passed without amendment H.R. 5475.

That the Senate passed without amendment H.R. 5923.

That the Senate passed without amendment H.R. 6059.

That the Senate passed without amendment H.R. 6167.

That the Senate passed without amendment H.R. 6335.

That the Senate passed without amendment H.R. 6347.

That the Senate passed without amendment H.R. 6348.

That the Senate passed without amendment H.R. 6400.

That the Senate passed without amendment H.R. 6893.

That the Senate passed without amendment H.R. 6930.

That the Senate passed without amendment H.R. 7230.

That the Senate passed without amendment H.R. 7243.

Appointment: Public Safety Officer Medal of Valor Review Board.

With best wishes, I am

Sincerely,

KAREN L. HAAS,
Clerk of the House.

¶167.13 AMENDMENT OF THE SENATE TO THE HOUSE AMENDMENT TO S. 756

Mr. GOODLATTE moved to suspend the rules and agree to the following amendment of the Senate to the House amendment to the bill of the Senate (S. 756) to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes:

In lieu of the matter proposed to be inserted by the House amendment to the text of the bill, insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the “First Step Act of 2018”.

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—RECIDIVISM REDUCTION

Sec. 101. Risk and needs assessment system.

Sec. 102. Implementation of system and recommendations by Bureau of Prisons.

Sec. 103. GAO report.

Sec. 104. Authorization of appropriations.

Sec. 105. Rule of construction.

Sec. 106. Faith-based considerations.

Sec. 107. Independent Review Committee.

TITLE II—BUREAU OF PRISONS SECURE FIREARMS STORAGE

Sec. 201. Short title.

Sec. 202. Secure firearms storage.

TITLE III—RESTRAINTS ON PREGNANT PRISONERS PROHIBITED

Sec. 301. Use of restraints on prisoners during the period of pregnancy and postpartum recovery prohibited.

TITLE IV—SENTENCING REFORM

Sec. 401. Reduce and restrict enhanced sentencing for prior drug felonies.

Sec. 402. Broadening of existing safety valve.

Sec. 403. Clarification of section 924(c) of title 18, United States Code.

Sec. 404. Application of Fair Sentencing Act.

TITLE V—SECOND CHANCE ACT OF 2007 REAUTHORIZATION

Sec. 501. Short title.

Sec. 502. Improvements to existing programs.

Sec. 503. Audit and accountability of grantees.

Sec. 504. Federal reentry improvements.

Sec. 505. Federal interagency reentry coordination.

Sec. 506. Conference expenditures.

Sec. 507. Evaluation of the Second Chance Act program.

Sec. 508. GAO review.

TITLE VI—MISCELLANEOUS CRIMINAL JUSTICE

Sec. 601. Placement of prisoners close to families.

Sec. 602. Home confinement for low-risk prisoners.

Sec. 603. Federal prisoner reentry initiative reauthorization; modification of imposed term of imprisonment.

Sec. 604. Identification for returning citizens.

Sec. 605. Expanding inmate employment through Federal Prison Industries.

Sec. 606. De-escalation training.

Sec. 607. Evidence-Based treatment for opioid and heroin abuse.

Sec. 608. Pilot programs.

Sec. 609. Ensuring supervision of released sexually dangerous persons.

Sec. 610. Data collection.

Sec. 611. Healthcare products.

Sec. 612. Adult and juvenile collaboration programs.

Sec. 613. Juvenile solitary confinement.

TITLE I—RECIDIVISM REDUCTION

SEC. 101. RISK AND NEEDS ASSESSMENT SYSTEM.

(a) *IN GENERAL.*—Chapter 229 of title 18, United States Code, is amended by inserting after subchapter C the following:

“SUBCHAPTER D—RISK AND NEEDS ASSESSMENT SYSTEM

“Sec.

“3631. Duties of the Attorney General.

“3632. Development of risk and needs assessment system.

“3633. Evidence-based recidivism reduction program and recommendations.

“3634. Report.

“3635. Definitions.

“§3631. Duties of the Attorney General

“(a) *IN GENERAL.*—The Attorney General shall carry out this subchapter in consultation with—

“(1) the Director of the Bureau of Prisons;

“(2) the Director of the Administrative Office of the United States Courts;

“(3) the Director of the Office of Probation and Pretrial Services;

“(4) the Director of the National Institute of Justice;

“(5) the Director of the National Institute of Corrections; and

“(6) the Independent Review Committee authorized by the First Step Act of 2018

“(b) *DUTIES.*—The Attorney General shall—

“(1) conduct a review of the existing prisoner risk and needs assessment systems in operation on the date of enactment of this subchapter;

“(2) develop recommendations regarding evidence-based recidivism reduction programs and productive activities in accordance with section 3633;

“(3) conduct ongoing research and data analysis on—

“(A) evidence-based recidivism reduction programs relating to the use of prisoner risk and needs assessment tools;

“(B) the most effective and efficient uses of such programs;

“(C) which evidence-based recidivism reduction programs are the most effective at reducing recidivism, and the type, amount, and intensity of programming that most effectively reduces the risk of recidivism; and

“(D) products purchased by Federal agencies that are manufactured overseas and could be manufactured by prisoners participating in a prison work program without reducing job opportunities for other workers in the United States;

“(4) on an annual basis, review, validate, and release publicly on the Department of Justice website the risk and needs assessment system, which review shall include—

“(A) any subsequent changes to the risk and needs assessment system made after the date of enactment of this subchapter;

“(B) the recommendations developed under paragraph (2), using the research conducted under paragraph (3);

“(C) an evaluation to ensure that the risk and needs assessment system bases the assessment of each prisoner’s risk of recidivism on indicators of progress and of regression that are dynamic and that can reasonably be expected to change while in prison;

“(D) statistical validation of any tools that the risk and needs assessment system uses; and

“(E) an evaluation of the rates of recidivism among similarly classified prisoners to identify any unwarranted disparities, including disparities among similarly classified prisoners of different demographic groups, in such rates;

“(5) make any revisions or updates to the risk and needs assessment system that the Attorney General determines appropriate pursuant to the review under paragraph (4), including updates to ensure that any disparities identified in paragraph (4)(E) are reduced to the greatest extent possible; and

“(6) report to Congress in accordance with section 3634.

“§3632. Development of risk and needs assessment system

“(a) *IN GENERAL.*—Not later than 210 days after the date of enactment of this subchapter, the Attorney General, in consultation with the Independent Review Committee authorized by the First Step Act of 2018, shall develop and release publicly on the Department of Justice website a risk and needs assessment system (referred to in this subchapter as the ‘System’), which shall be used to—

“(1) determine the recidivism risk of each prisoner as part of the intake process, and classify each prisoner as having minimum, low, medium, or high risk for recidivism;

“(2) assess and determine, to the extent practicable, the risk of violent or serious misconduct of each prisoner;

“(3) determine the type and amount of evidence-based recidivism reduction programming that is appropriate for each prisoner and assign each prisoner to such programming accordingly,

and based on the prisoner's specific criminogenic needs, and in accordance with subsection (b);

"(4) reassess the recidivism risk of each prisoner periodically, based on factors including indicators of progress, and of regression, that are dynamic and that can reasonably be expected to change while in prison;

"(5) reassign the prisoner to appropriate evidence-based recidivism reduction programs or productive activities based on the revised determination to ensure that—

"(A) all prisoners at each risk level have a meaningful opportunity to reduce their classification during the period of incarceration;

"(B) to address the specific criminogenic needs of the prisoner; and

"(C) all prisoners are able to successfully participate in such programs;

"(6) determine when to provide incentives and rewards for successful participation in evidence-based recidivism reduction programs or productive activities in accordance with subsection (e);

"(7) determine when a prisoner is ready to transfer into prerelease custody or supervised release in accordance with section 3624; and

"(8) determine the appropriate use of audio technology for program course materials with an understanding of dyslexia.

In carrying out this subsection, the Attorney General may use existing risk and needs assessment tools, as appropriate.

"(b) **ASSIGNMENT OF EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAMS.**—The System shall provide guidance on the type, amount, and intensity of evidence-based recidivism reduction programming and productive activities that shall be assigned for each prisoner, including—

"(1) programs in which the Bureau of Prisons shall assign the prisoner to participate, according to the prisoner's specific criminogenic needs; and

"(2) information on the best ways that the Bureau of Prisons can tailor the programs to the specific criminogenic needs of each prisoner so as to most effectively lower each prisoner's risk of recidivism.

"(c) **HOUSING AND ASSIGNMENT DECISIONS.**—The System shall provide guidance on program grouping and housing assignment determinations and, after accounting for the safety of each prisoner and other individuals at the prison, provide that prisoners with a similar risk level be grouped together in housing and assignment decisions to the extent practicable.

"(d) **EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM INCENTIVES AND PRODUCTIVE ACTIVITIES REWARDS.**—The System shall provide incentives and rewards for prisoners to participate in and complete evidence-based recidivism reduction programs as follows:

"(1) **PHONE AND VISITATION PRIVILEGES.**—A prisoner who is successfully participating in an evidence-based recidivism reduction program shall receive—

"(A) phone privileges, or, if available, video conferencing privileges, for up to 30 minutes per day, and up to 510 minutes per month; and

"(B) additional time for visitation at the prison, as determined by the warden of the prison.

"(2) **TRANSFER TO INSTITUTION CLOSER TO RELEASE RESIDENCE.**—A prisoner who is successfully participating in an evidence-based recidivism reduction program shall be considered by the Bureau of Prisons for placement in a facility closer to the prisoner's release residence upon request from the prisoner and subject to—

"(A) bed availability at the transfer facility;

"(B) the prisoner's security designation; and

"(C) the recommendation from the warden of the prison at which the prisoner is incarcerated at the time of making the request.

"(3) **ADDITIONAL POLICIES.**—The Director of the Bureau of Prisons shall develop additional policies to provide appropriate incentives for successful participation and completion of evidence-based recidivism reduction programming. The incentives shall include not less than 2 of the following:

"(A) Increased commissary spending limits and product offerings.

"(B) Extended opportunities to access the email system.

"(C) Consideration of transfer to preferred housing units (including transfer to different prison facilities).

"(D) Other incentives solicited from prisoners and determined appropriate by the Director.

"(4) **TIME CREDITS.**—

"(A) **IN GENERAL.**—A prisoner, except for an ineligible prisoner under subparagraph (D), who successfully completes evidence-based recidivism reduction programming or productive activities, shall earn time credits as follows:

"(i) A prisoner shall earn 10 days of time credits for every 30 days of successful participation in evidence-based recidivism reduction programming or productive activities.

"(ii) A prisoner determined by the Bureau of Prisons to be at a minimum or low risk for recidivating, who, over 2 consecutive assessments, has not increased their risk of recidivism, shall earn an additional 5 days of time credits for every 30 days of successful participation in evidence-based recidivism reduction programming or productive activities.

"(B) **AVAILABILITY.**—A prisoner may not earn time credits under this paragraph for an evidence-based recidivism reduction program that the prisoner successfully completed—

"(i) prior to the date of enactment of this subchapter; or

"(ii) during official detention prior to the date that the prisoner's sentence commences under section 3585(a).

"(C) **APPLICATION OF TIME CREDITS TOWARD PRERELEASE CUSTODY OR SUPERVISED RELEASE.**—

Time credits earned under this paragraph by prisoners who successfully participate in recidivism reduction programs or productive activities shall be applied toward time in prerelease custody or supervised release. The Director of the Bureau of Prisons shall transfer eligible prisoners, as determined under section 3624(g), into prerelease custody or supervised release.

"(D) **INELIGIBLE PRISONERS.**—A prisoner is ineligible to receive time credits under this paragraph if the prisoner is serving a sentence for a conviction under any of the following provisions of law:

"(i) Section 32, relating to destruction of aircraft or aircraft facilities.

"(ii) Section 33, relating to destruction of motor vehicles or motor vehicle facilities.

"(iii) Section 36, relating to drive-by shootings.

"(iv) Section 81, relating to arson within special maritime and territorial jurisdiction.

"(v) Section 111(b), relating to assaulting, resisting, or impeding certain officers or employees using a deadly or dangerous weapon or inflicting bodily injury.

"(vi) Paragraph (1), (7), or (8) of section 113(a), relating to assault with intent to commit murder, assault resulting in substantial bodily injury to a spouse or intimate partner, a dating partner, or an individual who has not attained the age of 16 years, or assault of a spouse, intimate partner, or dating partner by strangling, suffocating, or attempting to strangle or suffocate.

"(vii) Section 115, relating to influencing, impeding, or retaliating against a Federal official by injuring a family member, except for a threat made in violation of that section.

"(viii) Section 116, relating to female genital mutilation.

"(ix) Section 117, relating to domestic assault by a habitual offender.

"(x) Any section of chapter 10, relating to biological weapons.

"(xi) Any section of chapter 11B, relating to chemical weapons.

"(xii) Section 351, relating to Congressional, Cabinet, and Supreme Court assassination, kidnapping, and assault.

"(xiii) Section 521, relating to criminal street gangs.

"(xiv) Section 751, relating to prisoners in custody of an institution or officer.

"(xv) Section 793, relating to gathering, transmitting, or losing defense information.

"(xvi) Section 794, relating to gathering or delivering defense information to aid a foreign government.

"(xvii) Any section of chapter 39, relating to explosives and other dangerous articles, except for section 836 (relating to the transportation of fireworks into a State prohibiting sale or use).

"(xviii) Section 842(p), relating to distribution of information relating to explosives, destructive devices, and weapons of mass destruction, but only if the conviction involved a weapon of mass destruction (as defined in section 2332a(c)).

"(xix) Subsection (f)(3), (h), or (i) of section 844, relating to the use of fire or an explosive.

"(xx) Section 871, relating to threats against the President and successors to the Presidency.

"(xxi) Section 879, relating to threats against former Presidents and certain other persons.

"(xxii) Section 924(c), relating to unlawful possession or use of a firearm during and in relation to any crime of violence or drug trafficking crime.

"(xxiii) Section 1030(a)(1), relating to fraud and related activity in connection with computers.

"(xxiv) Section 1091, relating to genocide.

"(xxv) Any section of chapter 51, relating to homicide, except for section 1112 (relating to manslaughter), 1113 (relating to attempt to commit murder or manslaughter, but only if the conviction was for an attempt to commit manslaughter), 1115 (relating to misconduct or neglect of ship officers), or 1122 (relating to protection against the human immunodeficiency virus).

"(xxvi) Any section of chapter 55, relating to kidnapping.

"(xxvii) Any offense under chapter 77, relating to peonage, slavery, and trafficking in persons, except for sections 1593 through 1596.

"(xxviii) Section 1751, relating to Presidential and Presidential staff assassination, kidnapping, and assault.

"(xxix) Section 1791, relating to providing or possessing contraband in prison.

"(xxx) Section 1792, relating to mutiny and riots.

"(xxxi) Section 1841(a)(2)(C), relating to intentionally killing or attempting to kill an unborn child.

"(xxxii) Section 1992, relating to terrorist attacks and other violence against railroad carriers and against mass transportation systems on land, on water, or through the air.

"(xxxiii) Section 2113(e), relating to bank robbery resulting in death.

"(xxxiv) Section 2118(c), relating to robberies and burglaries involving controlled substances resulting in assault, putting in jeopardy the life of any person by the use of a dangerous weapon or device, or death.

"(xxxv) Section 2119, relating to taking a motor vehicle (commonly referred to as 'carjacking').

"(xxxvi) Any section of chapter 105, relating to sabotage, except for section 2152.

"(xxxvii) Any section of chapter 109A, relating to sexual abuse.

"(xxxviii) Section 2250, relating to failure to register as a sex offender.

"(xxxix) Section 2251, relating to the sexual exploitation of children.

"(xl) Section 2251A, relating to the selling or buying of children.

"(xli) Section 2252, relating to certain activities relating to material involving the sexual exploitation of minors.

"(xlii) Section 2252A, relating to certain activities involving material constituting or containing child pornography.

"(xliii) Section 2260, relating to the production of sexually explicit depictions of a minor for importation into the United States.

"(xliv) Section 2283, relating to the transportation of explosive, biological, chemical, or radioactive or nuclear materials.

“(xlv) Section 2284, relating to the transportation of terrorists.

“(xlvii) Section 2291, relating to the destruction of a vessel or maritime facility, but only if the conduct that led to the conviction involved a substantial risk of death or serious bodily injury.

“(xlviii) Any section of chapter 113B, relating to terrorism.

“(xlix) Section 2340A, relating to torture.

“(lxi) Section 2381, relating to treason.

“(li) Section 2442, relating to the recruitment or use of child soldiers.

“(lii) An offense described in section 3559(c)(2)(F), for which the offender was sentenced to a term of imprisonment of more than 1 year, if the offender has a previous conviction, for which the offender served a term of imprisonment of more than 1 year, for a Federal or State offense, by whatever designation and wherever committed, consisting of murder (as described in section 1111), voluntary manslaughter (as described in section 1112), assault with intent to commit murder (as described in section 113(a)), aggravated sexual abuse and sexual abuse (as described in sections 2241 and 2242), abusive sexual contact (as described in sections 2244(a)(1) and (a)(2)), kidnapping (as described in chapter 55), carjacking (as described in section 2119), arson (as described in section 844(f)(3), (h), or (i)), or terrorism (as described in chapter 113B).

“(liii) Section 57(b) of the Atomic Energy Act of 1954 (42 U.S.C. 2077(b)), relating to the engagement or participation in the development or production of special nuclear material.

“(liiii) Section 92 of the Atomic Energy Act of 1954 (42 U.S.C. 2122), relating to prohibitions governing atomic weapons.

“(liv) Section 101 of the Atomic Energy Act of 1954 (42 U.S.C. 2131), relating to the atomic energy license requirement.

“(lv) Section 224 or 225 of the Atomic Energy Act of 1954 (42 U.S.C. 2274, 2275), relating to the communication or receipt of restricted data.

“(lvi) Section 236 of the Atomic Energy Act of 1954 (42 U.S.C. 2284), relating to the sabotage of nuclear facilities or fuel.

“(lvii) Section 60123(b) of title 49, relating to damaging or destroying a pipeline facility, but only if the conduct which led to the conviction involved a substantial risk of death or serious bodily injury.

“(lviii) Section 401(a) of the Controlled Substances Act (21 U.S.C. 841), relating to manufacturing or distributing a controlled substance in the case of a conviction for an offense described in subparagraph (A), (B), or (C) of subsection (b)(1) of that section for which death or serious bodily injury resulted from the use of such substance.

“(lix) Section 276(a) of the Immigration and Nationality Act (8 U.S.C. 1326), relating to the reentry of a removed alien, but only if the alien is described in paragraph (1) or (2) of subsection (b) of that section.

“(lx) Section 277 of the Immigration and Nationality Act (8 U.S.C. 1327), relating to aiding or assisting certain aliens to enter the United States.

“(lxi) Section 278 of the Immigration and Nationality Act (8 U.S.C. 1328), relating to the importation of an alien into the United States for an immoral purpose.

“(lxii) Any section of the Export Administration Act of 1979 (50 U.S.C. 4611 et seq.)

“(lxiii) Section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705).

“(lxiv) Section 601 of the National Security Act of 1947 (50 U.S.C. 3121), relating to the protection of identities of certain United States undercover intelligence officers, agents, informants, and sources.

“(lxv) Subparagraph (A)(i) or (B)(i) of section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) or paragraph (1)(A) or (2)(A) of section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)), relating to manufacturing, distributing, dispensing, or

possessing with intent to manufacture, distribute, dispense, or knowingly importing or exporting, a mixture or substance containing a detectable amount of heroin if the sentencing court finds that the offender was an organizer, leader, manager, or supervisor of others in the offense, as determined under the guidelines promulgated by the United States Sentencing Commission.

“(lxvi) Subparagraph (A)(vi) or (B)(vi) of section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) or paragraph (1)(F) or (2)(F) of section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)), relating to manufacturing, distributing, dispensing, or possessing with intent to manufacture, distribute, or dispense, a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, or any analogue thereof.

“(lxvii) Subparagraph (A)(viii) or (B)(viii) of section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) or paragraph (1)(H) or (2)(H) of section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)), relating to manufacturing, distributing, dispensing, or possessing with intent to manufacture, distribute, or dispense, or knowingly importing or exporting, a mixture of substance containing a detectable amount of methamphetamine, its salts, isomers, or salts of its isomers, if the sentencing court finds that the offender was an organizer, leader, manager, or supervisor of others in the offense, as determined under the guidelines promulgated by the United States Sentencing Commission.

“(lxviii) Subparagraph (A) or (B) of section 401(b)(1) of the Controlled Substances Act (21 U.S.C. 841(b)(1)) or paragraph (1) or (2) of section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)), relating to manufacturing, distributing, dispensing, or possessing with intent to manufacture, distribute, or dispense, a controlled substance, or knowingly importing or exporting a controlled substance, if the sentencing court finds that—

“(I) the offense involved a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, or any analogue thereof; and

“(II) the offender was an organizer, leader, manager, or supervisor of others in the offense, as determined under the guidelines promulgated by the United States Sentencing Commission.

“(E) DEPORTABLE PRISONERS INELIGIBLE TO APPLY TIME CREDITS.—

“(i) IN GENERAL.—A prisoner is ineligible to apply time credits under subparagraph (C) if the prisoner is the subject of a final order of removal under any provision of the immigration laws (as such term is defined in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17))).

“(ii) PROCEEDINGS.—The Attorney General, in consultation with the Secretary of Homeland Security, shall ensure that any alien described in section 212 or 237 of the Immigration and Nationality Act (8 U.S.C. 1182, 1227) who seeks to earn time credits are subject to proceedings described in section 238(a) of that Act (8 U.S.C. 1228(a)) at a date as early as practicable during the prisoner's incarceration.

“(5) RISK REASSESSMENTS AND LEVEL ADJUSTMENT.—A prisoner who successfully participates in evidence-based recidivism reduction programming or productive activities shall receive periodic risk reassessments not less often than annually, and a prisoner determined to be at a medium or high risk of recidivating and who has less than 5 years until his or her projected release date shall receive more frequent risk reassessments. If the reassessment shows that the prisoner's risk of recidivating or specific needs have changed, the Bureau of Prisons shall update the determination of the prisoner's risk of recidivating or information regarding the prisoner's specific needs and reassign the prisoner to appropriate evidence-based recidivism reduction programming or productive activities based on such changes.

“(6) RELATION TO OTHER INCENTIVE PROGRAMS.—The incentives described in this subsection shall be in addition to any other rewards or incentives for which a prisoner may be eligible.

“(e) PENALTIES.—The Director of the Bureau of Prisons shall develop guidelines for the reduction of rewards and incentives earned under subsection (d) for prisoners who violate prison rules or evidence-based recidivism reduction program or productive activity rules, which shall provide—

“(1) general levels of violations and resulting reductions;

“(2) that any reduction that includes the loss of time credits shall require written notice to the prisoner, shall be limited to time credits that a prisoner earned as of the date of the prisoner's rule violation, and shall not include any future time credits that the prisoner may earn; and

“(3) for a procedure to restore time credits that a prisoner lost as a result of a rule violation, based on the prisoner's individual progress after the date of the rule violation.

“(f) BUREAU OF PRISONS TRAINING.—The Attorney General shall develop and implement training programs for Bureau of Prisons officers and employees responsible for administering the System, which shall include—

“(1) initial training to educate officers and employees on how to use the System in an appropriate and consistent manner, as well as the reasons for using the System;

“(2) continuing education;

“(3) periodic training updates; and

“(4) a requirement that such officers and employees demonstrate competence in administering the System, including interrater reliability, on a biannual basis.

“(g) QUALITY ASSURANCE.—In order to ensure that the Bureau of Prisons is using the System in an appropriate and consistent manner, the Attorney General shall monitor and assess the use of the System, which shall include conducting annual audits of the Bureau of Prisons regarding the use of the System.

“(h) DYSLLEXIA SCREENING.—

“(1) SCREENING.—The Attorney General shall incorporate a dyslexia screening program into the System, including by screening for dyslexia during—

“(A) the intake process; and

“(B) each periodic risk reassessment of a prisoner.

“(2) TREATMENT.—The Attorney General shall incorporate programs designed to treat dyslexia into the evidence-based recidivism reduction programs or productive activities required to be implemented under this section. The Attorney General may also incorporate programs designed to treat other learning disabilities.

“§3633. Evidence-based recidivism reduction program and recommendations

“(a) IN GENERAL.—Prior to releasing the System, in consultation with the Independent Review Committee authorized by the First Step Act of 2018, the Attorney General shall—

“(1) review the effectiveness of evidence-based recidivism reduction programs that exist as of the date of enactment of this subchapter in prisons operated by the Bureau of Prisons;

“(2) review available information regarding the effectiveness of evidence-based recidivism reduction programs and productive activities that exist in State-operated prisons throughout the United States;

“(3) identify the most effective evidence-based recidivism reduction programs;

“(4) review the policies for entering into evidence-based recidivism reduction partnerships described in section 3621(h)(5); and

“(5) direct the Bureau of Prisons regarding—

“(A) evidence-based recidivism reduction programs;

“(B) the ability for faith-based organizations to function as a provider of educational evidence-based programs outside of the religious classes and services provided through the Chaplaincy; and

“(C) the addition of any new effective evidence-based recidivism reduction programs that the Attorney General finds.

“(b) **REVIEW AND RECOMMENDATIONS REGARDING DYSLLEXIA MITIGATION.**—In carrying out subsection (a), the Attorney General shall consider the prevalence and mitigation of dyslexia in prisons, including by—

“(1) reviewing statistics on the prevalence of dyslexia, and the effectiveness of any programs implemented to mitigate the effects of dyslexia, in prisons operated by the Bureau of Prisons and State-operated prisons throughout the United States; and

“(2) incorporating the findings of the Attorney General under paragraph (1) of this subsection into any directives given to the Bureau of Prisons under paragraph (5) of subsection (a).

“§3634. Report

“Beginning on the date that is 2 years after the date of enactment of this subchapter, and annually thereafter for a period of 5 years, the Attorney General shall submit a report to the Committees on the Judiciary of the Senate and the House of Representatives and the Subcommittees on Commerce, Justice, Science, and Related Agencies of the Committees on Appropriations of the Senate and the House of Representatives that contains the following:

“(1) A summary of the activities and accomplishments of the Attorney General in carrying out this Act.

“(2) A summary and assessment of the types and effectiveness of the evidence-based recidivism reduction programs and productive activities in prisons operated by the Bureau of Prisons, including—

“(A) evidence about which programs have been shown to reduce recidivism;

“(B) the capacity of each program and activity at each prison, including the number of prisoners along with the recidivism risk of each prisoner enrolled in each program; and

“(C) identification of any gaps or shortages in capacity of such programs and activities.

“(3) Rates of recidivism among individuals who have been released from Federal prison, based on the following criteria:

“(A) The primary offense of conviction.

“(B) The length of the sentence imposed and served.

“(C) The Bureau of Prisons facility or facilities in which the prisoner's sentence was served.

“(D) The evidence-based recidivism reduction programming that the prisoner successfully completed, if any.

“(E) The prisoner's assessed and reassessed risk of recidivism.

“(F) The productive activities that the prisoner successfully completed, if any.

“(4) The status of prison work programs at facilities operated by the Bureau of Prisons, including—

“(A) a strategy to expand the availability of such programs without reducing job opportunities for workers in the United States who are not in the custody of the Bureau of Prisons, including the feasibility of prisoners manufacturing products purchased by Federal agencies that are manufactured overseas;

“(B) an assessment of the feasibility of expanding such programs, consistent with the strategy required under subparagraph (A), with the goal that 5 years after the date of enactment of this subchapter, not less than 75 percent of eligible minimum- and low-risk offenders have the opportunity to participate in a prison work program for not less than 20 hours per week; and

“(C) a detailed discussion of legal authorities that would be useful or necessary to achieve the goals described in subparagraphs (A) and (B).

“(5) An assessment of the Bureau of Prisons' compliance with section 3621(h).

“(6) An assessment of progress made toward carrying out the purposes of this subchapter, including any savings associated with—

“(A) the transfer of prisoners into prerelease custody or supervised release under section 3624(g), including savings resulting from the avoidance or deferral of future construction, acquisition, and operations costs; and

“(B) any decrease in recidivism that may be attributed to the System or the increase in evidence-based recidivism reduction programs required under this subchapter.

“(7) An assessment of budgetary savings resulting from this subchapter, including—

“(A) a summary of the amount of savings resulting from the transfer of prisoners into prerelease custody under this chapter, including savings resulting from the avoidance or deferral of future construction, acquisition, or operations costs;

“(B) a summary of the amount of savings resulting from any decrease in recidivism that may be attributed to the implementation of the risk and needs assessment system or the increase in recidivism reduction programs and productive activities required by this subchapter;

“(C) a strategy to reinvest the savings described in subparagraphs (A) and (B) in other—

“(i) Federal, State, and local law enforcement activities; and

“(ii) expansions of recidivism reduction programs and productive activities in the Bureau of Prisons; and

“(D) a description of how the reduced expenditures on Federal corrections and the budgetary savings resulting from this subchapter are currently being used and will be used to—

“(i) increase investment in law enforcement and crime prevention to combat gangs of national significance and high-level drug traffickers through the High Intensity Drug Trafficking Areas Program and other task forces;

“(ii) hire, train, and equip law enforcement officers and prosecutors; and

“(iii) promote crime reduction programs using evidence-based practices and strategic planning to help reduce crime and criminal recidivism.

“(8) Statistics on—

“(A) the prevalence of dyslexia among prisoners in prisons operated by the Bureau of Prisons; and

“(B) any change in the effectiveness of dyslexia mitigation programs among such prisoners that may be attributed to the incorporation of dyslexia screening into the System and of dyslexia treatment into the evidence-based recidivism reduction programs, as required under this chapter.

“§3635. Definitions

“In this subchapter the following definitions apply:

“(1) **DYSLLEXIA.**—The term ‘dyslexia’ means an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in the phonological processing (the appreciation of the individual sounds of spoken language), which affects the ability of an individual to speak, read, and spell.

“(2) **DYSLLEXIA SCREENING PROGRAM.**—The term ‘dyslexia screening program’ means a screening program for dyslexia that is—

“(A) evidence-based (as defined in section 8101(21) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(21))) with proven psychometrics for validity;

“(B) efficient and low-cost; and

“(C) readily available.

“(3) **EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAM.**—The term ‘evidence-based recidivism reduction program’ means either a group or individual activity that—

“(A) has been shown by empirical evidence to reduce recidivism or is based on research indicating that it is likely to be effective in reducing recidivism;

“(B) is designed to help prisoners succeed in their communities upon release from prison; and

“(C) may include—

“(i) social learning and communication, interpersonal, anti-bullying, rejection response, and other life skills;

“(ii) family relationship building, structured parent-child interaction, and parenting skills;

“(iii) classes on morals or ethics;

“(iv) academic classes;

“(v) cognitive behavioral treatment;

“(vi) mentoring;

“(vii) substance abuse treatment;

“(viii) vocational training;

“(ix) faith-based classes or services;

“(x) civic engagement and reintegrative community services;

“(xi) a prison job, including through a prison work program;

“(xii) victim impact classes or other restorative justice programs; and

“(xiii) trauma counseling and trauma-informed support programs.

“(4) **PRISONER.**—The term ‘prisoner’ means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons.

“(5) **PRODUCTIVE ACTIVITY.**—The term ‘productive activity’ means either a group or individual activity that is designed to allow prisoners determined as having a minimum or low risk of recidivating to remain productive and thereby maintain a minimum or low risk of recidivating, and may include the delivery of the programs described in paragraph (1) to other prisoners.

“(6) **RISK AND NEEDS ASSESSMENT TOOL.**—The term ‘risk and needs assessment tool’ means an objective and statistically validated method through which information is collected and evaluated to determine—

“(A) as part of the intake process, the risk that a prisoner will recidivate upon release from prison;

“(B) the recidivism reduction programs that will best minimize the risk that the prisoner will recidivate upon release from prison; and

“(C) the periodic reassessment of risk that a prisoner will recidivate upon release from prison, based on factors including indicators of progress and of regression, that are dynamic and that can reasonably be expected to change while in prison.”.

(b) **CLERICAL AMENDMENT.**—The table of subchapters for chapter 229 of title 18, United States Code, is amended by adding at the end the following:

**“D. Risk and Needs Assessment 3631”.
SEC. 102. IMPLEMENTATION OF SYSTEM AND RECOMMENDATIONS BY BUREAU OF PRISONS.**

(a) **IMPLEMENTATION OF SYSTEM GENERALLY.**—Section 3621 of title 18, United States Code, is amended by adding at the end the following:

“(h) **IMPLEMENTATION OF RISK AND NEEDS ASSESSMENT SYSTEM.**—

“(1) **IN GENERAL.**—Not later than 180 days after the Attorney General completes and releases the risk and needs assessment system (referred to in this subsection as the ‘System’) developed under subchapter D, the Director of the Bureau of Prisons shall, in accordance with that subchapter—

“(A) implement and complete the initial intake risk and needs assessment for each prisoner (including for each prisoner who was a prisoner prior to the effective date of this subsection), regardless of the prisoner's length of imposed term of imprisonment, and begin to assign prisoners to appropriate evidence-based recidivism reduction programs based on that determination;

“(B) begin to expand the effective evidence-based recidivism reduction programs and productive activities it offers and add any new evidence-based recidivism reduction programs and productive activities necessary to effectively implement the System; and

“(C) begin to implement the other risk and needs assessment tools necessary to effectively implement the System over time, while prisoners are participating in and completing the effective evidence-based recidivism reduction programs and productive activities.

“(2) **PHASE-IN.**—In order to carry out paragraph (1), so that every prisoner has the opportunity to participate in and complete the type and amount of evidence-based recidivism reduction programs or productive activities they need, and be reassessed for recidivism risk as necessary to effectively implement the System, the Bureau of Prisons shall—

“(A) provide such evidence-based recidivism reduction programs and productive activities for all prisoners before the date that is 2 years after the date on which the Bureau of Prisons completes a risk and needs assessment for each prisoner under paragraph (1)(A); and

“(B) develop and validate the risk and needs assessment tool to be used in the reassessments of risk of recidivism, while prisoners are participating in and completing evidence-based recidivism reduction programs and productive activities.

“(3) **PRIORITY DURING PHASE-IN.**—During the 2-year period described in paragraph (2)(A), the priority for such programs and activities shall be accorded based on a prisoner's proximity to release date.

“(4) **PRELIMINARY EXPANSION OF EVIDENCE-BASED RECIDIVISM REDUCTION PROGRAMS AND AUTHORITY TO USE INCENTIVES.**—Beginning on the date of enactment of this subsection, the Bureau of Prisons may begin to expand any evidence-based recidivism reduction programs and productive activities that exist at a prison as of such date, and may offer to prisoners who successfully participate in such programs and activities the incentives and rewards described in subchapter D.

“(5) **RECIDIVISM REDUCTION PARTNERSHIPS.**—In order to expand evidence-based recidivism reduction programs and productive activities, the Attorney General shall develop policies for the warden of each prison of the Bureau of Prisons to enter into partnerships, subject to the availability of appropriations, with any of the following:

“(A) Nonprofit and other private organizations, including faith-based, art, and community-based organizations that will deliver recidivism reduction programming on a paid or volunteer basis.

“(B) Institutions of higher education (as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001)) that will deliver instruction on a paid or volunteer basis.

“(C) Private entities that will—

“(i) deliver vocational training and certifications;

“(ii) provide equipment to facilitate vocational training or employment opportunities for prisoners;

“(iii) employ prisoners; or

“(iv) assist prisoners in prerelease custody or supervised release in finding employment.

“(D) Industry-sponsored organizations that will deliver workforce development and training, on a paid or volunteer basis.

“(6) **REQUIREMENT TO PROVIDE PROGRAMS TO ALL PRISONERS; PRIORITY.**—The Director of the Bureau of Prisons shall provide all prisoners with the opportunity to actively participate in evidence-based recidivism reduction programs or productive activities, according to their specific criminogenic needs, throughout their entire term of incarceration. Priority for participation in recidivism reduction programs shall be given to medium-risk and high-risk prisoners, with access to productive activities given to minimum-risk and low-risk prisoners.

“(7) **DEFINITIONS.**—The terms in this subsection have the meaning given those terms in section 3635.”

(b) **PRERELEASE CUSTODY.**—

(1) **IN GENERAL.**—Section 3624 of title 18, United States Code, is amended—

(A) in subsection (b)(1)—

(i) by striking “, beyond the time served, of up to 54 days at the end of each year of the prisoner's term of imprisonment, beginning at the end of the first year of the term,” and inserting “of up to 54 days for each year of the prisoner's sentence imposed by the court,”; and

(ii) by striking “credit for the last year or portion of a year of the term of imprisonment shall be prorated and credited within the last six weeks of the sentence” and inserting “credit for the last year of a term of imprisonment shall be credited on the first day of the last year of the term of imprisonment”; and

(B) by adding at the end the following:

“(g) **PRERELEASE CUSTODY OR SUPERVISED RELEASE FOR RISK AND NEEDS ASSESSMENT SYSTEM PARTICIPANTS.**—

“(1) **ELIGIBLE PRISONERS.**—This subsection applies in the case of a prisoner (as such term is defined in section 3635) who—

“(A) has earned time credits under the risk and needs assessment system developed under subchapter D (referred to in this subsection as the ‘System’) in an amount that is equal to the remainder of the prisoner's imposed term of imprisonment;

“(B) has shown through the periodic risk assessments a demonstrated recidivism risk reduction or has maintained a minimum or low recidivism risk, during the prisoner's term of imprisonment;

“(C) has had the remainder of the prisoner's imposed term of imprisonment computed under applicable law; and

“(D)(i) in the case of a prisoner being placed in prerelease custody, the prisoner—

“(I) has been determined under the System to be a minimum or low risk to recidivate pursuant to the last 2 reassessments of the prisoner; or

“(II) has had a petition to be transferred to prerelease custody or supervised release approved by the warden of the prison, after the warden's determination that—

“(aa) the prisoner would not be a danger to society if transferred to prerelease custody or supervised release;

“(bb) the prisoner has made a good faith effort to lower their recidivism risk through participation in recidivism reduction programs or productive activities; and

“(cc) the prisoner is unlikely to recidivate; or

“(ii) in the case of a prisoner being placed in supervised release, the prisoner has been determined under the System to be a minimum or low risk to recidivate pursuant to the last reassessment of the prisoner.

“(2) **TYPES OF PRERELEASE CUSTODY.**—A prisoner shall be placed in prerelease custody as follows:

“(A) **HOME CONFINEMENT.**—

“(i) **IN GENERAL.**—A prisoner placed in prerelease custody pursuant to this subsection who is placed in home confinement shall—

“(I) be subject to 24-hour electronic monitoring that enables the prompt identification of the prisoner, location, and time, in the case of any violation of subclause (II);

“(II) remain in the prisoner's residence, except that the prisoner may leave the prisoner's home in order to, subject to the approval of the Director of the Bureau of Prisons—

“(aa) perform a job or job-related activities, including an apprenticeship, or participate in job-seeking activities;

“(bb) participate in evidence-based recidivism reduction programming or productive activities assigned by the System, or similar activities;

“(cc) perform community service;

“(dd) participate in crime victim restoration activities;

“(ee) receive medical treatment;

“(ff) attend religious activities; or

“(gg) participate in other family-related activities that facilitate the prisoner's successful reentry such as a family funeral, a family wedding, or to visit a family member who is seriously ill; and

“(III) comply with such other conditions as the Director determines appropriate.

“(ii) **ALTERNATE MEANS OF MONITORING.**—If the electronic monitoring of a prisoner described in clause (i)(I) is infeasible for technical or religious reasons, the Director of the Bureau of Prisons may use alternative means of monitoring a prisoner placed in home confinement

that the Director determines are as effective or more effective than the electronic monitoring described in clause (i)(I).

“(iii) **MODIFICATIONS.**—The Director of the Bureau of Prisons may modify the conditions described in clause (i) if the Director determines that a compelling reason exists to do so, and that the prisoner has demonstrated exemplary compliance with such conditions.

“(iv) **DURATION.**—Except as provided in paragraph (4), a prisoner who is placed in home confinement shall remain in home confinement until the prisoner has served not less than 85 percent of the prisoner's imposed term of imprisonment.

“(B) **RESIDENTIAL REENTRY CENTER.**—A prisoner placed in prerelease custody pursuant to this subsection who is placed at a residential reentry center shall be subject to such conditions as the Director of the Bureau of Prisons determines appropriate.

“(3) **SUPERVISED RELEASE.**—If the sentencing court included as a part of the prisoner's sentence a requirement that the prisoner be placed on a term of supervised release after imprisonment pursuant to section 3583, the Director of the Bureau of Prisons may transfer the prisoner to begin any such term of supervised release at an earlier date, not to exceed 12 months, based on the application of time credits under section 3632.

“(4) **DETERMINATION OF CONDITIONS.**—In determining appropriate conditions for prisoners placed in prerelease custody pursuant to this subsection, the Director of the Bureau of Prisons shall, to the extent practicable, provide that increasingly less restrictive conditions shall be imposed on prisoners who demonstrate continued compliance with the conditions of such prerelease custody, so as to most effectively prepare such prisoners for reentry.

“(5) **VIOLATIONS OF CONDITIONS.**—If a prisoner violates a condition of the prisoner's prerelease custody, the Director of the Bureau of Prisons may impose such additional conditions on the prisoner's prerelease custody as the Director of the Bureau of Prisons determines appropriate, or revoke the prisoner's prerelease custody and require the prisoner to serve the remainder of the term of imprisonment to which the prisoner was sentenced, or any portion thereof, in prison. If the violation is nontechnical in nature, the Director of the Bureau of Prisons shall revoke the prisoner's prerelease custody.

“(6) **ISSUANCE OF GUIDELINES.**—The Attorney General, in consultation with the Assistant Director for the Office of Probation and Pretrial Services, shall issue guidelines for use by the Bureau of Prisons in determining—

“(A) the appropriate type of prerelease custody or supervised release and level of supervision for a prisoner placed on prerelease custody pursuant to this subsection; and

“(B) consequences for a violation of a condition of such prerelease custody by such a prisoner, including a return to prison and a reassessment of evidence-based recidivism risk level under the System.

“(7) **AGREEMENTS WITH UNITED STATES PROBATION AND PRETRIAL SERVICES.**—The Director of the Bureau of Prisons shall, to the greatest extent practicable, enter into agreements with United States Probation and Pretrial Services to supervise prisoners placed in home confinement under this subsection. Such agreements shall—

“(A) authorize United States Probation and Pretrial Services to exercise the authority granted to the Director pursuant to paragraphs (3) and (4); and

“(B) take into account the resource requirements of United States Probation and Pretrial Services as a result of the transfer of Bureau of Prisons prisoners to prerelease custody or supervised release.

“(8) **ASSISTANCE.**—United States Probation and Pretrial Services shall, to the greatest extent practicable, offer assistance to any prisoner not under its supervision during prerelease custody under this subsection.

“(9) **MENTORING, REENTRY, AND SPIRITUAL SERVICES.**—Any prerelease custody into which a prisoner is placed under this subsection may not include a condition prohibiting the prisoner from receiving mentoring, reentry, or spiritual services from a person who provided such services to the prisoner while the prisoner was incarcerated, except that the warden of the facility at which the prisoner was incarcerated may waive the requirement under this paragraph if the warden finds that the provision of such services would pose a significant security risk to the prisoner, persons who provide such services, or any other person. The warden shall provide written notice of any such waiver to the person providing such services and to the prisoner.

“(10) **TIME LIMITS INAPPLICABLE.**—The time limits under subsections (b) and (c) shall not apply to prerelease custody under this subsection.

“(11) **PRERELEASE CUSTODY CAPACITY.**—The Director of the Bureau of Prisons shall ensure there is sufficient prerelease custody capacity to accommodate all eligible prisoners.”

(2) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect beginning on the date that the Attorney General completes and releases the risk and needs assessment system under subchapter D of chapter 229 of title 18, United States Code, as added by section 101(a) of this Act.

(3) **APPLICABILITY.**—The amendments made by this subsection shall apply with respect to offenses committed before, on, or after the date of enactment of this Act, except that such amendments shall not apply with respect to offenses committed before November 1, 1987.

SEC. 103. GAO REPORT.

Not later than 2 years after the Director of the Bureau of Prisons implements the risk and needs assessment system under section 3621 of title 18, United States Code, and every 2 years thereafter, the Comptroller General of the United States shall conduct an audit of the use of the risk and needs assessment system at Bureau of Prisons facilities. The audit shall include analysis of the following:

(1) Whether inmates are being assessed under the risk and needs assessment system with the frequency required under such section 3621 of title 18, United States Code.

(2) Whether the Bureau of Prisons is able to offer recidivism reduction programs and productive activities (as such terms are defined in section 3635 of title 18, United States Code, as added by section 101(a) of this Act).

(3) Whether the Bureau of Prisons is offering the type, amount, and intensity of recidivism reduction programs and productive activities for prisoners to earn the maximum amount of time credits for which they are eligible.

(4) Whether the Attorney General is carrying out the duties under section 3631(b) of title 18, United States Code, as added by section 101(a) of this Act.

(5) Whether officers and employees of the Bureau of Prisons are receiving the training described in section 3632(f) of title 18, United States Code, as added by section 101(a) of this Act.

(6) Whether the Bureau of Prisons offers work assignments to all prisoners who might benefit from such an assignment.

(7) Whether the Bureau of Prisons transfers prisoners to prerelease custody or supervised release as soon as they are eligible for such a transfer under section 3624(g) of title 18, United States Code, as added by section 102(b) of this Act.

(8) The rates of recidivism among similarly classified prisoners to identify any unwarranted disparities, including disparities among similarly classified prisoners of different demographic groups, in such rates.

SEC. 104. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There is authorized to be appropriated to carry out this title \$75,000,000 for each of fiscal years 2019 through 2023. Of the

amount appropriated under this subsection, 80 percent shall be reserved for use by the Director of the Bureau of Prisons to implement the system under section 3621(h) of title 18, United States Code, as added by section 102(a) of this Act.

(b) **SAVINGS.**—It is the sense of Congress that any savings associated with reductions in recidivism that result from this title should be re-invested—

(1) to supplement funding for programs that increase public safety by providing resources to State and local law enforcement officials, including for the adoption of innovative technologies and information sharing capabilities;

(2) into evidence-based recidivism reduction programs offered by the Bureau of Prisons; and

(3) into ensuring eligible prisoners have access to such programs and productive activities offered by the Bureau of Prisons.

SEC. 105. RULE OF CONSTRUCTION.

Nothing in this Act, or the amendments made by this Act, may be construed to provide authority to place a prisoner in prerelease custody or supervised release who is serving a term of imprisonment pursuant to a conviction for an offense under the laws of one of the 50 States, or of a territory or possession of the United States or to amend or affect the enforcement of the immigration laws, as defined in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

SEC. 106. FAITH-BASED CONSIDERATIONS.

(a) **IN GENERAL.**—In considering any program, treatment, regimen, group, company, charity, person, or entity of any kind under any provision of this Act, or the amendments made by this Act, the fact that it may be or is faith-based may not be a basis for any discrimination against it in any manner or for any purpose.

(b) **ELIGIBILITY FOR EARNED TIME CREDIT.**—Participation in a faith-based program, treatment, or regimen may qualify a prisoner for earned time credit under subchapter D of chapter 229 of title 18, United States Code, as added by section 101(a) of this Act, however, the Director of the Bureau of Prisons shall ensure that non-faith-based programs that qualify for earned time credit are offered at each Bureau of Prisons facility in addition to any such faith-based programs.

(c) **LIMITATION ON ACTIVITIES.**—A group, company, charity, person, or entity may not engage in explicitly religious activities using direct financial assistance made available under this title or the amendments made by this title.

(d) **RULE OF CONSTRUCTION.**—Nothing in this Act, or the amendments made by this Act, may be construed to amend any requirement under Federal law or the Constitution of the United States regarding funding for faith-based programs or activities.

SEC. 107. INDEPENDENT REVIEW COMMITTEE.

(a) **IN GENERAL.**—The Attorney General shall consult with an Independent Review Committee in carrying out the Attorney General's duties under sections 3631(b), 3632 and 3633 of title 18, United States Code, as added by section 101(a) of this Act.

(b) **FORMATION OF INDEPENDENT REVIEW COMMITTEE.**—The National Institute of Justice shall select a nonpartisan and nonprofit organization with expertise in the study and development of risk and needs assessment tools to host the Independent Review Committee. The Independent Review Committee shall be established not later than 30 days after the date of enactment of this Act.

(c) **APPOINTMENT OF INDEPENDENT REVIEW COMMITTEE.**—The organization selected by the National Institute of Justice shall appoint not fewer than 6 members to the Independent Review Committee.

(d) **COMPOSITION OF THE INDEPENDENT REVIEW COMMITTEE.**—The members of the Independent Review Committee shall all have expertise in risk and needs assessment systems and shall include—

(1) 2 individuals who have published peer-reviewed scholarship about risk and needs assessments in both corrections and community settings;

(2) 2 corrections practitioners who have developed and implemented a risk assessment tool in a corrections system or in a community supervision setting, including 1 with prior experience working within the Bureau of Prisons; and

(3) 1 individual with expertise in assessing risk assessment implementation.

(e) **DUTIES OF THE INDEPENDENT REVIEW COMMITTEE.**—The Independent Review Committee shall assist the Attorney General in carrying out the Attorney General's duties under sections 3631(b), 3632 and 3633 of title 18, United States Code, as added by section 101(a) of this Act, including by assisting in—

(1) conducting a review of the existing prisoner risk and needs assessment systems in operation on the date of enactment of this Act;

(2) developing recommendations regarding evidence-based recidivism reduction programs and productive activities;

(3) conducting research and data analysis on—

(A) evidence-based recidivism reduction programs relating to the use of prisoner risk and needs assessment tools;

(B) the most effective and efficient uses of such programs; and

(C) which evidence-based recidivism reduction programs are the most effective at reducing recidivism, and the type, amount, and intensity of programming that most effectively reduces the risk of recidivism; and

(4) reviewing and validating the risk and needs assessment system.

(f) **BUREAU OF PRISONS COOPERATION.**—The Director of the Bureau of Prisons shall assist the Independent Review Committee in performing the Committee's duties and promptly respond to requests from the Committee for access to Bureau of Prisons facilities, personnel, and information.

(g) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Independent Review Committee shall submit to the Committee on the Judiciary and the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the Senate and the Committee on the Judiciary and the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Committee on Appropriations of the House of Representatives a report that includes—

(1) a list of all offenses of conviction for which prisoners were ineligible to receive time credits under section 3632(d)(4)(D) of title 18, United States Code, as added by section 101(a) of this Act, and for each offense the number of prisoners excluded, including demographic percentages by age, race, and sex;

(2) the criminal history categories of prisoners ineligible to receive time credits under section 3632(d)(4)(D) of title 18, United States Code, as added by section 101(a) of this Act, and for each category the number of prisoners excluded, including demographic percentages by age, race, and sex;

(3) the number of prisoners ineligible to apply time credits under section 3632(d)(4)(D) of title 18, United States Code, as added by section 101(a) of this Act, who do not participate in recidivism reduction programming or productive activities, including the demographic percentages by age, race, and sex;

(4) any recommendations for modifications to section 3632(d)(4)(D) of title 18, United States Code, as added by section 101(a) of this Act, and any other recommendations regarding recidivism reduction.

(h) **TERMINATION.**—The Independent Review Committee shall terminate on the date that is 2 years after the date on which the risk and needs assessment system authorized by sections 3632 and 3633 of title 18, United States Code, as added by section 101(a) of this Act, is released.

TITLE II—BUREAU OF PRISONS SECURE FIREARMS STORAGE

SEC. 201. SHORT TITLE.

This title may be cited as the “Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act of 2018”.

SEC. 202. SECURE FIREARMS STORAGE.

(a) IN GENERAL.—Chapter 303 of title 18, United States Code, is amended by adding at the end the following:

“§ 4050. Secure firearms storage

“(a) DEFINITIONS.—In this section—

“(1) the term ‘employee’ means a qualified law enforcement officer employed by the Bureau of Prisons; and

“(2) the terms ‘firearm’ and ‘qualified law enforcement officer’ have the meanings given those terms under section 926B.

“(b) SECURE FIREARMS STORAGE.—The Director of the Bureau of Prisons shall ensure that each chief executive officer of a Federal penal or correctional institution—

“(1)(A) provides a secure storage area located outside of the secure perimeter of the institution for employees to store firearms; or

“(B) allows employees to store firearms in a vehicle lockbox approved by the Director of the Bureau of Prisons; and

“(2) notwithstanding any other provision of law, allows employees to carry concealed firearms on the premises outside of the secure perimeter of the institution.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 303 of title 18, United States Code, is amended by adding at the end the following:

“4050. Secure firearms storage.”.

TITLE III—RESTRAINTS ON PREGNANT PRISONERS PROHIBITED

SEC. 301. USE OF RESTRAINTS ON PRISONERS DURING THE PERIOD OF PREGNANCY AND POSTPARTUM RECOVERY PROHIBITED.

(a) IN GENERAL.—Chapter 317 of title 18, United States Code, is amended by inserting after section 4321 the following:

“§4322. Use of restraints on prisoners during the period of pregnancy, labor, and postpartum recovery prohibited

“(a) PROHIBITION.—Except as provided in subsection (b), beginning on the date on which pregnancy is confirmed by a healthcare professional, and ending at the conclusion of postpartum recovery, a prisoner in the custody of the Bureau of Prisons, or in the custody of the United States Marshals Service pursuant to section 4086, shall not be placed in restraints.

“(b) EXCEPTIONS.—

“(1) IN GENERAL.—The prohibition under subsection (a) shall not apply if—

“(A) an appropriate corrections official, or a United States marshal, as applicable, makes a determination that the prisoner—

“(i) is an immediate and credible flight risk that cannot reasonably be prevented by other means; or

“(ii) poses an immediate and serious threat of harm to herself or others that cannot reasonably be prevented by other means; or

“(B) a healthcare professional responsible for the health and safety of the prisoner determines that the use of restraints is appropriate for the medical safety of the prisoner.

“(2) LEAST RESTRICTIVE RESTRAINTS.—In the case that restraints are used pursuant to an exception under paragraph (1), only the least restrictive restraints necessary to prevent the harm or risk of escape described in paragraph (1) may be used.

“(3) APPLICATION.—

“(A) IN GENERAL.—The exceptions under paragraph (1) may not be applied—

“(i) to place restraints around the ankles, legs, or waist of a prisoner;

“(ii) to restrain a prisoner’s hands behind her back;

“(iii) to restrain a prisoner using 4-point restraints; or

“(iv) to attach a prisoner to another prisoner.

“(B) MEDICAL REQUEST.—Notwithstanding paragraph (1), upon the request of a healthcare professional who is responsible for the health and safety of a prisoner, a corrections official or United States marshal, as applicable, shall refrain from using restraints on the prisoner or shall remove restraints used on the prisoner.

“(c) REPORTS.—

“(1) REPORT TO THE DIRECTOR AND HEALTHCARE PROFESSIONAL.—If a corrections official or United States marshal uses restraints on a prisoner under subsection (b)(1), that official or marshal shall submit, not later than 30 days after placing the prisoner in restraints, to the Director of the Bureau of Prisons or the Director of the United States Marshals Service, as applicable, and to the healthcare professional responsible for the health and safety of the prisoner, a written report that describes the facts and circumstances surrounding the use of restraints, and includes—

“(A) the reasoning upon which the determination to use restraints was made;

“(B) the details of the use of restraints, including the type of restraints used and length of time during which restraints were used; and

“(C) any resulting physical effects on the prisoner observed by or known to the corrections official or United States marshal, as applicable.

“(2) SUPPLEMENTAL REPORT TO THE DIRECTOR.—Upon receipt of a report under paragraph (1), the healthcare professional responsible for the health and safety of the prisoner may submit to the Director such information as the healthcare professional determines is relevant to the use of restraints on the prisoner.

“(3) REPORT TO JUDICIARY COMMITTEES.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Director of the Bureau of Prisons and the Director of the United States Marshals Service shall each submit to the Judiciary Committee of the Senate and of the House of Representatives a report that certifies compliance with this section and includes the information required to be reported under paragraph (1).

“(B) PERSONALLY IDENTIFIABLE INFORMATION.—The report under this paragraph shall not contain any personally identifiable information of any prisoner.

“(d) NOTICE.—Not later than 48 hours after the confirmation of a prisoner’s pregnancy by a healthcare professional, that prisoner shall be notified by an appropriate healthcare professional, corrections official, or United States marshal, as applicable, of the restrictions on the use of restraints under this section.

“(e) VIOLATION REPORTING PROCESS.—The Director of the Bureau of Prisons, in consultation with the Director of the United States Marshals Service, shall establish a process through which a prisoner may report a violation of this section.

“(f) TRAINING.—

“(1) IN GENERAL.—The Director of the Bureau of Prisons and the Director of the United States Marshals Service shall each develop training guidelines regarding the use of restraints on female prisoners during the period of pregnancy, labor, and postpartum recovery, and shall incorporate such guidelines into appropriate training programs. Such training guidelines shall include—

“(A) how to identify certain symptoms of pregnancy that require immediate referral to a healthcare professional;

“(B) circumstances under which the exceptions under subsection (b) would apply;

“(C) in the case that an exception under subsection (b) applies, how to apply restraints in a way that does not harm the prisoner, the fetus, or the neonate;

“(D) the information required to be reported under subsection (c); and

“(E) the right of a healthcare professional to request that restraints not be used, and the re-

quirement under subsection (b)(3)(B) to comply with such a request.

“(2) DEVELOPMENT OF GUIDELINES.—In developing the guidelines required by paragraph (1), the Directors shall each consult with healthcare professionals with expertise in caring for women during the period of pregnancy and postpartum recovery.

“(g) DEFINITIONS.—For purposes of this section:

“(1) POSTPARTUM RECOVERY.—The term ‘postpartum recovery’ means the 12-week period, or longer as determined by the healthcare professional responsible for the health and safety of the prisoner, following delivery, and shall include the entire period that the prisoner is in the hospital or infirmary.

“(2) PRISONER.—The term ‘prisoner’ means a person who has been sentenced to a term of imprisonment pursuant to a conviction for a Federal criminal offense, or a person in the custody of the Bureau of Prisons, including a person in a Bureau of Prisons contracted facility.

“(3) RESTRAINTS.—The term ‘restraints’ means any physical or mechanical device used to control the movement of a prisoner’s body, limbs, or both.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 317 of title 18, United States Code, is amended by adding after the item relating to section 4321 the following:

“4322. Use of restraints on prisoners during the period of pregnancy, labor, and postpartum recovery prohibited.”.

TITLE IV—SENTENCING REFORM

SEC. 401. REDUCE AND RESTRICT ENHANCED SENTENCING FOR PRIOR DRUG FELONIES.

(a) CONTROLLED SUBSTANCES ACT AMENDMENTS.—The Controlled Substances Act (21 U.S.C. 801 et seq.) is amended—

(1) in section 102 (21 U.S.C. 802), by adding at the end the following:

“(57) The term ‘serious drug felony’ means an offense described in section 924(e)(2) of title 18, United States Code, for which—

“(A) the offender served a term of imprisonment of more than 12 months; and

“(B) the offender’s release from any term of imprisonment was within 15 years of the commencement of the instant offense.

“(58) The term ‘serious violent felony’ means—

“(A) an offense described in section 3559(c)(2) of title 18, United States Code, for which the offender served a term of imprisonment of more than 12 months; and

“(B) any offense that would be a felony violation of section 113 of title 18, United States Code, if the offense were committed in the special maritime and territorial jurisdiction of the United States, for which the offender served a term of imprisonment of more than 12 months.”; and

(2) in section 401(b)(1) (21 U.S.C. 841(b)(1))—

(A) in subparagraph (A), in the matter following clause (viii)—

(i) by striking “If any person commits such a violation after a prior conviction for a felony drug offense has become final, such person shall be sentenced to a term of imprisonment which may not be less than 20 years” and inserting the following: “If any person commits such a violation after a prior conviction for a serious drug felony or serious violent felony has become final, such person shall be sentenced to a term of imprisonment of not less than 15 years”; and

(ii) by striking “after two or more prior convictions for a felony drug offense have become final, such person shall be sentenced to a mandatory term of life imprisonment without release” and inserting the following: “after 2 or more prior convictions for a serious drug felony or serious violent felony have become final, such person shall be sentenced to a term of imprisonment of not less than 25 years”; and

(B) in subparagraph (B), in the matter following clause (viii), by striking “If any person

commits such a violation after a prior conviction for a felony drug offense has become final" and inserting the following: "If any person commits such a violation after a prior conviction for a serious drug felony or serious violent felony has become final".

(b) **CONTROLLED SUBSTANCES IMPORT AND EXPORT ACT AMENDMENTS.**—Section 1010(b) of the Controlled Substances Import and Export Act (21 U.S.C. 960(b)) is amended—

(1) in paragraph (1), in the matter following subparagraph (H), by striking "If any person commits such a violation after a prior conviction for a felony drug offense has become final, such person shall be sentenced to a term of imprisonment of not less than 20 years" and inserting "If any person commits such a violation after a prior conviction for a serious drug felony or serious violent felony has become final, such person shall be sentenced to a term of imprisonment of not less than 15 years"; and

(2) in paragraph (2), in the matter following subparagraph (H), by striking "felony drug offense" and inserting "serious drug felony or serious violent felony".

(c) **APPLICABILITY TO PENDING CASES.**—This section, and the amendments made by this section, shall apply to any offense that was committed before the date of enactment of this Act, if a sentence for the offense has not been imposed as of such date of enactment.

SEC. 402. BROADENING OF EXISTING SAFETY VALVE.

(a) **AMENDMENTS.**—Section 3553 of title 18, United States Code, is amended—

(1) in subsection (f)—

(A) in the matter preceding paragraph (1)—

(i) by striking "or section 1010" and inserting "section 1010"; and

(ii) by inserting "or section 70503 or 70506 of title 46" after "963";

(B) by striking paragraph (1) and inserting the following:

"(1) the defendant does not have—

"(A) more than 4 criminal history points, excluding any criminal history points resulting from a 1-point offense, as determined under the sentencing guidelines;

"(B) a prior 3-point offense, as determined under the sentencing guidelines; and

"(C) a prior 2-point violent offense, as determined under the sentencing guidelines;"; and

(C) by adding at the end the following:

"Information disclosed by a defendant under this subsection may not be used to enhance the sentence of the defendant unless the information relates to a violent offense."; and

(2) by adding at the end the following:

"(g) **DEFINITION OF VIOLENT OFFENSE.**—As used in this section, the term 'violent offense' means a crime of violence, as defined in section 16, that is punishable by imprisonment."

(b) **APPLICABILITY.**—The amendments made by this section shall apply only to a conviction entered on or after the date of enactment of this Act.

SEC. 403. CLARIFICATION OF SECTION 924(c) OF TITLE 18, UNITED STATES CODE.

(a) **IN GENERAL.**—Section 924(c)(1)(C) of title 18, United States Code, is amended, in the matter preceding clause (i), by striking "second or subsequent conviction under this subsection" and inserting "violation of this subsection that occurs after a prior conviction under this subsection has become final".

(b) **APPLICABILITY TO PENDING CASES.**—This section, and the amendments made by this section, shall apply to any offense that was committed before the date of enactment of this Act, if a sentence for the offense has not been imposed as of such date of enactment.

SEC. 404. APPLICATION OF FAIR SENTENCING ACT.

(a) **DEFINITION OF COVERED OFFENSE.**—In this section, the term "covered offense" means a violation of a Federal criminal statute, the statutory penalties for which were modified by section 2 or 3 of the Fair Sentencing Act of 2010

(Public Law 111–220; 124 Stat. 2372), that was committed before August 3, 2010.

(b) **DEFENDANTS PREVIOUSLY SENTENCED.**—A court that imposed a sentence for a covered offense may, on motion of the defendant, the Director of the Bureau of Prisons, the attorney for the Government, or the court, impose a reduced sentence as if sections 2 and 3 of the Fair Sentencing Act of 2010 (Public Law 111–220; 124 Stat. 2372) were in effect at the time the covered offense was committed.

(c) **LIMITATIONS.**—No court shall entertain a motion made under this section to reduce a sentence if the sentence was previously imposed or previously reduced in accordance with the amendments made by sections 2 and 3 of the Fair Sentencing Act of 2010 (Public Law 111–220; 124 Stat. 2372) or if a previous motion made under this section to reduce the sentence was, after the date of enactment of this Act, denied after a complete review of the motion on the merits. Nothing in this section shall be construed to require a court to reduce any sentence pursuant to this section.

TITLE V—SECOND CHANCE ACT OF 2007 REAUTHORIZATION

SEC. 501. SHORT TITLE.

This title may be cited as the "Second Chance Reauthorization Act of 2018".

SEC. 502. IMPROVEMENTS TO EXISTING PROGRAMS.

(a) **REAUTHORIZATION OF ADULT AND JUVENILE OFFENDER STATE AND LOCAL DEMONSTRATION PROJECTS.**—Section 2976 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10631) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) **GRANT AUTHORIZATION.**—The Attorney General shall make grants to States, local governments, territories, or Indian tribes, or any combination thereof (in this section referred to as an 'eligible entity'), in partnership with interested persons (including Federal corrections and supervision agencies), service providers, and nonprofit organizations for the purpose of strategic planning and implementation of adult and juvenile offender reentry projects.";

(2) in subsection (b)—

(A) in paragraph (3), by inserting "or reentry courts," after "community,";

(B) in paragraph (6), by striking "and" at the end;

(C) in paragraph (7), by striking the period at the end and inserting "and"; and

(D) by adding at the end the following:

"(8) promoting employment opportunities consistent with the Transitional Jobs strategy (as defined in section 4 of the Second Chance Act of 2007 (34 U.S.C. 60502))."; and

(3) by striking subsections (d), (e), and (f) and inserting the following:

"(d) **COMBINED GRANT APPLICATION; PRIORITY CONSIDERATION.**—

"(1) **IN GENERAL.**—The Attorney General shall develop a procedure to allow applicants to submit a single application for a planning grant under subsection (e) and an implementation grant under subsection (f).

"(2) **PRIORITY CONSIDERATION.**—The Attorney General shall give priority consideration to grant applications under subsections (e) and (f) that include a commitment by the applicant to partner with a local evaluator to identify and analyze data that will—

"(A) enable the grantee to target the intended offender population; and

"(B) serve as a baseline for purposes of the evaluation.

"(e) **PLANNING GRANTS.**—

"(1) **IN GENERAL.**—Except as provided in paragraph (3), the Attorney General may make a grant to an eligible entity of not more than \$75,000 to develop a strategic, collaborative plan for an adult or juvenile offender reentry demonstration project as described in subsection (h) that includes—

"(A) a budget and a budget justification;

"(B) a description of the outcome measures that will be used to measure the effectiveness of the program in promoting public safety and public health;

"(C) the activities proposed;

"(D) a schedule for completion of the activities described in subparagraph (C); and

"(E) a description of the personnel necessary to complete the activities described in subparagraph (C).

"(2) **MAXIMUM TOTAL GRANTS AND GEOGRAPHIC DIVERSITY.**—

"(A) **MAXIMUM AMOUNT.**—The Attorney General may not make initial planning grants and implementation grants to 1 eligible entity in a total amount that is more than a \$1,000,000.

"(B) **GEOGRAPHIC DIVERSITY.**—The Attorney General shall make every effort to ensure equitable geographic distribution of grants under this section and take into consideration the needs of underserved populations, including rural and tribal communities.

"(3) **PERIOD OF GRANT.**—A planning grant made under this subsection shall be for a period of not longer than 1 year, beginning on the first day of the month in which the planning grant is made.

"(f) **IMPLEMENTATION GRANTS.**—

"(1) **APPLICATIONS.**—An eligible entity desiring an implementation grant under this subsection shall submit to the Attorney General an application that—

"(A) contains a reentry strategic plan as described in subsection (h), which describes the long-term strategy and incorporates a detailed implementation schedule, including the plans of the applicant to fund the program after Federal funding is discontinued;

"(B) identifies the local government role and the role of governmental agencies and nonprofit organizations that will be coordinated by, and that will collaborate on, the offender reentry strategy of the applicant, and certifies the involvement of such agencies and organizations;

"(C) describes the evidence-based methodology and outcome measures that will be used to evaluate the program funded with a grant under this subsection, and specifically explains how such measurements will provide valid measures of the impact of that program; and

"(D) describes how the project could be broadly replicated if demonstrated to be effective.

"(2) **REQUIREMENTS.**—The Attorney General may make a grant to an applicant under this subsection only if the application—

"(A) reflects explicit support of the chief executive officer, or their designee, of the State, unit of local government, territory, or Indian tribe applying for a grant under this subsection;

"(B) provides discussion of the role of Federal corrections, State corrections departments, community corrections agencies, juvenile justice systems, and tribal or local jail systems in ensuring successful reentry of offenders into their communities;

"(C) provides evidence of collaboration with State, local, or tribal government agencies overseeing health, housing, child welfare, education, substance abuse, victims services, and employment services, and with local law enforcement agencies;

"(D) provides a plan for analysis of the statutory, regulatory, rules-based, and practice-based hurdles to reintegration of offenders into the community;

"(E) includes the use of a State, local, territorial, or tribal task force, described in subsection (i), to carry out the activities funded under the grant;

"(F) provides a plan for continued collaboration with a local evaluator as necessary to meeting the requirements under subsection (h); and

"(G) demonstrates that the applicant participated in the planning grant process or engaged in comparable planning for the reentry project.

"(3) **PRIORITY CONSIDERATIONS.**—The Attorney General shall give priority to grant applications under this subsection that best—

"(A) focus initiative on geographic areas with a disproportionate population of offenders released from prisons, jails, and juvenile facilities;

“(B) include—

“(i) input from nonprofit organizations, in any case where relevant input is available and appropriate to the grant application;

“(ii) consultation with crime victims and offenders who are released from prisons, jails, and juvenile facilities;

“(iii) coordination with families of offenders;

“(iv) input, where appropriate, from the juvenile justice coordinating council of the region;

“(v) input, where appropriate, from the re-entry coordinating council of the region; or

“(vi) input, where appropriate, from other interested persons;

“(C) demonstrate effective case assessment and management abilities in order to provide comprehensive and continuous reentry, including—

“(i) planning for prerelease transitional housing and community release that begins upon admission for juveniles and jail inmates, and, as appropriate, for prison inmates, depending on the length of the sentence;

“(ii) establishing prerelease planning procedures to ensure that the eligibility of an offender for Federal, tribal, or State benefits upon release is established prior to release, subject to any limitations in law, and to ensure that offenders obtain all necessary referrals for reentry services, including assistance identifying and securing suitable housing; or

“(iii) delivery of continuous and appropriate mental health services, drug treatment, medical care, job training and placement, educational services, vocational services, and any other service or support needed for reentry;

“(D) review the process by which the applicant adjudicates violations of parole, probation, or supervision following release from prison, jail, or a juvenile facility, taking into account public safety and the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law);

“(E) provide for an independent evaluation of reentry programs that include, to the maximum extent possible, random assignment and controlled studies to determine the effectiveness of such programs;

“(F) target moderate and high-risk offenders for reentry programs through validated assessment tools; or

“(G) target offenders with histories of homelessness, substance abuse, or mental illness, including a prerelease assessment of the housing status of the offender and behavioral health needs of the offender with clear coordination with mental health, substance abuse, and homelessness services systems to achieve stable and permanent housing outcomes with appropriate support service.

“(4) PERIOD OF GRANT.—A grant made under this subsection shall be effective for a 2-year period—

“(A) beginning on the date on which the planning grant awarded under subsection (e) concludes; or

“(B) in the case of an implementation grant awarded to an eligible entity that did not receive a planning grant, beginning on the date on which the implementation grant is awarded.”;

(4) in subsection (h)—

(A) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(B) by striking paragraph (1) and inserting the following:

“(1) IN GENERAL.—As a condition of receiving financial assistance under subsection (f), each application shall develop a comprehensive reentry strategic plan that—

“(A) contains a plan to assess inmate reentry needs and measurable annual and 3-year performance outcomes;

“(B) uses, to the maximum extent possible, randomly assigned and controlled studies, or rigorous quasi-experimental studies with matched comparison groups, to determine the ef-

fectiveness of the program funded with a grant under subsection (f); and

“(C) includes as a goal of the plan to reduce the rate of recidivism for offenders released from prison, jail or a juvenile facility with funds made available under subsection (f).

“(2) LOCAL EVALUATOR.—A partnership with a local evaluator described in subsection (d)(2) shall require the local evaluator to use the baseline data and target population characteristics developed under a subsection (e) planning grant to derive a target goal for recidivism reduction during the 3-year period beginning on the date of implementation of the program.”;

(5) in subsection (i)(1)—

(A) in the matter preceding subparagraph (A), by striking “under this section” and inserting “under subsection (f)”;

(B) in subparagraph (B), by striking “subsection (e)(4)” and inserting “subsection (f)(2)(D)”;

(6) in subsection (j)—

(A) in paragraph (1), by inserting “for an implementation grant under subsection (f)” after “applicant”;

(B) in paragraph (2)—

(i) in subparagraph (E), by inserting “, where appropriate” after “support”; and

(ii) by striking subparagraphs (F), (G), and (H), and inserting the following:

“(F) increased number of staff trained to administer reentry services;

“(G) increased proportion of individuals served by the program among those eligible to receive services;

“(H) increased number of individuals receiving risk screening needs assessment, and case planning services;

“(I) increased enrollment in, and completion of treatment services, including substance abuse and mental health services among those assessed as needing such services;

“(J) increased enrollment in and degrees earned from educational programs, including high school, GED, vocational training, and college education;

“(K) increased number of individuals obtaining and retaining employment;

“(L) increased number of individuals obtaining and maintaining housing;

“(M) increased self-reports of successful community living, including stability of living situation and positive family relationships;

“(N) reduction in drug and alcohol use; and

“(O) reduction in recidivism rates for individuals receiving reentry services after release, as compared to either baseline recidivism rates in the jurisdiction of the grantee or recidivism rates of the control or comparison group.”;

(C) in paragraph (3), by striking “facilities.” and inserting “facilities, including a cost-benefit analysis to determine the cost effectiveness of the reentry program.”;

(D) in paragraph (4), by striking “this section” and inserting “subsection (f)”;

(E) in paragraph (5), by striking “this section” and inserting “subsection (f)”;

(7) in subsection (k)(1), by striking “this section” each place the term appears and inserting “subsection (f)”;

(8) in subsection (l)—

(A) in paragraph (2), by inserting “beginning on the date on which the most recent implementation grant is made to the grantee under subsection (f)” after “2-year period”;

(B) in paragraph (4), by striking “over a 2-year period” and inserting “during the 2-year period described in paragraph (2)”;

(9) in subsection (o)(1), by striking “appropriate” and all that follows and inserting the following: “appropriated \$35,000,000 for each of fiscal years 2019 through 2023.”;

(10) by adding at the end the following:

“(p) DEFINITION.—In this section, the term ‘reentry court’ means a program that—

“(1) monitors juvenile and adult eligible offenders reentering the community;

“(2) provides continual judicial supervision;

“(3) provides juvenile and adult eligible offenders reentering the community with coordi-

nated and comprehensive reentry services and programs, such as—

“(A) drug and alcohol testing and assessment for treatment;

“(B) assessment for substance abuse from a substance abuse professional who is approved by the State or Indian tribe and licensed by the appropriate entity to provide alcohol and drug addiction treatment, as appropriate;

“(C) substance abuse treatment, including medication-assisted treatment, from a provider that is approved by the State or Indian tribe, and licensed, if necessary, to provide medical and other health services;

“(D) health (including mental health) services and assessment;

“(E) aftercare and case management services that—

“(i) facilitate access to clinical care and related health services; and

“(ii) coordinate with such clinical care and related health services; and

“(F) any other services needed for reentry;

“(4) convenes community impact panels, victim impact panels, or victim impact educational classes;

“(5) provides and coordinates the delivery of community services to juvenile and adult eligible offenders, including—

“(A) housing assistance;

“(B) education;

“(C) job training;

“(D) conflict resolution skills training;

“(E) batterer intervention programs; and

“(F) other appropriate social services; and

“(6) establishes and implements graduated sanctions and incentives.”;

(b) GRANTS FOR FAMILY-BASED SUBSTANCE ABUSE TREATMENT.—Part DD of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10591 et seq.) is amended—

(1) in section 2921 (34 U.S.C. 10591), in the matter preceding paragraph (1), by inserting “nonprofit organizations,” before “and Indian”;

(2) in section 2923 (34 U.S.C. 10593), by adding at the end the following:

“(c) PRIORITY CONSIDERATIONS.—The Attorney General shall give priority consideration to grant applications for grants under section 2921 that are submitted by a nonprofit organization that demonstrates a relationship with State and local criminal justice agencies, including—

“(1) within the judiciary and prosecutorial agencies; or

“(2) with the local corrections agencies, which shall be documented by a written agreement that details the terms of access to facilities and participants and provides information on the history of the organization of working with correctional populations.”;

(3) by striking section 2926(a) and inserting the following:

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this part \$10,000,000 for each of fiscal years 2019 through 2023.”;

(c) GRANT PROGRAM TO EVALUATE AND IMPROVE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) by striking the second part designated as part JJ, as added by the Second Chance Act of 2007 (Public Law 110-199; 122 Stat. 677), relating to grants to evaluate and improve educational methods at prisons, jails, and juvenile facilities;

(2) by adding at the end the following:

“PART NN—GRANT PROGRAM TO EVALUATE AND IMPROVE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES

“SEC. 3041. GRANT PROGRAM TO EVALUATE AND IMPROVE EDUCATIONAL METHODS AT PRISONS, JAILS, AND JUVENILE FACILITIES.

“(a) GRANT PROGRAM AUTHORIZED.—The Attorney General may carry out a grant program under which the Attorney General may make

grants to States, units of local government, territories, Indian Tribes, and other public and private entities to—

“(1) evaluate methods to improve academic and vocational education for offenders in prisons, jails, and juvenile facilities;

“(2) identify, and make recommendations to the Attorney General regarding, best practices relating to academic and vocational education for offenders in prisons, jails, and juvenile facilities, based on the evaluation under paragraph (1);

“(3) improve the academic and vocational education programs (including technology career training) available to offenders in prisons, jails, and juvenile facilities; and

“(4) implement methods to improve academic and vocational education for offenders in prisons, jails, and juvenile facilities consistent with the best practices identified in subsection (c).

“(b) APPLICATION.—To be eligible for a grant under this part, a State or other entity described in subsection (a) shall submit to the Attorney General an application in such form and manner, at such time, and accompanied by such information as the Attorney General specifies.

“(c) BEST PRACTICES.—Not later than 180 days after the date of enactment of the Second Chance Reauthorization Act of 2018, the Attorney General shall identify and publish best practices relating to academic and vocational education for offenders in prisons, jails, and juvenile facilities. The best practices shall consider the evaluations performed and recommendations made under grants made under subsection (a) before the date of enactment of the Second Chance Reauthorization Act of 2018.

“(d) REPORT.—Not later than 90 days after the last day of the final fiscal year of a grant under this part, each entity described in subsection (a) receiving such a grant shall submit to the Attorney General a detailed report of the progress made by the entity using such grant, to permit the Attorney General to evaluate and improve academic and vocational education methods carried out with grants under this part.”; and

(3) in section 1001(a) of part J of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10261(a)), by adding at the end the following:

“(28) There are authorized to be appropriated to carry out section 3031(a)(4) of part NN \$5,000,000 for each of fiscal years 2019, 2020, 2021, 2022, and 2023.”.

(d) CAREERS TRAINING DEMONSTRATION GRANTS.—Section 115 of the Second Chance Act of 2007 (34 U.S.C. 60511) is amended—

(1) in the heading, by striking “**TECHNOLOGY CAREERS**” and inserting “**CAREERS**”;

(2) in subsection (a)—

(A) by striking “and Indian” and inserting “nonprofit organizations, and Indian”; and

(B) by striking “technology career training to prisoners” and inserting “career training, including subsidized employment, when part of a training program, to prisoners and reentering youth and adults”;

(3) in subsection (b)—

(A) by striking “technology careers training”;

(B) by striking “technology-based”; and

(C) by inserting “, as well as upon transition and reentry into the community” after “facility”;

(4) by striking subsection (e);

(5) by redesignating subsections (c) and (d) as subsections (d) and (e), respectively;

(6) by inserting after subsection (b) the following:

“(c) PRIORITY CONSIDERATION.—Priority consideration shall be given to any application under this section that—

“(1) provides assessment of local demand for employees in the geographic areas to which offenders are likely to return;

“(2) conducts individualized reentry career planning upon the start of incarceration or post-release employment planning for each offender served under the grant;

“(3) demonstrates connections to employers within the local community; or

“(4) tracks and monitors employment outcomes.”; and

(7) by adding at the end the following:

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2019, 2020, 2021, 2022, and 2023.”.

(e) OFFENDER REENTRY SUBSTANCE ABUSE AND CRIMINAL JUSTICE COLLABORATION PROGRAM.—Section 201(f)(1) of the Second Chance Act of 2007 (34 U.S.C. 60521(f)(1)) is amended to read as follows:

“(1) IN GENERAL.—There are authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2019 through 2023.”.

(f) COMMUNITY-BASED MENTORING AND TRANSITIONAL SERVICE GRANTS TO NONPROFIT ORGANIZATIONS.—

(1) IN GENERAL.—Section 211 of the Second Chance Act of 2007 (34 U.S.C. 60531) is amended—

(A) in the header, by striking “**MENTORING GRANTS TO NONPROFIT ORGANIZATIONS**” and inserting “**COMMUNITY-BASED MENTORING AND TRANSITIONAL SERVICE GRANTS TO NONPROFIT ORGANIZATIONS**”;

(B) in subsection (a), by striking “mentoring and other”;

(C) in subsection (b), by striking paragraph (2) and inserting the following:

“(2) transitional services to assist in the reintegration of offenders into the community, including—

“(A) educational, literacy, and vocational, services and the Transitional Jobs strategy;

“(B) substance abuse treatment and services;

“(C) coordinated supervision and services for offenders, including physical health care and comprehensive housing and mental health care;

“(D) family services; and

“(E) validated assessment tools to assess the risk factors of returning inmates; and”;

(D) in subsection (f), by striking “this section” and all that follows and inserting the following: “this section \$15,000,000 for each of fiscal years 2019 through 2023.”.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 2 of the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 657) is amended by striking the item relating to section 211 and inserting the following:

“Sec. 211. Community-based mentoring and transitional service grants.”.

(g) DEFINITIONS.—

(1) IN GENERAL.—Section 4 of the Second Chance Act of 2007 (34 U.S.C. 60502) is amended to read as follows:

“**SEC. 4. DEFINITIONS.**

“In this Act—

“(1) the term ‘exoneree’ means an individual who—

“(A) has been convicted of a Federal, tribal, or State offense that is punishable by a term of imprisonment of more than 1 year;

“(B) has served a term of imprisonment for not less than 6 months in a Federal, tribal, or State prison or correctional facility as a result of the conviction described in subparagraph (A); and

“(C) has been determined to be factually innocent of the offense described in subparagraph (A);

“(2) the term ‘Indian tribe’ has the meaning given in section 901 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10251);

“(3) the term ‘offender’ includes an exoneree; and

“(4) the term ‘Transitional Jobs strategy’ means an employment strategy for youth and adults who are chronically unemployed or those that have barriers to employment that—

“(A) is conducted by State, tribal, and local governments, State, tribal, and local workforce boards, and nonprofit organizations;

“(B) provides time-limited employment using individual placements, team placements, and so-

cial enterprise placements, without displacing existing employees;

“(C) pays wages in accordance with applicable law, but in no event less than the higher of the rate specified in section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) or the applicable State or local minimum wage law, which are subsidized, in whole or in part, by public funds;

“(D) combines time-limited employment with activities that promote skill development, remove barriers to employment, and lead to unsubsidized employment such as a thorough orientation and individual assessment, job readiness and life skills training, case management and supportive services, adult education and training, child support-related services, job retention support and incentives, and other similar activities;

“(E) places participants into unsubsidized employment; and

“(F) provides job retention, re-employment services, and continuing and vocational education to ensure continuing participation in unsubsidized employment and identification of opportunities for advancement.”.

(2) TABLE OF CONTENTS AMENDMENT.—The table of contents in section 2 of the Second Chance Act of 2007 (Public Law 110–199; 122 Stat. 657) is amended by striking the item relating to section 4 and inserting the following:

“Sec. 4. Definitions.”.

(h) EXTENSION OF THE LENGTH OF SECTION 2976 GRANTS.—Section 6(1) of the Second Chance Act of 2007 (34 U.S.C. 60504(1)) is amended by inserting “or under section 2976 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10631)” after “and 212”.

SEC. 503. AUDIT AND ACCOUNTABILITY OF GRANTEES.

(a) DEFINITIONS.—In this section—

(1) the term “covered grant program” means grants awarded under section 115, 201, or 211 of the Second Chance Act of 2007 (34 U.S.C. 60511, 60521, and 60531), as amended by this title;

(2) the term “covered grantee” means a recipient of a grant from a covered grant program;

(3) the term “nonprofit”, when used with respect to an organization, means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986, and is exempt from taxation under section 501(a) of such Code; and

(4) the term “unresolved audit finding” means an audit report finding in a final audit report of the Inspector General of the Department of Justice that a covered grantee has used grant funds awarded to that grantee under a covered grant program for an unauthorized expenditure or otherwise unallowable cost that is not closed or resolved during a 12-month period prior to the date on which the final audit report is issued.

(b) AUDIT REQUIREMENT.—Beginning in fiscal year 2019, and annually thereafter, the Inspector General of the Department of Justice shall conduct audits of covered grantees to prevent waste, fraud, and abuse of funds awarded under covered grant programs. The Inspector General shall determine the appropriate number of covered grantees to be audited each year.

(c) MANDATORY EXCLUSION.—A grantee that is found to have an unresolved audit finding under an audit conducted under subsection (b) may not receive grant funds under a covered grant program in the fiscal year following the fiscal year to which the finding relates.

(d) REIMBURSEMENT.—If a covered grantee is awarded funds under the covered grant program from which it received a grant award during the 1-fiscal-year period during which the covered grantee is ineligible for an allocation of grant funds under subsection (c), the Attorney General shall—

(1) deposit into the General Fund of the Treasury an amount that is equal to the amount of the grant funds that were improperly awarded to the covered grantee; and

(2) seek to recoup the costs of the repayment to the Fund from the covered grantee that was improperly awarded the grant funds.

(e) **PRIORITY OF GRANT AWARDS.**—The Attorney General, in awarding grants under a covered grant program shall give priority to eligible entities that during the 2-year period preceding the application for a grant have not been found to have an unresolved audit finding.

(f) **NONPROFIT REQUIREMENTS.**—

(1) **PROHIBITION.**—A nonprofit organization that holds money in offshore accounts for the purpose of avoiding the tax described in section 511(a) of the Internal Revenue Code of 1986, shall not be eligible to receive, directly or indirectly, any funds from a covered grant program.

(2) **DISCLOSURE.**—Each nonprofit organization that is a covered grantee shall disclose in its application for such a grant, as a condition of receipt of such a grant, the compensation of its officers, directors, and trustees. Such disclosure shall include a description of the criteria relied on to determine such compensation.

(g) **PROHIBITION ON LOBBYING ACTIVITY.**—

(1) **IN GENERAL.**—Amounts made available under a covered grant program may not be used by any covered grantee to—

(A) lobby any representative of the Department of Justice regarding the award of grant funding; or

(B) lobby any representative of the Federal Government or a State, local, or tribal government regarding the award of grant funding.

(2) **PENALTY.**—If the Attorney General determines that a covered grantee has violated paragraph (1), the Attorney General shall—

(A) require the covered grantee to repay the grant in full; and

(B) prohibit the covered grantee from receiving a grant under the covered grant program from which it received a grant award during at least the 5-year period beginning on the date of such violation.

SEC. 504. FEDERAL REENTRY IMPROVEMENTS.

(a) **RESPONSIBLE REINTEGRATION OF OFFENDERS.**—Section 212 of the Second Chance Act of 2007 (34 U.S.C. 60532) is repealed.

(b) **FEDERAL PRISONER REENTRY INITIATIVE.**—Section 231 of the Second Chance Act of 2007 (434 U.S.C. 60541) is amended—

(1) in subsection (g)—

(A) in paragraph (3), by striking “carried out during fiscal years 2009 and 2010” and inserting “carried out during fiscal years 2019 through 2023”; and

(B) in paragraph (5)(A)(ii), by striking “the greater of 10 years or”; and

(2) by striking subsection (h);

(3) by redesignating subsection (i) as subsection (h); and

(4) in subsection (h), as so redesignated, by striking “2009 and 2010” and inserting “2019 through 2023”.

(c) **ENHANCING REPORTING REQUIREMENTS PERTAINING TO COMMUNITY CORRECTIONS.**—Section 3624(c) of title 18, United States Code, is amended—

(1) in paragraph (5), in the second sentence, by inserting “, and number of prisoners not being placed in community corrections facilities for each reason set forth” before “, and any other information”; and

(2) in paragraph (6), by striking “the Second Chance Act of 2007” and inserting “the Second Chance Reauthorization Act of 2018”.

(d) **TERMINATION OF STUDY ON EFFECTIVENESS OF DEPOT NALTREXONE FOR HEROIN ADDICTION.**—Section 244 of the Second Chance Act of 2007 (34 U.S.C. 60554) is repealed.

(e) **AUTHORIZATION OF APPROPRIATIONS FOR RESEARCH.**—Section 245 of the Second Chance Act of 2007 (34 U.S.C. 60555) is amended—

(1) by striking “243, and 244” and inserting “and 243”; and

(2) by striking “\$10,000,000 for each of the fiscal years 2009 and 2010” and inserting “\$5,000,000 for each of the fiscal years 2019, 2020, 2021, 2022, and 2023”.

(f) **FEDERAL PRISONER RECIDIVISM REDUCTION PROGRAMMING ENHANCEMENT.**—

(1) **IN GENERAL.**—Section 3621 of title 18, United States Code, as amended by section 102(a) of this Act, is amended—

(A) by redesignating subsection (g) as subsection (i); and

(B) by inserting after subsection (f) the following:

“(g) **PARTNERSHIPS TO EXPAND ACCESS TO REENTRY PROGRAMS PROVEN TO REDUCE RECIDIVISM.**—

“(1) **DEFINITION.**—The term ‘demonstrated to reduce recidivism’ means that the Director of Bureau of Prisons has determined that appropriate research has been conducted and has validated the effectiveness of the type of program on recidivism.

“(2) **ELIGIBILITY FOR RECIDIVISM REDUCTION PARTNERSHIP.**—A faith-based or community-based nonprofit organization that provides mentoring or other programs that have been demonstrated to reduce recidivism is eligible to enter into a recidivism reduction partnership with a prison or community-based facility operated by the Bureau of Prisons.

“(3) **RECIDIVISM REDUCTION PARTNERSHIPS.**—The Director of the Bureau of Prisons shall develop policies to require wardens of prisons and community-based facilities to enter into recidivism reduction partnerships with faith-based and community-based nonprofit organizations that are willing to provide, on a volunteer basis, programs described in paragraph (2).

“(4) **REPORTING REQUIREMENT.**—The Director of the Bureau of Prisons shall submit to Congress an annual report on the last day of each fiscal year that—

“(A) details, for each prison and community-based facility for the fiscal year just ended—

“(i) the number of recidivism reduction partnerships under this section that were in effect;

“(ii) the number of volunteers that provided recidivism reduction programming; and

“(iii) the number of recidivism reduction programming hours provided; and

“(B) explains any disparities between facilities in the numbers reported under subparagraph (A).”.

(2) **EFFECTIVE DATE.**—The amendments made by paragraph (1) shall take effect 180 days after the date of enactment of this Act.

(g) **REPEALS.**—

(1) Section 2978 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10633) is repealed.

(2) Part CC of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10581 et seq.) is repealed.

SEC. 505. FEDERAL INTERAGENCY REENTRY COORDINATION.

(a) **REENTRY COORDINATION.**—The Attorney General, in consultation with the Secretary of Housing and Urban Development, the Secretary of Labor, the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Veterans Affairs, the Secretary of Agriculture, and the heads of such other agencies of the Federal Government as the Attorney General considers appropriate, and in collaboration with interested persons, service providers, nonprofit organizations, and State, tribal, and local governments, shall coordinate on Federal programs, policies, and activities relating to the reentry of individuals returning from incarceration to the community, with an emphasis on evidence-based practices and protection against duplication of services.

(b) **REPORT.**—Not later than 2 years after the date of the enactment of this Act, the Attorney General, in consultation with the Secretaries listed in subsection (a), shall submit to Congress a report summarizing the achievements under subsection (a), and including recommendations for Congress that would further reduce barriers to successful reentry.

SEC. 506. CONFERENCE EXPENDITURES.

(a) **LIMITATION.**—No amounts authorized to be appropriated to the Department of Justice under this title, or any amendments made by this title, may be used by the Attorney General, or by any individual or organization awarded discretionary funds under this title, or any amend-

ments made by this title, to host or support any expenditure for conferences that uses more than \$20,000 in Department funds, unless the Deputy Attorney General or such Assistant Attorney Generals, Directors, or principal deputies as the Deputy Attorney General may designate, provides prior written authorization that the funds may be expended to host a conference. A conference that uses more than \$20,000 in such funds, but less than an average of \$500 in such funds for each attendee of the conference, shall not be subject to the limitations of this section.

(b) **WRITTEN APPROVAL.**—Written approval under subsection (a) shall include a written estimate of all costs associated with the conference, including the cost of all food and beverages, audiovisual equipment, honoraria for speakers, and any entertainment.

(c) **REPORT.**—The Deputy Attorney General shall submit an annual report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on all approved conference expenditures referenced in this section.

SEC. 507. EVALUATION OF THE SECOND CHANCE ACT PROGRAM.

(a) **EVALUATION OF THE SECOND CHANCE ACT GRANT PROGRAM.**—Not later than 5 years after the date of enactment of this Act, the National Institute of Justice shall evaluate the effectiveness of grants used by the Department of Justice to support offender reentry and recidivism reduction programs at the State, local, Tribal, and Federal levels. The National Institute of Justice shall evaluate the following:

(1) The effectiveness of such programs in relation to their cost, including the extent to which the programs improve reentry outcomes, including employment, education, housing, reductions in recidivism, of participants in comparison to comparably situated individuals who did not participate in such programs and activities.

(2) The effectiveness of program structures and mechanisms for delivery of services.

(3) The impact of such programs on the communities and participants involved.

(4) The impact of such programs on related programs and activities.

(5) The extent to which such programs meet the needs of various demographic groups.

(6) The quality and effectiveness of technical assistance provided by the Department of Justice to grantees for implementing such programs.

(7) Such other factors as may be appropriate.

(b) **AUTHORIZATION OF FUNDS FOR EVALUATION.**—Not more than 1 percent of any amounts authorized to be appropriated to carry out the Second Chance Act grant program shall be made available to the National Institute of Justice each year to evaluate the processes, implementation, outcomes, costs, and effectiveness of the Second Chance Act grant program in improving reentry and reducing recidivism. Such funding may be used to provide support to grantees for supplemental data collection, analysis, and coordination associated with evaluation activities.

(c) **TECHNIQUES.**—Evaluations conducted under this section shall use appropriate methodology and research designs. Impact evaluations conducted under this section shall include the use of intervention and control groups chosen by random assignment methods, to the extent possible.

(d) **METRICS AND OUTCOMES FOR EVALUATION.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the National Institute of Justice shall consult with relevant stakeholders and identify outcome measures, including employment, housing, education, and public safety, that are to be achieved by programs authorized under the Second Chance Act grant program and the metrics by which the achievement of such outcomes shall be determined.

(2) **PUBLICATION.**—Not later than 30 days after the date on which the National Institute of Justice identifies metrics and outcomes under

paragraph (1), the Attorney General shall publish such metrics and outcomes identified.

(e) **DATA COLLECTION.**—As a condition of award under the Second Chance Act grant program (including a subaward under section 3021(b) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10701(b))), grantees shall be required to collect and report to the Department of Justice data based upon the metrics identified under subsection (d). In accordance with applicable law, collection of individual-level data under a pledge of confidentiality shall be protected by the National Institute of Justice in accordance with such pledge.

(f) **DATA ACCESSIBILITY.**—Not later than 5 years after the date of enactment of this Act, the National Institute of Justice shall—

(1) make data collected during the course of evaluation under this section available in de-identified form in such a manner that reasonably protects a pledge of confidentiality to participants under subsection (e); and

(2) make identifiable data collected during the course of evaluation under this section available to qualified researchers for future research and evaluation, in accordance with applicable law.

(g) **PUBLICATION AND REPORTING OF EVALUATION FINDINGS.**—The National Institute of Justice shall—

(1) not later than 365 days after the date on which the enrollment of participants in an impact evaluation is completed, publish an interim report on such evaluation;

(2) not later than 90 days after the date on which any evaluation is completed, publish and make publicly available such evaluation; and

(3) not later than 60 days after the completion date described in paragraph (2), submit a report to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate on such evaluation.

(h) **SECOND CHANCE ACT GRANT PROGRAM DEFINED.**—In this section, the term “Second Chance Act grant program” means any grant program reauthorized under this title and the amendments made by this title.

SEC. 508. GAO REVIEW.

Not later than 3 years after the date of enactment of the First Step Act of 2018 the Comptroller General of the United States shall conduct a review of all of the grant awards made under this title and amendments made by this title that includes—

(1) an evaluation of the effectiveness of the reentry programs funded by grant awards under this title and amendments made by this title at reducing recidivism, including a determination of which reentry programs were most effective;

(2) recommendations on how to improve the effectiveness of reentry programs, including those for which prisoners may earn time credits under the First Step Act of 2018; and

(3) an evaluation of the effectiveness of mental health services, drug treatment, medical care, job training and placement, educational services, and vocational services programs funded under this title and amendments made by this title.

TITLE VI—MISCELLANEOUS CRIMINAL JUSTICE

SEC. 601. PLACEMENT OF PRISONERS CLOSE TO FAMILIES.

Section 3621(b) of title 18, United States Code, is amended—

(1) by striking “shall designate the place of the prisoner’s imprisonment.” and inserting “shall designate the place of the prisoner’s imprisonment, and shall, subject to bed availability, the prisoner’s security designation, the prisoner’s programmatic needs, the prisoner’s mental and medical health needs, any request made by the prisoner related to faith-based needs, recommendations of the sentencing court, and other security concerns of the Bureau of Prisons, place the prisoner in a facility as close as practicable to the prisoner’s primary residence, and to the extent practicable, in a facil-

ity within 500 driving miles of that residence. The Bureau shall, subject to consideration of the factors described in the preceding sentence and the prisoner’s preference for staying at his or her current facility or being transferred, transfer prisoners to facilities that are closer to the prisoner’s primary residence even if the prisoner is already in a facility within 500 driving miles of that residence.”; and

(2) by adding at the end the following: “Notwithstanding any other provision of law, a designation of a place of imprisonment under this subsection is not reviewable by any court.”.

SEC. 602. HOME CONFINEMENT FOR LOW-RISK PRISONERS.

Section 3624(c)(2) of title 18, United States Code, is amended by adding at the end the following: “The Bureau of Prisons shall, to the extent practicable, place prisoners with lower risk levels and lower needs on home confinement for the maximum amount of time permitted under this paragraph.”.

SEC. 603. FEDERAL PRISONER REENTRY INITIATIVE REAUTHORIZATION; MODIFICATION OF IMPOSED TERM OF IMPRISONMENT.

(a) **FEDERAL PRISONER REENTRY INITIATIVE REAUTHORIZATION.**—Section 231(g) of the Second Chance Act of 2007 (34 U.S.C. 60541(g)) is amended—

(1) in paragraph (1)—

(A) by inserting “and eligible terminally ill offenders” after “elderly offenders” each place the term appears;

(B) in subparagraph (A), by striking “a Bureau of Prisons facility” and inserting “Bureau of Prisons facilities”;

(C) in subparagraph (B)—

(i) by striking “the Bureau of Prisons facility” and inserting “Bureau of Prisons facilities”; and

(ii) by inserting “, upon written request from either the Bureau of Prisons or an eligible elderly offender or eligible terminally ill offender” after “to home detention”; and

(D) in subparagraph (C), by striking “the Bureau of Prisons facility” and inserting “Bureau of Prisons facilities”;

(2) in paragraph (2), by inserting “or eligible terminally ill offender” after “elderly offender”;

(3) in paragraph (3), as amended by section 504(b)(1)(A) of this Act, by striking “at least one Bureau of Prisons facility” and inserting “Bureau of Prisons facilities”; and

(4) in paragraph (4)—

(A) by inserting “or eligible terminally ill offender” after “each eligible elderly offender”; and

(B) by inserting “and eligible terminally ill offenders” after “eligible elderly offenders”; and

(5) in paragraph (5)—

(A) in subparagraph (A)—

(i) in clause (i), striking “65 years of age” and inserting “60 years of age”; and

(ii) in clause (ii), as amended by section 504(b)(1)(B) of this Act, by striking “75 percent” and inserting “2%”; and

(B) by adding at the end the following:

“(D) **ELIGIBLE TERMINALLY ILL OFFENDER.**—The term ‘eligible terminally ill offender’ means an offender in the custody of the Bureau of Prisons who—

“(i) is serving a term of imprisonment based on conviction for an offense or offenses that do not include any crime of violence (as defined in section 16(a) of title 18, United States Code), sex offense (as defined in section 111(5) of the Sex Offender Registration and Notification Act (34 U.S.C. 20911(5))), offense described in section 2332b(g)(5)(B) of title 18, United States Code, or offense under chapter 37 of title 18, United States Code;

“(ii) satisfies the criteria specified in clauses (iii) through (vii) of subparagraph (A); and

“(iii) has been determined by a medical doctor approved by the Bureau of Prisons to be—

“(I) in need of care at a nursing home, intermediate care facility, or assisted living facility, as those terms are defined in section 232 of the National Housing Act (12 U.S.C. 1715w); or

“(II) diagnosed with a terminal illness.”.

(b) **INCREASING THE USE AND TRANSPARENCY OF COMPASSIONATE RELEASE.**—Section 3582 of title 18, United States Code, is amended—

(1) in subsection (c)(1)(A), in the matter preceding clause (i), by inserting after “Bureau of Prisons,” the following: “or upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant’s behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant’s facility, whichever is earlier.”;

(2) by redesignating subsection (d) as subsection (e); and

(3) by inserting after subsection (c) the following:

“(d) **NOTIFICATION REQUIREMENTS.**—

“(1) **TERMINAL ILLNESS DEFINED.**—In this subsection, the term ‘terminal illness’ means a disease or condition with an end-of-life trajectory.

“(2) **NOTIFICATION.**—The Bureau of Prisons shall, subject to any applicable confidentiality requirements—

“(A) in the case of a defendant diagnosed with a terminal illness—

“(i) not later than 72 hours after the diagnosis notify the defendant’s attorney, partner, and family members of the defendant’s condition and inform the defendant’s attorney, partner, and family members that they may prepare and submit on the defendant’s behalf a request for a sentence reduction pursuant to subsection (c)(1)(A);

“(ii) not later than 7 days after the date of the diagnosis, provide the defendant’s partner and family members (including extended family) with an opportunity to visit the defendant in person;

“(iii) upon request from the defendant or his attorney, partner, or a family member, ensure that Bureau of Prisons employees assist the defendant in the preparation, drafting, and submission of a request for a sentence reduction pursuant to subsection (c)(1)(A); and

“(iv) not later than 14 days of receipt of a request for a sentence reduction submitted on the defendant’s behalf by the defendant or the defendant’s attorney, partner, or family member, process the request;

“(B) in the case of a defendant who is physically or mentally unable to submit a request for a sentence reduction pursuant to subsection (c)(1)(A)—

“(i) inform the defendant’s attorney, partner, and family members that they may prepare and submit on the defendant’s behalf a request for a sentence reduction pursuant to subsection (c)(1)(A);

“(ii) accept and process a request for sentence reduction that has been prepared and submitted on the defendant’s behalf by the defendant’s attorney, partner, or family member under clause (i); and

“(iii) upon request from the defendant or his attorney, partner, or family member, ensure that Bureau of Prisons employees assist the defendant in the preparation, drafting, and submission of a request for a sentence reduction pursuant to subsection (c)(1)(A); and

“(C) ensure that all Bureau of Prisons facilities regularly and visibly post, including in prisoner handbooks, staff training materials, and facility law libraries and medical and hospice facilities, and make available to prisoners upon demand, notice of—

“(i) a defendant’s ability to request a sentence reduction pursuant to subsection (c)(1)(A);

“(ii) the procedures and timelines for initiating and resolving requests described in clause (i); and

“(iii) the right to appeal a denial of a request described in clause (i) after all administrative rights to appeal within the Bureau of Prisons have been exhausted.

“(3) **ANNUAL REPORT.**—Not later than 1 year after the date of enactment of this subsection, and once every year thereafter, the Director of

the Bureau of Prisons shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on requests for sentence reductions pursuant to subsection (c)(1)(A), which shall include a description of, for the previous year—

“(A) the number of prisoners granted and denied sentence reductions, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(B) the number of requests initiated by or on behalf of prisoners, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(C) the number of requests that Bureau of Prisons employees assisted prisoners in drafting, preparing, or submitting, categorized by the criteria relied on as the grounds for a reduction in sentence, and the final decision made in each request;

“(D) the number of requests that attorneys, partners, or family members submitted on a defendant's behalf, categorized by the criteria relied on as the grounds for a reduction in sentence, and the final decision made in each request;

“(E) the number of requests approved by the Director of the Bureau of Prisons, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(F) the number of requests denied by the Director of the Bureau of Prisons and the reasons given for each denial, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(G) for each request, the time elapsed between the date the request was received by the warden and the final decision, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(H) for each request, the number of prisoners who died while their request was pending and, for each, the amount of time that had elapsed between the date the request was received by the Bureau of Prisons, categorized by the criteria relied on as the grounds for a reduction in sentence;

“(I) the number of Bureau of Prisons notifications to attorneys, partners, and family members of their right to visit a terminally ill defendant as required under paragraph (2)(A)(ii) and, for each, whether a visit occurred and how much time elapsed between the notification and the visit;

“(J) the number of visits to terminally ill prisoners that were denied by the Bureau of Prisons due to security or other concerns, and the reasons given for each denial; and

“(K) the number of motions filed by defendants with the court after all administrative rights to appeal a denial of a sentence reduction had been exhausted, the outcome of each motion, and the time that had elapsed between the date the request was first received by the Bureau of Prisons and the date the defendant filed the motion with the court.”.

SEC. 604. IDENTIFICATION FOR RETURNING CITIZENS.

(a) IDENTIFICATION AND RELEASE ASSISTANCE FOR FEDERAL PRISONERS.—Section 231(b) of the Second Chance Act of 2007 (34 U.S.C. 60541(b)) is amended—

(1) in paragraph (1)—

(A) by striking “(including)” and inserting “prior to release from a term of imprisonment in a Federal prison or if the individual was not sentenced to a term of imprisonment in a Federal prison, prior to release from a sentence to a term in community confinement, including”; and

(B) by striking “or birth certificate) prior to release” and inserting “and a birth certificate”; and

(2) by adding at the end the following:

“(4) DEFINITION.—In this subsection, the term ‘community confinement’ means residence in a community treatment center, halfway house,

restitution center, mental health facility, alcohol or drug rehabilitation center, or other community facility.”.

(b) DUTIES OF THE BUREAU OF PRISONS.—Section 4042(a) of title 18, United States Code, is amended—

(1) by redesignating paragraphs (D) and (E) as paragraphs (6) and (7), respectively;

(2) in paragraph (6) (as so redesignated)—

(A) in clause (i)—

(i) by striking “Social Security Cards,”; and

(ii) by striking “and” at the end;

(B) by redesignating clause (ii) as clause (iii);

(C) by inserting after clause (i) the following:

“(ii) obtain identification, including a social security card, driver's license or other official photo identification, and a birth certificate; and”;

(D) in clause (iii) (as so redesignated), by inserting after “prior to release” the following: “from a sentence to a term of imprisonment in a Federal prison or if the individual was not sentenced to a term of imprisonment in a Federal prison, prior to release from a sentence to a term of community confinement”; and

(E) by redesignating clauses (i), (ii), and (iii) (as so amended) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly; and

(3) in paragraph (7) (as so redesignated), by redesignating clauses (i) through (vii) as subparagraphs (A) through (G), respectively, and adjusting the margins accordingly.

SEC. 605. EXPANDING INMATE EMPLOYMENT THROUGH FEDERAL PRISON INDUSTRIES.

(a) NEW MARKET AUTHORIZATIONS.—Chapter 307 of title 18, United States Code, is amended by inserting after section 4129 the following:

“§4130. Additional markets

“(a) IN GENERAL.—Except as provided in subsection (b), notwithstanding any other provision of law, Federal Prison Industries may sell products to—

“(1) public entities for use in penal or correctional institutions;

“(2) public entities for use in disaster relief or emergency response;

“(3) the government of the District of Columbia; and

“(4) any organization described in subsection (c)(3), (c)(4), or (d) of section 501 of the Internal Revenue Code of 1986 that is exempt from taxation under section 501(a) of such Code.

“(b) OFFICE FURNITURE.—Federal Prison Industries may not sell office furniture to the organizations described in subsection (a)(4).

“(c) DEFINITIONS.—In this section:

“(1) The term ‘office furniture’ means any product or service offering intended to meet the furnishing needs of the workplace, including office, healthcare, educational, and hospitality environments.

“(2) The term ‘public entity’ means a State, a subdivision of a State, an Indian tribe, and an agency or governmental corporation or business of any of the foregoing.

“(3) The term ‘State’ means a State, the District of Columbia, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the United States Virgin Islands.”.

(b) TECHNICAL AMENDMENT.—The table of sections for chapter 307 of title 18, United States Code, is amended by inserting after the item relating to section 4129 the following:

“4130. Additional markets.”.

(c) DEFERRED COMPENSATION.—Section 4126(c)(4) of title 18, United States Code, is amended by inserting after “operations,” the following: “not less than 15 percent of such compensation for any inmate shall be reserved in the fund or a separate account and made available to assist the inmate with costs associated with release from prison.”.

(d) GAO REPORT.—Beginning not later than 90 days after the date of enactment of this Act, the Comptroller General of the United States

shall conduct an audit of Federal Prison Industries that includes the following:

(1) An evaluation of Federal Prison Industries's effectiveness in reducing recidivism compared to other rehabilitative programs in the prison system.

(2) An evaluation of the scope and size of the additional markets made available to Federal Prison Industries under this section and the total market value that would be opened up to Federal Prison Industries for competition with private sector providers of products and services.

(3) An evaluation of whether the following factors create an unfair competitive environment between Federal Prison Industries and private sector providers of products and services which would be exacerbated by further expansion:

(A) Federal Prison Industries's status as a mandatory source of supply for Federal agencies and the requirement that the buying agency must obtain a waiver in order to make a competitive purchase from the private sector if the item to be acquired is listed on the schedule of products and services published by Federal Prison Industries.

(B) Federal Prison Industries's ability to determine that the price to be paid by Federal Agencies is fair and reasonable, rather than such a determination being made by the buying agency.

(C) An examination of the extent to which Federal Prison Industries is bound by the requirements of the generally applicable Federal Acquisition Regulation pertaining to the conformity of the delivered product with the specified design and performance specifications and adherence to the delivery schedule required by the Federal agency, based on the transactions being categorized as interagency transfers.

(D) An examination of the extent to which Federal Prison Industries avoids transactions that are little more than pass through transactions where the work provided by inmates does not create meaningful value or meaningful work opportunities for inmates.

(E) The extent to which Federal Prison Industries must comply with the same worker protection, workplace safety and similar regulations applicable to, and enforceable against, Federal contractors.

(F) The wages Federal Prison Industries pays to inmates, taking into account inmate productivity and other factors such as security concerns associated with having a facility in a prison.

(G) The effect of any additional cost advantages Federal Prison Industries has over private sector providers of goods and services, including—

(i) the costs absorbed by the Bureau of Prisons such as inmate medical care and infrastructure expenses including real estate and utilities; and

(ii) its exemption from Federal and State income taxes and property taxes.

(4) An evaluation of the extent to which the customers of Federal Prison Industries are satisfied with quality, price, and timely delivery of the products and services provided it provides, including summaries of other independent assessments such as reports of agency inspectors general, if applicable.

SEC. 606. DE-ESCALATION TRAINING.

Beginning not later than 1 year after the date of enactment of this Act, the Director of the Bureau of Prisons shall incorporate into training programs provided to officers and employees of the Bureau of Prisons (including officers and employees of an organization with which the Bureau of Prisons has a contract to provide services relating to imprisonment) specialized and comprehensive training in procedures to—

(1) de-escalate encounters between a law enforcement officer or an officer or employee of the Bureau of Prisons, and a civilian or a prisoner (as such term is defined in section 3635 of title 18, United States Code, as added by section 101(a) of this Act); and

(2) identify and appropriately respond to incidents that involve the unique needs of individuals who have a mental illness or cognitive deficit.

SEC. 607. EVIDENCE-BASED TREATMENT FOR OPIOID AND HEROIN ABUSE.

(a) **REPORT ON EVIDENCE-BASED TREATMENT FOR OPIOID AND HEROIN ABUSE.**—Not later than 90 days after the date of enactment of this Act, the Director of the Bureau of Prisons shall submit to the Committees on the Judiciary and the Committees on Appropriations of the Senate and of the House of Representatives a report assessing the availability of and the capacity of the Bureau of Prisons to treat heroin and opioid abuse through evidence-based programs, including medication-assisted treatment where appropriate. In preparing the report, the Director shall consider medication-assisted treatment as a strategy to assist in treatment where appropriate and not as a replacement for holistic and other drug-free approaches. The report shall include a description of plans to expand access to evidence-based treatment for heroin and opioid abuse for prisoners, including access to medication-assisted treatment in appropriate cases. Following submission, the Director shall take steps to implement these plans.

(b) **REPORT ON THE AVAILABILITY OF MEDICATION-ASSISTED TREATMENT FOR OPIOID AND HEROIN ABUSE, AND IMPLEMENTATION THEREOF.**—Not later than 120 days after the date of enactment of this Act, the Director of the Administrative Office of the United States Courts shall submit to the Committees on the Judiciary and the Committees on Appropriations of the Senate and of the House of Representatives a report assessing the availability of and capacity for the provision of medication-assisted treatment for opioid and heroin abuse by treatment service providers serving prisoners who are serving a term of supervised release, and including a description of plans to expand access to medication-assisted treatment for heroin and opioid abuse whenever appropriate among prisoners under supervised release. Following submission, the Director will take steps to implement these plans.

SEC. 608. PILOT PROGRAMS.

(a) **IN GENERAL.**—The Bureau of Prisons shall establish each of the following pilot programs for 5 years, in at least 20 facilities:

(1) **MENTORSHIP FOR YOUTH.**—A program to pair youth with volunteers from faith-based or community organizations, which may include formerly incarcerated offenders, that have relevant experience or expertise in mentoring, and a willingness to serve as a mentor in such a capacity.

(2) **SERVICE TO ABANDONED, RESCUED, OR OTHERWISE VULNERABLE ANIMALS.**—A program to equip prisoners with the skills to provide training and therapy to animals seized by Federal law enforcement under asset forfeiture authority and to organizations that provide shelter and similar services to abandoned, rescued, or otherwise vulnerable animals.

(b) **REPORTING REQUIREMENT.**—Not later than 1 year after the conclusion of the pilot programs, the Attorney General shall report to Congress on the results of the pilot programs under this section. Such report shall include cost savings, numbers of participants, and information about recidivism rates among participants.

(c) **DEFINITION.**—In this title, the term “youth” means a prisoner (as such term is defined in section 3635 of title 18, United States Code, as added by section 101(a) of this Act) who was 21 years of age or younger at the time of the commission or alleged commission of the criminal offense for which the individual is being prosecuted or serving a term of imprisonment, as the case may be.

SEC. 609. ENSURING SUPERVISION OF RELEASED SEXUALLY DANGEROUS PERSONS.

(a) **PROBATION OFFICERS.**—Section 3603 of title 18, United States Code, is amended in paragraph (8)(A) by striking “or 4246” and inserting “, 4246, or 4248”.

(b) **PRETRIAL SERVICES OFFICERS.**—Section 3154 of title 18, United States Code, is amended in paragraph (12)(A) by striking “or 4246” and inserting “, 4246, or 4248”.

SEC. 610. DATA COLLECTION.

(a) **NATIONAL PRISONER STATISTICS PROGRAM.**—Beginning not later than 1 year after the date of enactment of this Act, and annually thereafter, pursuant to the authority under section 302 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732), the Director of the Bureau of Justice Statistics, with information that shall be provided by the Director of the Bureau of Prisons, shall include in the National Prisoner Statistics Program the following:

(1) The number of prisoners (as such term is defined in section 3635 of title 18, United States Code, as added by section 101(a) of this Act) who are veterans of the Armed Forces of the United States.

(2) The number of prisoners who have been placed in solitary confinement at any time during the previous year.

(3) The number of female prisoners known by the Bureau of Prisons to be pregnant, as well as the outcomes of such pregnancies, including information on pregnancies that result in live birth, stillbirth, miscarriage, abortion, ectopic pregnancy, maternal death, neonatal death, and preterm birth.

(4) The number of prisoners who volunteered to participate in a substance abuse treatment program, and the number of prisoners who have participated in such a program.

(5) The number of prisoners provided medication-assisted treatment with medication approved by the Food and Drug Administration while in custody in order to treat substance use disorder.

(6) The number of prisoners who were receiving medication-assisted treatment with medication approved by the Food and Drug Administration prior to the commencement of their term of imprisonment.

(7) The number of prisoners who are the parent or guardian of a minor child.

(8) The number of prisoners who are single, married, or otherwise in a committed relationship.

(9) The number of prisoners who have not achieved a GED, high school diploma, or equivalent prior to entering prison.

(10) The number of prisoners who, during the previous year, received their GED or other equivalent certificate while incarcerated.

(11) The numbers of prisoners for whom English is a second language.

(12) The number of incidents, during the previous year, in which restraints were used on a female prisoner during pregnancy, labor, or postpartum recovery, as well as information relating to the type of restraints used, and the circumstances under which each incident occurred.

(13) The vacancy rate for medical and healthcare staff positions, and average length of such a vacancy.

(14) The number of facilities that operated, at any time during the previous year, without at least 1 clinical nurse, certified paramedic, or licensed physician on site.

(15) The number of facilities that during the previous year were accredited by the American Correctional Association.

(16) The number and type of recidivism reduction partnerships described in section 3621(h)(5) of title 18, United States Code, as added by section 102(a) of this Act, entered into by each facility.

(17) The number of facilities with remote learning capabilities.

(18) The number of facilities that offer prisoners video conferencing.

(19) Any changes in costs related to legal phone calls and visits following implementation of section 3632(d)(1) of title 18, United States Code, as added by section 101(a) of this Act.

(20) The number of aliens in prison during the previous year.

(21) For each Bureau of Prisons facility, the total number of violations that resulted in reductions in rewards, incentives, or time credits, the number of such violations for each category of violation, and the demographic breakdown of the prisoners who have received such reductions.

(22) The number of assaults on Bureau of Prisons staff by prisoners and the number of criminal prosecutions of prisoners for assaulting Bureau of Prisons staff.

(23) The capacity of each recidivism reduction program and productive activity to accommodate eligible inmates at each Bureau of Prisons facility.

(24) The number of volunteers who were certified to volunteer in a Bureau of Prisons facility, broken down by level (level I and level II), and by each Bureau of Prisons facility.

(25) The number of prisoners enrolled in recidivism reduction programs and productive activities at each Bureau of Prisons facility, broken down by risk level and by program, and the number of those enrolled prisoners who successfully completed each program.

(26) The breakdown of prisoners classified at each risk level by demographic characteristics, including age, sex, race, and the length of the sentence imposed.

(b) **REPORT TO JUDICIARY COMMITTEES.**—Beginning not later than 1 year after the date of enactment of this Act, and annually thereafter for a period of 7 years, the Director of the Bureau of Justice Statistics shall submit a report containing the information described in paragraphs (1) through (26) of subsection (a) to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives.

SEC. 611. HEALTHCARE PRODUCTS.

(a) **AVAILABILITY.**—The Director of the Bureau of Prisons shall make the healthcare products described in subsection (c) available to prisoners for free, in a quantity that is appropriate to the healthcare needs of each prisoner.

(b) **QUALITY PRODUCTS.**—The Director shall ensure that the healthcare products provided under this section conform with applicable industry standards.

(c) **PRODUCTS.**—The healthcare products described in this subsection are tampons and sanitary napkins.

SEC. 612. ADULT AND JUVENILE COLLABORATION PROGRAMS.

Section 2991 of title 1 of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10651) is amended—

(1) in subsection (b)(4)—

(A) by striking subparagraph (D); and

(B) by redesignating subparagraph (E) as subparagraph (D);

(2) in subsection (e), by striking “may use up to 3 percent” and inserting “shall use not less than 6 percent”; and

(3) by amending subsection (g) to read as follows:

“(g) **COLLABORATION SET-ASIDE.**—The Attorney General shall use not less than 8 percent of funds appropriated to provide technical assistance to State and local governments receiving grants under this part to foster collaboration between such governments in furtherance of the purposes set forth in section 3 of the Mentally Ill Offender Treatment and Crime Reduction Act of 2004 (34 U.S.C. 10651 note).”

SEC. 613. JUVENILE SOLITARY CONFINEMENT.

(a) **IN GENERAL.**—Chapter 403 of title 18, United States Code, is amended by adding at the end the following:

“§5043. Juvenile solitary confinement

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘covered juvenile’ means—

“(A) a juvenile who—

“(i) is being proceeded against under this chapter for an alleged act of juvenile delinquency; or

“(ii) has been adjudicated delinquent under this chapter; or

“(B) a juvenile who is being proceeded against as an adult in a district court of the United States for an alleged criminal offense;

“(2) the term ‘juvenile facility’ means any facility where covered juveniles are—

“(A) committed pursuant to an adjudication of delinquency under this chapter; or

“(B) detained prior to disposition or conviction; and

“(3) the term ‘room confinement’ means the involuntary placement of a covered juvenile alone in a cell, room, or other area for any reason.

“(b) PROHIBITION ON ROOM CONFINEMENT IN JUVENILE FACILITIES.—

“(1) IN GENERAL.—The use of room confinement at a juvenile facility for discipline, punishment, retaliation, or any reason other than as a temporary response to a covered juvenile’s behavior that poses a serious and immediate risk of physical harm to any individual, including the covered juvenile, is prohibited.

“(2) JUVENILES POSING RISK OF HARM.—

“(A) REQUIREMENT TO USE LEAST RESTRICTIVE TECHNIQUES.—

“(i) IN GENERAL.—Before a staff member of a juvenile facility places a covered juvenile in room confinement, the staff member shall attempt to use less restrictive techniques, including—

“(I) talking with the covered juvenile in an attempt to de-escalate the situation; and

“(II) permitting a qualified mental health professional to talk to the covered juvenile.

“(ii) EXPLANATION.—If, after attempting to use less restrictive techniques as required under clause (i), a staff member of a juvenile facility decides to place a covered juvenile in room confinement, the staff member shall first—

“(I) explain to the covered juvenile the reasons for the room confinement; and

“(II) inform the covered juvenile that release from room confinement will occur—

“(aa) immediately when the covered juvenile regains self-control, as described in subparagraph (B)(i); or

“(bb) not later than after the expiration of the time period described in subclause (I) or (II) of subparagraph (B)(ii), as applicable.

“(B) MAXIMUM PERIOD OF CONFINEMENT.—If a covered juvenile is placed in room confinement because the covered juvenile poses a serious and immediate risk of physical harm to himself or herself, or to others, the covered juvenile shall be released—

“(i) immediately when the covered juvenile has sufficiently gained control so as to no longer engage in behavior that threatens serious and immediate risk of physical harm to himself or herself, or to others; or

“(ii) if a covered juvenile does not sufficiently gain control as described in clause (i), not later than—

“(I) 3 hours after being placed in room confinement, in the case of a covered juvenile who poses a serious and immediate risk of physical harm to others; or

“(II) 30 minutes after being placed in room confinement, in the case of a covered juvenile who poses a serious and immediate risk of physical harm only to himself or herself.

“(C) RISK OF HARM AFTER MAXIMUM PERIOD OF CONFINEMENT.—If, after the applicable maximum period of confinement under subclause (I) or (II) of subparagraph (B)(ii) has expired, a covered juvenile continues to pose a serious and immediate risk of physical harm described in that subclause—

“(i) the covered juvenile shall be transferred to another juvenile facility or internal location where services can be provided to the covered juvenile without relying on room confinement; or

“(ii) if a qualified mental health professional believes the level of crisis service needed is not currently available, a staff member of the juvenile facility shall initiate a referral to a location that can meet the needs of the covered juvenile.

“(D) SPIRIT AND PURPOSE.—The use of consecutive periods of room confinement to evade

the spirit and purpose of this subsection shall be prohibited.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 403 of title 18, United States Code, is amended by adding at the end the following:

“5043. Juvenile solitary confinement.”.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GOODLATTE and Mr. NADLER, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. COLLINS of Georgia, demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.14 PANDEMIC AND ALL-HAZARDS PREPAREDNESS AND ADVANCING INNOVATION

Mr. BURGESS moved to suspend the rules and pass the bill (H.R. 7328) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain non-prescription drugs that are marketed without an approved drug application, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. BURGESS and Ms. ESHOO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.15 AMENDMENT OF THE SENATE TO H.R. 5075

Mr. COLLINS of Georgia, moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 5075) to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Ashanti Alert Act of 2018”.

SEC. 2. ESTABLISHMENT OF ASHANTI ALERT COMMUNICATIONS NETWORK.

Kristen’s Act (Public Law 106–468; 114 Stat. 2027) is amended—

(1) by inserting before section 2 (34 U.S.C. 40504) the following:

“TITLE I—GRANTS”;

(2) by redesignating sections 2 (34 U.S.C. 40504) and 3 (34 U.S.C. 40504 note) as sections 101 and 102, respectively;

(3) in section 101(b), as so redesignated, by striking “this Act” and inserting “this title”;

(4) in section 102, as so redesignated, by striking “this Act” and inserting “this title”; and

(5) by adding at the end the following:

“TITLE II—ASHANTI ALERT COMMUNICATIONS NETWORK

“SEC. 201. DEFINITIONS.

“In this title:

“(1) AMBER ALERT COMMUNICATIONS NETWORK.—The term ‘AMBER Alert communications network’ means the AMBER Alert communications network established under subtitle A of title III of the PROTECT Act (34 U.S.C. 20501 et seq.).

“(2) ASHANTI ALERT.—The term ‘Ashanti Alert’ means an alert issued through the Ashanti Alert communications network, related to a missing adult.

“(3) ASHANTI ALERT COMMUNICATIONS NETWORK.—The term ‘Ashanti Alert communications network’ means the national communications network established by the Attorney General under section 202(a).

“(4) ASHANTI ALERT COORDINATOR OF THE DEPARTMENT OF JUSTICE; COORDINATOR.—The term ‘Ashanti Alert Coordinator of the Department of Justice’ or ‘Coordinator’ means the employee designated by the Attorney General to act as the national coordinator of the Ashanti Alert communications network under section 203(a).

“(5) ASHANTI ALERT PLAN.—The term ‘Ashanti Alert plan’ means a local element of the Ashanti Alert communications network.

“(6) INDIAN TRIBE.—The term ‘Indian Tribe’ means a federally recognized Indian Tribe or a Native village, Regional Corporation, or Village Corporation (as those terms are defined in section 3 of the Alaska Native Claims Settlement Act (43 U.S.C. 1602)).

“(7) MISSING ADULT.—The term ‘missing adult’ means an individual who—

“(A) is older than the age for which an alert may be issued through the AMBER Alert communications network in the State or territory of an Indian Tribe in which the individual is identified as a missing individual;

“(B) is identified by a law enforcement agency as a missing individual; and

“(C) meets the requirements to be designated as a missing adult, as determined by the State in which, or the Indian Tribe in the territory of which, the individual is identified as a missing individual.

“(8) STATE.—The term ‘State’ means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

“SEC. 202. ASHANTI ALERT COMMUNICATIONS NETWORK.

“(a) IN GENERAL.—The Attorney General shall, subject to the availability of appropriations, establish a national communications network within the Office of Justice Programs of the Department of Justice to provide assistance to regional and local search efforts for missing adults through the initiation, facilitation, and promotion of local elements of the network, in coordination with States, Indian Tribes, units of local government, law enforcement agencies, and other concerned entities with expertise in providing services to adults.

“(b) **INTEGRATION WITH EXISTING COMMUNICATIONS NETWORK.**—In establishing the Ashanti Alert communications network under subsection (a), the Attorney General shall coordinate, when advisable, with missing person alert systems in existence as of the date of enactment of this title, such as the AMBER Alert communications network and Silver Alert communications networks.

“SEC. 203. ASHANTI ALERT COORDINATOR.

“(a) **NATIONAL COORDINATOR WITHIN DEPARTMENT OF JUSTICE.**—The Attorney General shall designate an employee of the Office of Justice Programs of the Department of Justice to act as the national coordinator of the Ashanti Alert communications network.

“(b) **DUTIES OF THE COORDINATOR.**—In acting as the national coordinator of the Ashanti Alert communications network, the Coordinator shall—

“(1) work with States and Indian Tribes to encourage the development of additional Ashanti Alert plans in the network;

“(2) establish voluntary guidelines for States and Indian Tribes to use in developing Ashanti Alert plans that will promote compatible and integrated Ashanti Alert plans throughout the United States, including—

“(A) a list of the resources necessary to establish an Ashanti Alert plan;

“(B) criteria for evaluating whether a situation warrants issuing an Ashanti Alert, taking into consideration the need for the use of Ashanti Alerts to be limited in scope because the effectiveness of the Ashanti Alert communications network may be affected by overuse, including criteria to determine—

“(i) whether the mental capacity of an adult who is missing, and the circumstances of his or her disappearance, including any history of domestic violence, sexual assault, child abuse, or human trafficking, warrant the issuance of an Ashanti Alert; and

“(ii) whether the individual who reports that an adult is missing is an appropriate and credible source on which to base the issuance of an Ashanti Alert;

“(C) a description of the appropriate uses of the Ashanti Alert name to readily identify the nature of search efforts for missing adults; and

“(D) recommendations on how to protect the privacy, dignity, independence, autonomy, and safety of any missing adult who may be the subject of an Ashanti Alert;

“(3) develop proposed protocols for efforts to recover missing adults and to reduce the number of adults who are reported missing, including protocols for procedures that are needed from the time of initial notification of a law enforcement agency that the adult is missing through the time of the return of the adult to family, guardian, or domicile, as appropriate, including—

“(A) public safety communications protocol;

“(B) case management protocol;

“(C) command center operations;

“(D) reunification protocol;

“(E) incident review, evaluation, debriefing, and public information procedures; and

“(F) protocols for declining to issue an Ashanti Alert;

“(4) work with States and Indian Tribes to ensure appropriate regional coordination of various elements of the network;

“(5) establish an advisory group to assist States, Indian Tribes, units of local government, law enforcement agencies, and other entities involved in the Ashanti Alert communications network with initiating, facilitating, and promoting Ashanti Alert plans, which shall include—

“(A) to the maximum extent practicable, representation from the various geographic regions of the United States; and

“(B) members who are—

“(i) representatives of adult citizen advocacy groups, law enforcement agencies, victim service providers (as defined in section 40002(a) of the Violence Against Women Act of 1994 (34 U.S.C. 12291(a)), and public safety communications;

“(ii) broadcasters, first responders, dispatchers, and radio station personnel; and

“(iii) representatives of any other individuals or organizations that the Coordinator determines are necessary to the success of the Ashanti Alert communications network; and

“(6) act as the nationwide point of contact for—

“(A) the development of the network; and

“(B) regional coordination of alerts for missing adults through the network.

“(c) **COORDINATION.**—

“(1) **COORDINATION WITH OTHER AGENCIES.**—The Coordinator shall coordinate and consult with the Secretary of Transportation, the Federal Communications Commission, the Assistant Secretary for Aging of the Department of Health and Human Services, and other appropriate offices of the Department of Justice, including the Office on Violence Against Women, in carrying out activities under this title.

“(2) **STATE, TRIBAL, AND LOCAL COORDINATION.**—The Coordinator shall consult with local broadcasters and State, Tribal, and local law enforcement agencies in establishing minimum standards under section 204 and in carrying out other activities under this title, as appropriate.

“(d) **ANNUAL REPORTS.**—

“(1) **IN GENERAL.**—Not later than 1 year after the date of enactment of this title, and annually thereafter, the Coordinator shall submit to Congress a report on—

“(A) the activities of the Coordinator; and

“(B) the effectiveness and status of the Ashanti Alert plan of each State or Indian Tribe that has established or is in the process of establishing such a plan.

“(2) **CONTENTS.**—Each report under paragraph (1) shall include—

“(A) a list of each State or Indian Tribe that has established an Ashanti Alert plan;

“(B) a list of each State or Indian Tribe that is in the process of establishing an Ashanti Alert plan;

“(C) for each State or Indian Tribe that has established an Ashanti Alert plan, to the extent the data is available—

“(i) the number of Ashanti Alerts issued;

“(ii) the number of missing adults located successfully;

“(iii) the average period of time between the issuance of an Ashanti Alert and the location of the missing adult for whom the Alert was issued;

“(iv) the State or Tribal agency or authority issuing Ashanti Alerts, and the process by which Ashanti Alerts are disseminated;

“(v) the cost of establishing and operating the Ashanti Alert plan;

“(vi) the criteria used by the State or Indian Tribe to determine whether to issue an Ashanti Alert; and

“(vii) the extent to which missing adults for whom Ashanti Alerts were issued crossed State lines or territorial borders of an Indian Tribe;

“(D) actions States and Indian Tribes have taken to protect the privacy and dignity of the missing adults for whom Ashanti Alerts are issued;

“(E) ways that States and Indian Tribes have facilitated and improved communication about missing adults between families, caregivers, law enforcement officials, and other authorities; and

“(F) any other information the Coordinator determines to be appropriate.

“SEC. 204. MINIMUM STANDARDS FOR ISSUANCE AND DISSEMINATION OF ALERTS THROUGH ASHANTI ALERT COMMUNICATIONS NETWORK.

“(a) **ESTABLISHMENT OF MINIMUM STANDARDS.**—Subject to subsection (b), the Coordinator shall establish minimum standards for—

“(1) the issuance of alerts through the Ashanti Alert communications network; and

“(2) the extent of the dissemination of alerts issued through the Ashanti Alert communications network.

“(b) **LIMITATIONS.**—

“(1) **DISSEMINATION OF INFORMATION.**—The minimum standards established under sub-

section (a) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with State, Tribal, and local law enforcement agencies), provide for the dissemination of appropriate information relating to the special needs of a missing adult (including health care needs) to the appropriate law enforcement, public health, and other public officials.

“(2) **GEOGRAPHIC AREAS.**—The minimum standards established under subsection (a) shall, to the maximum extent practicable (as determined by the Coordinator in consultation with State, Tribal, and local law enforcement agencies), provide that the dissemination of an alert through the Ashanti Alert communications network shall be limited to the geographic areas that the missing adult could reasonably reach, considering—

“(A) the circumstances and physical and mental condition of the missing adult;

“(B) the modes of transportation available to the missing adult; and

“(C) the circumstances of the disappearance.

“(3) **OTHER REQUIREMENTS.**—The minimum standards established under subsection (a) shall require that, in order for an Ashanti Alert to be issued for a missing adult, the missing adult—

“(A) suffers from a proven mental or physical disability, as documented by a source determined credible by an appropriate law enforcement agency; or

“(B) be missing under circumstances that indicate, as determined by an appropriate law enforcement agency—

“(i) that the physical safety of the missing adult may be endangered; or

“(ii) that the disappearance of the missing adult may not have been voluntary, including an abduction or kidnapping.

“(4) **SAFETY, PRIVACY, AND CIVIL LIBERTIES PROTECTIONS.**—The minimum standards established under subsection (a) shall—

“(A) ensure that alerts issued through the Ashanti Alert communications network comply with all applicable Federal, State, Tribal, and local privacy laws and regulations;

“(B) include standards that specifically provide for the protection of the civil liberties and sensitive medical information of missing adults; and

“(C) include standards requiring, as appropriate, a review of relevant court records, prior contacts with law enforcement, and other information relevant to the missing adult or the individual reporting, in order to provide protections against domestic violence.

“(5) **STATE, TRIBAL, AND LOCAL VOLUNTARY COORDINATION.**—In establishing minimum standards under subsection (a), the Coordinator may not interfere with the system of voluntary coordination between local broadcasters and State, Tribal, and local law enforcement agencies for purposes of regional and local search efforts for missing adults that was in effect on the day before the date of enactment of this title.

“SEC. 205. VOLUNTARY PARTICIPATION.

“The minimum standards established under section 204(a), and any other guidelines and programs established under section 203, shall be adoptable on a voluntary basis only.

“SEC. 206. TRAINING AND EDUCATIONAL PROGRAMS.

“The Coordinator shall make available to States, Indian Tribes, units of local government, law enforcement agencies, and other concerned entities that are involved in initiating, facilitating, or promoting Ashanti Alert plans, including broadcasters, first responders, dispatchers, public safety communications personnel, and radio station personnel—

“(1) training and educational programs related to the Ashanti Alert communications network and the capabilities, limitations, and anticipated behaviors of missing adults, which the Coordinator shall update regularly to encourage the use of new tools, technologies, and resources in Ashanti Alert plans; and

“(2) informational materials, including brochures, videos, posters, and websites to support and supplement the training and educational programs described in paragraph (1).”

“SEC. 207. AUTHORIZATION OF APPROPRIATIONS.

“There is authorized to be appropriated to the Attorney General \$3,000,000 to carry out the Ashanti Alert communications network as authorized under this title for each of fiscal years 2019 through 2022.”.

SEC. 3. EMERGENCY FEDERAL LAW ENFORCEMENT ASSISTANCE.

Section 609Y(a) of the Justice Assistance Act of 1984 (34 U.S.C. 50112(a)) is amended by striking “September 30, 2021” and inserting “September 30, 2022”.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. COLLINS of Georgia, and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.16 CLEAN UP THE CODE

Mr. COLLINS of Georgia, moved to suspend the rules and pass the bill (H.R. 7093) to eliminate unused sections of the United States Code, and for other purposes.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. COLLINS of Georgia, and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.17 JUSTICE AGAINST CORRUPTION ON K STREET

Mr. COLLINS of Georgia, moved to suspend the rules and pass the bill of the Senate (S. 2896) to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr.

COLLINS of Georgia, and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.18 VICTIMS OF CHILD ABUSE

Mr. COLLINS of Georgia, moved to suspend the rules and pass the bill of the Senate (S. 2961) to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. COLLINS of Georgia, and Ms. JACKSON LEE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.19 VETERANS SMALL BUSINESS ENHANCEMENT

Mr. MARSHALL moved to suspend the rules and pass the bill of the Senate (S. 2679) to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. MARSHALL and Ms. VELAZQUEZ, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.20 TAXPAYER FIRST

Mr. RICE of South Carolina, moved to suspend the rules and pass the bill (H.R. 7227) to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. RICE of South Carolina, and Mr. LEWIS of Georgia, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.21 AMENDMENTS OF THE SENATE TO H.R. 4227

Mr. ESTES of Kansas, moved to suspend the rules and agree to the following amendments of the Senate to the bill (H.R. 4227) to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, and for other purposes:

(1) On page 2, line 16, insert “and the Committee on Commerce, Science, and Transportation” after “Affairs”.

(2) On page 3, strike lines 17 through 20 and insert the following:

(2) *VEHICULAR TERRORISM.*—The term “vehicular terrorism” means an action that utilizes automotive transportation to commit terrorism (as defined in section 2(18) of the Homeland Security Act of 2002 (6 U.S.C. 101(18))).

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. ESTES of Kansas, and Mr. CORREA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments of the Senate?

The SPEAKER pro tempore, Mr. ROGERS of KENTUCKY, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.22 STEPHEN MICHAEL GLEASON CONGRESSIONAL GOLD MEDAL

Mr. HUIZENG moved to suspend the rules and pass the bill of the Sen-

ate (S. 2652) to award a Congressional Gold Medal to Stephen Michael Gleason.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. HUIZENGA and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.23 RBIC ADVISERS RELIEF

Mr. HUIZENGA moved to suspend the rules and pass the bill of the Senate (S. 2765) to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and for other purposes.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. HUIZENGA and Mr. CLAY, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.24 MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Senate has passed, without amendment, bills of the House of the following titles:

H.R. 1733. An Act to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

H.R. 4819. An Act to promote inclusive economic growth through conservation and biodiversity programs that facilitate transboundary cooperation, improve natural resource management, and build local capacity to protect and preserve threatened wildlife species in the greater Okavango River Basin of southern Africa.

H.R. 5787. An Act to amend the Coastal Barrier Resources Act to give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping of such units, and for other purposes.

H.R. 7327. An Act to require the Secretary of Homeland Security to establish a security vulnerability disclosure policy, to establish a bug bounty program for the Department of Homeland Security, to amend title 41, United States Code, to provide for Federal acquisition supply chain security, and for other purposes.

The message also announced that the Senate has passed, with amendments, in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 767. An Act to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

H.R. 5509. An Act to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes.

The message also announced that the Senate has passed bills of the following titles, in which the concurrence of the House is requested:

S. 79. An Act to provide for the establishment of a pilot program to identify security vulnerabilities of certain entities in the energy sector.

S. 512. An Act to modernize the regulation of nuclear energy.

S. 1023. An Act to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes.

S. 3611. An Act to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to facilitate the disclosure of tax return information to carry out the Higher Education Act of 1965, and for other purposes.

S. 3800. An Act to designate the United States courthouse located at 351 South West Temple in Salt Lake City, Utah, as the "Orrin G. Hatch United States Courthouse".

The message also announced that pursuant to the provisions of Public Law 106-398, as amended by Public Law 108-7, the Chair, on behalf of the Democratic Leader, and in consultation with the Ranking Members of the Senate Committee on Armed Services and the Senate Committee on Finance, announces the appointment of the following individual to serve as a member of the United States-China Economic Security Review Commission:

Thea M. Lee of the District of Columbia for a term expiring December 31, 2020.

¶167.25 AMENDMENT OF THE SENATE TO H.R. 5509

Mr. SMITH of Texas, moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 5509) to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Innovations in Mentoring, Training, and Apprenticeships Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) *To remain competitive in the global economy, foster greater innovation, and provide a foundation for shared prosperity, the United States needs a workforce with the right mix of skills to meet the diverse needs of the economy.*

(2) *Evidence indicates that the returns on investments in technical skills in the labor market are strong when students successfully complete their education and gain credentials sought by employers.*

(3) *The responsibility for developing and sustaining a skilled technical workforce is fragmented across many groups, including educators, students, workers, employers, Federal, State, and local governments, civic associations, and other stakeholders. Such groups need to be able to coordinate and cooperate successfully with each other.*

(4) *Coordination among students, community colleges, secondary and post-secondary institutions, and employers would improve educational outcomes.*

(5) *Promising experiments currently underway may guide innovation and reform, but scalability of some of those experiments has not yet been tested.*

(6) *Evidence suggests that integration of academic education, technical skills development, and hands-on work experience improves outcomes and return on investment for students in secondary and post-secondary education and for skilled technical workers in different career stages.*

(7) *Outcomes show that mentoring can increase STEM student engagement and the rate of completion of STEM post-secondary degrees.*

SEC. 3. NATIONAL SCIENCE FOUNDATION STEM INNOVATION AND APPRENTICESHIP GRANTS.

Section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i) is amended—

(1) *by redesignating subsections (d) through (g) as subsections (g) through (j), respectively;*

(2) *by inserting after subsection (c) the following:*

"(d) GRANTS FOR ASSOCIATE DEGREE PROGRAMS IN STEM FIELDS.—

"(1) IN-DEMAND WORKFORCE GRANTS.—The Director shall award grants to junior or community colleges to develop or improve associate degree or certificate programs in STEM fields, with respect to the region in which the respective college is located, and an in-demand industry sector or occupation.

"(2) APPLICATIONS.—In considering applications for grants under paragraph (1), the Director shall prioritize—

"(A) applications that consist of a partnership between the applying junior or community college and individual employers or an employer consortia, or industry or sector partnerships, and may include a university or other organization with demonstrated expertise in academic program development;

"(B) applications that demonstrate current and future workforce demand in occupations directly related to the proposed associate degree or certificate program;

"(C) applications that include commitments by the partnering employers or employer consortia, or industry or sector partnerships, to offer apprenticeships, internships, or other applied learning opportunities to students enrolled in the proposed associate degree or certificate program;

"(D) applications that include outreach plans and goals for recruiting and enrolling women and other underrepresented populations in STEM fields in the proposed associate degree or certificate program; and

"(E) applications that describe how the applying junior or community college will support the collection of information and data for purposes of evaluation of the proposed associate degree or certificate program.

"(e) GRANTS FOR STEM DEGREE APPLIED LEARNING OPPORTUNITIES.—

"(1) IN GENERAL.—The Director shall award grants to institutions of higher education partnering with private sector employers or private sector employer consortia, or industry or sector partnerships, that commit to offering apprenticeships, internships, research opportuni-

ties, or applied learning experiences to enrolled students in identified STEM baccalaureate degree programs.

“(2) **PURPOSES.**—Awards under this subsection may be used—

“(A) to develop curricula and programs for apprenticeship, internships, research opportunities, or applied learning experiences; or

“(B) to provide matching funds to incentivize partnership and participation by private sector employers and industry.

“(3) **APPLICATIONS.**—In considering applications for grants under paragraph (1), the Director shall prioritize—

“(A) applicants that consist of a partnership between—

“(i) the applying institution of higher education; and

“(ii) individual employers or an employer consortium, or industry or sector partnerships;

“(B) applications that demonstrate current and future workforce demand in occupations directly related to the identified STEM fields;

“(C) applications that include outreach plans and goals for recruiting and enrolling women and other underrepresented populations in STEM fields; and

“(D) applications that describe how the institution of higher education will support the collection and information of data for purposes of the evaluation of identified STEM degree programs.

“(f) **GRANTS FOR COMPUTER-BASED AND ONLINE STEM EDUCATION COURSES.**—

“(1) **IN GENERAL.**—The Director of the National Science Foundation shall award competitive grants to institutions of higher education or nonprofit organizations to conduct research on student outcomes and determine best practices for STEM education and technical skills education through distance learning or in a simulated work environment.

“(2) **RESEARCH AREAS.**—The research areas eligible for funding under this subsection may include—

“(A) post-secondary courses for technical skills development for STEM occupations;

“(B) improving high-school level career and technical education in STEM subjects;

“(C) encouraging and sustaining interest and achievement levels in STEM subjects among women and other populations historically underrepresented in STEM studies and careers; and

“(D) combining computer-based and online STEM education and skills development with traditional mentoring and other mentoring arrangements, apprenticeships, internships, and other applied learning opportunities.”;

(3) in subsection (a)(3)(A), by striking the comma and inserting a semicolon;

(4) in subsection (c)(1)(B)(iv), by striking “subsection (f)(3)” and inserting “subsection (i)(3)”;

(5) in subsection (h), as redesignated—

(A) in the heading, by striking “LIMITATION ON FUNDING” and inserting “FUNDING”;

(B) by inserting “(3) **LIMITATION ON FUNDING.**—” before “To qualify” and indenting appropriately; and

(C) by inserting before paragraph (3), as redesignated, the following:

“(1) **FUNDING.**—The Director shall allocate out of amounts made available for the Education and Human Resources Directorate—

“(A) up to \$5,000,000 to carry out the activities under subsection (d) for each of fiscal years 2019 through 2022, subject to the availability of appropriations;

“(B) up to \$2,500,000 to carry out the activities under subsection (e) for each of fiscal years 2019 through 2022, subject to the availability of appropriations; and

“(C) up to \$2,500,000 to carry out the activities under subsection (f) for each of fiscal years 2019 through 2022, subject to the availability of appropriations.

“(2) **LIMITATION ON FUNDING.**—Amounts made available to carry out subsections (d), (e), and

(f) shall be derived from amounts appropriated or otherwise made available to the National Science Foundation.”; and

(6) in subsection (j), as redesignated—

(A) in paragraph (4), by striking “; and” and inserting a semicolon;

(B) by redesignating paragraph (5) as paragraph (7); and

(C) by inserting after paragraph (4) the following:

“(5) the term ‘in-demand industry sector or occupation’ has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102);

“(6) the term ‘junior or community college’ has the meaning given the term in section 312 of the Higher Education Act of 1965 (20 U.S.C. 1058);”;

(D) by adding at the end the following:

“(8) the term ‘region’ means a labor market area, as that term is defined in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102); and

“(9) the terms ‘mathematics, science, engineering, or technology’ or ‘STEM’ mean science, technology, engineering, and mathematics, including computer science.”.

SEC. 4. RESEARCH ON EFFICIENCY OF SKILLED TECHNICAL LABOR MARKETS.

(a) **EFFICIENCY OF SKILLED TECHNICAL LABOR MARKETS.**—The Director of the National Science Foundation, working through the Directorate of Social, Behavioral & Economic Sciences, in coordination with the Secretary of Labor, shall support research on labor market analysis innovations, data and information sciences, electronic information tools and methodologies, and metrics.

(b) **SKILLED TECHNICAL WORKFORCE.**—

(1) **REVIEW.**—The National Center for Science and Engineering Statistics of the National Science Foundation shall consult and coordinate with other relevant Federal statistical agencies, including the Institute of Education Sciences of the Department of Education, and the Committee on Science, Technology, Engineering, and Mathematics Education of the National Science and Technology Council established under section 101 of the America COMPETES Act of 2010 (Public Law 111-358), to explore the feasibility of expanding its surveys to include the collection of objective data on the skilled technical workforce.

(2) **REPORT.**—Not later than 1 year after the date of enactment of this Act, the Director of the National Science Foundation shall submit to Congress a report on the progress made in expanding the National Center for Science and Engineering Statistics surveys to include the skilled technical workforce, including a plan for multi-agency collaboration to improve data collection and reporting of data on the skilled technical workforce.

(3) **DEFINITION OF SKILLED TECHNICAL WORKFORCE.**—The term “‘skilled technical workforce’” means workers with high school diplomas and two-year technical training or certifications who employ significant levels of STEM knowledge in their jobs.

SEC. 5. EVALUATION AND REPORT.

(a) **EVALUATION.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Director of the National Science Foundation shall evaluate the grant programs established under subsections (d), (e), and (f) of section 3 of the Scientific and Advanced-Technology Act of 1992 (42 U.S.C. 1862i), as amended by this Act.

(2) **REQUIREMENTS.**—In conducting the evaluation under paragraph (1), the Director shall—

(A) use a common set of benchmarks and assessment tools to identify best practices and materials developed or demonstrated by the research conducted pursuant to such grants and programs under subsection (f) of that section;

(B) include an assessment of the effectiveness of the grant programs in expanding apprenticeships, internships, and other applied learning

opportunities offered by employers in conjunction with junior or community colleges, or institutions of higher education, as applicable;

(C) assess the number of students who participated in the grant programs; and

(D) assess the percentage of students participating in the grant programs who successfully complete their education programs.

(b) **REPORT ON EVALUATIONS.**—Not later than 180 days after the date the evaluation under subsection (a) is complete, the Director of the National Science Foundation shall submit to Congress and the Secretary of Education, and make widely available to the public, a report on the results of the evaluation, including any recommendations for legislative action that could optimize the effectiveness of the grant programs.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. SMITH of Texas, and Ms. BONAMICI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.26 NASA ENHANCED USE LEASING EXTENSION

Mr. SMITH of Texas, moved to suspend the rules and pass the bill of the Senate (S. 7) to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. SMITH of Texas, and Ms. BONAMICI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.27 NATIONAL INTEGRATED DROUGHT INFORMATION SYSTEM

Mr. SMITH of Texas, moved to suspend the rules and pass the bill of the Senate (S. 2200) to reauthorize the National Integrated Drought Information System, and for other purposes.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, recognized Mr. SMITH of Texas, and Ms. BONAMICI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, announced that two-thirds of the Members present had voted in the affirmative.

Mr. AMASH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. ROGERS of Kentucky, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.28 ORDER OF BUSINESS— PROCEEDINGS ON VOTES

On motion of Mr. MCHENRY, by unanimous consent,

Ordered, That it may be in order that during further proceedings today in the House, the Chair be authorized to reduce to 2 minutes the minimum time for electronic voting on any question that otherwise could be subjected to 5-minute voting under clause 8 or 9 of rule XX.

¶167.29 AMENDMENT OF THE SENATE TO H.R. 767

Mr. GUTHRIE moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 767) to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stop, Observe, Ask, and Respond to Health and Wellness Act of 2018” or the “SOAR to Health and Wellness Act of 2018”.

SEC. 2. PROGRAM ESTABLISHMENT.

Part E of title XII of the Public Health Service Act (42 U.S.C. 300d–51 et seq.) is amended by adding at the end the following:

“SEC. 1254. STOP, OBSERVE, ASK, AND RESPOND TO HEALTH AND WELLNESS TRAINING PROGRAM.

“(a) *IN GENERAL.*—The Secretary shall establish a program to be known as the Stop, Observe, Ask, and Respond to Health and Wellness Training Program or the SOAR to Health and Wellness Training Program (in this section referred to as the ‘Program’) to provide training to health care and social service providers on human trafficking in accordance with this section.

“(b) *ACTIVITIES.*—

“(1) *IN GENERAL.*—The Program shall include the Stop, Observe, Ask, and Respond to Health and Wellness Training Program’s activities existing on the day before the date of enactment of this section and the authorized initiatives described in paragraph (2).

“(2) *AUTHORIZED INITIATIVES.*—The authorized initiatives of the Program shall include—

“(A) engaging stakeholders, including victims of human trafficking and Federal, State, local, and tribal partners, to develop a flexible training module—

“(i) for supporting activities under subsection (c); and

“(ii) that adapts to changing needs, settings, health care providers, and social service providers;

“(B) providing technical assistance to grantees related to implementing activities described in subsection (c) and reporting on any best practices identified by the grantees;

“(C) developing a reliable methodology for collecting data, and reporting such data, on the number of human trafficking victims identified and served by grantees in a manner that, at a minimum, prevents disclosure of individually identifiable information consistent with all applicable privacy laws and regulations; and

“(D) integrating, as appropriate, the training described in paragraphs (1) through (4) of subsection (c) with training programs, in effect on the date of enactment of this section, for health care and social service providers for victims of intimate partner violence, sexual assault, stalking, child abuse, child neglect, child maltreatment, and child sexual exploitation.

“(c) *GRANTS.*—The Secretary may award grants to appropriate entities to train health care and social service providers to—

“(1) identify potential human trafficking victims;

“(2) implement best practices for working with law enforcement to report and facilitate communication with human trafficking victims, in accordance with all applicable Federal, State, local, and tribal laws, including legal confidentiality requirements for patients and health care and social service providers;

“(3) implement best practices for referring such victims to appropriate health care, social, or victims service agencies or organizations; and

“(4) provide such victims with coordinated, age-appropriate, culturally relevant, trauma-informed, patient-centered, and evidence-based care.

“(d) *CONSIDERATION IN AWARDING GRANTS.*—The Secretary, in making awards under this section, shall give consideration to—

“(1) geography;

“(2) the demographics of the population to be served;

“(3) the predominant types of human trafficking cases involved; and

“(4) health care and social service provider profiles.

“(e) *DATA COLLECTION AND REPORTING.*—

“(1) *IN GENERAL.*—The Secretary shall collect data and report on the following:

“(A) The total number of entities that received a grant under this section.

“(B) The total number and geographic distribution of health care and social service providers trained through the Program.

“(2) *INITIAL REPORT.*—In addition to the data required to be collected under paragraph (1), for purposes of the initial report to be submitted under paragraph (3), the Secretary shall collect data on the total number of facilities and health care professional organizations that were operating under, and the total number of health care and social service providers trained through, the Stop, Observe, Ask, and Respond to Health and Wellness Training Program existing prior to the establishment of the Program under this section.

“(3) *ANNUAL REPORT.*—Not later than 1 year after the date of enactment of this section, and annually thereafter, the Secretary shall submit an annual report to Congress on the data collected under this subsection in a manner that, at a minimum, prevents the disclosure of individually identifiable information consistent with all applicable privacy laws and regulations.

“(f) *SHARING BEST PRACTICES.*—The Secretary shall make available, on the Internet website of the Department of Health and Human Services, a description of the best practices and procedures used by entities that receive a grant for carrying out activities under this section.

“(g) *DEFINITION.*—In this section, the term ‘human trafficking’ has the meaning given the

term ‘severe forms of trafficking in persons’ as defined in section 103 of the Trafficking Victims Protection Act of 2000.

“(h) *AUTHORIZATION OF APPROPRIATIONS.*—There is authorized to be appropriated to carry out this Act, \$4,000,000 for each of fiscal years 2020 through 2024.”.

The SPEAKER pro tempore, Mr. BOST, recognized Mr. GUTHRIE and Mr. Ben Ray LUJAN of New Mexico, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. BOST, announced that two-thirds of the Members present had voted in the affirmative.

Mr. AMASH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.30 CODIFYING USEFUL REGULATORY DEFINITIONS

Mr. GUTHRIE moved to suspend the rules and pass the bill of the Senate (S. 2322) to amend the Federal Food, Drug, and Cosmetic Act to define the term natural cheese.

The SPEAKER pro tempore, Mr. BOST, recognized Mr. GUTHRIE and Mr. PALLONE, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BOST, announced that two-thirds of the Members present had voted in the affirmative.

Mr. AMASH demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.31 VA WEBSITE ACCESSIBILITY

Mr. ROE of Tennessee, moved to suspend the rules and pass the bill (H.R. 6418) to direct the Secretary of Veterans Affairs to conduct a study regarding the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities; as amended.

The SPEAKER pro tempore, Mr. BOST, recognized Mr. ROE of Tennessee, and Mr. TAKANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. BOST, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which

demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.32 DOUGLAS FOURNET DEPARTMENT OF VETERANS AFFAIRS CLINIC

Mr. ROE of Tennessee, moved to suspend the rules and pass the bill of the Senate (S. 3444) to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the "Douglas Fournet Department of Veterans Affairs Clinic".

The SPEAKER pro tempore, Mr. BOST, recognized Mr. ROE of Tennessee, and Mr. TAKANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BOST, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.33 FOREVER GI BILL HOUSING PAYMENT FULFILLMENT

Mr. ROE of Tennessee, moved to suspend the rules and pass the bill of the Senate (S. 3777) to require the Secretary of Veterans Affairs to establish a tiger team dedicated to addressing the difficulties encountered by the Department of Veterans Affairs in carrying out section 3313 of title 38, United States Code, after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017.

The SPEAKER pro tempore, Mr. BOST, recognized Mr. ROE of Tennessee, and Mr. TAKANO, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BOST, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.34 AMENDMENT OF THE SENATE TO THE HOUSE AMENDMENT TO S. 756— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BOST, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the House amendment to the bill of the Senate (S. 756) to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the { Yeas 358
affirmative } Nays 36

¶167.35 [Roll No. 448]

YEAS—358

Adams	Costello (PA)	Griffith
Aguiar	Courtney	Grijalva
Allen	Cramer	Grothman
Amash	Crawford	Guthrie
Amodei	Crist	Handel
Arrington	Cuellar	Harper
Bacon	Culberson	Harris
Balderson	Cummings	Hartzler
Banks (IN)	Curbelo (FL)	Heck
Barletta	Curtis	Hensarling
Barr	Davidson	Hern
Barragán	Davis (CA)	Herrera Beutler
Barton	Davis, Rodney	Hice, Jody B.
Bass	DeFazio	Higgins (NY)
Beatty	DeGette	Hill
Bera	Delaney	Himes
Bergman	DeLauro	Hollingsworth
Beyer	DeBene	Hoyer
Bilirakis	Demings	Huffman
Bishop (GA)	Denham	Huizenga
Bishop (UT)	DeSaulnier	Hunter
Blackburn	DesJarlais	Hurd
Blum	Deutch	Jackson Lee
Blumenauer	Diaz-Balart	Jayapal
Blunt Rochester	Dingell	Jeffries
Bonamici	Doggett	Johnson (GA)
Bost	Donovan	Johnson (LA)
Boyle, Brendan F.	Doyle, Michael F.	Johnson (OH)
Brady (PA)	Duncan (TN)	Johnson, E. B.
Brady (TX)	Dunn	Jones (MI)
Brat	Ellison	Jordan
Brooks (IN)	Emmer	Joyce (OH)
Brown (MD)	Engel	Kaptur
Brownley (CA)	Eshoo	Katko
Buchanan	Españillat	Kelly (IL)
Bucshon	Estes (KS)	Kelly (MS)
Budd	Esty (CT)	Kelly (PA)
Burgess	Evans	Kennedy
Bustos	Faso	Khanna
Butterfield	Ferguson	Kihuen
Calvert	Fitzpatrick	Kildee
Carbajal	Fleischmann	Kilmer
Cárdenas	Flores	King (NY)
Carson (IN)	Fortenberry	Kinzinger
Carter (GA)	Foster	Knight
Cartwright	Fox	Krishnamoorthi
Castor (FL)	Frankel (FL)	Kuster (NH)
Castro (TX)	Frelinghuysen	Labrador
Chabot	Fudge	LaHood
Cheney	Gabbard	Lamb
Chu, Judy	Gaetz	Lamborn
Ciilline	Gallagher	Lance
Clark (MA)	Galleo	Langevin
Clarke (NY)	Garamendi	Larsen (WA)
Clay	Garrett	Larson (CT)
Cleaver	Gianforte	Latta
Clyburn	Gibbs	Lawrence
Coffman	Gomez	Lawson (FL)
Cohen	Gonzalez (TX)	Lee
Cole	Goodlatte	Lesko
Collins (GA)	Gotthelmer	Levin
Collins (NY)	Gowdy	Lewis (GA)
Comer	Granger	Lewis (MN)
Conaway	Graves (GA)	Lieu, Ted
Connolly	Graves (LA)	Lipinski
Cook	Graves (MO)	LoBiondo
Cooper	Green, Al	Loebach
Correa	Green, Gene	Lofgren
		Long

Loudermilk	Perlmutter	Smith (TX)
Lowe	Perry	Smith (WA)
Lucas	Peters	Smucker
Luetkemeyer	Pingree	Soto
Luján, Ben Ray	Pocan	Speier
Lynch	Poe (TX)	Stefanik
MacArthur	Poliquin	Stewart
Maloney,	Price (NC)	Stivers
Carolyn B.	Quigley	Suozzi
Maloney, Sean	Raskin	Takano
Marino	Reed	Taylor
Marshall	Reichert	Tenney
Massie	Renacci	Thompson (CA)
Mast	Rice (NY)	Thompson (PA)
Matsui	Richmond	Thornberry
McCarthy	Roe (TN)	Tipton
McCaul	Rogers (KY)	Titus
McClintock	Rohrabacher	Tonko
McCollum	Rooney, Francis	Torres
McEachin	Rooney, Thomas J.	Tsongas
McGovern		Turner
McHenry	Ros-Lehtinen	Upton
McKinley	Roskam	Valadao
McMorris	Rothfus	Vargas
Rodgers	Roybal-Allard	Veasey
McNerney	Royce (CA)	Velázquez
McSally	Ruiz	Visclosky
Meadows	Ruppersberger	Wagner
Meeks	Rush	Walberg
Meng	Russell	Walden
Mitchell	Rutherford	Walker
Moolenaar	Ryan (OH)	Walorski
Mooney (WV)	Sánchez	Wasserman
Moore	Sarbanes	Schultz
Morelle	Scalise	Waters, Maxine
Moulton	Scanlon	Watson Coleman
Murphy (FL)	Schakowsky	Webster (FL)
Nadler	Schiff	Welch
Napolitano	Schneider	Wenstrup
Neal	Schrader	Westerman
Newhouse	Schweikert	Wild
Nolan	Scott (VA)	Williams
Norcross	Scott, Austin	Wilson (FL)
Nunes	Sensenbrenner	Wittman
O'Halleran	Serrano	Womack
O'Rourke	Sessions	Woodall
Olson	Sewell (AL)	Yarmuth
Pallone	Sherman	Yoder
Panetta	Shimkus	Yoho
Pascrell	Shuster	Young (IA)
Paulsen	Simpson	Zeldin
Payne	Sires	
Pelosi	Smith (NJ)	

NAYS—36

Abraham	Higgins (LA)	Posey
Aderholt	Holding	Rice (SC)
Babin	Hudson	Roby
Biggs	King (IA)	Rogers (AL)
Brooks (AL)	Kustoff (TN)	Rokita
Buck	LaMalfa	Rouzer
Byrne	Marchant	Sanford
Carter (TX)	Mullin	Smith (MO)
Cloud	Norman	Smith (NE)
Duffy	Palazzo	Weber (TX)
Gohmert	Palmer	Wilson (SC)
Gosar	Pearce	Young (AK)

NOT VOTING—38

Bishop (MI)	Jenkins (KS)	Polis
Black	Johnson, Sam	Ratcliffe
Capuano	Jones (NC)	Rosen
Comstock	Keating	Ross
Costa	Kind	Scott, David
Crowley	Love	Shea-Porter
Davis, Danny	Lowenthal	Sinema
Duncan (SC)	Lujan Grisham,	Swalwell (CA)
Gutiérrez	M.	Thompson (MS)
Hanabusa	Messer	Trott
Hastings	Noem	Vela
Hultgren	Peterson	Walters, Mimi
Issa	Pittenger	Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.36 H.R. 7328—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7328) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, to clarify the regulatory framework with respect to certain nonprescription drugs that are marketed without an approved drug application, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 367
affirmative { Nays 9

¶167.37 [Roll No. 449]
YEAS—367

Abraham	Cole	Gohmert
Adams	Collins (GA)	Gomez
Aderholt	Collins (NY)	Gonzalez (TX)
Aguilar	Comer	Gosar
Allen	Conaway	Gottheimer
Amodei	Connolly	Gowdy
Arrington	Cook	Granger
Babin	Cooper	Graves (GA)
Bacon	Correa	Graves (LA)
Balderson	Costello (PA)	Graves (MO)
Banks (IN)	Courtney	Green, Al
Barletta	Crawford	Green, Gene
Barr	Crist	Griffith
Barragán	Cuellar	Grijalva
Barton	Culberson	Grothman
Bass	Cummings	Guthrie
Beatty	Curbelo (FL)	Gutiérrez
Bera	Curtis	Handel
Bergman	Davis (CA)	Harper
Beyer	Davis, Rodney	Harris
Bilirakis	DeFazio	Hartzel
Bishop (GA)	DeGette	Heck
Bishop (UT)	Delaney	Hensarling
Blackburn	DeLauro	Hern
Blum	DelBene	Herrera Beutler
Blumenauer	Demings	Hice, Jody B.
Blunt Rochester	DeSaulnier	Higgins (LA)
Bonamici	DesJarlais	Higgins (NY)
Bost	Deutch	Hill
Boyle, Brendan	Diaz-Balart	Himes
F.	Dingell	Holding
Brady (PA)	Doggett	Hollingsworth
Brady (TX)	Donovan	Hudson
Brat	Doyle, Michael	Huffman
Brooks (IN)	F.	Huizenga
Brown (MD)	Duffy	Hunter
Brownley (CA)	Duncan (TN)	Hurd
Buchanan	Dunn	Jackson Lee
Buck	Ellison	Jayapal
Bucshon	Emmer	Jeffries
Budd	Engel	Johnson (GA)
Burgess	Eshoo	Johnson (LA)
Bustos	Españat	Johnson (OH)
Butterfield	Estes (KS)	Johnson, E. B.
Byrne	Esty (CT)	Jones (MI)
Calvert	Evans	Jordan
Carbajal	Faso	Joyce (OH)
Cárdenas	Ferguson	Katko
Carson (IN)	Fitzpatrick	Kelly (IL)
Carter (GA)	Fleischmann	Kelly (MS)
Carter (TX)	Flores	Kelly (PA)
Castor (FL)	Fortenberry	Kennedy
Castro (TX)	Foster	Khanna
Chabot	Fox	Kildee
Cheney	Frankel (FL)	Kilmer
Chu, Judy	Frelinghuysen	King (NY)
Ciilline	Fudge	Kinzing
Clark (MA)	Gabbard	Knight
Clarke (NY)	Gaetz	Krishnamoorthi
Clay	Gallagher	Kuster (NH)
Cleaver	Gallego	Kustoff (TN)
Cloud	Garamendi	Labrador
Clyburn	Garrett	LaHood
Coffman	Gianforte	LaMalfa
Cohen	Gibbs	Lamb

Lamborn	Nunes	Shimkus
Lance	O'Halleran	Simpson
Langevin	O'Rourke	Sires
Larsen (WA)	Olson	Smith (MO)
Larson (CT)	Palazzo	Smith (NE)
Latta	Pallone	Smith (NJ)
Lawrence	Palmer	Smith (TX)
Lawson (FL)	Panetta	Smith (WA)
Lee	Pascarell	Smucker
Lesko	Paulsen	Soto
Levin	Payne	Speier
Lewis (MN)	Pearce	Stefanik
Lieu, Ted	Perlmutter	Stewart
Lipinski	Peters	Stivers
LoBiondo	Pingree	Suozzi
Loeb	Pocan	Takano
Long	Poliquin	Taylor
Loudermilk	Posey	Tenney
Lowe	Price (NC)	Thompson (CA)
Lucas	Quigley	Thompson (PA)
Luetkemeyer	Raskin	Thornberry
Luján, Ben Ray	Reed	Tipton
Lynch	Reichert	Titus
MacArthur	Renacci	Tonko
Maloney, Sean	Rice (NY)	Torres
Marchant	Rice (SC)	Tsongas
Marino	Roby	Turner
Marshall	Roe (TN)	Upton
Mast	Rogers (AL)	Valadao
Matsui	Rogers (KY)	Vargas
McCarthy	Rohrabacher	Veasey
McCaul	Rokita	Velázquez
McClintock	Rooney, Francis	Visclosky
McCollum	Rooney, Thomas	Wagner
McEachin	J.	Walberg
McGovern	Ros-Lehtinen	Walden
McHenry	Roskam	Walker
McKinley	Rothfus	Walorski
McMorris	Rouzer	Wasserman
Rodgers	Roybal-Allard	Schultz
McNerney	Royce (CA)	Waters, Maxine
McSally	Ruiz	Watson Coleman
Meadows	Ruppersberger	Weber (TX)
Meeks	Rush	Webster (FL)
Meng	Ryan (OH)	Welch
Mitchell	Sánchez	Westerman
Moolenaar	Sanford	Wild
Mooney (WV)	Scalise	Williams
Moore	Scanlon	Wilson (FL)
Morelle	Schakowsky	Wilson (SC)
Moulton	Schiff	Wittman
Mullin	Schneider	Womack
Murphy (FL)	Schrader	Woodall
Napolitano	Schweikert	Yarmuth
Neal	Scott (VA)	Yoder
Newhouse	Scott, Austin	Young (AK)
Nolan	Serrano	Young (IA)
Norcross	Sewell (AL)	Zeldin
Norman	Sherman	

NAYS—9

Amash
Biggs
Brooks (AL)

King (IA)
Massie
Perry

Poe (TX)
Sensenbrenner
Yoho

NOT VOTING—56

Bishop (MI)
Black
Capuano
Cartwright
Comstock
Costa
Cramer
Crowley
Davidson
Davis, Danny
Denham
Duncan (SC)
Goodlatte
Hanabusa
Hastings
Hoyer
Hultgren
Issa
Jenkins (KS)
Johnson, Sam

Jones (NC)
Kaptur
Keating
Kihuen
Kind
Lewis (GA)
Lofgren
Love
Lowenthal
Lujan Grisham,
M.
Maloney,
Carolyn B.
Messer
Nader
Noem
Pelosi
Peterson
Pittenger
Polis

Ratcliffe
Richmond
Rosen
Ross
Russell
Rutherford
Sarbanes
Scott, David
Sessions
Shea-Porter
Shuster
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

¶167.38 AMENDMENT OF THE SENATE TO
H.R. 5075—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 5075) to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the { Yeas 386
affirmative { Nays 2

¶167.39 [Roll No. 450]
YEAS—386

Abraham	Collins (NY)	Gowdy
Adams	Comer	Granger
Aderholt	Conaway	Graves (GA)
Aguilar	Connolly	Graves (LA)
Allen	Cook	Graves (MO)
Amodei	Cooper	Green, Al
Arrington	Correa	Green, Gene
Babin	Costello (PA)	Griffith
Bacon	Courtney	Grijalva
Balderson	Crawford	Grothman
Banks (IN)	Crist	Guthrie
Barletta	Cuellar	Gutiérrez
Barr	Culberson	Handel
Barragán	Cummings	Harper
Barton	Curbelo (FL)	Harris
Bass	Curtis	Hartzel
Beatty	Davidson	Heck
Bera	Davis (CA)	Hensarling
Bergman	Davis, Rodney	Hern
Beyer	DeFazio	Herrera Beutler
Bilirakis	DeGette	Hice, Jody B.
Bishop (GA)	Delaney	Higgins (LA)
Bishop (UT)	DeLauro	Higgins (NY)
Blackburn	DelBene	Hill
Blum	Demings	Himes
Blumenauer	DeSaulnier	Holding
Blunt Rochester	DesJarlais	Hollingsworth
Bonamici	Deutch	Hoyer
Bost	Diaz-Balart	Hudson
Boyle, Brendan	Dingell	Huffman
F.	Doggett	Huizenga
Brady (PA)	Donovan	Hunter
Brady (TX)	Doyle, Michael	Hurd
Brat	F.	Jackson Lee
Brooks (AL)	Duffy	Jayapal
Brooks (IN)	Duncan (TN)	Jeffries
Brown (MD)	Dunn	Johnson (GA)
Brownley (CA)	Ellison	Johnson (LA)
Buchanan	Emmer	Johnson (OH)
Buck	Engel	Johnson, E. B.
Bucshon	Eshoo	Jones (MI)
Budd	Españat	Jordan
Burgess	Estes (KS)	Joyce (OH)
Bustos	Esty (CT)	Katko
Butterfield	Evans	Kelly (IL)
Byrne	Faso	Kelly (MS)
Calvert	Ferguson	Kelly (PA)
Carbajal	Fitzpatrick	Kennedy
Cárdenas	Fleischmann	Khanna
Carson (IN)	Flores	Kihuen
Carter (GA)	Fortenberry	Kildee
Carter (TX)	Foster	Kilmer
Castor (FL)	Fox	King (IA)
Castro (TX)	Frankel (FL)	King (NY)
Chabot	Frelinghuysen	Kinzing
Cheney	Fudge	Knight
Chu, Judy	Gabbard	Krishnamoorthi
Ciilline	Gaetz	Kuster (NH)
Clark (MA)	Gallagher	Kustoff (TN)
Clarke (NY)	Gallego	Labrador
Clay	Garamendi	LaHood
Cleaver	Garrett	LaMalfa
Cloud	Gianforte	Lamb
Clyburn	Gibbs	Lamborn
Coffman		Lance
Cohen		Langevin
		Larsen (WA)
		Larson (CT)
		Latta
		Lawrence

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

Lawson (FL)	Palazzo	Shimkus
Lee	Pallone	Shuster
Lesko	Palmer	Simpson
Levin	Panetta	Sires
Lewis (GA)	Pascrell	Smith (MO)
Lewis (MN)	Paulsen	Smith (NE)
Lieu, Ted	Payne	Smith (NJ)
Lipinski	Pearce	Smith (TX)
LoBiondo	Pelosi	Smith (WA)
Loeb sack	Perlmutter	Smucker
Lofgren	Perry	Soto
Long	Peters	Speier
Loudermilk	Pingree	Stefanik
Lowe y	Pocan	Stewart
Lucas	Poliquin	Stivers
Luetkemeyer	Posey	Suo zzi
Lujan, Ben Ray	Price (NC)	Takano
Lynch	Quigley	Taylor
MacArthur	Raskin	Tenney
Maloney,	Reed	Thompson (CA)
Carolyn B.	Reichert	Thompson (PA)
Maloney, Sean	Renacci	Thornberry
Marchant	Rice (NY)	Tipton
Marino	Rice (SC)	Titus
Marshall	Richmond	Tonko
Mast	Roby	Torres
Matsui	Roe (TN)	Tsongas
McCarthy	Rogers (AL)	Turner
McCaul	Rogers (KY)	Upton
McClintock	Rohrabacher	Valadao
McCollum	Rokita	Vargas
McEachin	Rooney, Francis	Veasey
McGovern	Rooney, Thomas	Velázquez
McHenry	J.	Visclosky
McKinley	Ros-Lehtinen	Wagner
McMorris	Roskam	Walberg
Rodgers	Rothfus	Walden
McNerney	Rouzer	Walorski
McSally	Royce (CA)	Wasserman
Meadows	Ruiz	Schultz
Meeks	Ruppersberger	Waters, Maxine
Meng	Rush	Watson Coleman
Mitchell	Rutherford	Weber (TX)
Moolenaar	Ryan (OH)	Webster (FL)
Mooney (WV)	Sánchez	Welch
Moore	Sanford	Wenstrup
Morelle	Sarbanes	Westerman
Moulton	Scalise	Wild
Mullin	Scanlon	Williams
Murphy (FL)	Schakowsky	Wilson (FL)
Nadler	Schiff	Wilson (SC)
Napolitano	Schneider	Wittman
Neal	Schrader	Womack
Newhouse	Schweikert	Woodall
Nolan	Scott (VA)	Yarmuth
Norcross	Scott, Austin	Yoder
Norman	Sensenbrenner	Yoho
Nunes	Serrano	Young (AK)
O'Halleran	Sessions	Young (IA)
O'Rourke	Sewell (AL)	Zeldin
Olson	Sherman	

NAYS—2

Amash

Massie

NOT VOTING—44

Bishop (MI)	Johnson, Sam	Ratcliffe
Black	Jones (NC)	Rosen
Capuano	Kaptur	Ross
Comstock	Keating	Roybal-Allard
Costa	Kind	Russell
Cramer	Love	Scott, David
Crowley	Lowenthal	Shea-Porter
Davis, Danny	Lujan Grisham,	Sinema
Duncan (SC)	M.	Swalwell (CA)
Goodlatte	Messer	Thompson (MS)
Hanabusa	Noem	Trott
Hastings	Peterson	Vela
Hultgren	Pittenger	Walker
Issa	Poe (TX)	Walters, Mimi
Jenkins (KS)	Polis	Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.40 H.R. 7093—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7093) to eliminate unused sections of the United States Code, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 386
affirmative } Nays 5

¶167.41

[Roll No. 451]

YEAS—386

Abraham	Correa	Gutiérrez
Adams	Costello (PA)	Handel
Aderholt	Courtney	Harper
Aguilar	Crawford	Harris
Allen	Crist	Hartzler
Amash	Cuellar	Heck
Amodei	Culberson	Hensarling
Arrington	Cummings	Hern
Babin	Curbelo (FL)	Herrera Beutler
Bacon	Curtis	Hice, Jody B.
Balderson	Davidson	Higgins (LA)
Banks (IN)	Davis (CA)	Higgins (NY)
Barletta	Davis, Rodney	Hill
Barr	DeFazio	Himes
Barragán	DeGette	Holding
Barton	Delaney	Hollingsworth
Bass	DeLauro	Hoyer
Beatty	DeBene	Hudson
Bera	Demings	Huffman
Bergman	Denham	Huizenga
Biggs	DeSaulnier	Hunter
Bilirakis	DesJarlais	Hurd
Bishop (GA)	Deutch	Jackson Lee
Bishop (UT)	Diaz-Balart	Jayapal
Blackburn	Dingell	Jeffries
Blum	Doggett	Johnson (GA)
Blumenauer	Donovan	Johnson (LA)
Blunt Rochester	Doyle, Michael	Johnson (OH)
Bonamici	F.	Johnson, E. B.
Bost	Duffy	Jones (MI)
Boyle, Brendan	Duncan (TN)	Jordan
F.	Dunn	Joyce (OH)
Brady (PA)	Ellison	Kaptur
Brady (TX)	Emmer	Katko
Brat	Engel	Kelly (IL)
Brooks (AL)	Eshoo	Kelly (MS)
Brooks (IN)	Espallat	Kelly (PA)
Brown (MD)	Estes (KS)	Kennedy
Brownley (CA)	Esty (CT)	Khanna
Buchanan	Evans	Kihuen
Buck	Faso	Kildee
Bucshon	Ferguson	Kilmer
Budd	Fitzpatrick	King (IA)
Burgess	Fleischmann	King (NY)
Bustos	Flores	Kinzing
Butterfield	Fortenberry	Knight
Byrne	Foster	Krishnamoorthi
Calvert	Fox	Kuster (NH)
Carbajal	Frankel (FL)	Kustoff (TN)
Cárdenas	Frelinghuysen	Labrador
Carson (IN)	Fudge	LaHood
Carter (GA)	Gabbard	LaMalfa
Carter (TX)	Gaetz	Lamb
Cartwright	Gallagher	Lamborn
Castro (TX)	Gallo	Lance
Chabot	Garamendi	Langevin
Cheney	Garrett	Larsen (WA)
Chu, Judy	Gianforte	Larson (CT)
Ciulline	Gibbs	Latta
Clark (MA)	Gohmert	Lawrence
Clarke (NY)	Gomez	Lawson (FL)
Clay	Gonzalez (TX)	Lee
Cleaver	Gosar	Lesko
Cloud	Gottheimer	Levin
Clyburn	Gowdy	Lewis (GA)
Coffman	Granger	Lewis (MN)
Cohen	Graves (GA)	Lieu, Ted
Cole	Graves (LA)	Lipinski
Collins (GA)	Graves (MO)	LoBiondo
Collins (NY)	Green, Al	Loeb sack
Comer	Green, Gene	Lofgren
Conaway	Griffith	Long
Connolly	Grijalva	Loudermilk
Cook	Grothman	Lowe y
Cooper	Guthrie	Lucas

Luetkemeyer	Perry	Smith (MO)
Lujan, Ben Ray	Peters	Smith (NE)
Lynch	Pingree	Smith (NJ)
MacArthur	Pocan	Smith (TX)
Maloney,	Poe (TX)	Smith (WA)
Carolyn B.	Poliquin	Smucker
Maloney, Sean	Posey	Soto
Marchant	Price (NC)	Speier
Marino	Quigley	Stefanik
Marshall	Raskin	Stewart
Massie	Reed	Stivers
Mast	Reichert	Suo zzi
Matsui	Renacci	Takano
McCarthy	Rice (NY)	Taylor
McCaul	Rice (SC)	Tenney
McClintock	Richmond	Thompson (CA)
McCollum	Roby	Thompson (PA)
McEachin	Roe (TN)	Thornberry
McGovern	Rogers (AL)	Tipton
McHenry	Rogers (KY)	Titus
McKinley	Rohrabacher	Tonko
McMorris	Rokita	Torres
Rodgers	Rooney, Francis	Tsongas
McNerney	Rooney, Thomas	Turner
McSally	J.	Upton
Meadows	Ros-Lehtinen	Valadao
Meeks	Roskam	Vargas
Meng	Rothfus	Veasey
Mitchell	Rouzer	Velázquez
Moolenaar	Roybal-Allard	Visclosky
Mooney (WV)	Royce (CA)	Ruiz
Moore	Ruiz	Ruppersberger
Morelle	Morelle	Rutherford
Moulton	Moulton	Ryan (OH)
Mullin	Mullin	Sánchez
Murphy (FL)	Murphy (FL)	Sanford
Nadler	Nadler	Sarbanes
Napolitano	Napolitano	Scalise
Neal	Neal	Scanlon
Newhouse	Newhouse	Schakowsky
Nolan	Nolan	Schiff
Norcross	Norcross	Schneider
Norman	Norman	Schrader
Nunes	Nunes	Schweikert
O'Halleran	O'Halleran	Scott (VA)
O'Rourke	O'Rourke	Scott, Austin
Olson	Olson	Sensenbrenner
	Palazzo	Serrano
	Pallone	Sessions
	Palmer	Sewell (AL)
	Panetta	Sherman
	Pascrell	Shimkus
	Paulsen	Shuster
	Payne	Simpson
	Pearce	Sires
	Pelosi	

NAYS—5

Beyer	Wasserman
Castor (FL)	Schultz
Perlmutter	Yarmuth

NOT VOTING—41

Bishop (MI)	Jenkins (KS)	Ratcliffe
Black	Johnson, Sam	Rosen
Capuano	Jones (NC)	Ross
Comstock	Keating	Rush
Costa	Kind	Russell
Cramer	Love	Scott, David
Crowley	Lowenthal	Shea-Porter
Davis, Danny	Lujan Grisham,	Sinema
Duncan (SC)	M.	Swalwell (CA)
Goodlatte	Messer	Thompson (MS)
Hanabusa	Noem	Trott
Hastings	Peterson	Vela
Hultgren	Pittenger	Walters, Mimi
Issa	Polis	Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶167.42 S. 2896—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2896) to require

disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 391
affirmative { Nays 0

¶167.43

[Roll No. 452]

YEAS—391

Abraham	Costello (PA)	Hartzler
Adams	Courtney	Heck
Aderholt	Crawford	Hensarling
Aguilar	Crist	Hern
Allen	Cuellar	Herrera Beutler
Amash	Culberson	Hice, Jody B.
Amodei	Cummings	Higgins (LA)
Arrington	Curbelo (FL)	Hill
Babin	Curtis	Himes
Bacon	Davidson	Holding
Balderson	Davis (CA)	Hollingsworth
Banks (IN)	Davis, Rodney	Hoyer
Barletta	DeFazio	Hudson
Barr	DeGette	Huffman
Barragán	Delaney	Huizenga
Barton	DeLauro	Hunter
Bass	DelBene	Hurd
Beatty	Demings	Jackson Lee
Bera	Denham	Jayapal
Bergman	DeSaulnier	Jeffries
Beyer	DesJarlais	Johnson (GA)
Biggs	Deutch	Johnson (LA)
Bilirakis	Diaz-Balart	Johnson (OH)
Bishop (GA)	Dingell	Johnson, E. B.
Bishop (UT)	Doggett	Jones (MI)
Blackburn	Donovan	Jordan
Blum	Doyle, Michael	Joyce (OH)
Blumenauer	F.	Kaptur
Blunt Rochester	Duffy	Katko
Bonamici	Duncan (TN)	Kelly (IL)
Bost	Dunn	Kelly (MS)
Boyle, Brendan	Ellison	Kelly (PA)
F.	Emmer	Kennedy
Brady (PA)	Engel	Khanna
Brady (TX)	Eshoo	Kihuen
Brat	Españolat	Kildee
Brooks (AL)	Estes (KS)	Kilmer
Brooks (IN)	Esty (CT)	King (IA)
Brown (MD)	Evans	King (NY)
Brownley (CA)	Faso	Kinzing
Buchanan	Ferguson	Knight
Buck	Fitzpatrick	Krishnamoorthi
Bucshon	Fleischmann	Kuster (NH)
Budd	Flores	Kustoff (TN)
Burgess	Fortenberry	Labrador
Bustos	Foster	LaHood
Butterfield	Fox	LaMalfa
Byrne	Frankel (FL)	Lamb
Calvert	Frelinghuysen	Lamborn
Capuano	Fudge	Lance
Carbajal	Gabbard	Langevin
Cárdenas	Gaetz	Larsen (WA)
Carson (IN)	Gallagher	Larsen (CT)
Carter (GA)	Gallo	Latta
Carter (TX)	Garamendi	Lawrence
Cartwright	Garrett	Lawson (FL)
Castor (FL)	Gianforte	Lee
Castro (TX)	Gibbs	Lesko
Chabot	Gohmert	Levin
Cheney	Gomez	Lewis (GA)
Chu, Judy	Gonzalez (TX)	Lewis (MN)
Cicilline	Goodlatte	Lieu, Ted
Clark (MA)	Gosar	Lipinski
Clarke (NY)	Gottheimer	LoBiondo
Clay	Gowdy	Loeback
Cleaver	Granger	Lofgren
Cloud	Graves (GA)	Long
Clyburn	Graves (LA)	Loudermilk
Coffman	Graves (MO)	Lowe
Cohen	Green, Al	Lucas
Cole	Green, Gene	Luetkemeyer
Collins (GA)	Griffith	Luján, Ben Ray
Collins (NY)	Grijalva	Lynch
Comer	Grothman	MacArthur
Conaway	Guthrie	Maloney
Connolly	Gutiérrez	Carolyn B.
Cook	Handel	Marchant
Cooper	Harper	Marino
Correa	Harris	

Marshall	Posey	Smith (WA)
Massie	Price (NC)	Smucker
Mast	Quigley	Soto
Matsui	Raskin	Speier
McCarthy	Reed	Stefanik
McCaul	Reichert	Stewart
McClintock	Renacci	Stivers
McCollum	Rice (NY)	Suozzi
McEachin	Rice (SC)	Takano
McGovern	Richmond	Taylor
McHenry	Roby	Tenney
McKinley	Roe (TN)	Thompson (CA)
McMorris	Rogers (AL)	Thompson (PA)
Rodgers	Rogers (KY)	Thornberry
McNerney	Rohrabacher	Tipton
McSally	Rokita	Titus
Meadows	Rooney, Francis	Tonko
Meeks	Rooney, Thomas	Torres
Meng	J.	Tsongas
Mitchell	Ros-Lehtinen	Turner
Moolenaar	Roskam	Upton
Mooney (WV)	Rothfus	Valadao
Moore	Rouzer	Vargas
Morelle	Roybal-Allard	Veasey
Moulton	Royce (CA)	Velázquez
Mullin	Ruiz	Visclosky
Murphy (FL)	Ruppersberger	Wagner
Nadler	Rush	Walberg
Napolitano	Rutherford	Walden
Neal	Ryan (OH)	Walker
Newhouse	Sánchez	Walorski
Nolan	Sanford	Wasserman
Norcross	Sarbanes	Schultz
Norman	Scalise	Waters, Maxine
Nunes	Scanlon	Watson Coleman
O'Halleran	Schakowsky	Weber (TX)
O'Rourke	Schiff	Webster (FL)
Olson	Schneider	Welch
Palazzo	Schweikert	Wenstrup
Pallone	Scott (VA)	Westerman
Palmer	Scott, Austin	Wild
Panetta	Sensenbrenner	Williams
Pascarella	Serrano	Wilson (SC)
Paulsen	Sessions	Wittman
Payne	Sewell (AL)	Womack
Pearce	Sherman	Woodall
Pelosi	Shimkus	Yarmuth
Perlmutter	Shuster	Yoder
Perry	Simpson	Yoho
Peters	Sires	Young (AK)
Pingree	Smith (MO)	Young (IA)
Pocan	Smith (NJ)	Zeldin
Poe (TX)	Smith (TX)	
Poliquin		

NOT VOTING—41

Bishop (MI)	Johnson, Sam	Rosen
Black	Jones (NC)	Ross
Comstock	Keating	Russell
Costa	Kind	Schrader
Cramer	Love	Scott, David
Crowley	Lowenthal	Shea-Porter
Davis, Danny	Lujan Grisham,	Sinema
Duncan (SC)	M.	Swalwell (CA)
Hanabusa	Messer	Thompson (MS)
Hastings	Noem	Trott
Higgins (NY)	Peterson	Vela
Hultgren	Pittenger	Walters, Mimi
Issa	Polis	Walz
Jenkins (KS)	Ratcliffe	Wilson (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.44 S. 2961—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2961) to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 388
affirmative { Nays 2

¶167.45

[Roll No. 453]

YEAS—388

Abraham	DelBene	Katko
Adams	Demings	Kelly (IL)
Aderholt	Denham	Kelly (MS)
Aguilar	DeSaulnier	Kelly (PA)
Allen	DesJarlais	Kennedy
Amodei	Deutch	Khanna
Arrington	Diaz-Balart	Kihuen
Babin	Dingell	Kildee
Bacon	Doggett	Kilmer
Balderson	Donovan	King (IA)
Banks (IN)	Doyle, Michael	King (NY)
Barletta	F.	Kinzing
Barr	Duffy	Knight
Barton	Duncan (TN)	Krishnamoorthi
Bass	Dunn	Kuster (NH)
Beatty	Ellison	Kustoff (TN)
Bera	Emmer	Labrador
Bergman	Engel	LaHood
Beyer	Eshoo	LaMalfa
Biggs	Españolat	Lamb
Bilirakis	Estes (KS)	Lamborn
Bishop (GA)	Esty (CT)	Lance
Bishop (UT)	Evans	Langevin
Blackburn	Faso	Larsen (WA)
Blum	Ferguson	Larsen (CT)
Blunt Rochester	Fitzpatrick	Latta
Bonamici	Fleischmann	Lawrence
Bost	Flores	Lawson (FL)
Boyle, Brendan	Fortenberry	Lee
F.	Foster	Lesko
Brady (PA)	Fox	Levin
Brady (TX)	Frankel (FL)	Lewis (GA)
Brat	Frelinghuysen	Lewis (MN)
Brooks (AL)	Fudge	Lieu, Ted
Brooks (IN)	Gabbard	Lipinski
Brown (MD)	Gaetz	LoBiondo
Brownley (CA)	Gallagher	Loeback
Buchanan	Gallo	Lofgren
Buck	Garamendi	Long
Bucshon	Gianforte	Loudermilk
Budd	Gibbs	Lowe
Burgess	Gohmert	Lucas
Bustos	Gomez	Luetkemeyer
Butterfield	Gonzalez (TX)	Luján, Ben Ray
Byrne	Goodlatte	Lynch
Calvert	Gosar	MacArthur
Capuano	Gottheimer	Maloney
Carbajal	Gowdy	Carolyn B.
Cárdenas	Granger	Maloney, Sean
Carson (IN)	Graves (GA)	Marchant
Carter (GA)	Graves (LA)	Marino
Carter (TX)	Graves (MO)	Marshall
Cartwright	Green, Al	Mast
Castor (FL)	Green, Gene	Matsui
Castro (TX)	Griffith	McCarthy
Chabot	Grijalva	McCaul
Cheney	Grothman	McClintock
Chu, Judy	Guthrie	McCollum
Cicilline	Gutiérrez	McEachin
Clark (MA)	Handel	McGovern
Clarke (NY)	Harper	McHenry
Clay	Harris	McKinley
Cleaver	Hartzler	McMorris
Cloud	Heck	Rodgers
Clyburn	Hensarling	McNerney
Coffman	Hern	McSally
Cohen	Herrera Beutler	Meadows
Cole	Hice, Jody B.	Meeks
Collins (GA)	Higgins (LA)	Meng
Collins (NY)	Higgins (NY)	Mitchell
Comer	Hill	Moolenaar
Conaway	Himes	Mooney (WV)
Connolly	Holding	Moore
Cook	Hollingsworth	Morelle
Cooper	Hoyer	Moulton
Correa	Hudson	Mullin
Costello (PA)	Huffman	Murphy (FL)
Courtney	Huizenga	Nadler
Crawford	Hunter	Napolitano
Crist	Hurd	Neal
Culberson	Jackson Lee	Newhouse
Cummings	Jayapal	Nolan
Curbelo (FL)	Jeffries	Norcross
Curtis	Johnson (GA)	Norman
Davidson	Johnson (LA)	Nunes
Davis (CA)	Johnson (OH)	O'Halleran
Davis, Rodney	Johnson, E. B.	O'Rourke
DeFazio	Jones (MI)	Olson
DeGette	Jordan	Palazzo
Delaney	Joyce (OH)	Pallone
DeLauro	Kaptur	Palmer

Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger

Rush
Rutherford
Ryan (OH)
Sanchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry

Tipton
Titus
Tonko
Torres
Tsongas
Turner
Valadao
Vargas
Veasey
Velazquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Amash

Massie

NOT VOTING—42

Barragan
Bishop (MI)
Black
Blumenauer
Comstock
Costa
Cramer
Crowley
Cuellar
Davis, Danny
Duncan (SC)
Garrett
Hanabusa
Hastings
Hultgren

Issa
Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham,
M.
Messer
Noem
Peterson
Polis
Ratcliffe

Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.46 S. 2679—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2679) to provide access to and manage the distribution of excess or surplus property to veteran-owned small businesses.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 389
affirmative { Nays 1

¶167.47

[Roll No. 454]

YEAS—389

Abraham
Adams
Aderholt
Aguilar
Allen
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragan
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Cabrera
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Ciavarella
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene

Demings
Denham
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Español
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)

Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Lujan, Ben Ray
Lynch
MacArthur
Maloney
Malone, B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCauley
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halloran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi

Perlmutter
Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)

Sanchez
Sanford
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton

Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velazquez
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—1

NOT VOTING—42

Amodei
Bishop (MI)
Black
Comstock
Costa
Cramer
Crowley
Davis, Danny
Duncan (SC)
Gonzalez (TX)
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)

Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham,
M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross

Russell
Sarbanes
Scott, Austin
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walker
Walters, Mimi
Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.48 H.R. 7227—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7227) to amend the Internal Revenue Code of 1986 to modernize and improve the Internal Revenue Service, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 378
affirmative { Nays 11

¶167.49

[Roll No. 455]

YEAS—378

Abraham	DesJarlais	Krishnamoorthi
Adams	Deutch	Kuster (NH)
Aderholt	Diaz-Balart	Kustoff (TN)
Aguilar	Dingell	Labrador
Allen	Doggett	LaHood
Amodei	Donovan	LaMalfa
Arrington	Doyle, Michael	Lamb
Babin	F.	Lamborn
Bacon	Duffy	Lance
Balderson	Dunn	Langevin
Banks (IN)	Emmer	Larsen (WA)
Barietta	Engel	Larson (CT)
Barr	Eshoo	Latta
Barragán	Españillat	Lawrence
Barton	Estes (KS)	Lawson (FL)
Bass	Esty (CT)	Lee
Beatty	Evans	Lesko
Bera	Faso	Levin
Bergman	Ferguson	Lewis (GA)
Beyer	Fitzpatrick	Lewis (MN)
Bilirakis	Fleischmann	Lieu, Ted
Bishop (GA)	Flores	Lipinski
Bishop (UT)	Fortenberry	LoBiondo
Blackburn	Foster	Loeback
Blumenauer	Fox	Loftgren
Blunt Rochester	Frankel (FL)	Long
Bonamici	Frelinghuysen	Loudermilk
Bost	Fudge	Lowe
Boyle, Brendan	Gabbard	Lucas
F.	Gallagher	Luetkemeyer
Brady (PA)	Gallego	Lujan, Ben Ray
Brady (TX)	Garamendi	Lynch
Brooks (AL)	Gianforte	MacArthur
Brooks (IN)	Gibbs	Maloney,
Brown (MD)	Gohmert	Carolyn B.
Brownley (CA)	Gomez	Maloney, Sean
Buchanan	Gonzalez (TX)	Marchant
Bucshon	Goodlatte	Marino
Budd	Gottheimer	Marshall
Burgess	Gowdy	Massie
Bustos	Granger	Mast
Butterfield	Graves (GA)	Matsui
Byrne	Graves (LA)	McCarthy
Calvert	Graves (MO)	McCaul
Capuano	Green, Al	McClintock
Carbajal	Green, Gene	McEachin
Cárdenas	Griffith	McGovern
Carson (IN)	Grijalva	McHenry
Carter (GA)	Grothman	McKinley
Carter (TX)	Guthrie	McMorris
Cartwright	Handel	Rodgers
Castor (FL)	Harper	McNerney
Castro (TX)	Harris	McSally
Chabot	Hartzler	Meadows
Cheney	Heck	Meeks
Chu, Judy	Hensarling	Meng
Cicilline	Hern	Mitchell
Clark (MA)	Herrera Beutler	Moolenaar
Clarke (NY)	Higgins (LA)	Mooney (WV)
Clay	Higgins (NY)	Moore
Cleaver	Hill	Morelle
Cloud	Himes	Moulton
Clyburn	Holding	Mullin
Coffman	Hollingsworth	Murphy (FL)
Cohen	Hoyer	Nadler
Cole	Hudson	Napolitano
Collins (GA)	Huffman	Neal
Collins (NY)	Huizenga	Newhouse
Comer	Hunter	Nolan
Conaway	Hurd	Norcross
Connolly	Jackson Lee	Norman
Cook	Jayapal	Nunes
Cooper	Jeffries	O'Halleran
Correa	Johnson (GA)	O'Rourke
Costello (PA)	Johnson (LA)	Olson
Courtney	Johnson (OH)	Palazzo
Crawford	Johnson, E. B.	Pallone
Crist	Jones (MI)	Palmer
Cuellar	Jordan	Panetta
Culberson	Joyce (OH)	Pascarell
Cummings	Kaptur	Paulsen
Curbelo (FL)	Katko	Payne
Curtis	Kelly (IL)	Pearce
Davidson	Kelly (MS)	Pelosi
Davis (CA)	Kelly (PA)	Perlmutter
Davis, Rodney	Kennedy	Peters
DeFazio	Khanna	Pingree
DeGette	Kihuen	Pittenger
Delaney	Kildee	Pocan
DeLauro	Kilmer	Poe (TX)
DelBene	King (IA)	Poliquin
Demings	King (NY)	Posey
Denham	Kinzing	Price (NC)
DeSaulnier	Knight	Quigley

Raskin	Schrader	Turner
Reed	Schweikert	Upton
Reichert	Scott (VA)	Valadao
Renacci	Sensenbrenner	Vargas
Rice (NY)	Serrano	Veasey
Rice (SC)	Sessions	Velazquez
Richmond	Sewell (AL)	Visclosky
Roby	Sherman	Wagner
Roe (TN)	Shimkus	Walberg
Rogers (AL)	Shuster	Walden
Rogers (KY)	Sires	Walker
Rohrabacher	Smith (MO)	Walorski
Rokita	Smith (NE)	Wasserman
Rooney, Francis	Smith (NJ)	Schultz
Rooney, Thomas	Smith (TX)	Waters, Maxine
J.	Smith (WA)	Watson Coleman
Ros-Lehtinen	Smucker	Weber (TX)
Roskam	Soto	Webster (FL)
Rothfus	Speier	Welch
Rouzer	Stefanik	Wenstrup
Roybal-Allard	Stewart	Westerman
Royce (CA)	Stivers	Wild
Ruiz	Suozi	Williams
Ruppersberger	Takano	Wilson (FL)
Rush	Taylor	Wilson (SC)
Rutherford	Tenney	Wittman
Ryan (OH)	Thompson (CA)	Womack
Sánchez	Thompson (PA)	Woodall
Sarbanes	Thornberry	Yarmuth
Scalise	Tipton	Yoder
Scanlon	Titus	Yoho
Schakowsky	Tonko	Young (AK)
Schiff	Torres	Young (IA)
Schneider	Tsongas	Zeldin

NAYS—11

Amash	Buck	Hice, Jody B.
Biggs	Duncan (TN)	Perry
Blum	Gaetz	Sanford
Brat	Gosar	

NOT VOTING—43

Bishop (MI)	Jenkins (KS)	Rosen
Black	Johnson, Sam	Ross
Comstock	Jones (NC)	Russell
Costa	Keating	Scott, Austin
Cramer	Kind	Scott, David
Crowley	Love	Shea-Porter
Davis, Danny	Lowenthal	Simpson
Duncan (SC)	Lujan Grisham,	Sinema
Ellison	M.	Swalwell (CA)
Garrett	McCollum	Thompson (MS)
Gutiérrez	Messer	Trott
Hanabusa	Noem	Vela
Hastings	Peterson	Walters, Mimi
Hultgren	Polis	Walz
Issa	Ratcliffe	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶167.50 AMENDMENTS OF THE SENATE TO
H.R. 4227—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendments of the Senate to the bill (H.R. 4227) to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said amendments of the Senate?

The vote was taken by electronic device.

It was decided in the { Yeas 388
affirmative { Nays 2

¶167.51

[Roll No. 456]

YEAS—388

Abraham	DelBene	Kennedy
Adams	Demings	Khanna
Aderholt	Denham	Kihuen
Aguilar	DeSaulnier	Kildee
Allen	DesJarlais	Kilmer
Amodei	Deutch	King (IA)
Arrington	Diaz-Balart	King (NY)
Babin	Dingell	Kinzing
Bacon	Doggett	Knight
Balderson	Donovan	Krishnamoorthi
Banks (IN)	Doyle, Michael	Kuster (NH)
Barietta	F.	Kustoff (TN)
Barr	Duffy	Labrador
Barragán	Duncan (TN)	LaHood
Barton	Dunn	LaMalfa
Bass	Ellison	Lamb
Beatty	Emmer	Lamborn
Bera	Engel	Lance
Bergman	Eshoo	Langevin
Beyer	Españillat	Larsen (WA)
Biggs	Estes (KS)	Larson (CT)
Bilirakis	Esty (CT)	Latta
Bishop (GA)	Evans	Lawrence
Bishop (UT)	Faso	Lawson (FL)
Blackburn	Ferguson	Lee
Blum	Fitzpatrick	Lesko
Blumenauer	Fleischmann	Levin
Blunt Rochester	Flores	Lewis (GA)
Bonamici	Fortenberry	Lewis (MN)
Bost	Foster	Lieu, Ted
Boyle, Brendan	Fox	Lipinski
F.	Frankel (FL)	LoBiondo
Brady (PA)	Frelinghuysen	Loeback
Brady (TX)	Fudge	Loftgren
Brat	Gabbard	Long
Brooks (AL)	Gallagher	Loudermilk
Brooks (IN)	Gallego	Lowe
Brown (MD)	Garamendi	Lucas
Brownley (CA)	Garrett	Luetkemeyer
Buchanan	Gianforte	Lujan, Ben Ray
Buck	Gibbs	Lynch
Bucshon	Gohmert	MacArthur
Budd	Gomez	Maloney,
Burgess	Gonzalez (TX)	Carolyn B.
Bustos	Goodlatte	Maloney, Sean
Butterfield	Gosar	Marchant
Byrne	Gottheimer	Marino
Calvert	Gowdy	Marshall
Capuano	Granger	Mast
Carbajal	Graves (GA)	Matsui
Cárdenas	Graves (LA)	McCarthy
Carson (IN)	Graves (MO)	McCaul
Carter (GA)	Green, Al	McClintock
Carter (TX)	Green, Gene	McCollum
Cartwright	Griffith	McEachin
Castor (FL)	Grijalva	McGovern
Castro (TX)	Grothman	McHenry
Chabot	Guthrie	McKinley
Cheney	Gutiérrez	McMorris
Chu, Judy	Handel	Rodgers
Cicilline	Harper	McNerney
Clark (MA)	Harris	McSally
Clarke (NY)	Hartzler	Meadows
Clay	Heck	Meeks
Cleaver	Hensarling	Meng
Cloud	Hern	Mitchell
Clyburn	Herrera Beutler	Moolenaar
Coffman	Hice, Jody B.	Mooney (WV)
Cohen	Higgins (LA)	Moore
Cole	Hill	Morelle
Collins (GA)	Himes	Moulton
Collins (NY)	Holding	Mullin
Comer	Hollingsworth	Murphy (FL)
Conaway	Hoyer	Nadler
Connolly	Hudson	Napolitano
Cook	Huffman	Neal
Cooper	Huizenga	Newhouse
Correa	Hunter	Nolan
Costello (PA)	Hurd	Norcross
Courtney	Jackson Lee	Norman
Crawford	Jayapal	Nunes
Crist	Jeffries	O'Halleran
Cuellar	Johnson (GA)	O'Rourke
Culberson	Johnson (LA)	Olson
Cummings	Johnson (OH)	Palazzo
Curbelo (FL)	Johnson, E. B.	Pallone
Curtis	Jones (MI)	Palmer
Davidson	Jordan	Panetta
Davis (CA)	Joyce (OH)	Pascarell
Davis, Rodney	Kaptur	Paulsen
DeFazio	Katko	Payne
DeGette	Kelly (IL)	Pearce
Delaney	Kelly (MS)	Pelosi
DeLauro	Kelly (PA)	Perlmutter

Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sanford

Sanbaranes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko

Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Amash
Massie

NOT VOTING—42

Bishop (MI)
Black
Comstock
Costa
Cramer
Crowley
Davis, Danny
Duncan (SC)
Gaetz
Hanabusa
Hastings
Higgins (NY)
Hultgren
Issa
Jenkins (KS)

Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham,
M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen
Ross

Russell
Rutherford
Scott, Austin
Scott, David
Shea-Porter
Simpson
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.52 S. 2652—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2652) to award a Congressional Gold Medal to Stephen Michael Gleason.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 390
affirmative } Nays 2

¶167.53

[Roll No. 457]

YEAS—390

Abraham
Adams
Aderholt
Aguilar
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barietta
Barr
Barragan
Barton
Ellison
Emmer
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clever
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro

DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Español
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Gutiérrez
Handel
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)

Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lewis (MN)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Payne
Pearce
Pelosi
Perlmutter

Perry
Peters
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sánchez

Sanford
Sanbaranes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton

Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Amash
Massie

NOT VOTING—40

Bishop (MI)
Black
Comstock
Costa
Cramer
Crowley
Davis, Danny
Denham
Duncan (SC)
Hanabusa
Harper
Hastings
Hultgren
Issa

Jenkins (KS)
Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham,
M.
Messer
Noem
Peterson
Polis
Ratcliffe

Rosen
Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.54 S. 2765—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2765) to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative { Yeas 389
Nays 0

¶167.55

[Roll No. 458]

YEAS—389

Abraham	DelBene	Khanna
Adams	Demings	Kihuen
Aderholt	DeSaulnier	Kildee
Aguilar	DesJarlais	Kilmer
Allen	Deutch	King (IA)
Amash	Diaz-Balart	King (NY)
Amodei	Dingell	Kinzing
Arrington	Doggett	Knight
Babin	Donovan	Krishnamoorthi
Bacon	Doyle, Michael	Kuster (NH)
Balderson	F.	Kustoff (TN)
Banks (IN)	Duffy	Labrador
Barletta	Duncan (TN)	LaHood
Barr	Dunn	LaMalfa
Barragán	Emmer	Lamb
Barton	Engel	Lamborn
Bass	Eshoo	Lance
Beatty	Españillat	Langevin
Bera	Estes (KS)	Larsen (WA)
Bergman	Esty (CT)	Larson (CT)
Beyer	Evans	Latta
Biggs	Faso	Lawrence
Bilirakis	Ferguson	Lawson (FL)
Bishop (GA)	Fitzpatrick	Lee
Bishop (UT)	Fleischmann	Lesko
Blackburn	Flores	Levin
Blum	Fortenberry	Lewis (GA)
Blumenauer	Foster	Lewis (MN)
Blunt Rochester	Fox	Lieu, Ted
Bonamici	Frankel (FL)	Lipinski
Bost	Frelinghuysen	LoBiondo
Boyle, Brendan	Fudge	Loeb
F.	Gabbard	Lofgren
Brady (PA)	Gallagher	Long
Brady (TX)	Gallego	Loudermilk
Brat	Garamendi	Lowey
Brooks (AL)	Garrett	Lucas
Brooks (IN)	Gianforte	Luetkemeyer
Brown (MD)	Gibbs	Lujan, Ben Ray
Brownley (CA)	Gohmert	Lynch
Buchanan	Gomez	MacArthur
Buck	Gonzalez (TX)	Maloney, Carolyn B.
Bucshon	Goodlatte	Maloney, Sean
Budd	Gosar	Marchant
Burgess	Gottheimer	Marino
Bustos	Gowdy	Marshall
Butterfield	Granger	Massie
Byrne	Graves (GA)	Mast
Calvert	Graves (LA)	Matsui
Capuano	Graves (MO)	McCarthy
Carbajal	Green, Al	McCaul
Cárdenas	Green, Gene	McCollum
Carson (IN)	Griffith	McEeachin
Carter (GA)	Grijalva	McGovern
Carter (TX)	Grothman	McHenry
Cartwright	Guthrie	McKinley
Castor (FL)	Gutiérrez	McMorris
Castro (TX)	Handel	Rodgers
Chabot	Harper	McNerney
Cheney	Harris	McSally
Chu, Judy	Hartzler	Meadows
Cicilline	Heck	Meeks
Clark (MA)	Hensarling	Meng
Clarke (NY)	Hern	Mitchell
Clay	Herrera Beutler	Moolenaar
Cleaver	Hice, Jody B.	Mooney (WV)
Cloud	Higgins (LA)	Moore
Clyburn	Higgins (NY)	Morelle
Coffman	Hill	Moulton
Cohen	Himes	Mullin
Cole	Holding	Murphy (FL)
Collins (GA)	Hollingsworth	Nadler
Collins (NY)	Hoyer	Napolitano
Comer	Hudson	Neal
Conaway	Huffman	Newhouse
Connolly	Huizenga	Nolan
Cook	Hunter	Norcross
Cooper	Hurd	Norman
Correa	Jackson Lee	Nunes
Costello (PA)	Jayapal	O'Halleran
Courtney	Jeffries	O'Rourke
Crist	Johnson (GA)	Olson
Cuellar	Johnson (LA)	Palazzo
Culberson	Johnson (OH)	Pallone
Cummings	Johnson, E. B.	Palmer
Curbelo (FL)	Jones (MI)	Panetta
Curtis	Jordan	Pascrell
Davidson	Joyce (OH)	Paulsen
Davis (CA)	Kaptur	Payne
Davis, Rodney	Katko	Pearce
DeFazio	Kelly (IL)	Pelosi
DeGette	Kelly (MS)	Perlmutter
Delaney	Kelly (PA)	Perry
DeLauro	Kennedy	

It was decided in the affirmative { Yeas 378
Nays 13

¶167.57

[Roll No. 459]

YEAS—378

Abraham	DesJarlais	Kinzing
Adams	Deutch	Knight
Aderholt	Diaz-Balart	Krishnamoorthi
Aguilar	Dingell	Kuster (NH)
Allen	Doggett	Kustoff (TN)
Amodei	Donovan	Labrador
Arrington	Doyle, Michael	LaMalfa
Babin	F.	Lamb
Bacon	Duffy	Lamborn
Balderson	Dunn	Lance
Banks (IN)	Ellison	Langevin
Barletta	Emmer	Larsen (WA)
Barr	Engel	Larson (CT)
Barragán	Eshoo	Latta
Barton	Españillat	Lawrence
Bass	Estes (KS)	Lawson (FL)
Beatty	Esty (CT)	Lee
Bera	Evans	Lesko
Bergman	Faso	Levin
Beyer	Ferguson	Lewis (GA)
Bilirakis	Fitzpatrick	Lewis (MN)
Bishop (GA)	Fleischmann	Lieu, Ted
Bishop (UT)	Flores	Lipinski
Blackburn	Fortenberry	LoBiondo
Blum	Foster	Loeb
Blumenauer	Fox	Lofgren
Blunt Rochester	Frankel (FL)	Long
Bonamici	Frelinghuysen	Loudermilk
Bost	Fudge	Lowey
Boyle, Brendan	Gabbard	Lucas
F.	Gallagher	Luetkemeyer
Brady (PA)	Gallego	Lujan, Ben Ray
Brady (TX)	Garamendi	Lynch
Brat	Garrett	MacArthur
Brooks (AL)	Gianforte	Maloney, Carolyn B.
Brooks (IN)	Gibbs	Maloney, Sean
Brown (MD)	Gohmert	Marchant
Brownley (CA)	Gomez	Marino
Buchanan	Gonzalez (TX)	Marshall
Bucshon	Goodlatte	Mast
Budd	Gottheimer	Matsui
Burgess	Gowdy	Matsui
Bustos	Granger	McCarthy
Butterfield	Graves (GA)	McCaul
Byrne	Graves (LA)	McCollum
Calvert	Graves (MO)	McEeachin
Capuano	Green, Al	McGovern
Carbajal	Green, Gene	McHenry
Cárdenas	Griffith	McKinley
Carson (IN)	Grijalva	McMorris
Carter (GA)	Grothman	Rodgers
Carter (TX)	Guthrie	McNerney
Cartwright	Gutiérrez	McSally
Castor (FL)	Handel	Meadows
Castro (TX)	Harper	Meeks
Chabot	Harris	Meng
Cheney	Hartzler	Mitchell
Chu, Judy	Heck	Moolenaar
Cicilline	Hensarling	Mooney (WV)
Clark (MA)	Hern	Moore
Clarke (NY)	Herrera Beutler	Morelle
Clay	Hice, Jody B.	Moulton
Cleaver	Higgins (LA)	Mullin
Cloud	Higgins (NY)	Murphy (FL)
Clyburn	Hill	Nadler
Coffman	Himes	Napolitano
Cohen	Holding	Neal
Cole	Hollingsworth	Newhouse
Collins (GA)	Hoyer	Nolan
Collins (NY)	Hudson	Norcross
Comer	Huffman	Norman
Conaway	Huizenga	Nunes
Connolly	Hunter	O'Halleran
Cook	Hurd	O'Rourke
Cooper	Jackson Lee	Olson
Correa	Jayapal	Palazzo
Costello (PA)	Jeffries	Pallone
Courtney	Johnson (GA)	Palmer
Crist	Johnson (LA)	Panetta
Cuellar	Johnson (OH)	Pascrell
Culberson	Johnson, E. B.	Paulsen
Cummings	Jones (MI)	Payne
Curbelo (FL)	Jordan	Pearce
Curtis	Joyce (OH)	Pelosi
Davidson	Kaptur	Perlmutter
Davis (CA)	Katko	Perry
Davis, Rodney	Kelly (IL)	
DeFazio	Kelly (MS)	
DeGette	Kelly (PA)	
Delaney	Kennedy	
DeLauro		

NOT VOTING—43

Bishop (MI)	Issa	Ratcliffe
Black	Jenkins (KS)	Rosen
Comstock	Johnson, Sam	Ross
Costa	Jones (NC)	Russell
Cramer	Keating	Scott, Austin
Crawford	Kind	Scott, David
Crowley	Love	Shea-Porter
Davis, Danny	Lowenthal	Sinema
Denham	Lujan Grisham,	Swalwell (CA)
Duncan (SC)	M.	Thompson (MS)
Ellison	Messer	Trott
Gaetz	Noem	Vela
Hanabusa	Pascrell	Walters, Mimi
Hastings	Peterson	Walz
Hultgren	Polis	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.56 AMENDMENT OF THE SENATE TO
H.R. 5509—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 5509) to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

Raskin	Schweikert	Turner
Reed	Scott (VA)	Upton
Reichert	Sensenbrenner	Valadao
Renacci	Serrano	Vargas
Rice (NY)	Sessions	Veasey
Richmond	Sewell (AL)	Velázquez
Roby	Sherman	Visclosky
Roe (TN)	Shimkus	Wagner
Rogers (AL)	Shuster	Walberg
Rogers (KY)	Simpson	Walden
Rohrabacher	Sires	Walker
Rokita	Smith (MO)	Walorski
Rooney, Francis	Smith (NE)	Wasserman
Rooney, Thomas J.	Smith (NJ)	Schultz
Ros-Lehtinen	Smith (TX)	Waters, Maxine
Roskam	Smith (WA)	Watson Coleman
Rothfus	Smucker	Weber (TX)
Rouzer	Soto	Webster (FL)
Roybal-Allard	Speier	Welch
Royce (CA)	Stefanik	Wenstrup
Ruiz	Stewart	Westerman
Ruppersberger	Stivers	Wild
Rush	Suozi	Williams
Rutherford	Takano	Wilson (FL)
Ryan (OH)	Taylor	Wilson (SC)
Sánchez	Tenney	Wittman
Sarbanes	Thompson (CA)	Womack
Scalise	Thompson (PA)	Woodall
Scanlon	Thornberry	Yarmuth
Schakowsky	Tipton	Yoder
Schiff	Titus	Yoho
Schneider	Tonko	Young (AK)
Schrader	Torres	Young (IA)
	Tsongas	Zeldin

NAYS—13

Amash	Gosar	Poe (TX)
Biggs	Grothman	Rice (SC)
Buck	Harris	Sanford
Duncan (TN)	Massie	
Gaetz	McClintock	

NOT VOTING—41

Bishop (MI)	Jenkins (KS)	Ratcliffe
Black	Johnson, Sam	Rosen
Comstock	Jones (NC)	Ross
Costa	Keating	Russell
Cramer	Kind	Scott, Austin
Crawford	LaHood	Scott, David
Crowley	Love	Shea-Porter
Davis, Danny	Lowenthal	Sinema
Denham	Lujan Grisham,	Swalwell (CA)
Duncan (SC)	M.	Thompson (MS)
Hanabusa	Messer	Trott
Hastings	Noem	Vela
Hultgren	Peterson	Walters, Mimi
Issa	Polis	Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.58 S. 7—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 7) to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 390
affirmative Nays 0

¶167.59

[Roll No. 460]

YEAS—390

Abraham	DelBene	Kelly (PA)
Adams	Demings	Kennedy
Aderholt	DeSaulnier	Khanna
Aguilar	DesJarlais	Kihuen
Allen	Deutch	Kildee
Amash	Diaz-Balart	Kilmer
Amodei	Dingell	King (IA)
Arrington	Doggett	King (NY)
Babin	Donovan	Kinzinger
Bacon	Doyle, Michael F.	Knight
Balderson	Duffy	Krishnamoorthi
Banks (IN)	Duncan (TN)	Kuster (NH)
Barletta	Dunn	Kustoff (TN)
Barr	Ellison	Labrador
Barragán	Emmer	LaHood
Barton	Engel	LaMalfa
Bass	Eshoo	Lamb
Beatty	Españat	Lamborn
Bera	Estes (KS)	Lance
Bergman	Esty (CT)	Langevin
Beyer	Evans	Larsen (WA)
Biggs	Faso	Larson (CT)
Bilirakis	Ferguson	Latta
Bishop (GA)	Fitzpatrick	Lawrence
Bishop (UT)	Fleischmann	Lawson (FL)
Blackburn	Flores	Lee
Blum	Fortenberry	Lesko
Blumenauer	Foster	Levin
Blunt Rochester	Fox	Lewis (GA)
Bonamici	Frankel (FL)	Lewis (MN)
Bost	Frelinghuysen	Lieu, Ted
Boyle, Brendan F.	Fudge	Lipinski
Brady (PA)	Gabbard	LoBiondo
Brady (TX)	Gaetz	Loeb
Brat	Gallagher	Lofgren
Brooks (AL)	Gallego	Long
Brooks (IN)	Garamendi	Loudermilk
Brown (MD)	Garrett	Lowey
Brownley (CA)	Gianforte	Lucas
Buchanan	Gibbs	Luetkemeyer
Buck	Gohmert	Luján, Ben Ray
Buchson	Gomez	Lynch
Budd	Gonzalez (TX)	MacArthur
Burgess	Goodlatte	Maloney,
Bustos	Gosar	Carolyn B.
Butterfield	Gottheimer	Maloney, Sean
Byrne	Gowdy	Marchant
Calvert	Granger	Marino
Capuano	Graves (GA)	Marshall
Carbajal	Graves (LA)	Massie
Cárdenas	Graves (MO)	Mast
Carson (IN)	Green, Al	Matsui
Carter (GA)	Green, Gene	McCarthy
Carter (TX)	Griffith	McCaul
Cartwright	Grijalva	McClintock
Castor (FL)	Grothman	McCollum
Castro (TX)	Guthrie	McEachin
Chabot	Gutiérrez	McGovern
Cheney	Handel	McHenry
Chu, Judy	Harper	McKinley
Cicilline	Harris	McMorris
Clark (MA)	Hartzler	Rodgers
Clarke (NY)	Heck	McNerney
Clay	Hensarling	McSally
Cleaver	Hern	Meadows
Cloud	Herrera Beutler	Meeks
Clyburn	Hice, Jody B.	Meng
Coffman	Higgins (LA)	Mitchell
Cohen	Higgins (NY)	Moolenaar
Cole	Hill	Mooney (WV)
Collins (GA)	Himes	Moore
Collins (NY)	Holding	Morelle
Comer	Hollingsworth	Moulton
Conaway	Hoyer	Mullin
Connolly	Hudson	Murphy (FL)
Cook	Huffman	Nadler
Cooper	Huizenga	Napolitano
Correa	Hunter	Neal
Costello (PA)	Hurd	Newhouse
Courtney	Jackson Lee	Nolan
Crist	Jayapal	Norcross
Cuellar	Jeffries	Norman
Culberson	Johnson (GA)	Nunes
Cummings	Johnson (LA)	O'Halleran
Curbelo (FL)	Johnson (OH)	O'Rourke
Curtis	Johnson, E. B.	Olson
Davidson	Jones (MI)	Palazzo
Davis (CA)	Jordan	Pallone
Davis, Rodney	Joyce (OH)	Palmer
DeFazio	Kaptur	Panetta
DeGette	Katko	Pascarell
Delaney	Kelly (IL)	Paulsen
DeLauro	Kelly (MS)	Payne
		Pearce

Pelosi	Ryan (OH)	Tipton
Perlmutter	Sánchez	Titus
Perry	Sanford	Tonko
Peters	Sarbanes	Torres
Pingree	Scalise	Tsongas
Pittenger	Scanlon	Turner
Pocan	Schakowsky	Upton
Poe (TX)	Schiff	Valadao
Poliquin	Schneider	Vargas
Posey	Schrader	Veasey
Price (NC)	Schweikert	Velázquez
Quigley	Scott (VA)	Visclosky
Raskin	Sensenbrenner	Wagner
Reed	Serrano	Walberg
Reichert	Sessions	Walden
Renacci	Sewell (AL)	Walorski
Rice (NY)	Sherman	Wasserman
Rice (SC)	Shimkus	Schultz
Richmond	Shuster	Waters, Maxine
Roby	Simpson	Watson Coleman
Roe (TN)	Sires	Weber (TX)
Rogers (AL)	Smith (MO)	Webster (FL)
Rogers (KY)	Smith (NJ)	Welch
Rohrabacher	Smith (TX)	Wenstrup
Rokita	Smith (WA)	Westerman
Rooney, Francis	Smucker	Wild
Rooney, Thomas J.	Soto	Williams
Ros-Lehtinen	Speier	Wilson (FL)
Roskam	Stefanik	Wilson (SC)
Rothfus	Stewart	Wittman
Rouzer	Stivers	Womack
Roybal-Allard	Suozi	Woodall
Royce (CA)	Takano	Yarmuth
Ruiz	Taylor	Yoder
Ruppersberger	Tenney	Yoho
Rush	Thompson (CA)	Young (AK)
Rutherford	Thompson (PA)	Young (IA)
	Thornberry	Zeldin

NOT VOTING—42

Bishop (MI)	Johnson, Sam	Russell
Black	Jones (NC)	Scott, Austin
Comstock	Keating	Scott, David
Costa	Kind	Shea-Porter
Cramer	Love	Sinema
Crawford	Lowenthal	Smith (NE)
Crowley	Lujan Grisham,	Swalwell (CA)
Davis, Danny	M.	Thompson (MS)
Denham	Messer	Trott
Duncan (SC)	Noem	Vela
Hanabusa	Peterson	Walker
Hastings	Polis	Walters, Mimi
Hultgren	Ratcliffe	Walz
Issa	Rosen	
Jenkins (KS)	Ross	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.60 S. 2200—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2200) to reauthorize the National Integrated Drought Information System, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 379
affirmative Nays 9

¶167.61

[Roll No. 461]

YEAS—379

Abraham	Allen	Bacon
Adams	Amodei	Balderson
Aderholt	Arrington	Banks (IN)
Aguilar	Babin	Barletta

Barr	Evans	Lipinski	Sanford	Stefanik	Walorski	Bishop (GA)	Foster	Long
Barragán	Faso	LoBiondo	Sarbanes	Stewart	Wasserman	Bishop (UT)	Fox	Loudermilk
Barton	Fitzpatrick	Loeb	Scalise	Stivers	Schultz	Blackburn	Frankel (FL)	Lowey
Bass	Fleischmann	Lofgren	Scanlon	Suozzi	Waters, Maxine	Blum	Frelinghuysen	Lucas
Beatty	Flores	Long	Schakowsky	Takano	Watson Coleman	Blumenauer	Fudge	Luetkemeyer
Bera	Fortenberry	Loudermilk	Schiff	Tenney	Weber (TX)	Blunt Rochester	Gabbard	Lujan, Ben Ray
Bergman	Foster	Lowey	Schneider	Thompson (CA)	Webster (FL)	Bonamici	Gaetz	Lynch
Beyer	Fox	Lucas	Schrader	Thompson (PA)	Welch	Bost	Gallagher	MacArthur
Bilirakis	Frankel (FL)	Luetkemeyer	Schweikert	Thornberry	Wenstrup	Boyle, Brendan	Gallego	Maloney, Carolyn B.
Bishop (GA)	Frelinghuysen	Lujan, Ben Ray	Scott (VA)	Tipton	Westerman	F.	Garamendi	Maloney, Sean
Bishop (UT)	Fudge	Lynch	Serrano	Titus	Wild	Brady (PA)	Garrett	Maloney, Sean
Blackburn	Gabbard	MacArthur	Sessions	Tonko	Williams	Brady (TX)	Gianforte	Marchant
Blum	Gaetz	Maloney, Carolyn B.	Sewell (AL)	Torres	Wilson (FL)	Brat	Gibbs	Marino
Blumenauer	Gallagher	Maloney, Sean	Sherman	Tsongas	Wilson (SC)	Brooks (AL)	Gomez	Marshall
Blunt Rochester	Gallego	Marchant	Shimkus	Turner	Wittman	Brooks (IN)	Gonzalez (TX)	Mast
Bonamici	Garamendi	Marino	Shuster	Upton	Womack	Brown (MD)	Goodlatte	Matsui
Bost	Garrett	Marshall	Simpson	Valadao	Woodall	Brownley (CA)	Gosar	McCarthy
Boyle, Brendan	Gianforte	Mast	Sires	Vargas	Yarmuth	Buchanan	Gottheimer	McCauley
F.	Gibbs	Matsui	Smith (MO)	Veasey	Yoder	Buck	Gowdy	McClintock
Brady (PA)	Gohmert	McCarthy	Smith (NJ)	Velázquez	Yoho	Bucshon	Granger	McCollum
Brady (TX)	Gomez	McCauley	Smith (TX)	Visclosky	Young (AK)	Budd	Graves (GA)	McEachin
Brat	Gonzalez (TX)	McClintock	Smith (WA)	Wagner	Young (IA)	Burgess	Graves (LA)	McGovern
Brooks (AL)	Goodlatte	McCollum	Smucker	Walberg	Zeldin	Bustos	Graves (MO)	McHenry
Brooks (IN)	Gosar	McEachin	Soto	Walden		Butterfield	Green, Al	McKinley
Brown (MD)	Gottheimer	McGovern	Speier	Walker		Byrne	Green, Gene	McMorris
Brownley (CA)	Gowdy	McHenry				Calvert	Griffith	Rodgers
Buchanan	Granger	McKinley	Amash	Grothman	Perry	Capuano	Grijalva	McNerney
Buck	Graves (GA)	McMorris	Biggs	Harris	Sensenbrenner	Cardenas	Grothman	McSally
Bucshon	Graves (LA)	Rodgers	Duncan (TN)	Massie	Taylor	Carson (IN)	Guthrie	Meadows
Budd	Graves (MO)	McNerney				Carter (GA)	Gutiérrez	Meeks
Burgess	Green, Al	McSally				Carter (TX)	Handel	Meng
Bustos	Green, Gene	Meadows				Cartwright	Harper	Mitchell
Butterfield	Griffith	Meeks	Bishop (MI)	Issa	Ratcliffe	Harris	Harris	Moolenaar
Byrne	Grijalva	Meng	Black	Jenkins (KS)	Rosen	Hartzer	Hartzer	Mooney (WV)
Calvert	Guthrie	Mitchell	Capuano	Johnson, Sam	Ross	Heck	Heck	Moore
Cardenal	Handel	Moolenaar	Comstock	Jones (NC)	Russell	Chabot	Hensarling	Morelle
Cardenas	Harper	Mooney (WV)	Costa	Keating	Scott, Austin	Cheney	Hern	Moulton
Carson (IN)	Hartzer	Moore	Cramer	Kind	Scott, David	Chu, Judy	Herrera Beutler	Mullin
Carter (GA)	Heck	Morelle	Crawford	Love	Shea-Porter	Cicilline	Hice, Jody B.	Murphy (FL)
Carter (TX)	Hensarling	Moulton	Crowley	Lowenthal	Sinema	Clark (MA)	Higgins (LA)	Nadler
Cartwright	Hern	Mullin	Davis, Danny	Lujan Grisham, M.	Smith (NE)	Clarke (NY)	Higgins (NY)	Napolitano
Castor (FL)	Herrera Beutler	Murphy (FL)	Duncan (SC)	Ferguson	Swalwell (CA)	Clay	Hill	Neal
Castro (TX)	Hice, Jody B.	Nadler	Ferguson	Gutiérrez	Thompson (MS)	Cleaver	Himes	Newhouse
Chabot	Higgins (LA)	Neal	Gutiérrez	Hanabusa	Trott	Cloud	Holding	Nolan
Cheney	Higgins (NY)	Newhouse	Hanabusa	Noem	Vela	Clyburn	Hollingsworth	Norcross
Chu, Judy	Hill	Nolan	Hastings	Peterson	Walters, Mimi	Coffman	Hoyer	Norman
Cicilline	Himes	Norcross	Hultgren	Polis	Walz	Cohen	Hudson	Nunes
Clark (MA)	Holding	Norman				Cole	Huffman	O'Halleran
Clarke (NY)	Hollingsworth	Nunes				Collins (GA)	Huizenga	O'Rourke
Clay	Hoyer	O'Halleran				Collins (NY)	Hunter	Olson
Cleaver	Hudson	O'Rourke				Comer	Hurd	Palazzo
Cloud	Huffman	Olson				Conaway	Jackson Lee	Pallone
Clyburn	Huizenga	Palazzo				Connolly	Jayapal	Palmer
Coffman	Hunter	Pallone				Cook	Jeffries	Panetta
Cohen	Hurd	Palmer				Cooper	Johnson (GA)	Pascrell
Cole	Jackson Lee	Panetta				Correa	Johnson (LA)	Paulsen
Collins (GA)	Jayapal	Pascrell				Costello (PA)	Johnson (OH)	Payne
Collins (NY)	Jeffries	Paulsen				Courtney	Johnson, E. B.	Pearce
Comer	Johnson (GA)	Pearce				Crist	Jones (MI)	Pelosi
Conaway	Johnson (LA)	Pelosi				Cuellar	Jordan	Perlmutter
Connolly	Johnson (OH)	Perlmutter				Culberson	Joyce (OH)	Perry
Cook	Johnson, E. B.	Peters				Cummings	Kaptur	Peters
Cooper	Jones (MI)	Pittenger				Curbelo (FL)	Katko	Pingree
Correa	Jordan	Pittenger				Curtis	Kelly (IL)	Pittenger
Costello (PA)	Joyce (OH)	Pocan				Davidson	Kelly (MS)	Pocan
Courtney	Kaptur	Poe (TX)				Davis (CA)	Kelly (PA)	Poliquin
Crist	Katko	Poliquin				Davis, Rodney	Kennedy	Posey
Cuellar	Kelly (IL)	Posey				DeFazio	Khanna	Price (NC)
Culberson	Kelly (MS)	Price (NC)				DeGette	Kihuen	Quigley
Cummings	Kelly (PA)	Quigley				Delaney	Kildeer	Raskin
Curbelo (FL)	Kennedy	Raskin				DeLauro	Kilmer	Reed
Curtis	Khanna	Reed				DelBene	King (IA)	Reichert
Davidson	Kihuen	Reichert				Demings	King (NY)	Renacci
Davis (CA)	Kildeer	Rice (NY)				Denham	Kinzing	Rice (NY)
Davis, Rodney	Kilmer	Rice (SC)				DeSaulnier	Knight	Rice (SC)
DeFazio	King (IA)	Richmond				DesJarlais	Krishnamoorthi	Richmond
DeGette	King (NY)	Roby				Deutch	Kuster (NH)	Roby
Delaney	Kinzing	Roe (TN)				Diaz-Balart	Kustoff (TN)	Roe (TN)
DeLauro	Knight	Rogers (AL)				Dingell	Labrador	Rogers (AL)
DelBene	Krishnamoorthi	Rogers (KY)				Doggett	LaHood	Rogers (KY)
Demings	Kuster (NH)	Rohrabacher				Donovan	LaMalfa	Rohrabacher
Denham	Kustoff (TN)	Rokita				Doyle, Michael	Lamb	Rokita
DeSaulnier	Labrador	Rooney, Francis				F.	Lamborn	Rooney, Francis
DesJarlais	LaHood	Rooney, Thomas J.				Duffy	Lance	Rooney, Thomas J.
Deutch	LaMalfa	Ros-Lehtinen				Duncan (TN)	Langevin	Ros-Lehtinen
Diaz-Balart	Lamb	Roskam				Dunn	Larsen (WA)	Roskam
Dingell	Lamborn	Rothfus				Ellison	Larson (CT)	Rothfus
Doggett	Lance	Rouzer				Emmer	Latta	Rouzer
Donovan	Langevin	Royal-Allard				Engel	Lawrence	Rouzer
Doyle, Michael	Larsen (WA)	Royce (CA)				Eshoo	Lawson (FL)	Roybal-Allard
F.	Larson (CT)	Ruiz				Espallat	Lee	Royce (CA)
Duffy	Latta	Ruppersberger				Estes (KS)	Lesko	Ruiz
Dunn	Lawrence	Rush				Esty (CT)	Levin	Ruppersberger
Ellison	Lawson (FL)	Rutherford				Evans	Lewis (GA)	Rush
Emmer	Lee	Ryan (OH)				Faso	Lewis (MN)	Rutherford
Engel	Lesko	Sánchez				Ferguson	Lieu, Ted	Ryan (OH)
Eshoo	Levin					Fitzpatrick	Lipinski	Sánchez
Espallat	Lewis (GA)					Fleischmann	LoBiondo	Sanford
Estes (KS)	Lewis (MN)					Flores	Loeb	Sarbanes
Esty (CT)	Lieu, Ted					Fortenberry	Lofgren	Scalise

NAYS—9

NOT VOTING—44

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.62 AMENDMENT OF THE SENATE TO
H.R. 767—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 767) to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the { Yeas 386
affirmative } Nays 6

¶167.63

[Roll No. 462]

YEAS—386

Abraham	Babin	Barton
Adams	Bacon	Bass
Aderholt	Balderson	Beatty
Aguiar	Banks (IN)	Bera
Allen	Barletta	Bergman
Amodei	Barr	Beyer
Arrington	Barragán	Bilirakis

Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sires
Smith (MO)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik

Stewart
Stivers
Suzoi
Takano
Taylor
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Velázquez
Visclosky
Wagner
Walberg
Walden

Walker
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—6

Amash
Biggs

Gohmert
Massie

Poe (TX)
Weber (TX)

NOT VOTING—40

Bishop (MI)
Black
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
Duncan (SC)
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)

Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen

Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.64 S. 2322—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2322) to amend the Federal Food, Drug, and Cosmetic Act to define the term natural cheese.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 230
negative } Nays 162

¶167.65 [Roll No. 463]

YEAS—230

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barton
Bera
Bergman

Beyer
Bilirakis
Bishop (UT)
Blackburn
Blum
Bonamici
Bost
Brady (TX)
Brooks (AL)
Brooks (IN)
Buchanan
Bucshon
Budd
Bustos

Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cleaver
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway

Cook
Cooper
Costello (PA)
Courtney
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
DeFazio
Delaney
DelBene
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Fox
Frelinghuysen
Gallagher
Gallego
Garamendi
Gianforte
Gibbs
Gohmert
Goodlatte
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Handel
Harper
Hartzler
Hensarling
Hern
Herrera Beutler
Higgins (LA)
Hill
Himes
Holding
Hollingsworth
Hudson
Huizenga
Hurd
Johnson (OH)
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)

Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Larson (CT)
Latta
Lesko
Lewis (MN)
LoBiondo
Loebach
Long
Loudermilk
Lucas
Luetkemeyer
Luján, Ben Ray
MacArthur
Maloney, Sean
Marchant
Marino
Marshall
Mast
McCarthy
McCaul
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Moore
Mullin
Murphy (FL)
Newhouse
Nolan
Norman
Nunes
O'Rourke
Olson
Palazzo
Palmer
Panetta
Paulsen
Payne
Pearce
Perlmuter
Pittenger
Pocan
Poliquin
Posey
Reed
Reichert
Renacci
Rice (NY)

Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Rothfus
Rouzer
Royce (CA)
Rutherford
Ryan (OH)
Scalise
Scanlon
Schneider
Schrader
Schweikert
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Welch
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—162

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Biggs
Bishop (GA)
Blumenauer
Blunt Rochester
Boyle, Brendan F.
Brady (PA)
Brat
Brown (MD)
Brownley (CA)
Buck
Burgess
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cloud
Clyburn
Connolly

Correa
Crist
Cuellar
Cummings
Davis (CA)
DeGette
DeLauro
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Español
Esty (CT)
Evans
Frankel (FL)
Fudge
Gabbard
Gaetz
Garrett
Gomez
Gonzalez (TX)
Gosar
Gotthelmer
Green, Al
Green, Gene
Griffith
Grijalva
Gutiérrez

Harris
Heck
Hice, Jody B.
Higgins (NY)
Hoyer
Huffman
Hunter
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Lofgren
Lowey
Lynch

Maloney, Carolyn B.
Massie
Matsui
McClintock
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Morelle
Moulton
Nadler
Napolitano
Neal
Norcross
O'Halleran
Pallone
Pascrell
Pelosi
Perry

Peters
Pingree
Poe (TX)
Price (NC)
Quigley
Raskin
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schultz
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Smith (NJ)

Smith (WA)
Soto
Speier
Suzoi
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Visclosky
Wasserman
Waters, Maxine
Watson Coleman
Wild
Wilson (FL)

NOT VOTING—40

Bishop (MI)
Black
Comstock
Costa
Cramer
Crawford
Crowley
Davis, Danny
Duncan (SC)
Hanabusa
Hastings
Hultgren
Issa
Jenkins (KS)

Johnson, Sam
Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Peterson
Polis
Ratcliffe
Rosen

Ross
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Swalwell (CA)
Thompson (MS)
Trott
Vela
Walters, Mimi
Walz

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not passed.

¶167.66 H.R. 6418—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6418) to direct the Secretary of Veterans Affairs to conduct a study regarding the accessibility of websites of the Department of Veterans Affairs to individuals with disabilities; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 387
affirmative } Nays 0

¶167.67 [Roll No. 464]

YEAS—387

Abraham
Adams
Aderholt
Bost
Aguilar
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (UT)
Blackburn
Blum
Blumenauer

Blunt Rochester
Bonamici
Castro (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Connolly
Cook
Cooper
Correa
Costello (PA)
Courtney
Crist

Cuellar	Joyce (OH)	Perry	Williams	Womack	Yoho	Doyle, Michael	Labrador	Rice (SC)
Culberson	Kaptur	Peters	Wilson (FL)	Woodall	Young (AK)	F.	LaHood	Richmond
Cummings	Katko	Pingree	Wilson (SC)	Yarmuth	Young (IA)	Duffy	LaMalfa	Roby
Curbelo (FL)	Kelly (IL)	Pittenger	Wittman	Yoder	Zeldin	Duncan (TN)	Lamb	Roe (TN)
Curtis	Kelly (MS)	Pocan				Ellison	Lamborn	Rogers (AL)
Davidson	Kelly (PA)	Poe (TX)				Emmer	Lance	Rogers (KY)
Davis (CA)	Kennedy	Poliquin	Allen	Jenkins (KS)	Ross	Engel	Langevin	Rohrabacher
Davis, Rodney	Khanna	Posey	Bishop (MI)	Johnson, Sam	Rouzer	Eshoo	Larsen (WA)	Rokita
DeFazio	Kihuen	Price (NC)	Black	Jones (NC)	Russell	Espallat	Larson (CT)	Rooney, Francis
DeGette	Kildee	Quigley	Comstock	Keating	Scott, Austin	Estes (KS)	Latta	Rooney, Thomas
Delaney	Kilmer	Raskin	Costa	Kind	Scott, David	Esty (CT)	Lawrence	J.
DeLauro	King (IA)	Reed	Cramer	Love	Shea-Porter	Evans	Lawson (FL)	Ros-Lehtinen
DeBene	King (NY)	Reichert	Crawford	Lowenthal	Sinema	Faso	Lee	Roskam
Demings	Kinzinger	Renacci	Crowley	Lowey	Smith (NE)	Ferguson	Lesko	Rothfus
Denham	Knight	Rice (NY)	Davis, Danny	Lujan Grisham, M.	Swalwell (CA)	Fitzpatrick	Levin	Roybal-Allard
DeSaulnier	Krishnamoorthi	Rice (SC)	Duncan (SC)	M.	Thompson (MS)	Fleischmann	Lewis (GA)	Royce (CA)
DesJarlais	Kuster (NH)	Richmond	Dunn	Messer	Trott	Flores	Lewis (MN)	Ruiz
Deutch	Kustoff (TN)	Roby	Hanabusa	Noem	Vela	Fortenberry	Lieu, Ted	Ruppersberger
Diaz-Balart	Labrador	Roe (TN)	Hastings	Peterson	Walters, Mimi	Foster	Lipinski	Rush
Dingell	LaHood	Rogers (AL)	Hultgren	Polis	Walz	Fox	LoBiondo	Rutherford
Doggett	LaMalfa	Rogers (KY)	Hurd	Ratcliffe		Frankel (FL)	Loeb	Ryan (OH)
Donovan	Lamb	Rohrabacher	Issa	Rosen		Frelinghuysen	Lofgren	Sánchez
Doyle, Michael	Lamborn	Rokita				Fudge	Long	Sanford
F.	Lance	Rooney, Francis				Gabbard	Loudermilk	Sarbanes
Duffy	Langevin	Rooney, Thomas				Gaetz	Lowey	Scalise
Duncan (TN)	Larsen (WA)	J.				Gallagher	Lucas	Scanlon
Ellison	Larson (CT)	Ros-Lehtinen				Gallego	Luetkemeyer	Schakowsky
Emmer	Latta	Roskam				Garamendi	Luján, Ben Ray	Schiff
Engel	Lawrence	Rothfus				Garrett	Lynch	Schneider
Eshoo	Lawson (FL)	Roybal-Allard				Gianforte	MacArthur	Schrader
Espallat	Lee	Royce (CA)				Gibbs	Maloney,	Schweikert
Estes (KS)	Lesko	Ruiz				Gohmert	Carolyn B.	Scott (VA)
Esty (CT)	Levin	Ruppersberger				Gomez	Maloney, Sean	Sensenbrenner
Evans	Lewis (GA)	Rush				Gonzalez (TX)	Marchant	Serrano
Faso	Lewis (MN)	Rutherford				Goodlatte	Marino	Sessions
Ferguson	Lieu, Ted	Ryan (OH)				Gosar	Marshall	Sewell (AL)
Fitzpatrick	Lipinski	Sánchez				Gottheimer	Massie	Sherman
Fleischmann	LoBiondo	Sanford				Gowdy	Mast	Shimkus
Flores	Loeb	Sarbanes				Granger	Matsui	Shuster
Fortenberry	Loeb	Scalise				Graves (GA)	McCarthy	Simpson
Foster	Lofgren	Scanlon				Graves (LA)	McCaul	Sires
Fox	Long	Schakowsky				Graves (MO)	McClintock	Smith (MO)
Frankel (FL)	Loudermilk	Schiff				Green, Al	McCollum	Smith (NJ)
Frelinghuysen	Lucas	Schneider				Green, Gene	McEachin	Smith (TX)
Fudge	Luetkemeyer	Schrader				Griffith	McGovern	Smith (WA)
Gabbard	Luján, Ben Ray	Schweikert				Grijalva	McHenry	Smucker
Gaetz	Lynch	Scott (VA)				Grothman	McKinley	Soto
Gallagher	MacArthur	Sensenbrenner				Guthrie	McMorris	Speier
Gallego	Maloney,	Serrano				Gutiérrez	Rodgers	Stefanik
Garamendi	Carolyn B.	Sessions				Handel	McNerney	Stewart
Garrett	Maloney, Sean	Sewell (AL)				Harper	McSally	Stivers
Gianforte	Marchant	Sherman				Harris	Meadows	Suozzi
Gibbs	Marino	Shimkus				Hartzler	Meeks	Takano
Gohmert	Marshall	Shuster				Heck	Meng	Taylor
Gomez	Massie	Simpson				Hensarling	Mitchell	Tenney
Gonzalez (TX)	Mast	Sires				Hern	Moolenaar	Thompson (CA)
Goodlatte	Matsui	Smith (MO)				Herrera Beutler	Mooney (WV)	Thompson (PA)
Gosar	McCarthy	Smith (NJ)				Hice, Jody B.	Moore	Thornberry
Gottheimer	McCaul	Smith (TX)				Higgins (LA)	Morelle	Tipton
Gowdy	McClintock	Smith (WA)				Higgins (NY)	Moulton	Titus
Granger	McCollum	Smucker				Hill	Mullin	Tonko
Graves (GA)	McEachin	Soto				Himes	Murphy (FL)	Torres
Graves (LA)	McGovern	Speier				Holding	Nadler	Tsongas
Graves (MO)	McHenry	Stefanik				Hollingsworth	Napolitano	Turner
Green, Al	McKinley	Stewart				Hoyer	Neal	Upton
Green, Gene	McMorris	Stivers				Hudson	Newhouse	Valadao
Griffith	McMorris	Suozzi				Huffman	Nolan	Vargas
Grijalva	McNerney	Takano				Huizenga	Norcross	Veasey
Grothman	McSally	Taylor				Hunter	Norman	Velázquez
Guthrie	Meadows	Tenney				Hurd	Nunes	Visclosky
Gutiérrez	Meeks	Thompson (CA)				Jackson Lee	O'Halleran	Wagner
Handel	Meng	Thompson (PA)				Jayapal	O'Rourke	Walberg
Harper	Mitchell	Thornberry				Jeffries	Olson	Walden
Harris	Moolenaar	Tipton				Johnson (GA)	Palazzo	Walker
Hartzler	Mooney (WV)	Titus				Johnson (LA)	Pallone	Walorski
Heck	Moore	Tonko				Johnson (OH)	Palmer	Wasserman
Hensarling	Morelle	Torres				Johnson, E. B.	Panetta	Schultz
Hern	Moulton	Tsongas				Johnson, Sam	Pascarella	Paulsen
Herrera Beutler	Mullin	Turner				Jones (MI)	Payne	Payne
Hice, Jody B.	Murphy (FL)	Upton				Jordan	Pearce	Pelosi
Higgins (LA)	Nadler	Valadao				Joyce (OH)	Pelosi	Perlmutter
Higgins (NY)	Napolitano	Vargas				Kaptur	Pelosi	
Hill	Neal	Veasey				Katko	Pelosi	
Himes	Newhouse	Velázquez				Kelly (IL)	Pelosi	
Holding	Nolan	Visclosky				Kelly (MS)	Pelosi	
Hollingsworth	Norcross	Wagner				Kelly (PA)	Pelosi	
Hoyer	Norman	Walberg				Kennedy	Pelosi	
Hudson	Nunes	Walorski				Khanna	Pelosi	
Huffman	O'Halleran	Wasserman				Kihuen	Pelosi	
Huizenga	O'Rourke	Schultz				Kildee	Pelosi	
Hunter	Olson	Waters, Maxine				Kilmer	Pelosi	
Jackson Lee	Palazzo	Watson Coleman				King (IA)	Pelosi	
Jayapal	Pallone	Weber (TX)				King (NY)	Pelosi	
Jeffries	Palmer	Webster (FL)				Kinzing	Pelosi	
Johnson (GA)	Panetta	Welch				Knight	Pelosi	
Johnson (LA)	Pascarella	Wenstrup				Krishnamoorthi	Pelosi	
Johnson (OH)	Paulsen	Westerman				Kuster (NH)	Pelosi	
Johnson, E. B.	Payne	Wild				Kustoff (TN)	Pelosi	
Jones (MI)	Pearce						Pelosi	
Jordan	Pelosi						Pelosi	

NOT VOTING—45

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶167.68 S. 3444—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3444) to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the “Douglas Fournet Department of Veterans Affairs Clinic”.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 388
affirmative { Nays 0

¶167.69 [Roll No. 465]

YEAS—388

Abraham	Brat	Cole
Adams	Brooks (AL)	Collins (GA)
Aderholt	Brooks (IN)	Collins (NY)
Aguilar	Brown (MD)	Comer
Amash	Brownley (CA)	Conaway
Amodei	Buchanan	Connolly
Arrington	Buck	Cook
Babin	Bucshon	Cooper
Bacon	Budd	Correa
Balderson	Burgess	Costello (PA)
Banks (IN)	Bustos	Courtney
Barietta	Butterfield	Crist
Barr	Byrne	Cuellar
Barragán	Calvert	Culberson
Barton	Capuano	Cummings
Bass	Carbajal	Curbelo (FL)
Beatty	Cárdenas	Curtis
Bera	Carson (IN)	Davidson
Bergman	Carter (GA)	Davis (CA)
Beyer	Carter (TX)	Davis, Rodney
Biggs	Cartwright	DeGette
Bilirakis	Castor (FL)	Delaney
Bishop (GA)	Castro (TX)	DeLauro
Bishop (UT)	Chabot	DelBene
Blackburn	Chu, Judy	Demings
Blum	Cicilline	Denham
Blumenauer	Clark (MA)	DeSaulnier
Blunt Rochester	Clarke (NY)	DesJarlais
Bonamici	Clay	Deutch
Bost	Cleaver	Diaz-Balart
Boyle, Brendan	Cloud	Dingell
F.	Clyburn	Doggett
Brady (PA)	Coffman	Donovan
Brady (TX)	Cohen	

NOT VOTING—44

Allen	Hultgren	Rosen
Bishop (MI)	Issa	Ross
Black	Jenkins (KS)	Rouzer
Cheney	Jones (NC)	Russell
Comstock	Keating	Scott, Austin
Costa	Kind	Scott, David
Cramer	Love	Shea-Porter
Crawford	Lowenthal	Sinema
Crowley	Lujan Grisham,	Smith (NE)
Davis, Danny	M.	Swalwell (CA)
DeFazio	Messer	Thompson (MS)
Duncan (SC)	Noem	Trott
Dunn	Peterson	Vela
Hanabusa	Polis	Walters, Mimi
Hastings	Ratcliffe	Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.70 S. 3777—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. COLLINS of Georgia, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3777) to require the Secretary of Veterans Affairs to establish a tiger team dedicated to addressing the difficulties encountered by the Department of Veterans Affairs in carrying out section 3313 of title 38, United States Code, after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 389
affirmative Nays 0

¶167.71 [Roll No. 466]

YEAS—389

Abraham	Brooks (AL)	Collins (GA)
Adams	Brooks (IN)	Collins (NY)
Aderholt	Brown (MD)	Comer
Aguilar	Brownley (CA)	Conaway
Amash	Buchanan	Connolly
Amodei	Buck	Cook
Arrington	Bucshon	Cooper
Babin	Budd	Correa
Bacon	Burgess	Costello (PA)
Balderson	Bustos	Courtney
Banks (IN)	Butterfield	Crist
Barletta	Byrne	Cuellar
Barr	Calvert	Culberson
Barragán	Capuano	Cummings
Barton	Carbajal	Curbelo (FL)
Bass	Cárdenas	Curtis
Beatty	Carson (IN)	Davidson
Bera	Carter (GA)	Davis (CA)
Bergman	Carter (TX)	Davis, Rodney
Beyer	Cartwright	DeFazio
Biggs	Castor (FL)	DeGette
Bilirakis	Castro (TX)	Delaney
Bishop (GA)	Chabot	DeLauro
Bishop (UT)	Cheney	DelBene
Blackburn	Chu, Judy	Demings
Blum	Cicilline	Denham
Blumenauer	Clark (MA)	DeSaulnier
Blunt Rochester	Clarke (NY)	DesJarlais
Bonamici	Clay	Deutch
Bost	Cleaver	Diaz-Balart
Boyle, Brendan	Cloud	Dingell
F.	Clyburn	Doggett
Brady (PA)	Coffman	Donovan
Brady (TX)	Cohen	Doyle, Michael
Brat	Cole	F.

Duffy	Duncan (TN)
Ellison	Lamborn
Emmer	Lance
Engel	Langevin
Eshoo	Larsen (WA)
Espallat	Larson (CT)
Estes (KS)	Latta
Esty (CT)	Lawrence
Evans	Lawson (FL)
Ferguson	Lee
Fitzpatrick	Lesko
Fleischmann	Levin
Flores	Lewis (GA)
Fortenberry	Lewis (MN)
Foster	Lieu, Ted
Fox	Lipinski
Frankel (FL)	LoBiondo
Frelinghuysen	Loeb
Fudge	Lofgren
Gabbard	Long
Gaetz	Loudermilk
Gallagher	Lowey
Gallego	Lucas
Garamendi	Luetkemeyer
Garrett	Luján, Ben Ray
Gianforte	Lynch
Gibbs	MacArthur
Gohmert	Maloney,
Gomez	Carolyn B.
Gonzalez (TX)	Maloney, Sean
Goodlatte	Marchant
Gosar	Marino
Gottheimer	Marshall
Gowdy	Massie
Granger	Mast
Graves (GA)	Matsui
Graves (LA)	McCarthy
Graves (MO)	McCauley
Green, Al	McClintock
Green, Gene	McCollum
Griffith	McEachin
Grijalva	McGovern
Grothman	McHenry
Guthrie	McKinley
Handel	McMorris
Harper	Rodgers
Harris	McNerney
Hartzler	McSally
Heck	Meadows
Hensarling	Meeks
Hern	Meng
Herrera Beutler	Mitchell
Hice, Jody B.	Moolenaar
Higgins (LA)	Mooney (WV)
Higgins (NY)	Moore
Hill	Morelle
Himes	Moulton
Holding	Mullin
Hollingsworth	Murphy (FL)
Hoyer	Nadler
Hudson	Napolitano
Huffman	Neal
Huizenga	Newhouse
Hunter	Nolan
Hurd	Norcross
Jackson Lee	Norman
Jayapal	Nunes
Jeffries	O'Halleran
Johnson (GA)	O'Rourke
Johnson (LA)	Olson
Johnson (OH)	Palazzo
Johnson, E. B.	Pallone
Johnson, Sam	Palmer
Jones (MI)	Panetta
Jordan	Pascrell
Joyce (OH)	Paulsen
Kaptur	Payne
Katko	Pearce
Kelly (IL)	Pelosi
Kelly (MS)	Perlmutter
Kelly (PA)	Perry
Kennedy	Peters
Khanna	Pingree
Kihuen	Pittenger
Kildee	Pocan
Kilmer	Poe (TX)
King (IA)	Poliquin
King (NY)	Posey
Kinziger	Price (NC)
Knight	Quigley
Krishnamoorthi	Raskin
Kuster (NH)	Reed
Kustoff (TN)	Reichert
Labrador	Renacci
LaHood	Rice (NY)
	Rice (SC)

LaMalfa	Richmond
Lamb	Roby
Lamborn	Roe (TN)
Lance	Rogers (AL)
Langevin	Rogers (KY)
Larsen (WA)	Rohrabacher
Larson (CT)	Rokita
Latta	Rooney, Francis
Lawrence	Rooney, Thomas
Lawson (FL)	J.
Lee	Ros-Lehtinen
Lesko	Roskam
Levin	Rothfus
Lewis (GA)	Roybal-Allard
Lewis (MN)	Royce (CA)
Lieu, Ted	Ruiz
Lipinski	Ruppersberger
LoBiondo	Rush
Loeb	Rutherford
Lofgren	Ryan (OH)
Long	Sánchez
Loudermilk	Sanford
Lowey	Sarbanes
Lucas	Scalise
Luetkemeyer	Scanlon
Luján, Ben Ray	Schakowsky
Lynch	Schiff
MacArthur	Schneider
Maloney,	Schrader
Carolyn B.	Schweikert
Maloney, Sean	Scott (VA)
Marchant	Sensenbrenner
Marino	Serrano
Marshall	Sessions
Massie	Sewell (AL)
Mast	Sherman
Matsui	Shimkus
McCarthy	Shuster
McCauley	Simpson
McClintock	Sires
McCollum	Smith (MO)
McEachin	Smith (NJ)
McGovern	Smith (TX)
McHenry	Smith (WA)
McKinley	Smucker
McMorris	Soto
Rodgers	Speier
McNerney	Stefanik
McSally	Stewart
Meadows	Stivers
Meeks	Suozzi
Meng	Takano
Mitchell	Taylor
Moolenaar	Tenney
Mooney (WV)	Thompson (CA)
Moore	Thompson (PA)
Morelle	Thornberry
Moulton	Tipton
Mullin	Titus
Murphy (FL)	Tonko
Nadler	Torres
Napolitano	Tsongas
Neal	Turner
Newhouse	Upton
Nolan	Valadao
Norcross	Vargas
Norman	Veasey
Nunes	Velázquez
O'Halleran	Visclosky
O'Rourke	Wagner
Olson	Walberg
Palazzo	Walden
Pallone	Walker
Palmer	Walorski
Panetta	Wasserman
Pascrell	Schultz
Paulsen	Waters, Maxine
Payne	Watson Coleman
Pearce	Weber (TX)
Pelosi	Webster (FL)
Perlmutter	Welch
Perry	Wenstrup
Peters	Westerman
Pingree	Wild
Pittenger	Williams
Pocan	Wilson (FL)
Poe (TX)	Wilson (SC)
Poliquin	Wittman
Posey	Womack
Price (NC)	Woodall
Quigley	Yarmuth
Raskin	Yoder
Reed	Yoho
Reichert	Young (AK)
Renacci	Young (IA)
Rice (NY)	Zeldin
Rice (SC)	

NOT VOTING—43

Allen	Issa	Ross
Bishop (MI)	Jenkins (KS)	Rouzer
Black	Jones (NC)	Russell
Comstock	Keating	Scott, Austin
Costa	Kind	Scott, David
Cramer	Love	Shea-Porter
Crawford	Lowenthal	Sinema
Crowley	Lujan Grisham,	Smith (NE)
Davis, Danny	M.	Swalwell (CA)
Duncan (SC)	Messer	Thompson (MS)
Dunn	Noem	Trott
Gutiérrez	Peterson	Vela
Hanabusa	Polis	Walters, Mimi
Hastings	Ratcliffe	Walz
Hultgren	Rosen	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶167.72 PRIVILEGES OF THE HOUSE

Ms. PELOSI, pursuant to rule IX, rose to a question of the privileges of the House and submitted the following resolution:

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

TITLE I—CONTINUING APPROPRIATIONS

SECTION 101. FULL-YEAR EXTENSION.

Division C of Public Law 115-245 is amended by striking the date specified in section 105(3) and inserting “September 30, 2019”.

TITLE II—TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

SEC. 201. TANF PROGRAM EXTENSIONS.

(a) FAMILY ASSISTANCE GRANTS.—Section 403(a)(1) of the Social Security Act (42 U.S.C. 603(a)(1)) is amended in each of subparagraphs (A) and (C) by striking “2017 and 2018” and inserting “2019 and 2020”.

(b) HEALTHY MARRIAGE PROMOTION AND RESPONSIBLE FATHERHOOD GRANTS.—Section 403(a)(2)(D) of such Act (42 U.S.C. 603(a)(2)(D)) is amended—

(1) by striking “2017 and 2018” and inserting “2019 and 2020”; and

(2) by striking “for fiscal year 2017 or 2018”.

(c) CONTINGENCY FUND.—Section 403(b)(2) of such Act (42 U.S.C. 603(b)(2)) is amended by striking “fiscal year 2018” and inserting “each of fiscal years 2019 and 2020”.

(d) TRIBAL FAMILY ASSISTANCE GRANTS.—Paragraphs (1)(A) and (2)(A) of section 412(a) of such Act (42 U.S.C. 612(a)) are each amended by striking “2017 and 2018” and inserting “2019 and 2020”.

(e) CHILD CARE.—Section 418(a)(3) of such Act (42 U.S.C. 618(a)(3)) is amended by striking “2017 and 2018” and inserting “2019 and 2020”.

(f) GRANTS TO THE TERRITORIES.—Section 1108(b)(2) of such Act (42 U.S.C. 1308(b)(2)) is amended by striking “2017 and 2018” and inserting “2019 and 2020”.

SEC. 202. MEASURING AND UNDERSTANDING OUTCOMES.

(a) IN GENERAL.—Section 411(a) of the Social Security Act (42 U.S.C. 611(a)) is amended by redesignating paragraph (7) as paragraph (8) and inserting after paragraph (6) the following:

“(7) REPORT ON ENGAGEMENT, EMPLOYMENT AND OUTCOMES.—

“(A) REPORTING AGREEMENT.—Each State and the Secretary shall enter into an agreement specifying the manner by which the information and data described in this paragraph shall be collected and reported to the Secretary beginning in fiscal year 2020.

“(i) OUTCOMES FOR EXITING RECIPIENTS.—Information and data regarding families who formerly received assistance and included a work-eligible individual (disaggregated by type of family, reason for exit, and participation in work activities during the preceding fiscal year) under the State program funded under this part or under any State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)), with respect to the following:

“(I) The percentage with at least 1 formerly work-eligible individual employed during the 2nd quarter after exiting from the program.

“(II) The percentage with at least 1 formerly work-eligible individual employed during the 4th quarter after exiting from the program.

“(III) The median earnings when at least 1 formerly work-eligible individual is employed during the 2nd quarter after exiting from the program.

“(IV) The percentage with at least 1 formerly work-eligible individual employed during any of the first 4 quarters after exiting from the program.

“(V) The distribution of income and earnings, including relative to poverty and deep poverty, for each of the first 4 quarters ending after the quarter of exit from assistance.

“(VI) The percentage who, at the time of exit from the program, were subject to the following:

“(aa) A penalty under section 407(e).

“(bb) A sanction or penalty described in section 404 or 408.

“(cc) A penalty or sanction not described in item (aa) or (bb).

“(i) ENGAGEMENT AND EMPLOYMENT OF CURRENT RECIPIENTS.—

“(I) WORK-ELIGIBLE INDIVIDUALS.—In the case of current work-eligible individuals under the State program funded under this part or under any State program funded with qualified State expenditures (as defined in section 409(a)(7)(B)(i)), the following information relative to current quarter being reported:

“(aa) Earnings in each of the 4 quarters immediately preceding the quarter.

“(bb) Standard measures of employment, earnings, receipt of assistance, and participation in work activities (as defined in section 407(d)) in each of the first 4 quarters following the quarter.

“(II) ALL RECIPIENTS.—The percentage of recipients of assistance under the State program funded under this part who have not attained 24 years of age and who obtain a high school degree or its recognized equivalent while receiving the assistance.

“(B) STATISTICAL ADJUSTMENT MODEL FOR EMPLOYMENT OUTCOMES.—The Secretary, in consultation with the Secretary of Labor and relevant experts, shall develop recommendations by March 1, 2020, on how to establish and disseminate an objective statistical model that will allow the Secretary to make adjustments to the data reported pursuant to subclauses (I) through (IV) of subparagraph (A)(i) of this paragraph, based on economic conditions and the characteristics of participants. To the extent practicable, the recommendations shall be compatible with the statistical adjustment model developed under section 116(b)(3)(A)(viii) of the Workforce Innovation and Opportunity Act (29 U.S.C. 3141(b)(3)(A)(viii)) and, with respect to a State, the State adjusted levels of performance established for the State under that section.”.

SEC. 203. TECHNICAL CORRECTIONS TO DATA EXCHANGE STANDARDS TO IMPROVE PROGRAM COORDINATION.

(a) IN GENERAL.—Section 411(d) of the Social Security Act (42 U.S.C. 611(d)) is amended to read as follows:

“(d) DATA EXCHANGE STANDARDS FOR IMPROVED INTEROPERABILITY.—

“(1) DESIGNATION.—The Secretary shall, in consultation with an interagency work group established by the Office of Management and Budget and considering State government perspectives, by rule, designate data exchange standards to govern, under this part—

“(A) necessary categories of information that State agencies operating programs under State plans approved under this part are required under applicable Federal law to electronically exchange with another State agency; and

“(B) Federal reporting and data exchange required under applicable Federal law.

“(2) REQUIREMENTS.—The data exchange standards required by paragraph (1) shall, to the extent practicable—

“(A) incorporate a widely accepted, non-proprietary, searchable, computer-readable format, such as the eXtensible Markup Language;

“(B) contain interoperable standards developed and maintained by intergovernmental partnerships, such as the National Information Exchange Model;

“(C) incorporate interoperable standards developed and maintained by Federal entities with authority over contracting and financial assistance;

“(D) be consistent with and implement applicable accounting principles;

“(E) be implemented in a manner that is cost-effective and improves program efficiency and effectiveness; and

“(F) be capable of being continually upgraded as necessary.

“(3) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to require a change to existing data exchange standards found to be effective and efficient.”.

(b) EFFECTIVE DATE.—Not later than the date that is 24 months after the date of the enactment of this section, the Secretary of Health and Human Services shall issue a proposed rule that—

(1) identifies federally required data exchanges, include specification and timing of exchanges to be standardized, and address the factors used in determining whether and when to standardize data exchanges; and

(2) specifies State implementation options and describes future milestones.

The SPEAKER pro tempore, Mr. COLLINS of Georgia, spoke and said:

“Does the gentlewoman from California wish to present argument on the parliamentary question of whether the text presents a question of the privileges of the House?”.

Ms. PELOSI was recognized to speak to the question of the privileges of the House, and said:

“Mr. Speaker, the House and Senate Democrats and Republicans of the Appropriations Committee have worked hard and long to come up with bipartisan legislation to meet the needs of the American people.

“Right now, we are in the midst of Congress delaying. The market is down almost 5 points for this and other reasons. This is not the time for us to shut down the government.

“We have a product developed in a bipartisan way for the reasons described by the Clerk, who read it, and it is privileged because of the time of the year, because of the extent of the concern that the American people have, and because of the harm that will be done to them if the government shuts down. It would be totally irresponsible.

“That is why I consider it a privilege to rise to say: Let’s keep the government open by passing this bipartisan legislation first introduced by Congresswoman LOWEY, our distinguished Democratic leader on the Appropriations Committee.”.

The SPEAKER pro tempore, Mr. COLLINS of Georgia, ruled that the resolution submitted did not present a question of the privileges of the House under rule IX, and said:

“The text presented proposes legislative language to continue funding for certain elements of the U.S. Government. The text, by proposing legislative language unachievable by a simple resolution, does not qualify as a question of the privileges of the House.”.

Ms. PELOSI appealed the ruling of the Chair.

The question being stated,

Will the decision of the Chair stand as the judgment of the House?

Mr. MCCARTHY moved to lay the appeal on the table.

The question being put, viva voce,

Will the House lay on the table the appeal of the ruling of the Chair?

The SPEAKER pro tempore, Mr. COLLINS of Georgia, announced that the ayes had it.

Ms. PELOSI demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 187
affirmative } Noes 170

¶167.73

[Roll No. 467]

AYES—187

Abraham	Diaz-Balart	Johnson (OH)
Aderholt	Donovan	Johnson, Sam
Amash	Duffy	Jordan
Amodei	Duncan (TN)	Joyce (OH)
Babin	Emmer	Kelly (MS)
Bacon	Faso	Kelly (PA)
Balderson	Ferguson	King (IA)
Banks (IN)	Fitzpatrick	King (NY)
Barletta	Fleischmann	Kinzing
Barton	Flores	Knight
Bergman	Portenberry	Kustoff (TN)
Biggs	Fox	Labrador
Bilirakis	Frelinghuysen	LaHood
Bishop (MI)	Gallagher	Lamborn
Bishop (UT)	Garrett	Lance
Blackburn	Gibbs	Latta
Blum	Gohmert	Lesko
Bost	Goodlatte	LoBiondo
Brady (TX)	Gosar	Long
Brat	Gowdy	Loudermilk
Brooks (AL)	Granger	Lucas
Brooks (IN)	Graves (GA)	Luetkemeyer
Buchanan	Graves (LA)	MacArthur
Bucshon	Graves (MO)	Marchant
Budd	Griffith	Marino
Byrne	Grothman	Massie
Calvert	Guthrie	Mast
Carter (GA)	Handel	McCarthy
Carter (TX)	Harper	McCaul
Chabot	Harris	McClintock
Cheney	Hartzer	McHenry
Cloud	Hern	McKinley
Coffman	Herrera Beutler	McMorris
Cole	Hice, Jody B.	Rodgers
Collins (GA)	Higgins (LA)	McSally
Collins (NY)	Hill	Meadows
Cook	Holding	Mitchell
Costello (PA)	Hollingsworth	Moolenaar
Culberson	Hudson	Mooney (WV)
Curbelo (FL)	Huizenga	Mullin
Curtis	Hunter	Norman
Davidson	Hurd	Nunes
DesJarlais	Johnson (LA)	Olson

Palazzo
Palmer
Paulsen
Perry
Pittenger
Poliquin
Posey
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas
J.
Ros-Lehtinen

Ross
Rothfus
Royce (CA)
Rutherford
Sanford
Scalise
Schweikert
Sensenbrenner
Sessions
Shinkus
Shuster
Simpson
Smith (MO)
Smith (NJ)
Smucker
Stefanik
Stewart
Stivers
Tenney
Thornberry

Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Webster (FL)
Wenstrup
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (IA)
Zeldin

Rouzer
Russell
Scott, Austin
Scott, David
Shea-Porter
Sinema
Smith (NE)
Smith (TX)

Smith (WA)
Swalwell (CA)
Takano
Taylor
Thompson (MS)
Thompson (PA)
Trott
Tsongas

Vela
Walters, Mimi
Walz
Westerman
Yoho
Young (AK)

So the motion to lay the appeal on the table was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶167.74 AMENDMENT OF THE SENATE TO H.R. 88

Mr. BRADY of Texas, pursuant to House Resolution 1180, took from the Speaker's table the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an affiliated area of the National Park System, and for other purposes; together with the following amendment of the Senate thereto:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Shiloh National Military Park Boundary Adjustment and Parker's Crossroads Battlefield Designation Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **AFFILIATED AREA.**—The term "affiliated area" means the Parker's Crossroads Battlefield established as an affiliated area of the National Park System by section 4(a).

(2) **PARK.**—The term "Park" means Shiloh National Military Park, a unit of the National Park System.

(3) **SECRETARY.**—The term "Secretary" means the Secretary of the Interior.

SEC. 3. AREAS TO BE ADDED TO SHILOH NATIONAL MILITARY PARK.

(a) **ADDITIONAL AREAS.**—The boundary of the Park is modified to include the areas that are generally depicted on the map entitled "Shiloh National Military Park, Proposed Boundary Adjustment", numbered 304/80,011, and dated July 2014, and which are comprised of the following:

(1) *Fallen Timbers Battlefield.*

(2) *Titus Russell House Battlefield.*

(3) *Davis Bridge Battlefield.*

(b) **ACQUISITION AUTHORITY.**—The Secretary may acquire the land described in subsection (a) by donation or exchange.

(c) **ADMINISTRATION.**—Any land acquired under this section shall be administered as part of the Park.

SEC. 4. ESTABLISHMENT OF AFFILIATED AREA.

(a) **IN GENERAL.**—Parker's Crossroads Battlefield in the State of Tennessee is established as an affiliated area of the National Park System.

(b) **DESCRIPTION OF AFFILIATED AREA.**—The affiliated area shall consist of the area generally depicted within the "Proposed Boundary" on the map entitled "Parker's Crossroads Battlefield, Proposed Boundary", numbered 903/80,073, and dated July 2014.

(c) **ADMINISTRATION.**—The affiliated area shall be managed in accordance with—

(1) *this Act; and*

(2) *any law generally applicable to units of the National Park System.*

(d) **MANAGEMENT ENTITY.**—The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(e) **COOPERATIVE AGREEMENTS.**—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing fi-

nancial assistance for the marketing, marking, interpretation, and preservation of the affiliated area.

(f) **LIMITED ROLE OF THE SECRETARY.**—Nothing in this Act authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(g) **GENERAL MANAGEMENT PLAN.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area in accordance with section 100502 of title 54, United States Code.

(2) **TRANSMITTAL.**—Not later than 3 years after the date on which funds are made available to carry out this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the general management plan developed under paragraph (1).

Mr. BRADY of Texas, pursuant to House Resolution 1180, moved to agree to the amendment of the Senate with the following amendment consisting of the text of Rules Committee Print 115-87:

In lieu of the matter proposed to be inserted by the Senate, insert the following:

DIVISION A—RETIREMENT, SAVINGS, AND OTHER TAX RELIEF ACT OF 2018

SECTION 1. SHORT TITLE, ETC.

(a) **SHORT TITLE.**—This division may be cited as the Retirement, Savings, and Other Tax Relief Act of 2018.

(b) **AMENDMENT OF 1986 CODE.**—Except as otherwise expressly provided, whenever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) **TABLE OF CONTENTS.**—The table of contents for this division is as follows:

Sec. 1. Short title, etc.

TITLE I—DISASTER TAX RELIEF

Sec. 101. Definitions.

Sec. 102. Special disaster-related rules for use of retirement funds.

Sec. 103. Employee retention credit for employers affected by qualified disasters.

Sec. 104. Other disaster-related tax relief provisions.

Sec. 105. Treatment of certain possessions.

Sec. 106. Automatic extension of filing deadline.

TITLE II—RETIREMENT AND SAVINGS

Subtitle A—Expanding and Preserving Retirement Savings

Sec. 201. Multiple employer plans; pooled employer plans.

Sec. 202. Rules relating to election of safe harbor 401(k) status.

Sec. 203. Certain taxable non-tuition fellowship and stipend payments treated as compensation for IRA purposes.

Sec. 204. Repeal of maximum age for traditional IRA contributions.

Sec. 205. Qualified employer plans prohibited from making loans through credit cards and other similar arrangements.

Sec. 206. Portability of lifetime income investments.

Sec. 207. Treatment of custodial accounts on termination of section 403(b) plans.

Sec. 208. Clarification of retirement income account rules relating to church-controlled organizations.

NOES—170

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Garamendi
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Crist
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DeBene
Demings
DeSaulnier
Deutsch
Dingell
Doggett
Doyle, Michael
F.
Ellison
Engel
Eshoo
Españat
Esty (CT)
Evans

Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Grihalva
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebbeck
Lofgren
Lowey
Lujan, Ben Ray
Maloney,
Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle

Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
O'Halleran
Pallone
Panetta
Pascarell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Soto
Speier
Suozi
Thompson (CA)
Tonko
Torres
Vargas
Veasey
Velazquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wild
Wilson (FL)
Yarmuth

NOT VOTING—75

Allen
Arrington
Barr
Black
Buck
Burgess
Capuano
Comer
Comstock
Conaway
Costa
Cramer
Crawford
Crowley
Davis, Danny
Davis, Rodney
Denham
Duncan (SC)

Dunn
Estes (KS)
Gaetz
Gianforte
Gutiérrez
Hanabusa
Hastings
Hensarling
Hultgren
Issa
Jenkins (KS)
Jones (NC)
Katko
Keating
Kind
LaMalfa
Lee
Lewis (MN)

Love
Lowenthal
Lujan Grisham,
M.
Lynch
Marshall
Messer
Newhouse
Noem
O'Rourke
Pearce
Peterson
Poe (TX)
Polis
Ratcliffe
Reed
Rosen
Roskam

- Sec. 209. Increase in 10 percent cap for automatic enrollment safe harbor after 1st plan year.
- Sec. 210. Increase in credit limitation for small employer pension plan startup costs.
- Sec. 211. Small employer automatic enrollment credit.
- Sec. 212. Exemption from required minimum distribution rules for individuals with certain account balances.
- Sec. 213. Elective deferrals by members of the Ready Reserve of a reserve component of the Armed Forces.

Subtitle B—Administrative Improvements

- Sec. 221. Plan adopted by filing due date for year may be treated as in effect as of close of year.
- Sec. 222. Modification of nondiscrimination rules to protect older, longer service participants.
- Sec. 223. Fiduciary safe harbor for selection of lifetime income provider.
- Sec. 224. Disclosure regarding lifetime income.
- Sec. 225. Modification of PBGC premiums for CSEC plans.

Subtitle C—Other Savings Provisions

- Sec. 231. Expansion of section 529 plans.
- Sec. 232. Penalty-free withdrawals from retirement plans for individuals in case of birth of child or adoption.

TITLE III—REPEAL OR DELAY OF CERTAIN HEALTH-RELATED TAXES

- Sec. 301. Extension of moratorium on medical device excise tax.
- Sec. 302. Delay in implementation of excise tax on high cost employer-sponsored health coverage.
- Sec. 303. Extension of suspension of annual fee on health insurance providers.
- Sec. 304. Repeal of excise tax on indoor tanning services.

TITLE IV—CERTAIN EXPIRING PROVISIONS

- Sec. 401. Railroad track maintenance credit made permanent.
- Sec. 402. Biodiesel and renewable diesel provisions extended and phased out.

TITLE V—OTHER PROVISIONS

- Sec. 501. Technical amendments relating to Public Law 115-97.
- Sec. 502. Clarification of treatment of veterans as specified group for purposes of the low-income housing tax credit.
- Sec. 503. Clarification of general public use requirement for qualified residential rental projects.
- Sec. 504. Floor plan financing applicable to certain trailers and campers.
- Sec. 505. Repeal of increase in unrelated business taxable income by disallowed fringe.
- Sec. 506. Certain purchases of employee-owned stock disregarded for purposes of foundation tax on excess business holdings.
- Sec. 507. Allowing 501(c)(3) organization to make statements relating to political campaign in ordinary course of carrying out its tax exempt purpose.
- Sec. 508. Charitable organizations permitted to make collegiate housing and infrastructure grants.
- Sec. 509. Restriction on regulation of contingency fees with respect to tax returns, etc.

TITLE I—DISASTER TAX RELIEF

SEC. 101. DEFINITIONS.

For purposes of this title—

(1) GENERAL DEFINITIONS.—

(A) QUALIFIED DISASTER AREA.—The term “qualified disaster area” means the Hurricane Florence disaster area; the Hurricane Michael disaster area; the Typhoon Mangkhut disaster area; the Typhoon Yutu disaster area; the Mendocino wildfire disaster area; the Camp and Woolsey wildfire disaster area; the Kilauea volcanic eruption and earthquakes disaster area; the Hawaii severe storms, flooding, landslides, and mudslides disaster area; the Wisconsin severe storms, tornadoes, straight-line winds, flooding, and landslides disaster area; the Texas severe storms and flooding disaster area; the North Carolina tornado and severe storms disaster area; the Indiana severe storms and flooding disaster area; the Alabama severe storms and tornadoes disaster area; and the Tropical Storm Gita disaster area.

(B) QUALIFIED DISASTER ZONE.—The term “qualified disaster zone” means that portion of any qualified disaster area which is determined by the President to warrant individual or individual and public assistance from the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the qualified disaster with respect to such disaster area.

(C) QUALIFIED DISASTER.—The term “qualified disaster” means, with respect to any qualified disaster area, the disaster by reason of which a major disaster was declared with respect to such area.

(2) HURRICANE FLORENCE.—

(A) HURRICANE FLORENCE DISASTER AREA.—The term “Hurricane Florence disaster area” means an area with respect to which a major disaster has been declared by the President on or before December 17, 2018, under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Florence.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of Hurricane Florence is September 7, 2018.

(C) INCIDENT PERIOD.—The incident period of Hurricane Florence is the period beginning on the incident beginning date of Hurricane Florence and ending on October 8, 2018.

(3) HURRICANE MICHAEL.—

(A) HURRICANE MICHAEL DISASTER AREA.—The term “Hurricane Michael disaster area” means an area with respect to which a major disaster has been declared by the President on or before December 17, 2018, under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Michael.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of Hurricane Michael is October 7, 2018.

(C) INCIDENT PERIOD.—The incident period of Hurricane Michael is the period beginning on the incident beginning date of Hurricane Michael and ending on October 23, 2018.

(4) TYPHOON MANGKHUT.—

(A) TYPHOON MANGKHUT DISASTER AREA.—The term “Typhoon Mangkhut disaster area” means an area with respect to which a major disaster has been declared by the President on or before December 17, 2018, under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Typhoon Mangkhut.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of Typhoon Mangkhut is September 10, 2018.

(C) INCIDENT PERIOD.—The incident period of Typhoon Mangkhut is the period beginning on the incident beginning date of Typhoon Mangkhut and ending on September 11, 2018.

(5) TYPHOON YUTU.—

(A) TYPHOON YUTU DISASTER AREA.—The term “Typhoon Yutu disaster area” means an area with respect to which a major disaster has been declared by the President on or before December 17, 2018, under section 401 of the Robert T. Stafford

Disaster Relief and Emergency Assistance Act by reason of Typhoon Yutu.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of Typhoon Yutu is October 24, 2018.

(C) INCIDENT PERIOD.—The incident period of Typhoon Yutu is the period beginning on the incident beginning date of Typhoon Yutu and ending on October 26, 2018.

(6) MENDOCINO WILDFIRE.—

(A) MENDOCINO WILDFIRE DISASTER AREA.—The term “Mendocino wildfire disaster area” means an area with respect to which, during the period beginning on August 4, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the wildfire in California commonly known as the Mendocino wildfire of 2018 (including the Carr wildfire of 2018).

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the wildfires referred to in subparagraph (A) is July 23, 2018.

(C) INCIDENT PERIOD.—The incident period of the wildfires referred to in subparagraph (A) is the period beginning on the incident beginning date of such wildfires and ending on September 19, 2018.

(7) CAMP AND WOOLSEY WILDFIRES.—

(A) CAMP AND WOOLSEY WILDFIRE DISASTER AREA.—The term “Camp and Woolsey wildfire disaster area” means an area with respect to which, during the period beginning on November 12, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the wildfires in California commonly known as the Camp and Woolsey wildfires of 2018 (including the Hill wildfire of 2018).

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the wildfires referred to in subparagraph (A) is November 8, 2018.

(C) INCIDENT PERIOD.—The incident period of the wildfires referred to in subparagraph (A) is the period beginning on the incident beginning date of such wildfires and ending on November 25, 2018.

(8) KILAUEA VOLCANIC ERUPTION AND EARTHQUAKES.—

(A) KILAUEA VOLCANIC ERUPTION AND EARTHQUAKES DISASTER AREA.—The term “Kilauea volcanic eruption and earthquakes disaster area” means an area with respect to which, during the period beginning on May 11, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the Kilauea volcanic eruption and earthquakes occurring in Hawaii during the period beginning on May 3, 2018, and ending on August 17, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the volcanic eruption and earthquakes referred to in subparagraph (A) is May 3, 2018.

(C) INCIDENT PERIOD.—The incident period of the volcanic eruption and earthquakes referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such eruption and earthquakes and ending on August 17, 2018.

(9) HAWAII SEVERE STORMS, FLOODING, LANDSLIDES, AND MUDSLIDES.—

(A) HAWAII SEVERE STORMS, FLOODING, LANDSLIDES, AND MUDSLIDES DISASTER AREA.—The term “Hawaii severe storms, flooding, landslides, and mudslides disaster area” means an area with respect to which, during the period beginning on May 8, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford

Disaster Relief and Emergency Assistance Act by reason of the severe storms, flooding, landslides, and mudslides occurring in Hawaii during the period beginning on April 13, 2018, and ending on April 16, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the severe storms, flooding, landslides, and mudslides referred to in subparagraph (A) is April 13, 2018.

(C) INCIDENT PERIOD.—The incident period of the severe storms, flooding, landslides, and mudslides referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such severe storms, flooding, landslides, and mudslides and ending on April 16, 2018.

(10) WISCONSIN SEVERE STORMS, TORNADOES, STRAIGHT-LINE WINDS, FLOODING, AND LANDSLIDES.—

(A) WISCONSIN SEVERE STORMS, TORNADOES, STRAIGHT-LINE WINDS, FLOODING, AND LANDSLIDES DISASTER AREA.—The term “Wisconsin severe storms, tornadoes, straight-line winds, flooding, and landslides disaster area” means an area with respect to which, during the period beginning on October 18, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the severe storms, tornadoes, straight-line winds, flooding, and landslides occurring in Wisconsin during the period beginning on August 17, 2018, and ending on September 14, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the severe storms, tornadoes, straight-line winds, flooding, and landslides referred to in subparagraph (A) is August 17, 2018.

(C) INCIDENT PERIOD.—The incident period of the severe storms, tornadoes, straight-line winds, flooding, and landslides referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such severe storms, tornadoes, straight-line winds, flooding, and landslides and ending on September 14, 2018.

(11) TEXAS SEVERE STORMS AND FLOODING.—

(A) TEXAS SEVERE STORMS AND FLOODING DISASTER AREA.—The term “Texas severe storms and flooding disaster area” means an area with respect to which, during the period beginning on July 6, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the severe storms and flooding occurring in Texas during the period beginning on June 19, 2018, and ending on July 13, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the severe storms and flooding referred to in subparagraph (A) is June 19, 2018.

(C) INCIDENT PERIOD.—The incident period of the severe storms and flooding referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such severe storms and flooding and ending on July 13, 2018.

(12) NORTH CAROLINA TORNADO AND SEVERE STORMS.—

(A) NORTH CAROLINA TORNADO AND SEVERE STORMS DISASTER AREA.—The term “North Carolina tornado and severe storms disaster area” means an area with respect to which, during the period beginning on May 8, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the tornado and severe storms occurring in North Carolina on April 15, 2018.

(B) INCIDENT BEGINNING DATE; INCIDENT PERIOD.—The incident beginning date, and the incident period, of the tornado and severe

storms referred to in subparagraph (A) is April 15, 2018.

(13) INDIANA SEVERE STORMS AND FLOODING.—

(A) INDIANA SEVERE STORMS AND FLOODING DISASTER AREA.—The term “Indiana severe storms and flooding disaster area” means an area with respect to which, during the period beginning on May 4, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the severe storms and flooding occurring in Indiana during the period beginning on February 14, 2018, and ending on March 4, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the severe storms and flooding referred to in subparagraph (A) is February 14, 2018.

(C) INCIDENT PERIOD.—The incident period of the severe storms and flooding referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such severe storms and flooding and ending on March 4, 2018.

(14) ALABAMA SEVERE STORMS AND TORNADOES.—

(A) ALABAMA SEVERE STORMS AND TORNADOES DISASTER AREA.—The term “Alabama severe storms and tornadoes disaster area” means an area with respect to which, during the period beginning on April 26, 2018, and ending on December 17, 2018, a major disaster has been declared by the President under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of the severe storms and tornadoes occurring in Alabama during the period beginning on March 19, 2018, and ending on March 20, 2018.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of the severe storms and tornadoes referred to in subparagraph (A) is March 19, 2018.

(C) INCIDENT PERIOD.—The incident period of the severe storms and tornadoes referred to in subparagraph (A) is the period beginning on the incident beginning date with respect to such severe storms and tornadoes and ending on March 20, 2018.

(15) TROPICAL STORM GITA.—

(A) TROPICAL STORM GITA DISASTER AREA.—The term “Tropical Storm Gita disaster area” means an area with respect to which a major disaster has been declared by the President on or before December 17, 2018, under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Tropical Storm Gita.

(B) INCIDENT BEGINNING DATE.—The incident beginning date of Tropical Storm Gita is February 7, 2018.

(C) INCIDENT PERIOD.—The incident period of Tropical Storm Gita is the period beginning on the incident beginning date of Tropical Storm Gita and ending on February 12, 2018.

SEC. 102. SPECIAL DISASTER-RELATED RULES FOR USE OF RETIREMENT FUNDS.

(a) TAX-FAVORED WITHDRAWALS FROM RETIREMENT PLANS.—

(1) IN GENERAL.—Section 72(t) of the Internal Revenue Code of 1986 shall not apply to any qualified disaster distribution.

(2) AGGREGATE DOLLAR LIMITATION.—

(A) IN GENERAL.—For purposes of this subsection, the aggregate amount of distributions received by an individual which may be treated as qualified disaster distributions for any taxable year shall not exceed the excess (if any) of—

(i) \$100,000, over

(ii) the aggregate amounts treated as qualified disaster distributions received by such individual for all prior taxable years.

(B) TREATMENT OF PLAN DISTRIBUTIONS.—If a distribution to an individual would (with-

out regard to subparagraph (A)) be a qualified disaster distribution, a plan shall not be treated as violating any requirement of the Internal Revenue Code of 1986 merely because the plan treats such distribution as a qualified disaster distribution, unless the aggregate amount of such distributions from all plans maintained by the employer (and any member of any controlled group which includes the employer) to such individual exceeds \$100,000.

(C) CONTROLLED GROUP.—For purposes of subparagraph (B), the term “controlled group” means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986.

(D) SPECIAL RULE FOR INDIVIDUALS AFFECTED BY MORE THAN ONE DISASTER.—The limitation of subparagraph (A) shall be applied separately with respect to distributions made with respect to each qualified disaster which is described in a separate paragraph of section 101.

(3) AMOUNT DISTRIBUTED MAY BE REPAID.—

(A) IN GENERAL.—Any individual who receives a qualified disaster distribution may, at any time during the 3-year period beginning on the day after the date on which such distribution was received, make 1 or more contributions in an aggregate amount not to exceed the amount of such distribution to an eligible retirement plan of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16), of the Internal Revenue Code of 1986, as the case may be.

(B) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a qualified disaster distribution from an eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received the qualified disaster distribution in an eligible rollover distribution (as defined in section 402(c)(4) of such Code) and as having transferred the amount to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(C) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM IRAS.—For purposes of the Internal Revenue Code of 1986, if a contribution is made pursuant to subparagraph (A) with respect to a qualified disaster distribution from an individual retirement plan (as defined by section 7701(a)(37) of such Code), then, to the extent of the amount of the contribution, the qualified disaster distribution shall be treated as a distribution described in section 408(d)(3) of such Code and as having been transferred to the eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

(4) DEFINITIONS.—For purposes of this subsection—

(A) QUALIFIED DISASTER DISTRIBUTION.—Except as provided in paragraph (2), the term “qualified disaster distribution” means any distribution from an eligible retirement plan made on or after the incident beginning date of a qualified disaster and before January 1, 2020, to an individual whose principal place of abode at any time during the incident period of such qualified disaster is located in the qualified disaster area with respect to such qualified disaster and who has sustained an economic loss by reason of such qualified disaster.

(B) ELIGIBLE RETIREMENT PLAN.—The term “eligible retirement plan” shall have the meaning given such term by section 402(c)(8)(B) of the Internal Revenue Code of 1986.

(5) INCOME INCLUSION SPREAD OVER 3-YEAR PERIOD.—

(A) IN GENERAL.—In the case of any qualified disaster distribution, unless the taxpayer elects not to have this paragraph apply for any taxable year, any amount required to be included in gross income for such taxable year shall be so included ratably over the 3-taxable-year period beginning with such taxable year.

(B) SPECIAL RULE.—For purposes of subparagraph (A), rules similar to the rules of subparagraph (E) of section 408A(d)(3) of the Internal Revenue Code of 1986 shall apply.

(6) SPECIAL RULES.—

(A) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TO TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections 401(a)(31), 402(f), and 3405 of the Internal Revenue Code of 1986, qualified disaster distributions shall not be treated as eligible rollover distributions.

(B) QUALIFIED DISASTER DISTRIBUTIONS TREATED AS MEETING PLAN DISTRIBUTION REQUIREMENTS.—For purposes the Internal Revenue Code of 1986, a qualified disaster distribution shall be treated as meeting the requirements of sections 401(k)(2)(B)(I), 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A) of such Code.

(b) RECONTRIBUTIONS OF WITHDRAWALS FOR HOME PURCHASES.—

(1) RECONTRIBUTIONS.—

(A) IN GENERAL.—Any individual who received a qualified distribution may, during the applicable period, make 1 or more contributions in an aggregate amount not to exceed the amount of such qualified distribution to an eligible retirement plan (as defined in section 402(c)(8)(B) of the Internal Revenue Code of 1986) of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), or 408(d)(3), of such Code, as the case may be.

(B) TREATMENT OF REPAYMENTS.—Rules similar to the rules of subparagraphs (B) and (C) of subsection (a)(3) shall apply for purposes of this subsection.

(2) QUALIFIED DISTRIBUTION.—For purposes of this subsection, the term “qualified distribution” means any distribution—

(A) described in section 401(k)(2)(B)(i)(IV), 403(b)(7)(A)(ii) (but only to the extent such distribution relates to financial hardship), 403(b)(11)(B), or 72(t)(2)(F), of the Internal Revenue Code of 1986,

(B) which was to be used to purchase or construct a principal residence in a qualified disaster area, but which was not so used on account of the qualified disaster with respect to such area, and

(C) which was received on or after January 1, 2018, and before the date which is 30 days after the last day of the incident period of such qualified disaster.

(3) APPLICABLE PERIOD.—For purposes of this subsection, the term “applicable period” means, in the case of a principal residence in a qualified disaster area with respect to any qualified disaster, the period beginning on the incident beginning date of such qualified disaster and ending on February 28, 2019.

(c) LOANS FROM QUALIFIED PLANS.—

(1) INCREASE IN LIMIT ON LOANS NOT TREATED AS DISTRIBUTIONS.—In the case of any loan from a qualified employer plan (as defined under section 72(p)(4) of the Internal Revenue Code of 1986) to a qualified individual made during the period beginning on the date of the enactment of this Act and ending on December 31, 2019—

(A) clause (i) of section 72(p)(2)(A) of such Code shall be applied by substituting “\$100,000” for “\$50,000”, and

(B) clause (ii) of such section shall be applied by substituting “the present value of the nonforfeitable accrued benefit of the em-

ployee under the plan” for “one-half of the present value of the nonforfeitable accrued benefit of the employee under the plan”.

(2) DELAY OF REPAYMENT.—In the case of a qualified individual (with respect to any qualified disaster) with an outstanding loan on or after the incident beginning date (of such qualified disaster) from a qualified employer plan (as defined in section 72(p)(4) of the Internal Revenue Code of 1986)—

(A) if the due date pursuant to subparagraph (B) or (C) of section 72(p)(2) of such Code for any repayment with respect to such loan occurs during the period beginning on the incident beginning date of such qualified disaster and ending on December 31, 2019, such due date shall be delayed for 1 year,

(B) any subsequent repayments with respect to any such loan shall be appropriately adjusted to reflect the delay in the due date under paragraph (1) and any interest accruing during such delay, and

(C) in determining the 5-year period and the term of a loan under subparagraph (B) or (C) of section 72(p)(2) of such Code, the period described in subparagraph (A) of this paragraph shall be disregarded.

(3) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term “qualified individual” means any individual—

(A) whose principal place of abode at any time during the incident period of any qualified disaster is located in the qualified disaster area with respect to such qualified disaster, and

(B) who has sustained an economic loss by reason of such qualified disaster.

(d) PROVISIONS RELATING TO PLAN AMENDMENTS.—

(1) IN GENERAL.—If this subsection applies to any amendment to any plan or annuity contract, such plan or contract shall be treated as being operated in accordance with the terms of the plan during the period described in paragraph (2)(B)(i).

(2) AMENDMENTS TO WHICH SUBSECTION APPLIES.—

(A) IN GENERAL.—This subsection shall apply to any amendment to any plan or annuity contract which is made—

(i) pursuant to any provision of this section, or pursuant to any regulation issued by the Secretary or the Secretary of Labor under any provision of this section, and

(ii) on or before the last day of the first plan year beginning on or after January 1, 2020, or such later date as the Secretary may prescribe.

In the case of a governmental plan (as defined in section 414(d) of the Internal Revenue Code of 1986), clause (ii) shall be applied by substituting the date which is 2 years after the date otherwise applied under clause (ii).

(B) CONDITIONS.—This subsection shall not apply to any amendment unless—

(i) during the period—

(I) beginning on the date that this section or the regulation described in subparagraph (A)(i) takes effect (or in the case of a plan or contract amendment not required by this section or such regulation, the effective date specified by the plan), and

(II) ending on the date described in subparagraph (A)(ii) (or, if earlier, the date the plan or contract amendment is adopted), the plan or contract is operated as if such plan or contract amendment were in effect, and

(ii) such plan or contract amendment applies retroactively for such period.

SEC. 103. EMPLOYEE RETENTION CREDIT FOR EMPLOYERS AFFECTED BY QUALIFIED DISASTERS.

(a) IN GENERAL.—For purposes of section 38 of the Internal Revenue Code of 1986, in the case of an eligible employer, the 2018 qualified disaster employee retention credit shall

be treated as a credit listed in subsection (b) of such section. For purposes of this subsection, the 2018 qualified disaster employee retention credit for any taxable year is an amount equal to 40 percent of the qualified wages with respect to each eligible employee of such employer for such taxable year. For purposes of the preceding sentence, the amount of qualified wages which may be taken into account with respect to any individual shall not exceed \$6,000.

(b) DEFINITIONS.—For purposes of this section—

(1) ELIGIBLE EMPLOYER.—The term “eligible employer” means any employer—

(A) which conducted an active trade or business in a qualified disaster zone at any time during the incident period of the qualified disaster with respect to such qualified disaster zone, and

(B) with respect to whom the trade or business described in subparagraph (A) is inoperable at any time after the incident beginning date of such qualified disaster, and before January 1, 2019, as a result of damage sustained by reason of such qualified disaster.

(2) ELIGIBLE EMPLOYEE.—The term “eligible employee” means with respect to an eligible employer an employee whose principal place of employment at any time during the incident period of the qualified disaster referred to in paragraph (1) with such eligible employer was in the qualified disaster zone referred to in such paragraph.

(3) QUALIFIED WAGES.—The term “qualified wages” means wages (as defined in section 51(c)(1) of the Internal Revenue Code of 1986, but without regard to section 3306(b)(2)(B) of such Code) paid or incurred by an eligible employer with respect to an eligible employee at any time after the incident beginning date of the qualified disaster referred to in paragraph (1), and before January 1, 2019, which occurs during the period—

(A) beginning on the date on which the trade or business described in paragraph (1) first became inoperable at the principal place of employment of the employee immediately before the qualified disaster referred to in such paragraph, and

(B) ending on the date on which such trade or business has resumed significant operations at such principal place of employment.

Such term shall include wages paid without regard to whether the employee performs no services, performs services at a different place of employment than such principal place of employment, or performs services at such principal place of employment before significant operations have resumed.

(c) CERTAIN RULES TO APPLY.—For purposes of this subsection, rules similar to the rules of sections 51(i)(1), 52, and 280C(a), of the Internal Revenue Code of 1986, shall apply.

(d) EMPLOYEE NOT TAKEN INTO ACCOUNT MORE THAN ONCE.—An employee shall not be treated as an eligible employee for purposes of this subsection for any period with respect to any employer if such employer is allowed a credit under section 51 of the Internal Revenue Code of 1986 with respect to such employee for such period.

SEC. 104. OTHER DISASTER-RELATED TAX RELIEF PROVISIONS.

(a) TEMPORARY SUSPENSION OF LIMITATIONS ON CHARITABLE CONTRIBUTIONS.—

(1) IN GENERAL.—Except as otherwise provided in paragraph (2), subsection (b) of section 170 of the Internal Revenue Code of 1986 shall not apply to qualified contributions and such contributions shall not be taken into account for purposes of applying subsections (b) and (d) of such section to other contributions.

(2) TREATMENT OF EXCESS CONTRIBUTIONS.—For purposes of section 170 of the Internal Revenue Code of 1986—

(A) INDIVIDUALS.—In the case of an individual—

(i) LIMITATION.—Any qualified contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer's contribution base (as defined in subparagraph (H) of section 170(b)(1) of such Code) over the amount of all other charitable contributions allowed under section 170(b)(1) of such Code.

(ii) CARRYOVER.—If the aggregate amount of qualified contributions made in the contribution year (within the meaning of section 170(d)(1) of such Code) exceeds the limitation of clause (i), such excess shall be added to the excess described in the portion of subparagraph (A) of such section which precedes clause (i) thereof for purposes of applying such section.

(B) CORPORATIONS.—In the case of a corporation—

(i) LIMITATION.—Any qualified contribution shall be allowed only to the extent that the aggregate of such contributions does not exceed the excess of the taxpayer's taxable income (as determined under paragraph (2) of section 170(b) of such Code) over the amount of all other charitable contributions allowed under such paragraph.

(ii) CARRYOVER.—Rules similar to the rules of subparagraph (A)(ii) shall apply for purposes of this subparagraph.

(3) QUALIFIED CONTRIBUTIONS.—

(A) IN GENERAL.—For purposes of this subsection, the term “qualified contribution” means any charitable contribution (as defined in section 170(c) of the Internal Revenue Code of 1986) if—

(i) such contribution—

(I) is paid during the period beginning on February 7, 2018, and ending on December 31, 2018, in cash to an organization described in section 170(b)(1)(A) of such Code, and

(II) is made for relief efforts in one or more qualified disaster areas,

(ii) the taxpayer obtains from such organization contemporaneous written acknowledgment (within the meaning of section 170(f)(8) of such Code) that such contribution was used (or is to be used) for relief efforts described in clause (i)(II), and

(iii) the taxpayer has elected the application of this subsection with respect to such contribution.

(B) EXCEPTION.—Such term shall not include a contribution by a donor if the contribution is—

(i) to an organization described in section 509(a)(3) of the Internal Revenue Code of 1986, or

(ii) for the establishment of a new, or maintenance of an existing, donor advised fund (as defined in section 4966(d)(2) of such Code).

(C) APPLICATION OF ELECTION TO PARTNERSHIPS AND S CORPORATIONS.—In the case of a partnership or S corporation, the election under subparagraph (A)(iii) shall be made separately by each partner or shareholder.

(b) SPECIAL RULES FOR QUALIFIED DISASTER-RELATED PERSONAL CASUALTY LOSSES.—

(1) IN GENERAL.—If an individual has a net disaster loss for any taxable year—

(A) the amount determined under section 165(h)(2)(A)(ii) of the Internal Revenue Code of 1986 shall be equal to the sum of—

(i) such net disaster loss, and

(ii) so much of the excess referred to in the matter preceding clause (i) of section 165(h)(2)(A) of such Code (reduced by the amount in clause (i) of this subparagraph) as exceeds 10 percent of the adjusted gross income of the individual,

(B) section 165(h)(1) of such Code shall be applied by substituting “\$500” for “\$500 (\$100 for taxable years beginning after December 31, 2009)”.

(C) the standard deduction determined under section 63(c) of such Code shall be increased by the net disaster loss, and

(D) section 56(b)(1)(E) of such Code shall not apply to so much of the standard deduction as is attributable to the increase under subparagraph (C) of this paragraph.

(2) NET DISASTER LOSS.—For purposes of this subsection, the term “net disaster loss” means the excess of qualified disaster-related personal casualty losses over personal casualty gains (as defined in section 165(h)(3)(A) of the Internal Revenue Code of 1986).

(3) QUALIFIED DISASTER-RELATED PERSONAL CASUALTY LOSSES.—For purposes of this subsection, the term “qualified disaster-related personal casualty losses” means losses described in section 165(c)(3) of the Internal Revenue Code of 1986 which arise in a qualified disaster area on or after the incident beginning date of the qualified disaster to which such area relates, and which are attributable to such qualified disaster.

(c) SPECIAL RULE FOR DETERMINING EARNED INCOME.—

(1) IN GENERAL.—In the case of a qualified individual, if the earned income of the taxpayer for the applicable taxable year is less than the earned income of the taxpayer for the preceding taxable year, the credits allowed under sections 24(d) and 32 of the Internal Revenue Code of 1986 may, at the election of the taxpayer, be determined by substituting—

(A) such earned income for the preceding taxable year, for

(B) such earned income for the applicable taxable year.

(2) QUALIFIED INDIVIDUAL.—For purposes of this subsection, the term “qualified individual” means any individual whose principal place of abode at any time during the incident period of any qualified disaster was located—

(A) in the qualified disaster zone with respect to such qualified disaster, or

(B) in the qualified disaster area with respect to such qualified disaster (but outside the qualified disaster zone with respect to such qualified disaster) and such individual was displaced from such principal place of abode by reason of such qualified disaster.

(3) APPLICABLE TAXABLE YEAR.—The term “applicable taxable year” means, with respect to any qualified individual, any taxable year which includes any day during the incident period of the qualified disaster to which the qualified disaster area referred to in paragraph (2) relates.

(4) EARNED INCOME.—For purposes of this subsection, the term “earned income” has the meaning given such term under section 32(c) of the Internal Revenue Code of 1986.

(5) SPECIAL RULES.—

(A) APPLICATION TO JOINT RETURNS.—For purposes of paragraph (1), in the case of a joint return for an applicable taxable year—

(i) such paragraph shall apply if either spouse is a qualified individual, and

(ii) the earned income of the taxpayer for the preceding taxable year shall be the sum of the earned income of each spouse for such preceding taxable year.

(B) UNIFORM APPLICATION OF ELECTION.—Any election made under paragraph (1) shall apply with respect to both sections 24(d) and 32 of the Internal Revenue Code of 1986.

(C) ERRORS TREATED AS MATHEMATICAL ERROR.—For purposes of section 6213 of the Internal Revenue Code of 1986, an incorrect use on a return of earned income pursuant to paragraph (1) shall be treated as a mathematical or clerical error.

(D) NO EFFECT ON DETERMINATION OF GROSS INCOME, ETC.—Except as otherwise provided in this subsection, the Internal Revenue Code of 1986 shall be applied without regard to any substitution under paragraph (1).

SEC. 105. TREATMENT OF CERTAIN POSSESSIONS.

(a) PAYMENTS TO GUAM AND THE COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS.—The Secretary of the Treasury shall pay to Guam and the Commonwealth of the Northern Mariana Islands amounts equal to the loss to that possession by reason of the application of the provisions of this title. Such amounts shall be determined by the Secretary of the Treasury based on information provided by the government of the respective possession.

(b) PAYMENTS TO AMERICAN SAMOA.—

(1) IN GENERAL.—The Secretary of the Treasury shall pay to American Samoa amounts estimated by the Secretary of the Treasury as being equal to the aggregate benefits that would have been provided to residents of American Samoa by reason of the provisions of this title if a mirror code tax system had been in effect in American Samoa. The preceding sentence shall not apply unless American Samoa has a plan, which has been approved by the Secretary of the Treasury, under which American Samoa will promptly distribute such payments to its residents.

(2) MIRROR CODE TAX SYSTEM.—For purposes of this subsection, the term “mirror code tax system” means, with respect to any possession of the United States, the income tax system of such possession if the income tax liability of the residents of such possession under such system is determined by reference to the income tax laws of the United States as if such possession were the United States.

(c) TREATMENT OF PAYMENTS.—For purposes of section 1324 of title 31, United States Code, the payments under this section shall be treated in the same manner as a refund due from a credit provision referred to in subsection (b)(2) of such section.

SEC. 106. AUTOMATIC EXTENSION OF FILING DEADLINE.

(a) IN GENERAL.—Section 7508A is amended by adding at the end the following new subsection:

“(d) MANDATORY 60-DAY EXTENSION.—In the case of—

“(1) any individual whose principal place of abode is in a disaster area (as defined in section 165(i)(5)(B)), and

“(2) any taxpayer if the taxpayer's principal place of business (other than the business of performing services of an employee) is located in a disaster area (as so defined), the period beginning on the earliest incident date specified in the declaration to which such area relates and ending on the date which is 60 days after the latest incident date so specified shall be disregarded in the same manner as a period specified under subsection (a).”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to Federally declared disasters declared after December 31, 2017.

TITLE II—RETIREMENT AND SAVINGS

Subtitle A—Expanding and Preserving Retirement Savings

SEC. 201. MULTIPLE EMPLOYER PLANS; POOLED EMPLOYER PLANS.

(a) QUALIFICATION REQUIREMENTS.—

(1) IN GENERAL.—Section 413 is amended by adding at the end the following new subsection:

“(e) APPLICATION OF QUALIFICATION REQUIREMENTS FOR CERTAIN MULTIPLE EMPLOYER PLANS WITH POOLED PLAN PROVIDERS.—

“(1) IN GENERAL.—Except as provided in paragraph (2), if a defined contribution plan to which subsection (c) applies—

“(A) is maintained by employers which have a common interest other than having adopted the plan, or

“(B) in the case of a plan not described in subparagraph (A), has a pooled plan provider, then the plan shall not be treated as failing to meet the requirements under this title applicable to a plan described in section 401(a) or to a plan that consists of individual retirement accounts described in section 408 (including by reason of subsection (c) thereof), whichever is applicable, merely because one or more employers of employees covered by the plan fail to take such actions as are required of such employers for the plan to meet such requirements.

“(2) LIMITATIONS.—

“(A) IN GENERAL.—Paragraph (1) shall not apply to any plan unless the terms of the plan provide that in the case of any employer in the plan failing to take the actions described in paragraph (1)—

“(i) the assets of the plan attributable to employees of such employer (or beneficiaries of such employees) will be transferred to a plan maintained only by such employer (or its successor), to an eligible retirement plan as defined in section 402(c)(8)(B) for each individual whose account is transferred, or to any other arrangement that the Secretary determines is appropriate, unless the Secretary determines it is in the best interests of the employees of such employer (and the beneficiaries of such employees) to retain the assets in the plan, and

“(ii) such employer (and not the plan with respect to which the failure occurred or any other employer in such plan) shall, except to the extent provided by the Secretary, be liable for any liabilities with respect to such plan attributable to employees of such employer (or beneficiaries of such employees).

“(B) FAILURES BY POOLED PLAN PROVIDERS.—If the pooled plan provider of a plan described in paragraph (1)(B) does not perform substantially all of the administrative duties which are required of the provider under paragraph (3)(A)(i) for any plan year, the Secretary may provide that the determination as to whether the plan meets the requirements under this title applicable to a plan described in section 401(a) or to a plan that consists of individual retirement accounts described in section 408 (including by reason of subsection (c) thereof), whichever is applicable, shall be made in the same manner as would be made without regard to paragraph (1).

“(3) POOLED PLAN PROVIDER.—

“(A) IN GENERAL.—For purposes of this subsection, the term ‘pooled plan provider’ means, with respect to any plan, a person who—

“(i) is designated by the terms of the plan as a named fiduciary (within the meaning of section 402(a)(2) of the Employee Retirement Income Security Act of 1974), as the plan administrator, and as the person responsible to perform all administrative duties (including conducting proper testing with respect to the plan and the employees of each employer in the plan) which are reasonably necessary to ensure that—

“(I) the plan meets any requirement applicable under the Employee Retirement Income Security Act of 1974 or this title to a plan described in section 401(a) or to a plan that consists of individual retirement accounts described in section 408 (including by reason of subsection (c) thereof), whichever is applicable, and

“(II) each employer in the plan takes such actions as the Secretary or such person determines are necessary for the plan to meet the requirements described in subclause (I), including providing to such person any disclosures or other information which the Secretary may require or which such person otherwise determines are necessary to administer the plan or to allow the plan to meet such requirements,

“(ii) registers as a pooled plan provider with the Secretary, and provides such other information to the Secretary as the Secretary may require, before beginning operations as a pooled plan provider,

“(iii) acknowledges in writing that such person is a named fiduciary (within the meaning of section 402(a)(2) of the Employee Retirement Income Security Act of 1974), and the plan administrator, with respect to the plan, and

“(iv) is responsible for ensuring that all persons who handle assets of, or who are fiduciaries of, the plan are bonded in accordance with section 412 of the Employee Retirement Income Security Act of 1974.

“(B) AUDITS, EXAMINATIONS AND INVESTIGATIONS.—The Secretary may perform audits, examinations, and investigations of pooled plan providers as may be necessary to enforce and carry out the purposes of this subsection.

“(C) AGGREGATION RULES.—For purposes of this paragraph, in determining whether a person meets the requirements of this paragraph to be a pooled plan provider with respect to any plan, all persons who perform services for the plan and who are treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as one person.

“(D) TREATMENT OF EMPLOYERS AS PLAN SPONSORS.—Except with respect to the administrative duties of the pooled plan provider described in subparagraph (A)(i), each employer in a plan which has a pooled plan provider shall be treated as the plan sponsor with respect to the portion of the plan attributable to employees of such employer (or beneficiaries of such employees).

“(4) GUIDANCE.—The Secretary shall issue such guidance as the Secretary determines appropriate to carry out this subsection, including guidance—

“(A) to identify the administrative duties and other actions required to be performed by a pooled plan provider under this subsection,

“(B) which describes the procedures to be taken to terminate a plan which fails to meet the requirements to be a plan described in paragraph (1), including the proper treatment of, and actions needed to be taken by, any employer in the plan and the assets and liabilities of the plan attributable to employees of such employer (or beneficiaries of such employees), and

“(C) identifying appropriate cases to which the rules of paragraph (2)(A) will apply to employers in the plan failing to take the actions described in paragraph (1).

The Secretary shall take into account under subparagraph (C) whether the failure of an employer or pooled plan provider to provide any disclosures or other information, or to take any other action, necessary to administer a plan or to allow a plan to meet requirements applicable to the plan under section 401(a) or 408, whichever is applicable, has continued over a period of time that demonstrates a lack of commitment to compliance.

“(5) MODEL PLAN.—The Secretary shall publish model plan language which meets the requirements of this subsection and of paragraphs (43) and (44) of section 3 of the Employee Retirement Income Security Act of 1974 and which may be adopted in order for a plan to be treated as a plan described in paragraph (1)(B).”

(2) CONFORMING AMENDMENT.—Section 413(c)(2) is amended by striking “section 401(a)” and inserting “sections 401(a) and 408(c)”.

(3) TECHNICAL AMENDMENT.—Section 408(c) is amended by inserting after paragraph (2) the following new paragraph:

“(3) There is a separate accounting for any interest of an employee or member (or spouse of an employee or member) in a Roth IRA.”

(b) NO COMMON INTEREST REQUIRED FOR POOLED EMPLOYER PLANS.—Section 3(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(2)) is amended by adding at the end the following:

“(C) A pooled employer plan shall be treated as—

“(i) a single employee pension benefit plan or single pension plan; and

“(ii) a plan to which section 210(a) applies.”

(c) POOLED EMPLOYER PLAN AND PROVIDER DEFINED.—

(1) IN GENERAL.—Section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002) is amended by adding at the end the following:

“(43) POOLED EMPLOYER PLAN.—

“(A) IN GENERAL.—The term ‘pooled employer plan’ means a plan—

“(i) which is an individual account plan established or maintained for the purpose of providing benefits to the employees of 2 or more employers;

“(ii) which is a plan described in section 401(a) of the Internal Revenue Code of 1986 which includes a trust exempt from tax under section 501(a) of such Code or a plan that consists of individual retirement accounts described in section 408 of such Code (including by reason of subsection (c) thereof); and

“(iii) the terms of which meet the requirements of subparagraph (B).

Such term shall not include a plan maintained by employers which have a common interest other than having adopted the plan.

“(B) REQUIREMENTS FOR PLAN TERMS.—The requirements of this subparagraph are met with respect to any plan if the terms of the plan—

“(i) designate a pooled plan provider and provide that the pooled plan provider is a named fiduciary of the plan;

“(ii) designate one or more trustees meeting the requirements of section 408(a)(2) of the Internal Revenue Code of 1986 (other than an employer in the plan) to be responsible for collecting contributions to, and holding the assets of, the plan and require such trustees to implement written contribution collection procedures that are reasonable, diligent, and systematic;

“(iii) provide that each employer in the plan retains fiduciary responsibility for—

“(I) the selection and monitoring in accordance with section 404(a) of the person designated as the pooled plan provider and any other person who, in addition to the pooled plan provider, is designated as a named fiduciary of the plan; and

“(II) to the extent not otherwise delegated to another fiduciary by the pooled plan provider and subject to the provisions of section 404(c), the investment and management of the portion of the plan’s assets attributable to the employees of the employer (or beneficiaries of such employees);

“(iv) provide that employers in the plan, and participants and beneficiaries, are not subject to unreasonable restrictions, fees, or penalties with regard to ceasing participation, receipt of distributions, or otherwise transferring assets of the plan in accordance with section 208 or paragraph (44)(C)(i)(II);

“(v) require—

“(I) the pooled plan provider to provide to employers in the plan any disclosures or other information which the Secretary may require, including any disclosures or other information to facilitate the selection or any monitoring of the pooled plan provider by employers in the plan; and

“(II) each employer in the plan to take such actions as the Secretary or the pooled

plan provider determines are necessary to administer the plan or for the plan to meet any requirement applicable under this Act or the Internal Revenue Code of 1986 to a plan described in section 401(a) of such Code or to a plan that consists of individual retirement accounts described in section 408 of such Code (including by reason of subsection (c) thereof), whichever is applicable, including providing any disclosures or other information which the Secretary may require or which the pooled plan provider otherwise determines are necessary to administer the plan or to allow the plan to meet such requirements; and

“(vi) provide that any disclosure or other information required to be provided under clause (v) may be provided in electronic form and will be designed to ensure only reasonable costs are imposed on pooled plan providers and employers in the plan.

“(C) EXCEPTIONS.—The term ‘pooled employer plan’ does not include—

“(i) a multiemployer plan; or

“(ii) a plan established before the date of the enactment of the Retirement, Savings, and Other Tax Relief Act of 2018 unless the plan administrator elects that the plan will be treated as a pooled employer plan and the plan meets the requirements of this title applicable to a pooled employer plan established on or after such date.

“(D) TREATMENT OF EMPLOYERS AS PLAN SPONSORS.—Except with respect to the administrative duties of the pooled plan provider described in paragraph (44)(A)(i), each employer in a pooled employer plan shall be treated as the plan sponsor with respect to the portion of the plan attributable to employees of such employer (or beneficiaries of such employees).

“(44) POOLED PLAN PROVIDER.—

“(A) IN GENERAL.—The term ‘pooled plan provider’ means a person who—

“(i) is designated by the terms of a pooled employer plan as a named fiduciary, as the plan administrator, and as the person responsible for the performance of all administrative duties (including conducting proper testing with respect to the plan and the employees of each employer in the plan) which are reasonably necessary to ensure that—

“(I) the plan meets any requirement applicable under this Act or the Internal Revenue Code of 1986 to a plan described in section 401(a) of such Code or to a plan that consists of individual retirement accounts described in section 408 of such Code (including by reason of subsection (c) thereof), whichever is applicable; and

“(II) each employer in the plan takes such actions as the Secretary or pooled plan provider determines are necessary for the plan to meet the requirements described in subclause (I), including providing the disclosures and information described in paragraph (43)(B)(v)(II);

“(ii) registers as a pooled plan provider with the Secretary, and provides to the Secretary such other information as the Secretary may require, before beginning operations as a pooled plan provider;

“(iii) acknowledges in writing that such person is a named fiduciary, and the plan administrator, with respect to the pooled employer plan; and

“(iv) is responsible for ensuring that all persons who handle assets of, or who are fiduciaries of, the pooled employer plan are bonded in accordance with section 412.

“(B) AUDITS, EXAMINATIONS AND INVESTIGATIONS.—The Secretary may perform audits, examinations, and investigations of pooled plan providers as may be necessary to enforce and carry out the purposes of this paragraph and paragraph (43).

“(C) GUIDANCE.—The Secretary shall issue such guidance as the Secretary determines

appropriate to carry out this paragraph and paragraph (43), including guidance—

“(i) to identify the administrative duties and other actions required to be performed by a pooled plan provider under either such paragraph; and

“(ii) which requires in appropriate cases that if an employer in the plan fails to take the actions required under subparagraph (A)(i)(II)—

“(I) the assets of the plan attributable to employees of such employer (or beneficiaries of such employees) are transferred to a plan maintained only by such employer (or its successor), to an eligible retirement plan as defined in section 402(c)(8)(B) of the Internal Revenue Code of 1986 for each individual whose account is transferred, or to any other arrangement that the Secretary determines is appropriate in such guidance; and

“(II) such employer (and not the plan with respect to which the failure occurred or any other employer in such plan) shall, except to the extent provided in such guidance, be liable for any liabilities with respect to such plan attributable to employees of such employer (or beneficiaries of such employees).

The Secretary shall take into account under clause (ii) whether the failure of an employer or pooled plan provider to provide any disclosures or other information, or to take any other action, necessary to administer a plan or to allow a plan to meet requirements described in subparagraph (A)(i)(II) has continued over a period of time that demonstrates a lack of commitment to compliance. The Secretary may waive the requirements of subclause (ii)(I) in appropriate circumstances if the Secretary determines it is in the best interests of the employees of the employer referred to in such clause (and the beneficiaries of such employees) to retain the assets in the plan with respect to which the employer's failure occurred.

“(D) AGGREGATION RULES.—For purposes of this paragraph, in determining whether a person meets the requirements of this paragraph to be a pooled plan provider with respect to any plan, all persons who perform services for the plan and who are treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 shall be treated as one person.”

(2) BONDING REQUIREMENTS FOR POOLED EMPLOYER PLANS.—The last sentence of section 412(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1112(a)) is amended by inserting “or in the case of a pooled employer plan (as defined in section 3(43))” after “section 407(d)(1)”.

(3) CONFORMING AND TECHNICAL AMENDMENTS.—Section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002) is amended—

(A) in paragraph (16)(B)—

(i) by striking “or” at the end of clause (ii); and

(ii) by striking the period at the end and inserting “, or (iv) in the case of a pooled employer plan, the pooled plan provider.”; and

(B) by striking the second paragraph (41).

(d) POOLED EMPLOYER AND MULTIPLE EMPLOYER PLAN REPORTING.—

(1) ADDITIONAL INFORMATION.—Section 103 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1023) is amended—

(A) in subsection (a)(1)(B), by striking “applicable subsections (d), (e), and (f)” and inserting “applicable subsections (d), (e), (f), and (g)”; and

(B) by amending subsection (g) to read as follows:

“(g) ADDITIONAL INFORMATION WITH RESPECT TO POOLED EMPLOYER AND MULTIPLE EMPLOYER PLANS.—An annual report under this section for a plan year shall include—

“(1) with respect to any plan to which section 210(a) applies (including a pooled employer plan), a list of employers in the plan, a good faith estimate of the percentage of total contributions made by such employers during the plan year, and the aggregate account balances attributable to each employer in the plan (determined as the sum of the account balances of the employees of such employer (and the beneficiaries of such employees)); and

“(2) with respect to a pooled employer plan, the identifying information for the person designated under the terms of the plan as the pooled plan provider.”.

(2) SIMPLIFIED ANNUAL REPORTS.—Section 104(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1024(a)) is amended by striking paragraph (2)(A) and inserting the following:

“(2)(A) With respect to annual reports required to be filed with the Secretary under this part, the Secretary may by regulation prescribe simplified annual reports for any pension plan that—

“(i) covers fewer than 100 participants; or

“(ii) is a plan described in section 210(a) that covers fewer than 1,000 participants, but only if no single employer in the plan has 100 or more participants covered by the plan.”.

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to plan years beginning after December 31, 2019.

(2) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (a) shall be construed as limiting the authority of the Secretary of the Treasury or the Secretary's delegate (determined without regard to such amendments) to provide for the proper treatment of a failure to meet any requirement applicable under the Internal Revenue Code of 1986 with respect to one employer (and its employees) in a multiple employer plan.

SEC. 202. RULES RELATING TO ELECTION OF SAFE HARBOR 401(k) STATUS.

(a) LIMITATION OF ANNUAL SAFE HARBOR NOTICE TO MATCHING CONTRIBUTION PLANS.—

(1) IN GENERAL.—Section 401(k)(12)(A) is amended by striking “if such arrangement” and all that follows and inserting “if such arrangement—

“(i) meets the contribution requirements of subparagraph (B) and the notice requirements of subparagraph (D), or

“(ii) meets the contribution requirements of subparagraph (C).”.

(2) AUTOMATIC CONTRIBUTION ARRANGEMENTS.—Section 401(k)(13)(B) is amended by striking “means” and all that follows and inserting “means a cash or deferred arrangement—

“(i) which is described in subparagraph (D)(i)(I) and meets the applicable requirements of subparagraphs (C) through (E), or

“(ii) which is described in subparagraph (D)(i)(II) and meets the applicable requirements of subparagraphs (C) and (D).”.

(b) NONELECTIVE CONTRIBUTIONS.—Section 401(k)(12) is amended by redesignating subparagraph (F) as subparagraph (G), and by inserting after subparagraph (E) the following new subparagraph:

“(F) TIMING OF PLAN AMENDMENT FOR EMPLOYER MAKING NONELECTIVE CONTRIBUTIONS.—

“(i) IN GENERAL.—Except as provided in clause (ii), a plan may be amended after the beginning of a plan year to provide that the requirements of subparagraph (C) shall apply to the arrangement for the plan year, but only if the amendment is adopted—

“(I) at any time before the 30th day before the close of the plan year, or

“(II) at any time before the last day under paragraph (8)(A) for distributing excess contributions for the plan year.

“(ii) EXCEPTION WHERE PLAN PROVIDED FOR MATCHING CONTRIBUTIONS.—Clause (i) shall

not apply to any plan year if the plan provided at any time during the plan year that the requirements of subparagraph (B) or paragraph (13)(D)(i)(I) applied to the plan year.

“(iii) 4-PERCENT CONTRIBUTION REQUIREMENT.—Clause (i)(II) shall not apply to an arrangement unless the amount of the contributions described in subparagraph (C) which the employer is required to make under the arrangement for the plan year with respect to any employee is an amount equal to at least 4 percent of the employee's compensation.”

(c) AUTOMATIC CONTRIBUTION ARRANGEMENTS.—Section 401(k)(13) is amended by adding at the end the following:

“(F) TIMING OF PLAN AMENDMENT FOR EMPLOYER MAKING NONELECTIVE CONTRIBUTIONS.—

“(i) IN GENERAL.—Except as provided in clause (ii), a plan may be amended after the beginning of a plan year to provide that the requirements of subparagraph (D)(i)(II) shall apply to the arrangement for the plan year, but only if the amendment is adopted—

“(I) at any time before the 30th day before the close of the plan year, or

“(II) at any time before the last day under paragraph (8)(A) for distributing excess contributions for the plan year.

“(i) EXCEPTION WHERE PLAN PROVIDED FOR MATCHING CONTRIBUTIONS.—Clause (i) shall not apply to any plan year if the plan provided at any time during the plan year that the requirements of subparagraph (D)(i)(I) or paragraph (12)(B) applied to the plan year.

“(iii) 4-PERCENT CONTRIBUTION REQUIREMENT.—Clause (i)(II) shall not apply to an arrangement unless the amount of the contributions described in subparagraph (D)(i)(II) which the employer is required to make under the arrangement for the plan year with respect to any employee is an amount equal to at least 4 percent of the employee's compensation.”

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

SEC. 203. CERTAIN TAXABLE NON-TUITION FELLOWSHIP AND STIPEND PAYMENTS TREATED AS COMPENSATION FOR IRA PURPOSES.

(a) IN GENERAL.—Section 219(f)(1) is amended by adding at the end the following: “The term ‘compensation’ shall include any amount included in gross income and paid to an individual to aid the individual in the pursuit of graduate or postdoctoral study.”

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

SEC. 204. REPEAL OF MAXIMUM AGE FOR TRADITIONAL IRA CONTRIBUTIONS.

(a) IN GENERAL.—Section 219(d) is amended by striking paragraph (1).

(b) CONFORMING AMENDMENT.—Section 408A(c) is amended by striking paragraph (4) and by redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), and (6), respectively.

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

SEC. 205. QUALIFIED EMPLOYER PLANS PROHIBITED FROM MAKING LOANS THROUGH CREDIT CARDS AND OTHER SIMILAR ARRANGEMENTS.

(a) IN GENERAL.—Section 72(p)(2) is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

“(D) PROHIBITION OF LOANS THROUGH CREDIT CARDS AND OTHER SIMILAR ARRANGEMENTS.—Notwithstanding subparagraph (A), paragraph (1) shall apply to any loan which is made through the use of any credit card or any other similar arrangement.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to loans made after the date of the enactment of this Act.

SEC. 206. PORTABILITY OF LIFETIME INCOME INVESTMENTS.

(a) IN GENERAL.—Section 401(a) is amended by inserting after paragraph (37) the following new paragraph:

“(38) PORTABILITY OF LIFETIME INCOME INVESTMENTS.—

“(A) IN GENERAL.—Except as may be otherwise provided by regulations, a trust forming part of a defined contribution plan shall not be treated as failing to constitute a qualified trust under this section solely by reason of allowing—

“(i) qualified distributions of a lifetime income investment, or

“(ii) distributions of a lifetime income investment in the form of a qualified plan distribution annuity contract,

on or after the date that is 90 days prior to the date on which such lifetime income investment is no longer authorized to be held as an investment option under the plan.

“(B) DEFINITIONS.—For purposes of this subsection—

“(i) the term ‘qualified distribution’ means a direct trustee-to-trustee transfer described in paragraph (31)(A) to an eligible retirement plan (as defined in section 402(c)(8)(B)),

“(ii) the term ‘lifetime income investment’ means an investment option which is designed to provide an employee with election rights—

“(I) which are not uniformly available with respect to other investment options under the plan, and

“(II) which are to a lifetime income feature available through a contract or other arrangement offered under the plan (or under another eligible retirement plan (as so defined), if paid by means of a direct trustee-to-trustee transfer described in paragraph (31)(A) to such other eligible retirement plan),

“(iii) the term ‘lifetime income feature’ means—

“(I) a feature which guarantees a minimum level of income annually (or more frequently) for at least the remainder of the life of the employee or the joint lives of the employee and the employee's designated beneficiary, or

“(II) an annuity payable on behalf of the employee under which payments are made in substantially equal periodic payments (not less frequently than annually) over the life of the employee or the joint lives of the employee and the employee's designated beneficiary, and

“(iv) the term ‘qualified plan distribution annuity contract’ means an annuity contract purchased for a participant and distributed to the participant by a plan or contract described in subparagraph (B) of section 402(c)(8) (without regard to clauses (i) and (ii) thereof).”

(b) CASH OR DEFERRED ARRANGEMENT.—

(1) IN GENERAL.—Section 401(k)(2)(B)(i) is amended by striking “or” at the end of subclause (IV), by striking “and” at the end of subclause (V) and inserting “or”, and by adding at the end the following new subclause:

“(VI) except as may be otherwise provided by regulations, with respect to amounts invested in a lifetime income investment (as defined in subsection (a)(38)(B)(ii)), the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the arrangement, and”

(2) DISTRIBUTION REQUIREMENT.—Section 401(k)(2)(B), as amended by paragraph (1), is amended by striking “and” at the end of clause (i), by striking the semicolon at the end of clause (ii) and inserting “, and”, and

by adding at the end the following new clause:

“(iii) except as may be otherwise provided by regulations, in the case of amounts described in clause (i)(VI), will be distributed only in the form of a qualified distribution (as defined in subsection (a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in subsection (a)(38)(B)(iv)).”

(c) SECTION 403(b) PLANS.—

(1) ANNUITY CONTRACTS.—Section 403(b)(11) is amended by striking “or” at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting “, or”, and by inserting after subparagraph (C) the following new subparagraph:

“(D) except as may be otherwise provided by regulations, with respect to amounts invested in a lifetime income investment (as defined in section 401(a)(38)(B)(ii))—

“(i) on or after the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the contract, and

“(ii) in the form of a qualified distribution (as defined in section 401(a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in section 401(a)(38)(B)(iv)).”

(2) CUSTODIAL ACCOUNTS.—Section 403(b)(7)(A) is amended by striking “if—” and all that follows and inserting “if the amounts are to be invested in regulated investment company stock to be held in that custodial account, and under the custodial account—

“(i) no such amounts may be paid or made available to any distributee (unless such amount is a distribution to which section 72(t)(2)(G) applies) before—

“(I) the employee dies,

“(II) the employee attains age 59½,

“(III) the employee has a severance from employment,

“(IV) the employee becomes disabled (within the meaning of section 72(m)(7)),

“(V) in the case of contributions made pursuant to a salary reduction agreement (within the meaning of section 3121(a)(5)(D)), the employee encounters financial hardship, or

“(VI) except as may be otherwise provided by regulations, with respect to amounts invested in a lifetime income investment (as defined in section 401(a)(38)(B)(ii)), the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the contract, and

“(ii) in the case of amounts described in clause (i)(VI), such amounts will be distributed only in the form of a qualified distribution (as defined in section 401(a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in section 401(a)(38)(B)(iv)).”

(d) ELIGIBLE DEFERRED COMPENSATION PLANS.—

(1) IN GENERAL.—Section 457(d)(1)(A) is amended by striking “or” at the end of clause (ii), by inserting “or” at the end of clause (iii), and by adding after clause (iii) the following:

“(iv) except as may be otherwise provided by regulations, in the case of a plan maintained by an employer described in subsection (e)(1)(A), with respect to amounts invested in a lifetime income investment (as defined in section 401(a)(38)(B)(ii)), the date that is 90 days prior to the date that such lifetime income investment may no longer be held as an investment option under the plan.”

(2) DISTRIBUTION REQUIREMENT.—Section 457(d)(1) is amended by striking “and” at the end of subparagraph (B), by striking the period at the end of subparagraph (C) and inserting “, and”, and by inserting after subparagraph (C) the following new subparagraph:

“(D) except as may be otherwise provided by regulations, in the case of amounts described in subparagraph (A)(iv), such amounts will be distributed only in the form of a qualified distribution (as defined in section 401(a)(38)(B)(i)) or a qualified plan distribution annuity contract (as defined in section 401(a)(38)(B)(iv)).”

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

SEC. 207. TREATMENT OF CUSTODIAL ACCOUNTS ON TERMINATION OF SECTION 403(b) PLANS.

Not later than six months after the date of enactment of this Act, the Secretary of the Treasury shall issue guidance to provide that, if an employer terminates the plan under which amounts are contributed to a custodial account under subparagraph (A) of section 403(b)(7), the plan administrator or custodian may distribute an individual custodial account in kind to a participant or beneficiary of the plan and the distributed custodial account shall be maintained by the custodian on a tax-deferred basis as a section 403(b)(7) custodial account, similar to the treatment of fully-paid individual annuity contracts under Revenue Ruling 2011-7, until amounts are actually paid to the participant or beneficiary. The guidance shall provide further (i) that the section 403(b)(7) status of the distributed custodial account is generally maintained if the custodial account thereafter adheres to the requirements of section 403(b) that are in effect at the time of the distribution of the account and (ii) that a custodial account would not be considered distributed to the participant or beneficiary if the employer has any material retained rights under the account (but the employer would not be treated as retaining material rights simply because the custodial account was originally opened under a group contract).

SEC. 208. CLARIFICATION OF RETIREMENT INCOME ACCOUNT RULES RELATING TO CHURCH-CONTROLLED ORGANIZATIONS.

(a) **IN GENERAL.**—Section 403(b)(9)(B) is amended by inserting “(including an employee described in section 414(e)(3)(B))” after “employee described in paragraph (1)”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to years beginning before, on, or after the date of the enactment of this Act.

SEC. 209. INCREASE IN 10 PERCENT CAP FOR AUTOMATIC ENROLLMENT SAFE HARBOR AFTER 1ST PLAN YEAR.

(a) **IN GENERAL.**—Section 401(k)(13)(C)(iii) is amended by striking “does not exceed 10 percent” and inserting “does not exceed 15 percent (10 percent during the period described in subclause (I))”.

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

SEC. 210. INCREASE IN CREDIT LIMITATION FOR SMALL EMPLOYER PENSION PLAN STARTUP COSTS.

(a) **IN GENERAL.**—Paragraph (1) of section 45E(b) is amended to read as follows:

“(1) for the first credit year and each of the 2 taxable years immediately following the first credit year, the greater of—

“(A) \$500, or

“(B) the lesser of—

“(i) \$250 for each employee of the eligible employer who is not a highly compensated employee (as defined in section 414(q)) and who is eligible to participate in the eligible employer plan maintained by the eligible employer, or

“(ii) \$1,500, and”.

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

SEC. 211. SMALL EMPLOYER AUTOMATIC ENROLLMENT CREDIT.

(a) **IN GENERAL.**—Section 45E is amended by adding at the end the following new subsection:—

“(f) **CREDIT FOR AUTO-ENROLLMENT OPTION FOR RETIREMENT SAVINGS OPTIONS.**—

“(1) **IN GENERAL.**—The credit allowed under subsection (a) for any taxable year during an eligible employer’s retirement auto-enrollment credit period shall be increased (without regard to subsection (b)) by \$500.

“(2) **RETIREMENT AUTO-ENROLLMENT CREDIT PERIOD.**—

“(A) **IN GENERAL.**—The retirement auto-enrollment credit period with respect to any eligible employer is the 3-taxable-year period beginning with the first taxable year for which the employer includes an eligible automatic contribution arrangement (as defined in section 414(w)(3)) in a qualified employer plan (as defined in section 4972(d)) sponsored by the employer.

“(B) **MAINTENANCE OF ARRANGEMENT.**—No taxable year with respect to an employer shall be treated as occurring within the retirement auto-enrollment credit period unless the arrangement described in subparagraph (A) is included in the plan for such year.

“(3) **NOT LIMITED TO NEW PLANS.**—This subsection shall be applied without regard to subsection (c)(2).”

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

SEC. 212. EXEMPTION FROM REQUIRED MINIMUM DISTRIBUTION RULES FOR INDIVIDUALS WITH CERTAIN ACCOUNT BALANCES.

(a) **IN GENERAL.**—Section 401(a)(9) is amended by adding at the end the following new subparagraph:

“(H) **EXCEPTION FROM REQUIRED MINIMUM DISTRIBUTIONS DURING LIFE OF EMPLOYEE WHERE ASSETS DO NOT EXCEED \$50,000.**—

“(i) **IN GENERAL.**—If on the last day of any calendar year the aggregate value of an employee’s entire interest under all applicable eligible retirement plans does not exceed \$50,000, then the requirements of subparagraph (A) with respect to any distribution relating to such year shall not apply with respect to such employee.

“(ii) **APPLICABLE ELIGIBLE RETIREMENT PLAN.**—For purposes of this subparagraph, the term ‘applicable eligible retirement plan’ means an eligible retirement plan (as defined in section 402(c)(8)(B)) other than a defined benefit plan.

“(iii) **LIMIT ON REQUIRED MINIMUM DISTRIBUTION.**—The required minimum distribution determined under subparagraph (A) for an employee under all applicable eligible retirement plans shall not exceed an amount equal to the excess of—

“(I) the aggregate value of an employee’s entire interest under such plans on the last day of the calendar year to which such distribution relates, over

“(II) the dollar amount in effect under clause (i) for such calendar year.

The Secretary in regulations or other guidance may provide how such amount shall be distributed in the case of an individual with more than one applicable eligible retirement plan.

“(iv) **INFLATION ADJUSTMENT.**—In the case of any calendar year beginning after 2019, the \$50,000 amount in clause (i) shall be increased by an amount equal to—

“(I) such dollar amount, multiplied by

“(II) the cost of living adjustment determined under section 1(f)(3) for the calendar year, determined by substituting ‘calendar year 2018’ for ‘calendar year 2016’ in subparagraph (A)(ii) thereof.

Any increase determined under this clause shall be rounded to the next lowest multiple of \$5,000.

“(v) **PLAN ADMINISTRATOR RELIANCE ON EMPLOYEE CERTIFICATION.**—An applicable eligible retirement plan described in clause (iii), (iv), (v), or (vi) of section 402(c)(8)(B) shall not be treated as failing to meet the requirements of this paragraph in the case of any failure to make a required minimum distribution for a calendar year if—

“(I) the aggregate value of an employee’s entire interest under all applicable eligible retirement plans of the employer on the last day of the calendar year to which such distribution relates does not exceed the dollar amount in effect for such year under clause (i), and

“(II) the employee certifies that the aggregate value of the employee’s entire interest under all applicable eligible retirement plans on the last day of the calendar year to which such distribution relates did not exceed the dollar amount in effect for such year under clause (i).

“(vi) **AGGREGATION RULE.**—All employers treated as a single employer under subsection (b), (c), (m), or (o) of section 414 shall be treated as a single employer for purposes of clause (v).”

(b) **PLAN ADMINISTRATOR REPORTING.**—Section 6047 is amended by redesignating subsection (h) as subsection (i) and by inserting after subsection (g) the following new subsection:

“(h) **ACCOUNT BALANCE FOR PARTICIPANTS WHO HAVE ATTAINED AGE 69.**—

“(1) **IN GENERAL.**—Not later than January 31 of each year, the plan administrator (as defined in section 414(g)) of each applicable eligible retirement plan (as defined in section 401(a)(9)(H)) shall make a return to the Secretary with respect to each participant of such plan who has attained age 69 as of the end of the preceding calendar year which states—

“(A) the name and plan number of the plan,

“(B) the name and address of the plan administrator,

“(C) the name, address, and taxpayer identification number of the participant, and

“(D) the account balance of such participant as of the end of the preceding calendar year.

“(2) **STATEMENT FURNISHED TO PARTICIPANT.**—Every person required to make a return under paragraph (1) with respect to a participant shall furnish a copy of such return to such participant.

“(3) **APPLICATION TO INDIVIDUAL RETIREMENT PLANS AND ANNUITIES.**—In the case of an applicable eligible retirement plan described in clause (i) or (ii) of section 402(c)(8)(B)—

“(A) any reference in this subsection to the plan administrator shall be treated as a reference to the trustee or issuer, as the case may be, and

“(B) any reference in this subsection to the participant shall be treated as a reference to the individual for whom such account or annuity is maintained.”

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to distributions required to be made in calendar years beginning more than 120 days after the date of the enactment of this Act.

SEC. 213. ELECTIVE DEFERRALS BY MEMBERS OF THE READY RESERVE OF A RESERVE COMPONENT OF THE ARMED FORCES.

(a) **IN GENERAL.**—Section 402(g) is amended by adding at the end the following new paragraph:

“(9) **ELECTIVE DEFERRALS BY MEMBERS OF READY RESERVE.**—

“(A) **IN GENERAL.**—In the case of a qualified ready reservist for any taxable year, the lim-

itations of subparagraphs (A) and (C) of paragraph (1) shall be applied separately with respect to—

“(i) elective deferrals of such qualified ready reservist with respect to compensation described in subparagraph (B), and

“(ii) all other elective deferrals of such qualified ready reservist.

“(B) QUALIFIED READY RESERVIST.—For purposes of this paragraph, the term ‘qualified ready reservist’ means any individual for any taxable year if such individual received compensation for service as a member of the Ready Reserve of a reserve component (as defined in section 101 of title 37, United States Code) during such taxable year.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to plan years beginning after December 31, 2018.

Subtitle B—Administrative Improvements

SEC. 221. PLAN ADOPTED BY FILING DUE DATE FOR YEAR MAY BE TREATED AS IN EFFECT AS OF CLOSE OF YEAR.

(a) IN GENERAL.—Section 401(b) is amended—

(1) by striking “RETROACTIVE CHANGES IN PLAN.—A stock bonus” and inserting “PLAN AMENDMENTS.—

“(1) CERTAIN RETROACTIVE CHANGES IN PLAN.—A stock bonus”, and

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

“(2) ADOPTION OF PLAN.—If an employer adopts a stock bonus, pension, profit-sharing, or annuity plan after the close of a taxable year but before the time prescribed by law for filing the employer’s return of tax for the taxable year (including extensions thereof), the employer may elect to treat the plan as having been adopted as of the last day of the taxable year.”.

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

SEC. 222. MODIFICATION OF NONDISCRIMINATION RULES TO PROTECT OLDER, LONGER SERVICE PARTICIPANTS.

(a) IN GENERAL.—Section 401 is amended—

(1) by redesignating subsection (o) as subsection (p), and

(2) by inserting after subsection (n) the following new subsection:

“(o) SPECIAL RULES FOR APPLYING NONDISCRIMINATION RULES TO PROTECT OLDER, LONGER SERVICE AND GRANDFATHERED PARTICIPANTS.—

“(1) TESTING OF DEFINED BENEFIT PLANS WITH CLOSED CLASSES OF PARTICIPANTS.—

“(A) BENEFITS, RIGHTS, OR FEATURES PROVIDED TO CLOSED CLASSES.—A defined benefit plan which provides benefits, rights, or features to a closed class of participants shall not fail to satisfy the requirements of subsection (a)(4) by reason of the composition of such closed class or the benefits, rights, or features provided to such closed class, if—

“(i) for the plan year as of which the class closes and the 2 succeeding plan years, such benefits, rights, and features satisfy the requirements of subsection (a)(4) (without regard to this subparagraph but taking into account the rules of subparagraph (I)),

“(ii) after the date as of which the class was closed, any plan amendment which modifies the closed class or the benefits, rights, and features provided to such closed class does not discriminate significantly in favor of highly compensated employees, and

“(iii) the class was closed before April 5, 2017, or the plan is described in subparagraph (C).

“(B) AGGREGATE TESTING WITH DEFINED CONTRIBUTION PLANS PERMITTED ON A BENEFITS BASIS.—

“(i) IN GENERAL.—For purposes of determining compliance with subsection (a)(4) and section 410(b), a defined benefit plan de-

scribed in clause (iii) may be aggregated and tested on a benefits basis with 1 or more defined contribution plans, including with the portion of 1 or more defined contribution plans which—

“(I) provides matching contributions (as defined in subsection (m)(4)(A)),

“(II) provides annuity contracts described in section 403(b) which are purchased with matching contributions or nonelective contributions, or

“(III) consists of an employee stock ownership plan (within the meaning of section 4975(e)(7)) or a tax credit employee stock ownership plan (within the meaning of section 409(a)).

“(ii) SPECIAL RULES FOR MATCHING CONTRIBUTIONS.—For purposes of clause (i), if a defined benefit plan is aggregated with a portion of a defined contribution plan providing matching contributions—

“(I) such defined benefit plan must also be aggregated with any portion of such defined contribution plan which provides elective deferrals described in subparagraph (A) or (C) of section 402(g)(3), and

“(II) such matching contributions shall be treated in the same manner as nonelective contributions, including for purposes of applying the rules of subsection (I).

“(iii) PLANS DESCRIBED.—A defined benefit plan is described in this clause if—

“(I) the plan provides benefits to a closed class of participants,

“(II) for the plan year as of which the class closes and the 2 succeeding plan years, the plan satisfies the requirements of section 410(b) and subsection (a)(4) (without regard to this subparagraph but taking into account the rules of subparagraph (I)),

“(III) after the date as of which the class was closed, any plan amendment which modifies the closed class or the benefits provided to such closed class does not discriminate significantly in favor of highly compensated employees, and

“(IV) the class was closed before April 5, 2017, or the plan is described in subparagraph (C).

“(C) PLANS DESCRIBED.—A plan is described in this subparagraph if, taking into account any predecessor plan—

“(i) such plan has been in effect for at least 5 years as of the date the class is closed, and

“(ii) during the 5-year period preceding the date the class is closed, there has not been a substantial increase in the coverage or value of the benefits, rights, or features described in subparagraph (A) or in the coverage or benefits under the plan described in subparagraph (B)(iii) (whichever is applicable).

“(D) DETERMINATION OF SUBSTANTIAL INCREASE FOR BENEFITS, RIGHTS, AND FEATURES.—In applying subparagraph (C)(ii) for purposes of subparagraph (A)(iii), a plan shall be treated as having had a substantial increase in coverage or value of the benefits, rights, or features described in subparagraph (A) during the applicable 5-year period only if, during such period—

“(i) the number of participants covered by such benefits, rights, or features on the date such period ends is more than 50 percent greater than the number of such participants on the first day of the plan year in which such period began, or

“(ii) such benefits, rights, and features have been modified by 1 or more plan amendments in such a way that, as of the date the class is closed, the value of such benefits, rights, and features to the closed class as a whole is substantially greater than the value as of the first day of such 5-year period, solely as a result of such amendments.

“(E) DETERMINATION OF SUBSTANTIAL INCREASE FOR AGGREGATE TESTING ON BENEFITS BASIS.—In applying subparagraph (C)(ii) for purposes of subparagraph (B)(iii)(IV), a plan shall be treated as having had a substantial

increase in coverage or benefits during the applicable 5-year period only if, during such period—

“(i) the number of participants benefitting under the plan on the date such period ends is more than 50 percent greater than the number of such participants on the first day of the plan year in which such period began, or

“(ii) the average benefit provided to such participants on the date such period ends is more than 50 percent greater than the average benefit provided on the first day of the plan year in which such period began.

“(F) CERTAIN EMPLOYEES DISREGARDED.—For purposes of subparagraphs (D) and (E), any increase in coverage or value or in coverage or benefits, whichever is applicable, which is attributable to such coverage and value or coverage and benefits provided to employees—

“(i) who became participants as a result of a merger, acquisition, or similar event which occurred during the 7-year period preceding the date the class is closed, or

“(ii) who became participants by reason of a merger of the plan with another plan which had been in effect for at least 5 years as of the date of the merger,

shall be disregarded, except that clause (ii) shall apply for purposes of subparagraph (D) only if, under the merger, the benefits, rights, or features under 1 plan are conformed to the benefits, rights, or features of the other plan prospectively.

“(G) RULES RELATING TO AVERAGE BENEFIT.—For purposes of subparagraph (E)—

“(i) the average benefit provided to participants under the plan will be treated as having remained the same between the 2 dates described in subparagraph (E)(ii) if the benefit formula applicable to such participants has not changed between such dates, and

“(ii) if the benefit formula applicable to 1 or more participants under the plan has changed between such 2 dates, then the average benefit under the plan shall be considered to have increased by more than 50 percent only if—

“(I) the total amount determined under section 430(b)(1)(A)(i) for all participants benefitting under the plan for the plan year in which the 5-year period described in subparagraph (E) ends, exceeds

“(II) the total amount determined under section 430(b)(1)(A)(i) for all such participants for such plan year, by using the benefit formula in effect for each such participant for the first plan year in such 5-year period, by more than 50 percent.

In the case of a CSEC plan (as defined in section 414(y)), the normal cost of the plan (as determined under section 433(j)(1)(B)) shall be used in lieu of the amount determined under section 430(b)(1)(A)(i).

“(H) TREATMENT AS SINGLE PLAN.—For purposes of subparagraphs (E) and (G), a plan described in section 413(c) shall be treated as a single plan rather than as separate plans maintained by each employer in the plan.

“(I) SPECIAL RULES.—For purposes of subparagraphs (A)(i) and (B)(iii)(II), the following rules shall apply:

“(i) In applying section 410(b)(6)(C), the closing of the class of participants shall not be treated as a significant change in coverage under section 410(b)(6)(C)(i)(II).

“(ii) 2 or more plans shall not fail to be eligible to be aggregated and treated as a single plan solely by reason of having different plan years.

“(iii) Changes in the employee population shall be disregarded to the extent attributable to individuals who become employees or cease to be employees, after the date the class is closed, by reason of a merger, acquisition, divestiture, or similar event.

“(iv) Aggregation and all other testing methodologies otherwise applicable under subsection (a)(4) and section 410(b) may be taken into account.

The rule of clause (ii) shall also apply for purposes of determining whether plans to which subparagraph (B)(i) applies may be aggregated and treated as 1 plan for purposes of determining whether such plans meet the requirements of subsection (a)(4) and section 410(b).

“(J) SPUN-OFF PLANS.—For purposes of this paragraph, if a portion of a defined benefit plan described in subparagraph (A) or (B)(iii) is spun off to another employer and the spun-off plan continues to satisfy the requirements of—

“(i) subparagraph (A)(i) or (B)(iii)(II), whichever is applicable, if the original plan was still within the 3-year period described in such subparagraph at the time of the spin off, and

“(ii) subparagraph (A)(ii) or (B)(iii)(III), whichever is applicable,

the treatment under subparagraph (A) or (B) of the spun-off plan shall continue with respect to such other employer.

“(2) TESTING OF DEFINED CONTRIBUTION PLANS.—

“(A) TESTING ON A BENEFITS BASIS.—A defined contribution plan shall be permitted to be tested on a benefits basis if—

“(i) such defined contribution plan provides make-whole contributions to a closed class of participants whose accruals under a defined benefit plan have been reduced or eliminated,

“(ii) for the plan year of the defined contribution plan as of which the class eligible to receive such make-whole contributions closes and the 2 succeeding plan years, such closed class of participants satisfies the requirements of section 410(b)(2)(A)(i) (determined by applying the rules of paragraph (1)(I)),

“(iii) after the date as of which the class was closed, any plan amendment to the defined contribution plan which modifies the closed class or the allocations, benefits, rights, and features provided to such closed class does not discriminate significantly in favor of highly compensated employees, and

“(iv) the class was closed before April 5, 2017, or the defined benefit plan under clause (i) is described in paragraph (1)(C) (as applied for purposes of paragraph (1)(B)(iii)(IV)).

“(B) AGGREGATION WITH PLANS INCLUDING MATCHING CONTRIBUTIONS.—

“(i) IN GENERAL.—With respect to 1 or more defined contribution plans described in subparagraph (A), for purposes of determining compliance with subsection (a)(4) and section 410(b), the portion of such plans which provides make-whole contributions or other nonelective contributions may be aggregated and tested on a benefits basis with the portion of 1 or more other defined contribution plans which—

“(I) provides matching contributions (as defined in subsection (m)(4)(A)),

“(II) provides annuity contracts described in section 403(b) which are purchased with matching contributions or nonelective contributions, or

“(III) consists of an employee stock ownership plan (within the meaning of section 4975(e)(7)) or a tax credit employee stock ownership plan (within the meaning of section 409(a)).

“(ii) SPECIAL RULES FOR MATCHING CONTRIBUTIONS.—Rules similar to the rules of paragraph (1)(B)(ii) shall apply for purposes of clause (i).

“(C) SPECIAL RULES FOR TESTING DEFINED CONTRIBUTION PLAN FEATURES PROVIDING MATCHING CONTRIBUTIONS TO CERTAIN OLDER, LONGER SERVICE PARTICIPANTS.—In the case of a defined contribution plan which provides

benefits, rights, or features to a closed class of participants whose accruals under a defined benefit plan have been reduced or eliminated, the plan shall not fail to satisfy the requirements of subsection (a)(4) solely by reason of the composition of the closed class or the benefits, rights, or features provided to such closed class if the defined contribution plan and defined benefit plan otherwise meet the requirements of subparagraph (A) but for the fact that the make-whole contributions under the defined contribution plan are made in whole or in part through matching contributions.

“(D) SPUN-OFF PLANS.—For purposes of this paragraph, if a portion of a defined contribution plan described in subparagraph (A) or (C) is spun off to another employer, the treatment under subparagraph (A) or (C) of the spun-off plan shall continue with respect to the other employer if such plan continues to comply with the requirements of clauses (i) (if the original plan was still within the 3-year period described in such clause at the time of the spin off) and (iii) of subparagraph (A), as determined for purposes of subparagraph (A) or (C), whichever is applicable.

“(3) DEFINITIONS.—For purposes of this subsection—

“(A) MAKE-WHOLE CONTRIBUTIONS.—Except as otherwise provided in paragraph (2)(C), the term ‘make-whole contributions’ means nonelective allocations for each employee in the class which are reasonably calculated, in a consistent manner, to replace some or all of the retirement benefits which the employee would have received under the defined benefit plan and any other plan or qualified cash or deferred arrangement under subsection (k)(2) if no change had been made to such defined benefit plan and such other plan or arrangement. For purposes of the preceding sentence, consistency shall not be required with respect to employees who were subject to different benefit formulas under the defined benefit plan.

“(B) REFERENCES TO CLOSED CLASS OF PARTICIPANTS.—References to a closed class of participants and similar references to a closed class shall include arrangements under which 1 or more classes of participants are closed, except that 1 or more classes of participants closed on different dates shall not be aggregated for purposes of determining the date any such class was closed.

“(C) HIGHLY COMPENSATED EMPLOYEE.—The term ‘highly compensated employee’ has the meaning given such term in section 414(q).”.

(b) PARTICIPATION REQUIREMENTS.—Section 401(a)(26) is amended by adding at the end the following new subparagraph:

“(I) PROTECTED PARTICIPANTS.—

“(i) IN GENERAL.—A plan shall be deemed to satisfy the requirements of subparagraph (A) if—

“(I) the plan is amended—

“(aa) to cease all benefit accruals, or

“(bb) to provide future benefit accruals only to a closed class of participants,

“(II) the plan satisfies subparagraph (A) (without regard to this subparagraph) as of the effective date of the amendment, and

“(III) the amendment was adopted before April 5, 2017, or the plan is described in clause (ii).

“(ii) PLANS DESCRIBED.—A plan is described in this clause if the plan would be described in subsection (o)(1)(C), as applied for purposes of subsection (o)(1)(B)(iii)(IV) and by treating the effective date of the amendment as the date the class was closed for purposes of subsection (o)(1)(C).

“(iii) SPECIAL RULES.—For purposes of clause (i)(II), in applying section 410(b)(6)(C), the amendments described in clause (i) shall not be treated as a significant change in coverage under section 410(b)(6)(C)(i)(II).

“(iv) SPUN-OFF PLANS.—For purposes of this subparagraph, if a portion of a plan de-

scribed in clause (i) is spun off to another employer, the treatment under clause (i) of the spun-off plan shall continue with respect to the other employer.”.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall take effect on the date of the enactment of this Act, without regard to whether any plan modifications referred to in such amendments are adopted or effective before, on, or after such date of enactment.

(2) SPECIAL RULES.—

(A) ELECTION OF EARLIER APPLICATION.—At the election of the plan sponsor, the amendments made by this section shall apply to plan years beginning after December 31, 2013.

(B) CLOSED CLASSES OF PARTICIPANTS.—For purposes of paragraphs (1)(A)(iii), (1)(B)(iii)(IV), and (2)(A)(iv) of section 401(o) of the Internal Revenue Code of 1986 (as added by this section), a closed class of participants shall be treated as being closed before April 5, 2017, if the plan sponsor’s intention to create such closed class is reflected in formal written documents and communicated to participants before such date.

(C) CERTAIN POST-ENACTMENT PLAN AMENDMENTS.—A plan shall not be treated as failing to be eligible for the application of section 401(o)(1)(A), 401(o)(1)(B)(iii), or 401(a)(26) of such Code (as added by this section) to such plan solely because in the case of—

(i) such section 401(o)(1)(A), the plan was amended before the date of the enactment of this Act to eliminate 1 or more benefits, rights, or features, and is further amended after such date of enactment to provide such previously eliminated benefits, rights, or features to a closed class of participants, or

(ii) such section 401(o)(1)(B)(iii) or section 401(a)(26), the plan was amended before the date of the enactment of this Act to cease all benefit accruals, and is further amended after such date of enactment to provide benefit accruals to a closed class of participants. Any such section shall only apply if the plan otherwise meets the requirements of such section and in applying such section, the date the class of participants is closed shall be the effective date of the later amendment.

SEC. 223. FIDUCIARY SAFE HARBOR FOR SELECTION OF LIFETIME INCOME PROVIDER.

Section 404 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104) is amended by adding at the end the following:

“(e) SAFE HARBOR FOR ANNUITY SELECTION.—

“(1) IN GENERAL.—With respect to the selection of an insurer for a guaranteed retirement income contract, the requirements of subsection (a)(1)(B) will be deemed to be satisfied if a fiduciary—

“(A) engages in an objective, thorough, and analytical search for the purpose of identifying insurers from which to purchase such contracts;

“(B) with respect to each insurer identified under subparagraph (A)—

“(i) considers the financial capability of such insurer to satisfy its obligations under the guaranteed retirement income contract; and

“(ii) considers the cost (including fees and commissions) of the guaranteed retirement income contract offered by the insurer in relation to the benefits and product features of the contract and administrative services to be provided under such contract; and

“(C) on the basis of such consideration, concludes that—

“(i) at the time of the selection, the insurer is financially capable of satisfying its obligations under the guaranteed retirement income contract; and

“(ii) the relative cost of the selected guaranteed retirement income contract as described in subparagraph (B)(ii) is reasonable.

“(2) FINANCIAL CAPABILITY OF THE INSURER.—A fiduciary will be deemed to satisfy the requirements of paragraphs (1)(B)(i) and (1)(C)(i) if—

“(A) the fiduciary obtains written representations from the insurer that—

“(i) the insurer is licensed to offer guaranteed retirement income contracts;

“(ii) the insurer, at the time of selection and for each of the immediately preceding 7 plan years—

“(I) operates under a certificate of authority from the insurance commissioner of its domiciliary State which has not been revoked or suspended;

“(II) has filed audited financial statements in accordance with the laws of its domiciliary State under applicable statutory accounting principles;

“(III) maintains (and has maintained) reserves which satisfies all the statutory requirements of all States where the insurer does business; and

“(IV) is not operating under an order of supervision, rehabilitation, or liquidation;

“(iii) the insurer undergoes, at least every 5 years, a financial examination (within the meaning of the law of its domiciliary State) by the insurance commissioner of the domiciliary State (or representative, designee, or other party approved by such commissioner); and

“(iv) the insurer will notify the fiduciary of any change in circumstances occurring after the provision of the representations in clauses (i), (ii), and (iii) which would preclude the insurer from making such representations at the time of issuance of the guaranteed retirement income contract; and

“(B) after receiving such representations and as of the time of selection, the fiduciary has not received any notice described in subparagraph (A)(iv) and is in possession of no other information which would cause the fiduciary to question the representations provided.

“(3) NO REQUIREMENT TO SELECT LOWEST COST.—Nothing in this subsection shall be construed to require a fiduciary to select the lowest cost contract. A fiduciary may consider the value of a contract, including features and benefits of the contract and attributes of the insurer (including, without limitation, the insurer's financial strength) in conjunction with the cost of the contract.

“(4) TIME OF SELECTION.—

“(A) IN GENERAL.—For purposes of this subsection, the time of selection is—

“(i) the time that the insurer and the contract are selected for distribution of benefits to a specific participant or beneficiary; or

“(ii) if the fiduciary periodically reviews the continuing appropriateness of the conclusion described in paragraph (1)(C) with respect to a selected insurer, taking into account the considerations described in such paragraph, the time that the insurer and the contract are selected to provide benefits at future dates to participants or beneficiaries under the plan.

Nothing in the preceding sentence shall be construed to require the fiduciary to review the appropriateness of a selection after the purchase of a contract for a participant or beneficiary.

“(B) PERIODIC REVIEW.—A fiduciary will be deemed to have conducted the periodic review described in subparagraph (A)(ii) if the fiduciary obtains the written representations described in clauses (i), (ii), and (iii) of paragraph (2)(A) from the insurer on an annual basis, unless the fiduciary receives any notice described in paragraph (2)(A)(iv) or otherwise becomes aware of facts that would cause the fiduciary to question such representations.

“(5) LIMITED LIABILITY.—A fiduciary which satisfies the requirements of this subsection

shall not be liable following the distribution of any benefit, or the investment by or on behalf of a participant or beneficiary pursuant to the selected guaranteed retirement income contract, for any losses that may result to the participant or beneficiary due to an insurer's inability to satisfy its financial obligations under the terms of such contract.

“(6) DEFINITIONS.—For purposes of this subsection—

“(A) INSURER.—The term ‘insurer’ means an insurance company, insurance service, or insurance organization, including affiliates of such companies.

“(B) GUARANTEED RETIREMENT INCOME CONTRACT.—The term ‘guaranteed retirement income contract’ means an annuity contract for a fixed term or a contract (or provision or feature thereof) which provides guaranteed benefits annually (or more frequently) for at least the remainder of the life of the participant or the joint lives of the participant and the participant's designated beneficiary as part of an individual account plan.”.

SEC. 224. DISCLOSURE REGARDING LIFETIME INCOME.

(a) IN GENERAL.—Subparagraph (B) of section 105(a)(2) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025(a)(2)) is amended—

(1) in clause (i), by striking “and” at the end;

(2) in clause (ii), by striking “diversification.” and inserting “diversification, and”; and

(3) by inserting at the end the following:

“(iii) the lifetime income disclosure described in subparagraph (D)(i).

In the case of pension benefit statements described in clause (i) of paragraph (1)(A), a lifetime income disclosure under clause (iii) of this subparagraph shall be required to be included in only one pension benefit statement during any one 12-month period.”.

(b) LIFETIME INCOME.—Paragraph (2) of section 105(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1025(a)) is amended by adding at the end the following new subparagraph:

“(D) LIFETIME INCOME DISCLOSURE.—

“(i) IN GENERAL.—

“(I) DISCLOSURE.—A lifetime income disclosure shall set forth the lifetime income stream equivalent of the total benefits accrued with respect to the participant or beneficiary.

“(II) LIFETIME INCOME STREAM EQUIVALENT OF THE TOTAL BENEFITS ACCRUED.—For purposes of this subparagraph, the term ‘lifetime income stream equivalent of the total benefits accrued’ means the amount of monthly payments the participant or beneficiary would receive if the total accrued benefits of such participant or beneficiary were used to provide lifetime income streams described in subclause (III), based on assumptions specified in rules prescribed by the Secretary.

“(III) LIFETIME INCOME STREAMS.—The lifetime income streams described in this subclause are a qualified joint and survivor annuity (as defined in section 205(d)), based on assumptions specified in rules prescribed by the Secretary, including the assumption that the participant or beneficiary has a spouse of equal age, and a single life annuity. Such lifetime income streams may have a term certain or other features to the extent permitted under rules prescribed by the Secretary.

“(ii) MODEL DISCLOSURE.—Not later than 1 year after the date of the enactment of the Retirement, Savings, and Other Tax Relief Act of 2018, the Secretary shall issue a model lifetime income disclosure, written in a manner so as to be understood by the average plan participant, which—

“(I) explains that the lifetime income stream equivalent is only provided as an illustration;

“(II) explains that the actual payments under the lifetime income stream described in clause (i)(III) which may be purchased with the total benefits accrued will depend on numerous factors and may vary substantially from the lifetime income stream equivalent in the disclosures;

“(III) explains the assumptions upon which the lifetime income stream equivalent was determined; and

“(IV) provides such other similar explanations as the Secretary considers appropriate.

“(iii) ASSUMPTIONS AND RULES.—Not later than 1 year after the date of the enactment of the Retirement, Savings, and Other Tax Relief Act of 2018, the Secretary shall—

“(I) prescribe assumptions which administrators of individual account plans may use in converting total accrued benefits into lifetime income stream equivalents for purposes of this subparagraph; and

“(II) issue interim final rules under clause (i).

In prescribing assumptions under subclause (I), the Secretary may prescribe a single set of specific assumptions (in which case the Secretary may issue tables or factors which facilitate such conversions), or ranges of permissible assumptions. To the extent that an accrued benefit is or may be invested in a lifetime income stream described in clause (i)(III), the assumptions prescribed under subclause (I) shall, to the extent appropriate, permit administrators of individual account plans to use the amounts payable under such lifetime income stream as a lifetime income stream equivalent.

“(iv) LIMITATION ON LIABILITY.—No plan fiduciary, plan sponsor, or other person shall have any liability under this title solely by reason of the provision of lifetime income stream equivalents which are derived in accordance with the assumptions and rules described in clause (iii) and which include the explanations contained in the model lifetime income disclosure described in clause (ii). This clause shall apply without regard to whether the provision of such lifetime income stream equivalent is required by subparagraph (B)(iii).

“(v) EFFECTIVE DATE.—The requirement in subparagraph (B)(iii) shall apply to pension benefit statements furnished more than 12 months after the latest of the issuance by the Secretary of—

“(I) interim final rules under clause (i);

“(II) the model disclosure under clause (ii); or

“(III) the assumptions under clause (iii).”.

SEC. 225. MODIFICATION OF PBGC PREMIUMS FOR CSEC PLANS.

(a) FLAT RATE PREMIUM.—Subparagraph (A) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended—

(1) in clause (i), by striking “plan,” and inserting “plan other than a CSEC plan (as defined in section 210(f)(1))”; and

(2) in clause (v), by striking “or” at the end;

(3) in clause (vi), by striking the period at the end and inserting “, or”; and

(4) by adding at the end the following new clause:

“(vii) in the case of a CSEC plan (as defined in section 210(f)(1)), for plan years beginning after December 31, 2018, for each individual who is a participant in such plan during the plan year an amount equal to the sum of—

“(I) the additional premium (if any) determined under subparagraph (E), and

“(II) \$19.”.

(b) VARIABLE RATE PREMIUM.—

(1) UNFUNDED VESTED BENEFITS.—

(A) IN GENERAL.—Subparagraph (E) of section 4006(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1306(a)(3)) is amended by adding at the end the following new clause:

“(v) For purposes of clause (ii), in the case of a CSEC plan (as defined in section 210(f)(1)), the term ‘unfunded vested benefits’ means, for plan years beginning after December 31, 2018, the excess (if any) of—

“(I) the funding liability of the plan as determined under section 306(j)(5)(C) for the plan year by only taking into account vested benefits, over

“(II) the fair market value of plan assets for the plan year which are held by the plan on the valuation date.”.

(B) CONFORMING AMENDMENT.—Clause (iii) of section 4006(a)(3)(E) of such Act (29 U.S.C. 1306(a)(3)(E)) is amended by striking “For purposes” and inserting “Except as provided in clause (v), for purposes”.

(2) APPLICABLE DOLLAR AMOUNT.—

(A) IN GENERAL.—Paragraph (8) of section 4006(a) of such Act (29 U.S.C. 1306(a)) is amended by adding at the end the following new subparagraph:

“(E) CSEC PLANS.—In the case of a CSEC plan (as defined in section 210(f)(1)), the applicable dollar amount shall be \$9.”.

(B) CONFORMING AMENDMENT.—Subparagraph (A) of section 4006(a)(8) of such Act (29 U.S.C. 1306(a)(8)) is amended by striking “(B) and (C)” and inserting “(B), (C), and (E)”.

Subtitle C—Other Savings Provisions**SEC. 231. EXPANSION OF SECTION 529 PLANS.**

(a) DISTRIBUTIONS FOR CERTAIN EXPENSES ASSOCIATED WITH REGISTERED APPRENTICESHIP PROGRAMS.—Section 529(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(8) TREATMENT OF CERTAIN EXPENSES ASSOCIATED WITH REGISTERED APPRENTICESHIP PROGRAMS.—Any reference in this subsection to the term ‘qualified higher education expense’ shall include a reference to expenses for fees, books, supplies, and equipment required for the participation of a designated beneficiary in an apprenticeship program registered and certified with the Secretary of Labor under section 1 of the National Apprenticeship Act (29 U.S.C. 50).”.

(b) DISTRIBUTIONS FOR CERTAIN HOMESCHOOLING EXPENSES.—Section 529(c)(7) of such Code is amended by striking “include a reference to” and all that follows and inserting “include a reference to—

“(A) expenses for tuition in connection with enrollment or attendance of a designated beneficiary at an elementary or secondary public, private, or religious school, and

“(B) expenses, with respect to a designated beneficiary, for—

“(i) curriculum and curricular materials,

“(ii) books or other instructional materials,

“(iii) online educational materials,

“(iv) tuition for tutoring or educational classes outside of the home (but only if the tutor or class instructor is not related (within the meaning of section 152(d)(2)) to the student),

“(v) dual enrollment in an institution of higher education, and

“(vi) educational therapies for students with disabilities, in connection with a homeschool (whether treated as a homeschool or a private school for purposes of applicable State law).”.

(c) DISTRIBUTIONS FOR QUALIFIED EDUCATION LOAN REPAYMENTS.—

(1) IN GENERAL.—Section 529(c) of such Code, as amended by subsection (a), is amended by adding at the end the following new paragraph:

“(9) TREATMENT OF QUALIFIED EDUCATION LOAN REPAYMENTS.—

“(A) IN GENERAL.—Any reference in this subsection to the term ‘qualified higher education expense’ shall include a reference to amounts paid as principal or interest on any qualified education loan (as defined in section 221(d)) of the designated beneficiary or a sibling of the designated beneficiary.

“(B) LIMITATION.—The amount of distributions treated as a qualified higher education expense under this paragraph with respect to the loans of any individual shall not exceed \$10,000 (reduced by the amount of distributions so treated for all prior taxable years).

“(C) SPECIAL RULES FOR SIBLINGS OF THE DESIGNATED BENEFICIARY.—

“(i) SEPARATE ACCOUNTING.—For purposes of subparagraph (B) and subsection (d), amounts treated as a qualified higher education expense with respect to the loans of a sibling of the designated beneficiary shall be taken into account with respect to such sibling and not with respect to such designated beneficiary.

“(ii) SIBLING DEFINED.—For purposes of this paragraph, the term ‘sibling’ means an individual who bears a relationship to the designated beneficiary which is described in section 152(d)(2)(B).”.

(2) COORDINATION WITH DEDUCTION FOR STUDENT LOAN INTEREST.—Section 221(e)(1) of such Code is amended by adding at the end the following: “The deduction otherwise allowable under subsection (a) (prior to the application of subsection (b)) to the taxpayer for any taxable year shall be reduced (but not below zero) by so much of the distributions treated as a qualified higher education expense under section 529(c)(9) with respect to loans of the taxpayer as would be includible in gross income under section 529(c)(3)(A) for such taxable year but for such treatment.”.

(d) DISTRIBUTIONS FOR CERTAIN ELEMENTARY AND SECONDARY SCHOOL EXPENSES IN ADDITION TO TUITION.—Section 529(c)(7)(A), as amended by subsection (b), is amended to read as follows:

“(A) expenses described in section 530(b)(3)(A)(i) in connection with enrollment or attendance of a designated beneficiary at an elementary or secondary public, private, or religious school, and”.

(e) UNBORN CHILDREN ALLOWED AS ACCOUNT BENEFICIARIES.—Section 529(e) is amended by adding at the end the following new paragraph:

“(6) TREATMENT OF UNBORN CHILDREN.—

“(A) IN GENERAL.—Nothing shall prevent an unborn child from being treated as a designated beneficiary or an individual under this section.

“(B) UNBORN CHILD.—For purposes of this paragraph—

“(i) IN GENERAL.—The term ‘unborn child’ means a child in utero.

“(ii) CHILD IN UTERO.—The term ‘child in utero’ means a member of the species homo sapiens, at any stage of development, who is carried in the womb.”.

(f) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to distributions made after December 31, 2018.

(2) UNBORN CHILDREN ALLOWED AS ACCOUNT BENEFICIARIES.—The amendment made by subsection (e) shall apply to contributions made after December 31, 2018.

SEC. 232. PENALTY-FREE WITHDRAWALS FROM RETIREMENT PLANS FOR INDIVIDUALS IN CASE OF BIRTH OF CHILD OR ADOPTION.

(a) IN GENERAL.—Section 72(t)(2) is amended by adding at the end the following new subparagraph:

“(H) DISTRIBUTIONS FROM RETIREMENT PLANS IN CASE OF BIRTH OF CHILD OR ADOPTION.—

“(i) IN GENERAL.—Any qualified birth or adoption distribution.

“(ii) LIMITATION.—The aggregate amount which may be treated as qualified birth or adoption distributions by any individual with respect to any birth or adoption shall not exceed \$7,500.

“(iii) QUALIFIED BIRTH OR ADOPTION DISTRIBUTION.—For purposes of this subparagraph—

“(I) IN GENERAL.—The term ‘qualified birth or adoption distribution’ means any distribution from an applicable eligible retirement plan to an individual if made during the 1-year period beginning on the date on which a child of the individual is born or on which the legal adoption by the individual of an eligible child is finalized.

“(II) ELIGIBLE CHILD.—The term ‘eligible child’ means any individual (other than a child of the taxpayer’s spouse) who has not attained age 18 or is physically or mentally incapable of self-support.

“(iv) TREATMENT OF PLAN DISTRIBUTIONS.—

“(I) IN GENERAL.—If a distribution to an individual would (without regard to clause (ii)) be a qualified birth or adoption distribution, a plan shall not be treated as failing to meet any requirement of this title merely because the plan treats the distribution as a qualified birth or adoption distribution, unless the aggregate amount of such distributions from all plans maintained by the employer (and any member of any controlled group which includes the employer) to such individual exceeds \$7,500.

“(II) CONTROLLED GROUP.—For purposes of subclause (I), the term ‘controlled group’ means any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414.

“(v) AMOUNT DISTRIBUTED MAY BE REPAID.—

“(I) IN GENERAL.—Any individual who receives a qualified birth or adoption distribution may make one or more contributions in an aggregate amount not to exceed the amount of such distribution to an applicable eligible retirement plan of which such individual is a beneficiary and to which a rollover contribution of such distribution could be made under section 402(c), 403(a)(4), 403(b)(8), 408(d)(3), or 457(e)(16), as the case may be.

“(II) LIMITATION ON CONTRIBUTIONS TO APPLICABLE ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—The aggregate amount of contributions made by an individual under subclause (I) to any applicable eligible retirement plan which is not an individual retirement plan shall not exceed the aggregate amount of qualified birth or adoption distributions which are made from such plan to such individual. Subclause (I) shall not apply to contributions to any applicable eligible retirement plan which is not an individual retirement plan unless the individual is eligible to make contributions (other than those described in subclause (I)) to such applicable eligible retirement plan.

“(III) TREATMENT OF REPAYMENTS OF DISTRIBUTIONS FROM APPLICABLE ELIGIBLE RETIREMENT PLANS OTHER THAN IRAS.—If a contribution is made under subclause (I) with respect to a qualified birth or adoption distribution from an applicable eligible retirement plan other than an individual retirement plan, then the taxpayer shall, to the extent of the amount of the contribution, be treated as having received such distribution in an eligible rollover distribution (as defined in section 402(c)(4)) and as having transferred the amount to the applicable eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

“(IV) TREATMENT OF REPAYMENTS FOR DISTRIBUTIONS FROM IRAS.—If a contribution is made under subclause (I) with respect to a qualified birth or adoption distribution from

an individual retirement plan, then, to the extent of the amount of the contribution, such distribution shall be treated as a distribution described in section 408(d)(3) and as having been transferred to the applicable eligible retirement plan in a direct trustee to trustee transfer within 60 days of the distribution.

“(vi) DEFINITION AND SPECIAL RULES.—For purposes of this subparagraph—

“(I) APPLICABLE ELIGIBLE RETIREMENT PLAN.—The term ‘applicable eligible retirement plan’ means an eligible retirement plan (as defined in section 402(c)(8)(B)) other than a defined benefit plan.

“(II) EXEMPTION OF DISTRIBUTIONS FROM TRUSTEE TO TRUSTEE TRANSFER AND WITHHOLDING RULES.—For purposes of sections 401(a)(31), 402(f), and 3405, a qualified birth or adoption distribution shall not be treated as an eligible rollover distribution.

“(III) TAXPAYER MUST INCLUDE TIN.—A distribution shall not be treated as a qualified birth or adoption distribution with respect to any child or eligible child unless the taxpayer includes the name, age, and TIN of such child or eligible child on the taxpayer’s return of tax for the taxable year.

“(IV) DISTRIBUTIONS TREATED AS MEETING PLAN DISTRIBUTION REQUIREMENTS.—Any qualified birth or adoption distribution shall be treated as meeting the requirements of sections 401(k)(2)(B)(i), 403(b)(7)(A)(ii), 403(b)(11), and 457(d)(1)(A).”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions made after December 31, 2018.

TITLE III—REPEAL OR DELAY OF CERTAIN HEALTH-RELATED TAXES

SEC. 301. EXTENSION OF MORATORIUM ON MEDICAL DEVICE EXCISE TAX.

Section 4191(c) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2019” and inserting “December 31, 2024”.

SEC. 302. DELAY IN IMPLEMENTATION OF EXCISE TAX ON HIGH COST EMPLOYER-SPONSORED HEALTH COVERAGE.

Section 9001(c) of the Patient Protection and Affordable Care Act is amended by striking “December 31, 2021” and inserting “December 31, 2022”.

SEC. 303. EXTENSION OF SUSPENSION OF ANNUAL FEE ON HEALTH INSURANCE PROVIDERS.

Section 9010(j)(3) of the Patient Protection and Affordable Care Act is amended by striking “December 31, 2019” and inserting “December 31, 2021”.

SEC. 304. REPEAL OF EXCISE TAX ON INDOOR TANNING SERVICES.

(a) IN GENERAL.—Subtitle D of the Internal Revenue Code of 1986 is amended by striking chapter 49 and by striking the item relating to such chapter in the table of chapters of such subtitle.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to services performed in calendar quarters beginning more than 30 days after the date of the enactment of this Act.

TITLE IV—CERTAIN EXPIRING PROVISIONS

SEC. 401. RAILROAD TRACK MAINTENANCE CREDIT MADE PERMANENT.

(a) CREDIT PERCENTAGE REDUCED.—Section 45G(a) is amended by striking “50 percent” and inserting “30 percent”.

(b) MADE PERMANENT.—Section 45G is amended by striking subsection (f).

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to expenditures paid or incurred during taxable years beginning after December 31, 2017.

SEC. 402. BIODIESEL AND RENEWABLE DIESEL PROVISIONS EXTENDED AND PHASED OUT.

(a) INCOME TAX CREDIT.—

(1) IN GENERAL.—Section 40A(g) is amended to read as follows:

“(g) PHASE OUT; TERMINATION.—

“(1) PHASE OUT.—In the case of any sale or use after December 31, 2021, subsections (b)(1)(A) and (b)(2)(A) shall be applied by substituting for ‘\$1.00’—

“(A) ‘\$.75’, if such sale or use is before January 1, 2023,

“(B) ‘\$.50’, if such sale or use is after December 31, 2022, and before January 1, 2024, and

“(C) ‘\$.33’, if such sale or use is after December 31, 2023, and before January 1, 2025.

“(2) TERMINATION.—This section shall not apply to any sale or use after December 31, 2024.”

(2) EFFECTIVE DATE.—The amendment made by this subsection shall apply to fuel sold or used after December 31, 2017.

(b) EXCISE TAX INCENTIVES.—

(1) PHASE OUT.—Section 6426(c)(2) is amended to read as follows:

“(2) APPLICABLE AMOUNT.—For purposes of this subsection, the applicable amount is—

“(A) \$1.00 in the case of any sale or use for any period before January 1, 2022,

“(B) \$.75 in the case of any sale or use for any period after December 31, 2021, and before January 1, 2023,

“(C) \$.50 in the case of any sale or use for any period after December 31, 2022, and before January 1, 2024, and

“(D) \$.33 in the case of any sale or use for any period after December 31, 2023, and before January 1, 2025.”

(2) TERMINATION.—

(A) IN GENERAL.—Section 6426(c)(6) is amended by striking “December 31, 2017” and inserting “December 31, 2024”.

(B) PAYMENTS.—Section 6427(e)(6)(B) is amended by striking “December 31, 2017” and inserting “December 31, 2024”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall apply to fuel sold or used after December 31, 2017.

(4) SPECIAL RULE FOR 2018.—Notwithstanding any other provision of law, in the case of any biodiesel mixture credit properly determined under section 6426(c) of the Internal Revenue Code of 1986 for the period beginning on January 1, 2018, and ending on December 31, 2018, such credit shall be allowed, and any refund or payment attributable to such credit (including any payment under section 6427(e) of such Code) shall be made, only in such manner as the Secretary of the Treasury (or the Secretary’s delegate) shall provide. Such Secretary shall issue guidance within 30 days after the date of the enactment of this Act providing for a one-time submission of claims covering periods described in the preceding sentence. Such guidance shall provide for a 180-day period for the submission of such claims (in such manner as prescribed by such Secretary) to begin not later than 30 days after such guidance is issued. Such claims shall be paid by such Secretary not later than 60 days after receipt. If such Secretary has not paid pursuant to a claim filed under this subsection within 60 days after the date of the filing of such claim, the claim shall be paid with interest from such date determined by using the overpayment rate and method under section 6621 of such Code.

TITLE V—OTHER PROVISIONS

SEC. 501. TECHNICAL AMENDMENTS RELATING TO PUBLIC LAW 115-97.

(a) AMENDMENT RELATING TO SECTION 11011.—Section 852(b) is amended by adding at the end the following:

“(10) TREATMENT BY SHAREHOLDERS OF QUALIFIED REIT DIVIDENDS AND QUALIFIED PUBLICLY TRADED PARTNERSHIP INCOME.—

“(A) IN GENERAL.—A shareholder of a regulated investment company shall take into account for purposes of section 199A(b)(1)(B)—

“(i) as a qualified REIT dividend the amount which is reported by the company (in written statements furnished to its shareholders) as being attributable to qualified REIT dividends received by the company, and

“(ii) as qualified publicly traded partnership income the amount which is reported by the company (in written statements furnished to its shareholders) as being attributable to qualified publicly traded partnership income of the company.

“(B) EXCESS REPORTED AMOUNTS.—Rules similar to the rules of clauses (ii) and (iii) of paragraph (5)(A) shall apply for purposes of this paragraph.

“(C) NEGATIVE QUALIFIED PUBLICLY TRADED PARTNERSHIP INCOME REQUIRED TO BE TAKEN INTO ACCOUNT.—If the qualified publicly traded partnership income of the company is less than zero, such income shall be reported by the company under subparagraph (A)(ii).

“(D) REGULATIONS.—The Secretary shall issue such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this paragraph.”

(b) AMENDMENTS RELATING TO SECTION 13204.—

(1) Section 168(e)(3)(E) is amended by striking “and” at the end of clause (v), by striking the period at the end of clause (vi) and inserting “, and”, and by adding at the end the following new clause:

“(vii) any qualified improvement property.”

(2) The table contained in subparagraph (B) of section 168(g)(3) is amended—

(A) by striking the item relating to subparagraph (D)(v), and

(B) by inserting after the item relating to subparagraph (E)(vi) the following new item:

“(E)(vii) 20”.

(c) AMENDMENT RELATING TO SECTION 13302.—Section 13302(e)(2) of Public Law 115-97 is amended by striking “ending” and inserting “beginning”.

(d) AMENDMENT RELATING TO SECTION 13307.—Section 162(q)(2) is amended by inserting “in the case of the taxpayer for whom a deduction is disallowed by reason of paragraph (1),” before “attorney’s fees”.

(e) AMENDMENT RELATING TO SECTION 14103.—

(1) IN GENERAL.—Section 965(h) is amended by adding at the end the following new paragraph:

“(7) INSTALLMENTS NOT TO PREVENT CREDIT OR REFUND OF OVERPAYMENTS OR INCREASE ESTIMATED TAXES.—If an election is made under paragraph (1) to pay the net tax liability under this section in installments—

“(A) no installment of such net tax liability shall—

“(i) in the case of a request for credit or refund, be taken into account as a liability for purposes of determining whether an overpayment exists for purposes of section 6402 before the date on which such installment is due, or

“(ii) for purposes of sections 6425, 6654, and 6655, be treated as a tax imposed by section 1, section 11, or subchapter L of chapter 1, and

“(B) the first sentence of section 6403 shall not apply with respect to any such installment.”

(2) LIMITATION ON PAYMENT OF INTEREST.—In the case of the portion of any overpayment which exists by reason of the application of section 965(h)(7) of the Internal Revenue Code of 1986 (as added by this subsection)—

(A) if credit or refund of such portion is made on or before the date which is 45 days after the date of the enactment of this Act, no interest shall be allowed or paid under section 6611 of such Code with respect to such portion, and

(B) if credit or refund of such portion is made after the date which is 45 days after the date of the enactment of this Act, no interest shall be allowed or paid under section 6611 of such Code with respect to such portion for any period before the date of the enactment of this Act.

(f) AMENDMENTS RELATING TO SECTION 14213.—

(1) Section 958(b) is amended—

(A) by inserting after paragraph (3) the following:

“(4) Subparagraphs (A), (B), and (C) of section 318(a)(3) shall not be applied so as to consider a United States person as owning stock which is owned by a person who is not a United States person.”, and

(B) by striking “Paragraph (1)” in the last sentence and inserting “Paragraphs (1) and (4)”.

(2) Subpart F of part III of subchapter N of chapter 1 is amended by inserting after section 951A the following new section:

“SEC. 951B. AMOUNTS INCLUDED IN GROSS INCOME OF FOREIGN CONTROLLED UNITED STATES SHAREHOLDERS.

“(a) IN GENERAL.—In the case of any foreign controlled United States shareholder of a foreign controlled foreign corporation—

“(1) this subpart (other than sections 951A, 951(b), 957, and 965) shall be applied with respect to such shareholder (separately from, and in addition to, the application of this subpart without regard to this section)—

“(A) by substituting ‘foreign controlled United States shareholder’ for ‘United States shareholder’ each place it appears therein, and

“(B) by substituting ‘foreign controlled foreign corporation’ for ‘controlled foreign corporation’ each place it appears therein, and

“(2) sections 951A and 965 shall be applied with respect to such shareholder —

“(A) by treating each reference to ‘United States shareholder’ in such sections as including a reference to such shareholder, and

“(B) by treating each reference to ‘controlled foreign corporation’ in such sections as including a reference to such foreign controlled foreign corporation.

“(b) FOREIGN CONTROLLED UNITED STATES SHAREHOLDER.—For purposes of this section, the term ‘foreign controlled United States shareholder’ means, with respect to any foreign corporation, any United States person which would be a United States shareholder with respect to such foreign corporation if—

“(1) section 951(b) were applied by substituting ‘more than 50 percent’ for ‘10 percent or more’, and

“(2) section 958(b) were applied without regard to paragraph (4) thereof.

“(c) FOREIGN CONTROLLED FOREIGN CORPORATION.—For purposes of this section, the term ‘foreign controlled foreign corporation’ means a foreign corporation, other than a controlled foreign corporation, which would be a controlled foreign corporation if section 957(a) were applied—

“(1) by substituting ‘foreign controlled United States shareholders’ for ‘United States shareholders’, and

“(2) by substituting ‘section 958(b) (other than paragraph (4) thereof)’ for ‘section 958(b)’.

“(d) REGULATIONS.—The Secretary shall prescribe such regulations or other guidance as may be necessary or appropriate to carry out the purposes of this section, including regulations or other guidance—

“(1) to treat a foreign controlled United States shareholder or a foreign controlled foreign corporation as a United States shareholder or as a controlled foreign corporation, respectively, for purposes of provisions of this title other than this subpart, and

“(2) to prevent the avoidance of the purposes of this section.”.

(3) The amendments made by paragraphs (1) and (2) shall apply to—

(A) the last taxable year of foreign corporations beginning before January 1, 2018, and each subsequent taxable year of such foreign corporations, and

(B) taxable years of United States persons in which or with which such taxable years of foreign corporations end.

(g) EFFECTIVE DATES.—Except as otherwise provided in this section, the amendments made by this section shall take effect as if included in the provision of Public Law 115-97 to which they relate.

SEC. 502. CLARIFICATION OF TREATMENT OF VETERANS AS SPECIFIED GROUP FOR PURPOSES OF THE LOW-INCOME HOUSING TAX CREDIT.

For purposes of section 42(g)(9)(B) of the Internal Revenue Code of 1986, veterans shall not fail to be treated as a specified group under a Federal program.

SEC. 503. CLARIFICATION OF GENERAL PUBLIC USE REQUIREMENT FOR QUALIFIED RESIDENTIAL RENTAL PROJECTS.

(a) IN GENERAL.—Section 142(d)(2) is amended by adding at the end the following new subparagraph:

“(F) CLARIFICATION OF GENERAL PUBLIC USE REQUIREMENT.—Rules similar to the rules of section 42(g)(9) shall apply for purposes of this subsection.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to bonds issued before, on, or after the date of enactment of this Act.

SEC. 504. FLOOR PLAN FINANCING APPLICABLE TO CERTAIN TRAILERS AND CAMPERS.

(a) IN GENERAL.—Section 163(j)(9)(C) is amended by adding at the end the following new flush sentence:

“Such term shall include any trailer or camper which is designed to provide temporary living quarters for recreational, camping, travel, or seasonal use and is designed to be towed by, or affixed to, a motor vehicle.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to taxable years beginning after December 31, 2017.

SEC. 505. REPEAL OF INCREASE IN UNRELATED BUSINESS TAXABLE INCOME BY DISALLOWED FRINGE.

(a) IN GENERAL.—Section 512(a) is amended by striking paragraph (7).

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect as if included in section 13703 of Public Law 115-97.

SEC. 506. CERTAIN PURCHASES OF EMPLOYEE-OWNED STOCK DISREGARDED FOR PURPOSES OF FOUNDATION TAX ON EXCESS BUSINESS HOLDINGS.

(a) IN GENERAL.—Section 4943(c)(4)(A) is amended by adding at the end the following new clause:

“(v) CERTAIN PURCHASES OF EMPLOYEE-OWNED STOCK DISREGARDED.—For purposes of clause (i), subparagraph (D), and paragraph (2), any voting stock which—

“(I) is not readily tradable on an established securities market,

“(II) is purchased by the business enterprise on or after January 1, 2005, from a stock bonus or profit sharing plan described in section 401(a) in which employees of such business enterprise participate, in connection with a distribution from such plan, and

“(III) is held by the business enterprise as treasury stock, cancelled, or retired,

shall be treated as outstanding voting stock, but only to the extent so treating such stock would not result in permitted holdings exceeding 49 percent (determined without regard to this clause). The preceding sentence shall not apply with respect to the purchase of stock from a plan during the 10-year pe-

riod beginning on the date the plan is established.”.

(b) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by this section shall apply to taxable years ending after the date of enactment of this Act and to purchases by a business enterprise of voting stock in taxable years beginning before, on, or after the date of enactment of this Act.

(2) SPECIAL RULE FOR GRANDFATHERED FOUNDATIONS IN CASE OF DECREASE IN OWNERSHIP BY REASON OF PRE-ENACTMENT PURCHASES.—Section 4943(c)(4)(A)(ii) of the Internal Revenue Code of 1986 shall not apply with respect to any decrease in the percentage of holdings in a business enterprise by reason of section 4943(c)(4)(A)(v) of such Code (as added by this section).

SEC. 507. ALLOWING 501(c)(3) ORGANIZATION TO MAKE STATEMENTS RELATING TO POLITICAL CAMPAIGN IN ORDINARY COURSE OF CARRYING OUT ITS TAX EXEMPT PURPOSE.

(a) IN GENERAL.—Section 501 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(s) SPECIAL RULE RELATING TO POLITICAL CAMPAIGN STATEMENTS OF ORGANIZATION DESCRIBED IN SUBSECTION (c)(3).—

“(1) IN GENERAL.—For purposes of subsection (c)(3) and sections 170(c)(2), 2055, 2106, 2522, and 4955, an organization shall not fail to be treated as organized and operated exclusively for a purpose described in subsection (c)(3), nor shall it be deemed to have participated in, or intervened in any political campaign on behalf of (or in opposition to) any candidate for public office, solely because of the content of any statement which—

“(A) is made in the ordinary course of the organization’s regular and customary activities in carrying out its exempt purpose, and

“(B) results in the organization incurring not more than de minimis incremental expenses.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years ending after the date of the enactment of this Act.

SEC. 508. CHARITABLE ORGANIZATIONS PERMITTED TO MAKE COLLEGIATE HOUSING AND INFRASTRUCTURE GRANTS.

(a) IN GENERAL.—Section 501, as amended by the preceding provisions of this Act, is amended by adding at the end the following new subsection:

“(t) TREATMENT OF ORGANIZATIONS MAKING COLLEGIATE HOUSING AND INFRASTRUCTURE IMPROVEMENT GRANTS.—

“(1) IN GENERAL.—For purposes of subsection (c)(3) and sections 170(c)(2)(B), 2055(a)(2), and 2522(a)(2), an organization shall not fail to be treated as organized and operated exclusively for charitable or educational purposes solely because such organization makes collegiate housing and infrastructure grants to an organization described in subsection (c)(7) which applies the grant to its collegiate housing property.

“(2) HOUSING AND INFRASTRUCTURE GRANTS.—For purposes of paragraph (1), collegiate housing and infrastructure grants are grants to provide, improve, operate, or maintain collegiate housing property that may involve more than incidental social, recreational, or private purposes, so long as such grants are for purposes that would be permissible for a dormitory or other residential facility of the college or university with which the collegiate housing property is associated. A grant shall not be treated as a collegiate housing and infrastructure grant for purposes of paragraph (1) to the extent that such grant is used to provide physical fitness facilities.

“(3) COLLEGIATE HOUSING PROPERTY.—For purposes of this subsection, collegiate hous-

ing property is property in which, at the time of a grant or following the acquisition, lease, construction, or modification of such property using such grant, substantially all of the residents are full-time students at the college or university in the community where such property is located.

“(4) GRANTS TO CERTAIN ORGANIZATIONS HOLDING TITLE TO PROPERTY, ETC.—For purposes of this subsection, a collegiate housing and infrastructure grant to an organization described in subsection (c)(2) or (c)(7) holding title to property exclusively for the benefit of an organization described in subsection (c)(7) shall be considered a grant to the organization described in subsection (c)(7) for whose benefit such property is held.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to grants made in taxable years ending after the date of the enactment of this Act.

SEC. 509. RESTRICTION ON REGULATION OF CONTINGENCY FEES WITH RESPECT TO TAX RETURNS, ETC.

The Secretary of the Treasury may not regulate, prohibit, or restrict the use of a contingent fee in connection with tax returns, claims for refund, or documents in connection with tax returns or claims for refund prepared on behalf of a taxpayer.

DIVISION B—TAXPAYER FIRST ACT OF 2018

SECTION 1. SHORT TITLE; ETC.

(a) SHORT TITLE.—This division may be cited as the “Taxpayer First Act of 2018”.

(b) AMENDMENT OF 1986 CODE.—Except as otherwise expressly provided, whenever in this division an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

(c) TABLE OF CONTENTS.—The table of contents for this division is as follows:

Sec. 1. Short title; etc.

TITLE I—PUTTING TAXPAYERS FIRST

Subtitle A—Independent Appeals Process

Sec. 1001. Establishment of Internal Revenue Service Independent Office of Appeals.

Subtitle B—Improved Service

Sec. 1101. Comprehensive customer service strategy.

Sec. 1102. IRS Free File Program.

Sec. 1103. Low-income exception for payments otherwise required in connection with a submission of an offer-in-compromise.

Subtitle C—Sensible Enforcement

Sec. 1201. Internal Revenue Service seizure requirements with respect to structuring transactions.

Sec. 1202. Exclusion of interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction.

Sec. 1203. Clarification of equitable relief from joint liability.

Sec. 1204. Modification of procedures for issuance of third-party summons.

Sec. 1205. Private debt collection and special compliance personnel program.

Sec. 1206. Reform of notice of contact of third parties.

Sec. 1207. Modification of authority to issue designated summons.

Sec. 1208. Limitation on access of non-Internal Revenue Service employees to returns and return information.

Subtitle D—Organizational Modernization

Sec. 1301. Office of the National Taxpayer Advocate.

Sec. 1302. Modernization of Internal Revenue Service organizational structure.

Subtitle E—Other Provisions

Sec. 1401. Return preparation programs for applicable taxpayers.

Sec. 1402. Provision of information regarding low-income taxpayer clinics.

Sec. 1403. Notice from IRS regarding closure of taxpayer assistance centers.

Sec. 1404. Rules for seizure and sale of perishable goods restricted to only perishable goods.

Sec. 1405. Whistleblower reforms.

Sec. 1406. Customer service information.

Sec. 1407. Misdirected tax refund deposits.

TITLE II—21ST CENTURY IRS

Subtitle A—Cybersecurity and Identity Protection

Sec. 2001. Public-private partnership to address identity theft refund fraud.

Sec. 2002. Recommendations of Electronic Tax Administration Advisory Committee regarding identity theft refund fraud.

Sec. 2003. Information sharing and analysis center.

Sec. 2004. Compliance by contractors with confidentiality safeguards.

Sec. 2005. Report on electronic payments.

Sec. 2006. Identity protection personal identification numbers.

Sec. 2007. Single point of contact for tax-related identity theft victims.

Sec. 2008. Notification of suspected identity theft.

Sec. 2009. Guidelines for stolen identity refund fraud cases.

Sec. 2010. Increased penalty for improper disclosure or use of information by preparers of returns.

Subtitle B—Development of Information Technology

Sec. 2101. Management of Internal Revenue Service information technology.

Sec. 2102. Development of online accounts and portals.

Sec. 2103. Internet platform for Form 1099 filings.

Sec. 2104. Streamlined critical pay authority for information technology positions.

Subtitle C—Modernization of Consent-based Income Verification System

Sec. 2201. Disclosure of taxpayer information for third-party income verification.

Sec. 2202. Limit redisclosures and uses of consent-based disclosures of tax return information.

Subtitle D—Expanded Use of Electronic Systems

Sec. 2301. Electronic filing of returns.

Sec. 2302. Uniform standards for the use of electronic signatures for disclosure authorizations to, and other authorizations of, practitioners.

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TITLE III—MISCELLANEOUS PROVISIONS

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Sec. 3101. Mandatory e-filing by exempt organizations.

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Sec. 3301. Disqualification of judge or magistrate judge of the Tax Court.

Sec. 3302. Opinions and judgments.

Sec. 3303. Title of special trial judge changed to magistrate judge of the Tax Court.

Sec. 3304. Repeal of deadwood related to Board of Tax Appeals.

TITLE I—PUTTING TAXPAYERS FIRST

Subtitle A—Independent Appeals Process

SEC. 1001. ESTABLISHMENT OF INTERNAL REVENUE SERVICE INDEPENDENT OFFICE OF APPEALS.

(a) IN GENERAL.—Section 7803 is amended by adding at the end the following new subsection:

“(e) INDEPENDENT OFFICE OF APPEALS.—

“(1) ESTABLISHMENT.—There is established in the Internal Revenue Service an office to be known as the ‘Internal Revenue Service Independent Office of Appeals’.

“(2) CHIEF OF APPEALS.—

“(A) IN GENERAL.—The Internal Revenue Service Independent Office of Appeals shall be under the supervision and direction of an official to be known as the ‘Chief of Appeals’. The Chief of Appeals shall report directly to the Commissioner of the Internal Revenue Service and shall be entitled to compensation at the same rate as the highest rate of basic pay established for the Senior Executive Service under section 5382 of title 5, United States Code.

“(B) APPOINTMENT.—The Chief of Appeals shall be appointed by the Commissioner of the Internal Revenue Service without regard to the provisions of title 5, United States Code, relating to appointments in the competitive service or the Senior Executive Service.

“(C) QUALIFICATIONS.—An individual appointed under subparagraph (B) shall have experience and expertise in—

“(i) administration of, and compliance with, Federal tax laws,

“(ii) a broad range of compliance cases, and

“(iii) management of large service organizations.

“(3) PURPOSES AND DUTIES OF OFFICE.—It shall be the function of the Internal Revenue Service Independent Office of Appeals to resolve Federal tax controversies without litigation on a basis which—

“(A) is fair and impartial to both the Government and the taxpayer,

“(B) promotes a consistent application and interpretation of, and voluntary compliance with, the Federal tax laws, and

“(C) enhances public confidence in the integrity and efficiency of the Internal Revenue Service.

“(4) RIGHT OF APPEAL.—The resolution process described in paragraph (3) shall be generally available to all taxpayers.

“(5) LIMITATION ON DESIGNATION OF CASES AS NOT ELIGIBLE FOR REFERRAL TO INDEPENDENT OFFICE OF APPEALS.—

“(A) IN GENERAL.—If any taxpayer which is in receipt of a notice of deficiency authorized under section 6212 requests referral to

the Internal Revenue Service Independent Office of Appeals and such request is denied, the Commissioner of the Internal Revenue Service shall provide such taxpayer a written notice which—

“(i) provides a detailed description of the facts involved, the basis for the decision to deny the request, and a detailed explanation of how the basis of such decision applies to such facts, and

“(ii) describes the procedures prescribed under subparagraph (C) for protesting the decision to deny the request.

“(B) REPORT TO CONGRESS.—The Commissioner of the Internal Revenue Service shall submit a written report to Congress on an annual basis which includes the number of requests described in subparagraph (A) which were denied and the reasons (described by category) that such requests were denied.

“(C) PROCEDURES FOR PROTESTING DENIAL OF REQUEST.—The Commissioner of the Internal Revenue Service shall prescribe procedures for protesting to the Commissioner of the Internal Revenue Service a denial of a request described in subparagraph (A).

“(D) NOT APPLICABLE TO FRIVOLOUS POSITIONS.—This paragraph shall not apply to a request for referral to the Internal Revenue Service Independent Office of Appeals which is denied on the basis that the issue involved is a frivolous position (within the meaning of section 6702(c)).

“(6) STAFF.—

“(A) IN GENERAL.—All personnel in the Internal Revenue Service Independent Office of Appeals shall report to the Chief of Appeals.

“(B) ACCESS TO STAFF OF OFFICE OF THE CHIEF COUNSEL.—The Chief of Appeals shall have authority to obtain legal assistance and advice from the staff of the Office of the Chief Counsel. The Chief Counsel shall ensure that such assistance and advice is provided by staff of the Office of the Chief Counsel who were not involved in the case with respect to which such assistance and advice is sought and who are not involved in preparing such case for litigation.

“(7) ACCESS TO CASE FILES.—

“(A) IN GENERAL.—In any case in which a conference with the Internal Revenue Service Independent Office of Appeals has been scheduled upon request of a specified taxpayer, the Chief of Appeals shall ensure that such taxpayer is provided access to the non-privileged portions of the case file on record regarding the disputed issues (other than documents provided by the taxpayer to the Internal Revenue Service) not later than 10 days before the date of such conference.

“(B) TAXPAYER ELECTION TO EXPEDITE CONFERENCE.—If the taxpayer so elects, subparagraph (A) shall be applied by substituting ‘the date of such conference’ for ‘10 days before the date of such conference’.

“(C) SPECIFIED TAXPAYER.—For purposes of this paragraph—

“(i) IN GENERAL.—The term ‘specified taxpayer’ means—

“(I) in the case of any taxpayer who is a natural person, a taxpayer whose adjusted gross income does not exceed \$400,000 for the taxable year to which the dispute relates, and

“(II) in the case of any other taxpayer, a taxpayer whose gross receipts do not exceed \$5,000,000 for the taxable year to which the dispute relates.

“(ii) AGGREGATION RULE.—Rules similar to the rules of section 448(c)(2) shall apply for purposes of clause (i)(II).”

(b) CONFORMING AMENDMENTS.—

(1) The following provisions are each amended by striking “Internal Revenue Service Office of Appeals” and inserting “Internal Revenue Service Independent Office of Appeals”:

(A) Section 6015(c)(4)(B)(ii)(I).

(B) Section 6320(b)(1).

(C) Subsections (b)(1) and (d)(3) of section 6330.

(D) Section 6603(d)(3)(B).

(E) Section 6621(c)(2)(A)(i).

(F) Section 7122(e)(2).

(G) Subsections (a), (b)(1), (b)(2), and (c)(1) of section 7123.

(H) Subsections (c)(7)(B)(i), and (g)(2)(A) of section 7430.

(I) Section 7522(b)(3).

(J) Section 7612(c)(2)(A).

(2) Section 7430(c)(2) is amended by striking “Internal Revenue Service Office of Appeals” each place it appears and inserting “Internal Revenue Service Independent Office of Appeals”.

(3) The heading of section 6330(d)(3) is amended by inserting “INDEPENDENT” after “IRS”.

(c) OTHER REFERENCES.—Any reference in any provision of law, or regulation or other guidance, to the Internal Revenue Service Office of Appeals shall be treated as a reference to the Internal Revenue Service Independent Office of Appeals.

(d) SAVINGS PROVISIONS.—Rules similar to the rules of paragraphs (2) through (6) of section 1001(b) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall apply for purposes of this section (and the amendments made by this section).

(e) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) ACCESS TO CASE FILES.—Section 7803(e)(7) of the Internal Revenue Code of 1986, as added by subsection (a), shall apply to conferences occurring after the date which is 1 year after the date of the enactment of this Act.

Subtitle B—Improved Service

SEC. 1101. COMPREHENSIVE CUSTOMER SERVICE STRATEGY.

(a) IN GENERAL.—Not later than the date which is 1 year after the date of the enactment of this Act, the Secretary of the Treasury shall submit to Congress a written comprehensive customer service strategy for the Internal Revenue Service. Such strategy shall include—

(1) a plan to provide assistance to taxpayers that is secure, designed to meet reasonable taxpayer expectations, and adopts appropriate best practices of customer service provided in the private sector, including online services, telephone call back services, and training of employees providing customer services,

(2) a thorough assessment of the services that the Internal Revenue Service can co-locate with other Federal services or offer as self-service options,

(3) proposals to improve Internal Revenue Service customer service in the short term (the current and following fiscal year), medium term (approximately 3 to 5 fiscal years), and long term (approximately 10 fiscal years),

(4) a plan to update guidance and training materials for customer service employees of the Internal Revenue Service, including the Internal Revenue Manual, to reflect such strategy, and

(5) identified metrics and benchmarks for quantitatively measuring the progress of the Internal Revenue Service in implementing such strategy.

(b) UPDATED GUIDANCE AND TRAINING MATERIALS.—Not later than 2 years after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary's delegate) shall make available the updated guidance and training materials described in subsection (a)(4) (including the Internal Revenue Manual). Such updated guidance and training materials (including the Internal

Revenue Manual) shall be written in a manner so as to be easily understood by customer service employees of the Internal Revenue Service and shall provide clear instructions.

SEC. 1102. IRS FREE FILE PROGRAM.

(a) IN GENERAL.—

(1) The Secretary of the Treasury, or the Secretary's delegate, shall continue to operate the IRS Free File Program as established by the Internal Revenue Service and published in the Federal Register on November 4, 2002 (67 Fed. Reg. 67247), including any subsequent agreements and governing rules established pursuant thereto.

(2) The IRS Free File Program shall continue to provide free commercial-type online individual income tax preparation and electronic filing services to the lowest 70 percent of taxpayers by adjusted gross income. The number of taxpayers eligible to receive such services each year shall be calculated by the Internal Revenue Service annually based on prior year aggregate taxpayer adjusted gross income data.

(3) In addition to the services described in paragraph (2), and in the same manner, the IRS Free File Program shall continue to make available to all taxpayers (without regard to income) a basic, online electronic fillable forms utility.

(4) The IRS Free File Program shall continue to work cooperatively with the private sector to provide the free individual income tax preparation and the electronic filing services described in paragraphs (2) and (3).

(5) The IRS Free File Program shall work cooperatively with State government agencies to enhance and expand the use of the program to provide needed benefits to the taxpayer while reducing the cost of processing returns.

(b) INNOVATIONS.—The Secretary of the Treasury, or the Secretary's delegate, shall work with the private sector through the IRS Free File Program to identify and implement, consistent with applicable law, innovative new program features to improve and simplify the taxpayer's experience with completing and filing individual income tax returns through voluntary compliance.

SEC. 1103. LOW-INCOME EXCEPTION FOR PAYMENTS OTHERWISE REQUIRED IN CONNECTION WITH A SUBMISSION OF AN OFFER-IN-COMPROMISE.

(a) IN GENERAL.—Section 7122(c) is amended by adding at the end the following new paragraph:

“(3) EXCEPTION FOR LOW-INCOME TAXPAYERS.—Paragraph (1), and any user fee otherwise required in connection with the submission of an offer-in-compromise, shall not apply to any offer-in-compromise with respect to a taxpayer who is an individual with adjusted gross income, as determined for the most recent taxable year for which such information is available, which does not exceed 250 percent of the applicable poverty level (as determined by the Secretary).”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to offers-in-compromise submitted after the date of the enactment of this Act.

Subtitle C—Sensible Enforcement

SEC. 1201. INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.

Section 5317(c)(2) of title 31, United States Code, is amended—

(1) by striking “Any property” and inserting the following:

“(A) IN GENERAL.—Any property”; and

(2) by adding at the end the following:

“(B) INTERNAL REVENUE SERVICE SEIZURE REQUIREMENTS WITH RESPECT TO STRUCTURING TRANSACTIONS.—

“(i) PROPERTY DERIVED FROM AN ILLEGAL SOURCE.—Property may only be seized by the

Internal Revenue Service pursuant to subparagraph (A) by reason of a claimed violation of section 5324 if the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.

“(ii) NOTICE.—Not later than 30 days after property is seized by the Internal Revenue Service pursuant to subparagraph (A), the Internal Revenue Service shall—

“(I) make a good faith effort to find all persons with an ownership interest in such property; and

“(II) provide each such person so found with a notice of the seizure and of the person’s rights under clause (iv).

“(iii) EXTENSION OF NOTICE UNDER CERTAIN CIRCUMSTANCES.—The Internal Revenue Service may apply to a court of competent jurisdiction for one 30-day extension of the notice requirement under clause (ii) if the Internal Revenue Service can establish probable cause of an imminent threat to national security or personal safety necessitating such extension.

“(iv) POST-SEIZURE HEARING.—If a person with an ownership interest in property seized pursuant to subparagraph (A) by the Internal Revenue Service requests a hearing by a court of competent jurisdiction within 30 days after the date on which notice is provided under subclause (ii), such property shall be returned unless the court holds an adversarial hearing and finds within 30 days of such request (or such longer period as the court may provide, but only on request of an interested party) that there is probable cause to believe that there is a violation of section 5324 involving such property and probable cause to believe that the property to be seized was derived from an illegal source or the funds were structured for the purpose of concealing the violation of a criminal law or regulation other than section 5324.”.

SEC. 1202. EXCLUSION OF INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

(a) IN GENERAL.—Part III of subchapter B of chapter 1 is amended by inserting before section 140 the following new section:

“SEC. 139H. INTEREST RECEIVED IN ACTION TO RECOVER PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE BASED ON STRUCTURING TRANSACTION.

“Gross income shall not include any interest received from the Federal Government in connection with an action to recover property seized by the Internal Revenue Service pursuant to section 5317(c)(2) of title 31, United States Code, by reason of a claimed violation of section 5324 of such title.”.

(b) CLERICAL AMENDMENT.—The table of sections for part III of subchapter B of chapter 1 is amended by inserting before the item relating to section 140 the following new item:

“Sec. 139H. Interest received in action to recover property seized by the Internal Revenue Service based on structuring transaction.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to interest received on or after the date of the enactment of this Act.

SEC. 1203. CLARIFICATION OF EQUITABLE RELIEF FROM JOINT LIABILITY.

(a) IN GENERAL.—Section 6015 is amended—

(1) in subsection (e), by adding at the end the following new paragraph:

“(7) STANDARD AND SCOPE OF REVIEW.—Any review of a determination made under this section shall be reviewed de novo by the Tax Court and shall be based upon—

“(A) the administrative record established at the time of the determination, and

“(B) any additional newly discovered or previously unavailable evidence.”, and

(2) by amending subsection (f) to read as follows:

“(f) EQUITABLE RELIEF.—

“(1) IN GENERAL.—Under procedures prescribed by the Secretary, if—

“(A) taking into account all the facts and circumstances, it is inequitable to hold the individual liable for any unpaid tax or any deficiency (or any portion of either), and

“(B) relief is not available to such individual under subsection (b) or (c), the Secretary may relieve such individual of such liability.

“(2) LIMITATION.—A request for equitable relief under this subsection may be made with respect to any portion of any liability that—

“(A) has not been paid, provided that such request is made before the expiration of the applicable period of limitation under section 6502, or

“(B) has been paid, provided that such request is made during the period in which the individual could submit a timely claim for refund or credit of such payment.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to petitions or requests filed or pending on or after the date of the enactment of this Act.

SEC. 1204. MODIFICATION OF PROCEDURES FOR ISSUANCE OF THIRD-PARTY SUMMONS.

(a) IN GENERAL.—Section 7609(f) is amended by adding at the end the following flush sentence:

“The Secretary shall not issue any summons described in the preceding sentence unless the information sought to be obtained is narrowly tailored to information that pertains to the failure (or potential failure) of the person or group or class of persons referred to in paragraph (2) to comply with one or more provisions of the internal revenue law which have been identified for purposes of such paragraph.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses served after the date of the enactment of this Act.

SEC. 1205. PRIVATE DEBT COLLECTION AND SPECIAL COMPLIANCE PERSONNEL PROGRAM.

(a) CERTAIN TAX RECEIVABLES NOT ELIGIBLE FOR COLLECTION UNDER TAX COLLECTION CONTRACTS.—Section 6306(d)(3) is amended by striking “or” at the end of subparagraph (C) and by inserting after subparagraph (D) the following new subparagraphs:

“(E) a taxpayer substantially all of whose income consists of disability insurance benefits under section 223 of the Social Security Act or supplemental security income benefits under title XVI of the Social Security Act (including supplemental security income benefits of the type described in section 1616 of such Act or section 212 of Public Law 93-66), or

“(F) a taxpayer who is an individual with adjusted gross income, as determined for the most recent taxable year for which such information is available, which does not exceed 200 percent of the applicable poverty level (as determined by the Secretary).”.

(b) DETERMINATION OF INACTIVE TAX RECEIVABLES ELIGIBLE FOR COLLECTION UNDER TAX COLLECTION CONTRACTS.—Section 6306(c)(2)(A)(ii) is amended by striking “more than 1/3 of the period of the applicable statute of limitation has lapsed” and inserting “more than 2 years has passed since assessment”.

(c) MAXIMUM LENGTH OF INSTALLMENT AGREEMENTS OFFERED UNDER TAX COLLECTION CONTRACTS.—Section 6306(b)(1)(B) is amended by striking “5 years” and inserting “7 years”.

(d) CLARIFICATION THAT SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT MAY BE USED FOR PROGRAM COSTS.—

(1) IN GENERAL.—Section 6307(b) is amended—

(A) in paragraph (2), by striking all that follows “under such program” and inserting a period, and

(B) in paragraph (3), by striking all that follows “out of such account” and inserting “for other than program costs”.

(2) COMMUNICATIONS, SOFTWARE, AND TECHNOLOGY COSTS TREATED AS PROGRAM COSTS.—Section 6307(d)(2)(B) is amended by striking “telecommunications” and inserting “communications, software, technology”.

(3) CONFORMING AMENDMENT.—Section 6307(d)(2) is amended by striking “and” at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting “, and”, and by inserting after subparagraph (B) the following new subparagraph:

“(C) reimbursement of the Internal Revenue Service or other government agencies for the cost of administering the qualified tax collection program under section 6306.”.

(e) EFFECTIVE DATES.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall apply to tax receivables identified by the Secretary (or the Secretary’s delegate) after December 31, 2019.

(2) MAXIMUM LENGTH OF INSTALLMENT AGREEMENTS.—The amendment made by subsection (c) shall apply to contracts entered into after the date of the enactment of this Act.

(3) USE OF SPECIAL COMPLIANCE PERSONNEL PROGRAM ACCOUNT.—The amendment made by subsection (d) shall apply to amounts expended from the special compliance personnel program account after the date of the enactment of this Act.

SEC. 1206. REFORM OF NOTICE OF CONTACT OF THIRD PARTIES.

(a) IN GENERAL.—Section 7602(c)(1) is amended to read as follows:

“(1) GENERAL NOTICE.—An officer or employee of the Internal Revenue Service may not contact any person other than the taxpayer with respect to the determination or collection of the tax liability of such taxpayer unless such contact occurs during a period (not greater than 1 year) which is specified in a notice which—

“(A) informs the taxpayer that contacts with persons other than the taxpayer are intended to be made during such period, and

“(B) except as otherwise provided by the Secretary, is provided to the taxpayer not later than 45 days before the beginning of such period.

Nothing in the preceding sentence shall prevent the issuance of notices to the same taxpayer with respect to the same tax liability with periods specified therein that, in the aggregate, exceed 1 year. A notice shall not be issued under this paragraph unless there is an intent at the time such notice is issued to contact persons other than the taxpayer during the period specified in such notice. The preceding sentence shall not prevent the issuance of a notice if the requirement of such sentence is met on the basis of the assumption that the information sought to be obtained by such contact will not be obtained by other means before such contact.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to notices provided, and contacts of persons made, after the date which is 45 days after the date of the enactment of this Act.

SEC. 1207. MODIFICATION OF AUTHORITY TO ISSUE DESIGNATED SUMMONS.

(a) IN GENERAL.—Paragraph (1) of section 6503(j) is amended by striking “coordinated examination program” and inserting “coordinated industry case program”.

(b) REQUIREMENTS FOR SUMMONS.—Clause (i) of section 6503(j)(2)(A) is amended to read as follows:

“(i) the issuance of such summons is preceded by a review and written approval of such issuance by the Commissioner of the relevant operating division of the Internal Revenue Service and the Chief Counsel which—

“(I) states facts clearly establishing that the Secretary has made reasonable requests for the information that is the subject of the summons, and

“(II) is attached to such summons.”.

(c) ESTABLISHMENT THAT REASONABLE REQUESTS FOR INFORMATION WERE MADE.—Subsection (j) of section 6503 is amended by adding at the end the following new paragraph:

“(4) ESTABLISHMENT THAT REASONABLE REQUESTS FOR INFORMATION WERE MADE.—In any court proceeding described in paragraph (3), the Secretary shall establish that reasonable requests were made for the information that is the subject of the summons.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to summonses issued after the date of the enactment of this Act.

SEC. 1208. LIMITATION ON ACCESS OF NON-INTERNAL REVENUE SERVICE EMPLOYEES TO RETURNS AND RETURN INFORMATION.

(a) IN GENERAL.—Section 7602 is amended by adding at the end the following new subsection:

“(f) LIMITATION ON ACCESS OF PERSONS OTHER THAN INTERNAL REVENUE SERVICE OFFICERS AND EMPLOYEES.—The Secretary shall not, under the authority of section 6103(n), provide any books, papers, records, or other data obtained pursuant to this section to any person authorized under section 6103(n), except when such person requires such information for the sole purpose of providing expert evaluation and assistance to the Internal Revenue Service. No person other than an officer or employee of the Internal Revenue Service or the Office of Chief Counsel may, on behalf of the Secretary, question a witness under oath whose testimony was obtained pursuant to this section.”.

(b) EFFECTIVE DATE.—The amendment made by this section—

(1) shall take effect on the date of the enactment of this Act, and

(2) shall not fail to apply to a contract in effect under section 6103(n) of the Internal Revenue Code of 1986 merely because such contract was in effect before the date of the enactment of this Act.

Subtitle D—Organizational Modernization

SEC. 1301. OFFICE OF THE NATIONAL TAXPAYER ADVOCATE.

(a) TAXPAYER ADVOCATE DIRECTIVES.—

(1) IN GENERAL.—Section 7803(c) is amended by adding at the end the following new paragraph:

“(5) TAXPAYER ADVOCATE DIRECTIVES.—In the case of any Taxpayer Advocate Directive issued by the National Taxpayer Advocate pursuant to a delegation of authority from the Commissioner of the Internal Revenue Service—

“(A) the Commissioner or a Deputy Commissioner shall modify, rescind, or ensure compliance with such directive not later than 90 days after the issuance of such directive, and

“(B) in the case of any directive which is modified or rescinded by a Deputy Commissioner, the National Taxpayer Advocate may (not later than 90 days after such modification or rescission) appeal to the Commissioner and the Commissioner shall (not later than 90 days after such appeal is made) ensure compliance with such directive as issued by the National Taxpayer Advocate or provide the National Taxpayer Advocate

with a detailed description of the reasons for any modification or rescission made or upheld by the Commissioner pursuant to such appeal.”.

(2) REPORT TO CERTAIN COMMITTEES OF CONGRESS REGARDING DIRECTIVES.—Section 7803(c)(2)(B)(ii) is amended by redesignating subclauses (VIII) through (XI) as subclauses (IX) through (XII), respectively, and by inserting after subclause (VII) the following new subclause:

“(VIII) identify any Taxpayer Advocate Directive which was not honored by the Internal Revenue Service in a timely manner, as specified under paragraph (5);”.

(b) NATIONAL TAXPAYER ADVOCATE ANNUAL REPORTS TO CONGRESS.—

(1) INCLUSION OF MOST SERIOUS TAXPAYER PROBLEMS.—Section 7803(c)(2)(B)(ii)(III) is amended by striking “at least 20 of the” and inserting “the 10”.

(2) COORDINATION WITH TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Section 7803(c)(2) is amended by adding at the end the following new subparagraph:

“(E) COORDINATION WITH TREASURY INSPECTOR GENERAL FOR TAX ADMINISTRATION.—Before beginning any research or study, the National Taxpayer Advocate shall coordinate with the Treasury Inspector General for Tax Administration to ensure that the National Taxpayer Advocate does not duplicate any action that the Treasury Inspector General for Tax Administration has already undertaken or has a plan to undertake.”.

(3) STATISTICAL SUPPORT.—

(A) IN GENERAL.—Section 6108 is amended by adding at the end the following new subsection:

“(d) STATISTICAL SUPPORT FOR NATIONAL TAXPAYER ADVOCATE.—The Secretary shall, upon request of the National Taxpayer Advocate, provide the National Taxpayer Advocate with statistical support in connection with the preparation by the National Taxpayer Advocate of the annual report described in section 7803(c)(2)(B)(ii). Such statistical support shall include statistical studies, compilations, and the review of information provided by the National Taxpayer Advocate for statistical validity and sound statistical methodology.”.

(B) DISCLOSURE OF REVIEW.—Section 7803(c)(2)(B)(ii), as amended by subsection (a), is amended by redesignating subclause (XII) as subclause (XIII) and by inserting after subclause (XI) the following new subclause:

“(XII) with respect to any statistical information included in such report, include a statement of whether such statistical information was reviewed or provided by the Secretary under section 6108(d) and, if so, whether the Secretary determined such information to be statistically valid and based on sound statistical methodology.”.

(C) CONFORMING AMENDMENT.—Section 7803(c)(2)(B)(iii) is amended by adding at the end the following: “The preceding sentence shall not apply with respect to statistical information provided to the Secretary for review, or received from the Secretary, under section 6108(d).”.

(c) SALARY OF NATIONAL TAXPAYER ADVOCATE.—Section 7803(c)(1)(B)(i) is amended by striking “, or, if the Secretary of the Treasury so determines, at a rate fixed under section 9503 of such title”.

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as otherwise provided in this subsection, the amendments made by this section shall take effect on the date of the enactment of this Act.

(2) SALARY OF NATIONAL TAXPAYER ADVOCATE.—The amendment made by subsection (c) shall apply to compensation paid to individuals appointed as the National Taxpayer Advocate after the date of the enactment of this Act.

SEC. 1302. MODERNIZATION OF INTERNAL REVENUE SERVICE ORGANIZATIONAL STRUCTURE.

(a) IN GENERAL.—Not later than September 30, 2020, the Commissioner of the Internal Revenue Service shall submit to Congress a comprehensive written plan to redesign the organization of the Internal Revenue Service. Such plan shall—

(1) ensure the successful implementation of the priorities specified by Congress in this Act,

(2) prioritize taxpayer services to ensure that all taxpayers easily and readily receive the assistance that they need,

(3) streamline the structure of the agency including minimizing the duplication of services and responsibilities within the agency,

(4) best position the Internal Revenue Service to combat cybersecurity and other threats to the Internal Revenue Service, and

(5) address whether the Criminal Investigation Division of the Internal Revenue Service should report directly to the Commissioner.

(b) REPEAL OF RESTRICTION ON ORGANIZATIONAL STRUCTURE OF INTERNAL REVENUE SERVICE.—Paragraph (3) of section 1001(a) of the Internal Revenue Service Restructuring and Reform Act of 1998 shall cease to apply beginning 1 year after the date on which the Commissioner of the Internal Revenue Service submits to Congress the plan described in subsection (a).

Subtitle E—Other Provisions

SEC. 1401. RETURN PREPARATION PROGRAMS FOR APPLICABLE TAXPAYERS.

(a) IN GENERAL.—Chapter 77 is amended by inserting after section 7526 the following new section:

“SEC. 7526A. RETURN PREPARATION PROGRAMS FOR APPLICABLE TAXPAYERS.

“(a) ESTABLISHMENT OF VOLUNTEER INCOME TAX ASSISTANCE MATCHING GRANT PROGRAM.—The Secretary shall establish a Community Volunteer Income Tax Assistance Matching Grant Program under which the Secretary may, subject to the availability of appropriated funds, make grants to provide matching funds for the development, expansion, or continuation of qualified return preparation programs assisting applicable taxpayers and members of underserved populations.

“(b) USE OF FUNDS.—

“(1) IN GENERAL.—Qualified return preparation programs may use grants received under this section for—

“(A) ordinary and necessary costs associated with program operation in accordance with cost principles under the applicable Office of Management and Budget circular, including—

“(i) wages or salaries of persons coordinating the activities of the program,

“(ii) developing training materials, conducting training, and performing quality reviews of the returns prepared under the program,

“(iii) equipment purchases, and

“(iv) vehicle-related expenses associated with remote or rural tax preparation services.

“(B) outreach and educational activities described in subsection (c)(2)(B), and

“(C) services related to financial education and capability, asset development, and the establishment of savings accounts in connection with tax return preparation.

“(2) REQUIREMENT OF MATCHING FUNDS.—A qualified return preparation program must provide matching funds on a dollar-for-dollar basis for all grants provided under this section. Matching funds may include—

“(A) the salary (including fringe benefits) of individuals performing services for the program,

“(B) the cost of equipment used in the program, and

“(C) other ordinary and necessary costs associated with the program.

Indirect expenses, including general overhead of any entity administering the program, shall not be counted as matching funds.

“(c) APPLICATION.—

“(1) IN GENERAL.—Each applicant for a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(2) PRIORITY.—In awarding grants under this section, the Secretary shall give priority to applications which demonstrate—

“(A) assistance to applicable taxpayers, with emphasis on outreach to, and services for, such taxpayers,

“(B) taxpayer outreach and educational activities relating to eligibility and availability of income supports available through this title, including the earned income tax credit, and

“(C) specific outreach and focus on one or more underserved populations.

“(3) AMOUNTS TAKEN INTO ACCOUNT.—In determining matching grants under this section, the Secretary shall only take into account amounts provided by the qualified return preparation program for expenses described in subsection (b).

“(d) PROGRAM ADHERENCE.—

“(1) IN GENERAL.—The Secretary shall establish procedures for, and shall conduct not less frequently than once every 5 calendar years during which a qualified return preparation program is operating under a grant under this section, periodic site visits—

“(A) to ensure the program is carrying out the purposes of this section, and

“(B) to determine whether the program meets such program adherence standards as the Secretary shall by regulation or other guidance prescribe.

“(2) ADDITIONAL REQUIREMENTS FOR GRANT RECIPIENTS NOT MEETING PROGRAM ADHERENCE STANDARDS.—In the case of any qualified return preparation program which—

“(A) is awarded a grant under this section, and

“(B) is subsequently determined—

“(i) not to meet the program adherence standards described in paragraph (1)(B), or

“(ii) not to be otherwise carrying out the purposes of this section,

such program shall not be eligible for any additional grants under this section unless such program provides sufficient documentation of corrective measures established to address any such deficiencies determined.

“(e) DEFINITIONS.—For purposes of this section—

“(1) QUALIFIED RETURN PREPARATION PROGRAM.—The term ‘qualified return preparation program’ means any program—

“(A) which provides assistance to individuals, not less than 90 percent of whom are applicable taxpayers, in preparing and filing Federal income tax returns,

“(B) which is administered by a qualified entity,

“(C) in which all volunteers who assist in the preparation of Federal income tax returns meet the training requirements prescribed by the Secretary, and

“(D) which uses a quality review process which reviews 100 percent of all returns.

“(2) QUALIFIED ENTITY.—

“(A) IN GENERAL.—The term ‘qualified entity’ means any entity which—

“(i) is an eligible organization,

“(ii) is in compliance with Federal tax filing and payment requirements,

“(iii) is not debarred or suspended from Federal contracts, grants, or cooperative agreements, and

“(iv) agrees to provide documentation to substantiate any matching funds provided pursuant to the grant program under this section.

“(B) ELIGIBLE ORGANIZATION.—The term ‘eligible organization’ means—

“(i) an institution of higher education which is described in section 102 (other than subsection (a)(1)(C) thereof) of the Higher Education Act of 1965 (20 U.S.C. 1002), as in effect on the date of the enactment of this section, and which has not been disqualified from participating in a program under title IV of such Act,

“(ii) an organization described in section 501(c) and exempt from tax under section 501(a),

“(iii) a local government agency, including—

“(I) a county or municipal government agency, and

“(II) an Indian tribe, as defined in section 4(13) of the Native American Housing Assistance and Self-Determination Act of 1996 (25 U.S.C. 4103(13)), including any tribally designated housing entity (as defined in section 4(22) of such Act (25 U.S.C. 4103(22))), tribal subsidiary, subdivision, or other wholly owned tribal entity,

“(iv) a local, State, regional, or national coalition (with one lead organization which meets the eligibility requirements of clause (i), (ii), or (iii) acting as the applicant organization), or

“(v) in the case of applicable taxpayers and members of underserved populations with respect to which no organizations described in the preceding clauses are available—

“(I) a State government agency, or

“(II) an office providing Cooperative Extension services (as established at the land-grant colleges and universities under the Smith-Lever Act of May 8, 1914).

“(3) APPLICABLE TAXPAYERS.—The term ‘applicable taxpayer’ means a taxpayer whose income for the taxable year does not exceed an amount equal to the completed phaseout amount under section 32(b) for a married couple filing a joint return with three or more qualifying children, as determined in a revenue procedure or other published guidance.

“(4) UNDERSERVED POPULATION.—The term ‘underserved population’ includes populations of persons with disabilities, persons with limited English proficiency, Native Americans, individuals living in rural areas, members of the Armed Forces and their spouses, and the elderly.

“(f) SPECIAL RULES AND LIMITATIONS.—

“(1) DURATION OF GRANTS.—Upon application of a qualified return preparation program, the Secretary is authorized to award a multi-year grant not to exceed 3 years.

“(2) AGGREGATE LIMITATION.—Unless otherwise provided by specific appropriation, the Secretary shall not allocate more than \$30,000,000 per fiscal year (exclusive of costs of administering the program) to grants under this section.

“(g) PROMOTION OF PROGRAMS.—

“(1) IN GENERAL.—The Secretary shall promote tax preparation through qualified return preparation programs through the use of mass communications and other means.

“(2) PROVISION OF INFORMATION REGARDING QUALIFIED RETURN PREPARATION PROGRAMS.—The Secretary may provide taxpayers information regarding qualified return preparation programs receiving grants under this section.

“(3) VITA GRANTEE REFERRAL.—Qualified return preparation programs receiving a grant under this section are encouraged, in appropriate cases, to—

“(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from qualified low-in-

come taxpayer clinics receiving funding under section 7526, and

“(B) provide information regarding the location of, and contact information for, such clinics.”.

(b) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by inserting after the item relating to section 7526 the following new item:

“Sec. 7526A. Return preparation programs for applicable taxpayers.”.

SEC. 1402. PROVISION OF INFORMATION REGARDING LOW-INCOME TAXPAYER CLINICS.

(a) IN GENERAL.—Section 7526(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

“(6) PROVISION OF INFORMATION REGARDING QUALIFIED LOW-INCOME TAXPAYER CLINICS.—Notwithstanding any other provision of law, officers and employees of the Department of the Treasury may—

“(A) advise taxpayers of the availability of, and eligibility requirements for receiving, advice and assistance from one or more specific qualified low-income taxpayer clinics receiving funding under this section, and

“(B) provide information regarding the location of, and contact information for, such clinics.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 1403. NOTICE FROM IRS REGARDING CLOSURE OF TAXPAYER ASSISTANCE CENTERS.

Not later than 90 days before the date that a proposed closure of a Taxpayer Assistance Center would take effect, the Secretary of the Treasury (or the Secretary's delegate) shall—

(1) make publicly available (including by non-electronic means) a notice which—

(A) identifies the Taxpayer Assistance Center proposed for closure and the date of such proposed closure, and

(B) identifies the relevant alternative sources of taxpayer assistance which may be utilized by taxpayers affected by such proposed closure, and

(2) submit to Congress a written report that includes—

(A) the information included in the notice described in paragraph (1),

(B) the reasons for such proposed closure, and

(C) such other information as the Secretary may determine appropriate.

SEC. 1404. RULES FOR SEIZURE AND SALE OF PERISHABLE GOODS RESTRICTED TO ONLY PERISHABLE GOODS.

(a) IN GENERAL.—Section 6336 of the Internal Revenue Code of 1986 is amended by striking “or become greatly reduced in price or value by keeping, or that such property cannot be kept without great expense”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to property seized after the date of the enactment of this Act.

SEC. 1405. WHISTLEBLOWER REFORMS.

(a) MODIFICATIONS TO DISCLOSURE RULES FOR WHISTLEBLOWERS.—

(1) IN GENERAL.—Section 6103(k) is amended by adding at the end the following new paragraph:

“(13) DISCLOSURE TO WHISTLEBLOWERS.—

“(A) IN GENERAL.—The Secretary may disclose, to any individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a), return information related to the investigation of any taxpayer with respect to whom the individual has provided such information, but only to the extent that such disclosure is necessary in obtaining information, which is not otherwise reasonably available, with re-

spect to the correct determination of tax liability for tax, or the amount to be collected with respect to the enforcement of any other provision of this title.

“(B) UPDATES ON WHISTLEBLOWER INVESTIGATIONS.—The Secretary shall disclose to an individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a) the following:

“(i) Not later than 60 days after a case for which the individual has provided information has been referred for an audit or examination, a notice with respect to such referral.

“(ii) Not later than 60 days after a taxpayer with respect to whom the individual has provided information has made a payment of tax with respect to tax liability to which such information relates, a notice with respect to such payment.

“(iii) Subject to such requirements and conditions as are prescribed by the Secretary, upon a written request by such individual—

“(I) information on the status and stage of any investigation or action related to such information, and

“(II) in the case of a determination of the amount of any award under section 7623(b), the reasons for such determination.

Clause (iii) shall not apply to any information if the Secretary determines that disclosure of such information would seriously impair Federal tax administration. Information described in clauses (i), (ii), and (iii) may be disclosed to a designee of the individual providing such information in accordance with guidance provided by the Secretary.”

(2) CONFORMING AMENDMENTS.—

(A) CONFIDENTIALITY OF INFORMATION.—Section 6103(a)(3) is amended by striking “subsection (k)(10)” and inserting “paragraph (10) or (13) of subsection (k)”.

(B) PENALTY FOR UNAUTHORIZED DISCLOSURE.—Section 7213(a)(2) is amended by striking “(k)(10)” and inserting “(k)(10) or (13)”.

(C) COORDINATION WITH AUTHORITY TO DISCLOSE FOR INVESTIGATIVE PURPOSES.—Section 6103(k)(6) is amended by adding at the end the following new sentence: “This paragraph shall not apply to any disclosure to an individual providing information relating to any purpose described in paragraph (1) or (2) of section 7623(a) which is made under paragraph (13)(A).”

(b) PROTECTION AGAINST RETALIATION.—Section 7623 is amended by adding at the end the following new subsection:

“(d) CIVIL ACTION TO PROTECT AGAINST RETALIATION CASES.—

“(1) ANTI-RETALIATION WHISTLEBLOWER PROTECTION FOR EMPLOYEES.—No employer, or any officer, employee, contractor, subcontractor, or agent of such employer, may discharge, demote, suspend, threaten, harass, or in any other manner discriminate against an employee in the terms and conditions of employment (including through an act in the ordinary course of such employee's duties) in reprisal for any lawful act done by the employee—

“(A) to provide information, cause information to be provided, or otherwise assist in an investigation regarding underpayment of tax or any conduct which the employee reasonably believes constitutes a violation of the internal revenue laws or any provision of Federal law relating to tax fraud, when the information or assistance is provided to the Internal Revenue Service, the Secretary of Treasury, the Treasury Inspector General for Tax Administration, the Comptroller General of the United States, the Department of Justice, the United States Congress, a person with supervisory authority over the employee, or any other person working for the employer who has the authority to investigate, discover, or terminate misconduct, or

“(B) to testify, participate in, or otherwise assist in any administrative or judicial action taken by the Internal Revenue Service relating to an alleged underpayment of tax or any violation of the internal revenue laws or any provision of Federal law relating to tax fraud.

“(2) ENFORCEMENT ACTION.—

“(A) IN GENERAL.—A person who alleges discharge or other reprisal by any person in violation of paragraph (1) may seek relief under paragraph (3) by—

“(i) filing a complaint with the Secretary of Labor, or

“(ii) if the Secretary of Labor has not issued a final decision within 180 days of the filing of the complaint and there is no showing that such delay is due to the bad faith of the claimant, bringing an action at law or equity for de novo review in the appropriate district court of the United States, which shall have jurisdiction over such an action without regard to the amount in controversy.

“(B) PROCEDURE.—

“(i) IN GENERAL.—An action under subparagraph (A)(i) shall be governed under the rules and procedures set forth in section 42121(b) of title 49, United States Code.

“(ii) EXCEPTION.—Notification made under section 42121(b)(1) of title 49, United States Code, shall be made to the person named in the complaint and to the employer.

“(iii) BURDENS OF PROOF.—An action brought under subparagraph (A)(ii) shall be governed by the legal burdens of proof set forth in section 42121(b) of title 49, United States Code, except that in applying such section—

“(I) ‘behavior described in paragraph (1)’ shall be substituted for ‘behavior described in paragraphs (1) through (4) of subsection (a)’ each place it appears in paragraph (2)(B) thereof, and

“(II) ‘a violation of paragraph (1)’ shall be substituted for ‘a violation of subsection (a)’ each place it appears.

“(iv) STATUTE OF LIMITATIONS.—A complaint under subparagraph (A)(i) shall be filed not later than 180 days after the date on which the violation occurs.

“(v) JURY TRIAL.—A party to an action brought under subparagraph (A)(ii) shall be entitled to trial by jury.

“(3) REMEDIES.—

“(A) IN GENERAL.—An employee prevailing in any action under paragraph (2)(A) shall be entitled to all relief necessary to make the employee whole.

“(B) COMPENSATORY DAMAGES.—Relief for any action under subparagraph (A) shall include—

“(i) reinstatement with the same seniority status that the employee would have had, but for the reprisal.

“(ii) the sum of 200 percent of the amount of back pay and 100 percent of all lost benefits, with interest, and

“(iii) compensation for any special damages sustained as a result of the reprisal, including litigation costs, expert witness fees, and reasonable attorney fees.

“(4) RIGHTS RETAINED BY EMPLOYEE.—Nothing in this section shall be deemed to diminish the rights, privileges, or remedies of any employee under any Federal or State law, or under any collective bargaining agreement.

“(5) NONENFORCEABILITY OF CERTAIN PROVISIONS WAIVING RIGHTS AND REMEDIES OR REQUIRING ARBITRATION OF DISPUTES.—

“(A) WAIVER OF RIGHTS AND REMEDIES.—The rights and remedies provided for in this subsection may not be waived by any agreement, policy form, or condition of employment, including by a predispute arbitration agreement.

“(B) PREDISPUTE ARBITRATION AGREEMENTS.—No predispute arbitration agreement shall be valid or enforceable, if the

agreement requires arbitration of a dispute arising under this subsection.”

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—The amendments made by subsection (a) shall apply to disclosures made after the date of the enactment of this Act.

(2) CIVIL PROTECTION.—The amendment made by subsection (b) shall take effect on the date of the enactment of this Act.

SEC. 1406. CUSTOMER SERVICE INFORMATION.

The Secretary of the Treasury (or the Secretary's delegate) shall provide helpful information to taxpayers placed on hold during a telephone call to any Internal Revenue Service help line, including the following:

(1) Information about common tax scams.

(2) Information on where and how to report tax scams.

(3) Additional advice on how taxpayers can protect themselves from identity theft and tax scams.

SEC. 1407. MISDIRECTED TAX REFUND DEPOSITS.

Section 6402 is amended by adding at the end the following new subsection:

“(n) MISDIRECTED DIRECT DEPOSIT REFUND.—Not later than the date which is 6 months after the date of the enactment of the Taxpayer First Act of 2018, the Secretary shall prescribe regulations to establish procedures to allow for—

“(1) taxpayers to report instances in which a refund made by the Secretary by electronic funds transfer was erroneously delivered to an account at a financial institution for which the taxpayer is not the owner;

“(2) coordination with financial institutions for the purpose of—

“(A) identifying erroneous payments described in paragraph (1); and

“(B) recovery of the erroneously transferred amounts; and

“(3) the refund to be delivered to the correct account of the taxpayer.”

TITLE II—21ST CENTURY IRS

Subtitle A—Cybersecurity and Identity Protection

SEC. 2001. PUBLIC-PRIVATE PARTNERSHIP TO ADDRESS IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury (or the Secretary's delegate) shall work collaboratively with the public and private sectors to protect taxpayers from identity theft refund fraud.

SEC. 2002. RECOMMENDATIONS OF ELECTRONIC TAX ADMINISTRATION ADVISORY COMMITTEE REGARDING IDENTITY THEFT REFUND FRAUD.

The Secretary of the Treasury shall ensure that the advisory group convened by the Secretary pursuant to section 2001(b)(2) of the Internal Revenue Service Restructuring and Reform Act of 1998 (commonly known as the Electronic Tax Administration Advisory Committee) studies (including by providing organized public forums) and makes recommendations to the Secretary regarding methods to prevent identity theft and refund fraud.

SEC. 2003. INFORMATION SHARING AND ANALYSIS CENTER.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary's delegate) may participate in an information sharing and analysis center to centralize, standardize, and enhance data compilation and analysis to facilitate sharing actionable data and information with respect to identity theft tax refund fraud.

(b) DEVELOPMENT OF PERFORMANCE METRICS.—The Secretary of the Treasury (or the Secretary's delegate) shall develop metrics for measuring the success of such center in detecting and preventing identity theft tax refund fraud.

(c) DISCLOSURE.—

(1) IN GENERAL.—Section 6103(k), as amended by this Act, is amended by adding at the end the following new paragraph:

“(14) DISCLOSURE OF RETURN INFORMATION FOR PURPOSES OF CYBERSECURITY AND THE PREVENTION OF IDENTITY THEFT TAX REFUND FRAUD.—

“(A) IN GENERAL.—Under such procedures and subject to such conditions as the Secretary may prescribe, the Secretary may disclose specified return information to specified ISAC participants to the extent that the Secretary determines such disclosure is in furtherance of effective Federal tax administration relating to the detection or prevention of identity theft tax refund fraud, validation of taxpayer identity, authentication of taxpayer returns, or detection or prevention of cybersecurity threats.

“(B) SPECIFIED ISAC PARTICIPANTS.—For purposes of this paragraph—

“(i) IN GENERAL.—The term ‘specified ISAC participant’ means—

“(I) any person designated by the Secretary as having primary responsibility for a function performed with respect to the information sharing and analysis center described in section 2003(a) of the Taxpayer First Act of 2018, and

“(II) any person subject to the requirements of section 7216 and which is a participant in such information sharing and analysis center.

“(ii) INFORMATION SHARING AGREEMENT.—Such term shall not include any person unless such person has entered into a written agreement with the Secretary setting forth the terms and conditions for the disclosure of information to such person under this paragraph, including requirements regarding the protection and safeguarding of such information by such person.

“(C) SPECIFIED RETURN INFORMATION.—For purposes of this paragraph, the term ‘specified return information’ means—

“(i) in the case of a return which is in connection with a case of potential identity theft refund fraud—

“(I) in the case of such return filed electronically, the internet protocol address, device identification, email domain name, speed of completion, method of authentication, refund method, and such other return information related to the electronic filing characteristics of such return as the Secretary may identify for purposes of this subclause, and

“(II) in the case of such return prepared by a tax return preparer, identifying information with respect to such tax return preparer, including the preparer taxpayer identification number and electronic filer identification number of such preparer,

“(ii) in the case of a return which is in connection with a case of a identity theft refund fraud which has been confirmed by the Secretary (pursuant to such procedures as the Secretary may provide), the information referred to in subclauses (I) and (II) of clause (i), the name and taxpayer identification number of the taxpayer as it appears on the return, and any bank account and routing information provided for making a refund in connection with such return, and

“(iii) in the case of any cybersecurity threat to the Internal Revenue Service, information similar to the information described in subclauses (I) and (II) of clause (i) with respect to such threat.

“(D) RESTRICTION ON USE OF DISCLOSED INFORMATION.—

“(i) DESIGNATED THIRD PARTIES.—Any return information received by a person described in subparagraph (B)(i)(I) shall be used only for the purposes of and to the extent necessary in—

“(I) performing the function such person is designated to perform under such subparagraph,

“(II) facilitating disclosures authorized under subparagraph (A) to persons described in subparagraph (B)(i)(II), and

“(III) facilitating disclosures authorized under subsection (d) to participants in such information sharing and analysis center.

“(ii) RETURN PREPARERS.—Any return information received by a person described in subparagraph (B)(i)(II) shall be treated for purposes of section 7216 as information furnished to such person for, or in connection with, the preparation of a return of the tax imposed under chapter 1.

“(E) DATA PROTECTION AND SAFEGUARDS.—Return information disclosed under this paragraph shall be subject to such protections and safeguards as the Secretary may require in regulations or other guidance or in the written agreement referred to in subparagraph (B)(ii). Such written agreement shall include a requirement that any unauthorized access to information disclosed under this paragraph, and any breach of any system in which such information is held, be reported to the Treasury Inspector General for Tax Administration.”.

(2) APPLICATION OF CIVIL AND CRIMINAL PENALTIES.—

(A) Section 6103(a)(3), as amended by this Act, is amended by striking “or (13)” and inserting “(13), or (14)”.

(B) Section 7213(a)(2), as amended by this Act, is amended by striking “or (13)” and inserting “(13), or (14)”.

SEC. 2004. COMPLIANCE BY CONTRACTORS WITH CONFIDENTIALITY SAFEGUARDS.

(a) IN GENERAL.—Section 6103(p) is amended by adding at the end the following new paragraph:

“(9) DISCLOSURE TO CONTRACTORS AND OTHER AGENTS.—Notwithstanding any other provision of this section, no return or return information shall be disclosed to any contractor or other agent of a Federal, State, or local agency unless such agency, to the satisfaction of the Secretary—

“(A) has requirements in effect which require each such contractor or other agent which would have access to returns or return information to provide safeguards (within the meaning of paragraph (4)) to protect the confidentiality of such returns or return information,

“(B) agrees to conduct an on-site review every 3 years (or a mid-point review in the case of contracts or agreements of less than 3 years in duration) of each contractor or other agent to determine compliance with such requirements,

“(C) submits the findings of the most recent review conducted under subparagraph (B) to the Secretary as part of the report required by paragraph (4)(E), and

“(D) certifies to the Secretary for the most recent annual period that such contractor or other agent is in compliance with all such requirements.

The certification required by subparagraph (D) shall include the name and address of each contractor or other agent, a description of the contract or agreement with such contractor or other agent, and the duration of such contract or agreement. The requirements of this paragraph shall not apply to disclosures pursuant to subsection (n) for purposes of Federal tax administration.”.

(b) CONFORMING AMENDMENT.—Section 6103(p)(8)(B) is amended by inserting “or paragraph (9)” after “subparagraph (A)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures made after December 31, 2022.

SEC. 2005. REPORT ON ELECTRONIC PAYMENTS.

Not later than 2 years after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary’s delegate), in coordination with the Bureau of Fiscal Service and the Internal Revenue Service, and in

consultation with private sector financial institutions, shall submit a written report to Congress describing how the government can utilize new payment platforms to increase the number of tax refunds paid by electronic funds transfer. Such report shall weigh the interests of reducing identity theft tax refund fraud, reducing the Federal Government’s costs in delivering tax refunds, the costs and any associated fees charged to taxpayers (including monthly and point-of-service fees) to access their tax refunds, the impact on individuals who do not have access to financial accounts or institutions, and ensuring payments are made to accounts at a financial institution that complies with section 21 of the Federal Deposit Insurance Act, chapter 2 of title I of Public Law 91–508, and subchapter II of chapter 53 of title 31, United States Code (commonly referred to collectively as the “Bank Secrecy Act”) and the USA PATRIOT Act. Such report shall include any legislative recommendations necessary to accomplish these goals.

SEC. 2006. IDENTITY PROTECTION PERSONAL IDENTIFICATION NUMBERS.

(a) IN GENERAL.—Subject to subsection (b), the Secretary of the Treasury or the Secretary’s delegate (hereafter referred to in this section as the “Secretary”) shall establish a program to issue, upon the request of any individual, a number which may be used in connection with such individual’s social security number (or other identifying information with respect to such individual as determined by the Secretary) to assist the Secretary in verifying such individual’s identity.

(b) REQUIREMENTS.—

(1) ANNUAL EXPANSION.—For each calendar year beginning after the date of the enactment of this Act, the Secretary shall provide numbers through the program described in subsection (a) to individuals residing in such States as the Secretary deems appropriate, provided that the total number of States served by such program during such year is greater than the total number of States served by such program during the preceding year.

(2) NATIONWIDE AVAILABILITY.—Not later than 5 years after the date of the enactment of this Act, the Secretary shall ensure that the program described in subsection (a) is made available to any individual residing in the United States.

SEC. 2007. SINGLE POINT OF CONTACT FOR TAX-RELATED IDENTITY THEFT VICTIMS.

(a) IN GENERAL.—The Secretary of the Treasury (or the Secretary’s delegate) shall establish and implement procedures to ensure that any taxpayer whose return has been delayed or otherwise adversely affected due to tax-related identity theft has a single point of contact at the Internal Revenue Service throughout the processing of the taxpayer’s case. The single point of contact shall track the taxpayer’s case to completion and coordinate with other Internal Revenue Service employees to resolve case issues as quickly as possible.

(b) SINGLE POINT OF CONTACT.—

(1) IN GENERAL.—For purposes of subsection (a), the single point of contact shall consist of a team or subset of specially trained employees who—

(A) have the ability to work across functions to resolve the issues involved in the taxpayer’s case; and

(B) shall be accountable for handling the case until its resolution.

(2) TEAM OR SUBSET.—The employees included within the team or subset described in paragraph (1) may change as required to meet the needs of the Internal Revenue Service, provided that procedures have been established to—

(A) ensure continuity of records and case history; and

(B) notify the taxpayer when appropriate.

SEC. 2008. NOTIFICATION OF SUSPECTED IDENTITY THEFT.

(a) IN GENERAL.—Chapter 77 is amended by adding at the end the following new section: “**SEC. 7529. NOTIFICATION OF SUSPECTED IDENTITY THEFT.**

“(a) IN GENERAL.—If the Secretary determines that there has been or may have been an unauthorized use of the identity of any individual, the Secretary shall, without jeopardizing an investigation relating to tax administration—

“(1) as soon as practicable, notify the individual of such determination and provide—

“(A) instructions on how to file a report with law enforcement regarding the unauthorized use of the identity of the individual,

“(B) the identification of any forms necessary for the individual to complete and submit to law enforcement to permit access to personal information of the individual during the investigation,

“(C) information regarding actions the individual may take in order to protect the individual from harm relating to such unauthorized use, and

“(D) an offer of identity protection measures to be provided to the individual by the Internal Revenue Service, such as the use of an identity protection personal identification number, and

“(2) at the time the information described in paragraph (1) is provided (or, if not available at such time, as soon as practicable thereafter), issue additional notifications to such individual (or such individual’s designee) regarding—

“(A) whether an investigation has been initiated in regards to such unauthorized use,

“(B) whether the investigation substantiated an unauthorized use of the identity of the individual, and

“(C) whether—

“(i) any action has been taken against a person relating to such unauthorized use, or

“(ii) any referral has been made for criminal prosecution of such person and, to the extent such information is available, whether such person has been criminally charged by indictment or information.

“(b) EMPLOYMENT-RELATED IDENTITY THEFT.—

“(1) IN GENERAL.—For purposes of this section, the unauthorized use of the identity of an individual includes the unauthorized use of the identity of the individual to obtain employment.

“(2) DETERMINATION OF EMPLOYMENT-RELATED IDENTITY THEFT.—For purposes of this section, in making a determination as to whether there has been or may have been an unauthorized use of the identity of an individual to obtain employment, the Secretary shall review any information—

“(A) obtained from a statement described in section 6051 or an information return relating to compensation for services rendered other than as an employee, or

“(B) provided to the Internal Revenue Service by the Social Security Administration regarding any statement described in section 6051,

which indicates that the social security account number provided on such statement or information return does not correspond with the name provided on such statement or information return or the name on the tax return reporting the income which is included on such statement or information return.”.

(b) ADDITIONAL MEASURES.—

(1) EXAMINATION OF BOTH PAPER AND ELECTRONIC STATEMENTS AND RETURNS.—The Secretary of the Treasury (or the Secretary’s delegate) shall examine the statements, information returns, and tax returns described in section 7529(b)(2) of the Internal Revenue Code of 1986 (as added by subsection (a)) for

any evidence of employment-related identity theft, regardless of whether such statements or returns are submitted electronically or on paper.

(2) IMPROVEMENT OF EFFECTIVE RETURN PROCESSING PROGRAM WITH SOCIAL SECURITY ADMINISTRATION.—Section 232 of the Social Security Act (42 U.S.C. 432) is amended by inserting after the third sentence the following: “For purposes of carrying out the return processing program described in the preceding sentence, the Commissioner of Social Security shall request, not less than annually, such information described in section 7529(b)(2) of the Internal Revenue Code of 1986 as may be necessary to ensure the accuracy of the records maintained by the Commissioner of Social Security related to the amounts of wages paid to, and the amounts of self-employment income derived by, individuals.”.

(3) UNDERREPORTING OF INCOME.—The Secretary (or the Secretary’s delegate) shall establish procedures to ensure that income reported in connection with the unauthorized use of a taxpayer’s identity is not taken into account in determining any penalty for underreporting of income by the victim of identity theft.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 77 is amended by adding at the end the following new item:

“Sec. 7529. Notification of suspected identity theft.”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to determinations made after the date that is 6 months after the date of the enactment of this Act.

SEC. 2009. GUIDELINES FOR STOLEN IDENTITY REFUND FRAUD CASES.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Secretary (or the Secretary’s delegate), in consultation with the National Taxpayer Advocate, shall develop and implement publicly available guidelines for management of cases involving stolen identity refund fraud in a manner that reduces the administrative burden on taxpayers who are victims of such fraud.

(b) STANDARDS AND PROCEDURES TO BE CONSIDERED.—The guidelines described in subsection (a) may include—

(1) standards for—

(A) the average length of time in which a case involving stolen identity refund fraud should be resolved;

(B) the maximum length of time, on average, a taxpayer who is a victim of stolen identity refund fraud and is entitled to a tax refund which has been stolen should have to wait to receive such refund; and

(C) the maximum number of offices and employees within the Internal Revenue Service with whom a taxpayer who is a victim of stolen identity refund fraud should be required to interact in order to resolve a case;

(2) standards for opening, assigning, reassigning, or closing a case involving stolen identity refund fraud; and

(3) procedures for implementing and accomplishing the standards described in paragraphs (1) and (2), and measures for evaluating such procedures and determining whether such standards have been successfully implemented.

SEC. 2010. INCREASED PENALTY FOR IMPROPER DISCLOSURE OR USE OF INFORMATION BY PREPARERS OF RETURNS.

(a) IN GENERAL.—Section 6713 is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively; and

(2) by inserting after subsection (a) the following new subsection:

“(b) ENHANCED PENALTY FOR IMPROPER USE OR DISCLOSURE RELATING TO IDENTITY THEFT.—

“(1) IN GENERAL.—In the case of a disclosure or use described in subsection (a) that is made in connection with a crime relating to the misappropriation of another person’s taxpayer identity (as defined in section 6103(b)(6)), whether or not such crime involves any tax filing, subsection (a) shall be applied—

“(A) by substituting ‘\$1,000’ for ‘\$250’, and

“(B) by substituting ‘\$50,000’ for ‘\$10,000’.

“(2) SEPARATE APPLICATION OF TOTAL PENALTY LIMITATION.—The limitation on the total amount of the penalty under subsection (a) shall be applied separately with respect to disclosures or uses to which this subsection applies and to which it does not apply.”.

(b) CRIMINAL PENALTY.—Section 7216(a) is amended by striking “\$1,000” and inserting “\$1,000 (\$100,000 in the case of a disclosure or use to which section 6713(b) applies)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to disclosures or uses on or after the date of the enactment of this Act.

Subtitle B—Development of Information Technology

SEC. 2101. MANAGEMENT OF INTERNAL REVENUE SERVICE INFORMATION TECHNOLOGY.

(a) DUTIES AND RESPONSIBILITIES OF INTERNAL REVENUE SERVICE CHIEF INFORMATION OFFICER.—Section 7803, as amended by section 1001, is amended by adding at the end the following new subsection:

“(f) INTERNAL REVENUE SERVICE CHIEF INFORMATION OFFICER.—

“(1) IN GENERAL.—There shall be in the Internal Revenue Service an Internal Revenue Service Chief Information Officer (hereafter referred to in this subsection as the ‘IRS CIO’) who shall be appointed by the Commissioner of the Internal Revenue Service.

“(2) CENTRALIZED RESPONSIBILITY FOR INTERNAL REVENUE SERVICE INFORMATION TECHNOLOGY.—The Commissioner of the Internal Revenue Service (and the Secretary) shall act through the IRS CIO with respect to all development, implementation, and maintenance of information technology for the Internal Revenue Service. Any reference in this subsection to the IRS CIO which directs the IRS CIO to take any action, or to assume any responsibility, shall be treated as a reference to the Commissioner of the Internal Revenue Service acting through the IRS CIO.

“(3) GENERAL DUTIES AND RESPONSIBILITIES.—The IRS CIO shall—

“(A) be responsible for the development, implementation, and maintenance of information technology for the Internal Revenue Service,

“(B) ensure that the information technology of the Internal Revenue Service is secure and integrated,

“(C) maintain operational control of all information technology for the Internal Revenue Service,

“(D) be the principal advocate for the information technology needs of the Internal Revenue Service, and

“(E) consult with the Chief Procurement Officer of the Internal Revenue Service to ensure that the information technology acquired for the Internal Revenue Service is consistent with—

“(i) the goals and requirements specified in subparagraphs (A) through (D), and

“(ii) the strategic plan developed under paragraph (4).

“(4) STRATEGIC PLAN.—

“(A) IN GENERAL.—The IRS CIO shall develop and implement a multiyear strategic plan for the information technology needs of the Internal Revenue Service. Such plan shall—

“(i) include performance measurements of such technology and of the implementation of such plan,

“(ii) include a plan for an integrated enterprise architecture of the information technology of the Internal Revenue Service,

“(iii) include and take into account the resources needed to accomplish such plan,

“(iv) take into account planned major acquisitions of information technology by the Internal Revenue Service, including Customer Account Data Engine 2 and the Enterprise Case Management System, and

“(v) align with the needs and strategic plan of the Internal Revenue Service.

“(B) PLAN UPDATES.—The IRS CIO shall, not less frequently than annually, review and update the strategic plan under subparagraph (A) (including the plan for an integrated enterprise architecture described in subparagraph (A)(ii)) to take into account the development of new information technology and the needs of the Internal Revenue Service.

“(5) SCOPE OF AUTHORITY.—

“(A) INFORMATION TECHNOLOGY.—For purposes of this subsection, the term ‘information technology’ has the meaning given such term by section 11101 of title 40, United States Code.

“(B) INTERNAL REVENUE SERVICE.—Any reference in this subsection to the Internal Revenue Service includes a reference to all components of the Internal Revenue Service, including—

“(i) the Office of the Taxpayer Advocate,

“(ii) the Criminal Investigation Division of the Internal Revenue Service, and

“(iii) except as otherwise provided by the Secretary with respect to information technology related to matters described in subsection (b)(3)(B), the Office of the Chief Counsel.”.

(b) INDEPENDENT VERIFICATION AND VALIDATION OF THE CUSTOMER ACCOUNT DATA ENGINE 2 AND ENTERPRISE CASE MANAGEMENT SYSTEM.—

(1) IN GENERAL.—The Commissioner of the Internal Revenue Service shall enter into a contract with an independent reviewer to verify and validate the implementation plans (including the performance milestones and cost estimates included in such plans) developed for the Customer Account Data Engine 2 and the Enterprise Case Management System.

(2) DEADLINE FOR COMPLETION.—Such contract shall require that such verification and validation be completed not later than the date which is 1 year after the date of the enactment of this Act.

(3) APPLICATION TO PHASES OF CADE 2.—

(A) IN GENERAL.—Paragraphs (1) and (2) shall not apply to phase 1 of the Customer Account Data Engine 2 and shall apply separately to each other phase.

(B) DEADLINE FOR COMPLETING PLANS.—Not later than 1 year after the date of the enactment of this Act, the Commissioner of the Internal Revenue Service shall complete the development of plans for all phases of the Customer Account Data Engine 2.

(C) DEADLINE FOR COMPLETION OF VERIFICATION AND VALIDATION OF PLANS.—In the case of any phase after phase 2 of the Customer Account Data Engine 2, paragraph (2) shall be applied by substituting “the date on which the plan for such phase was completed” for “the date of the enactment of this Act”.

(c) COORDINATION OF IRS CIO AND CHIEF PROCUREMENT OFFICER OF THE INTERNAL REVENUE SERVICE.—

(1) IN GENERAL.—The Chief Procurement Officer of the Internal Revenue Service shall—

(A) identify all significant IRS information technology acquisitions and provide written notification to the Internal Revenue Service Chief Information Officer (hereafter referred to in this subsection as the “IRS CIO”) of

each such acquisition in advance of such acquisition, and

(B) regularly consult with the IRS CIO regarding acquisitions of information technology for the Internal Revenue Service, including meeting with the IRS CIO regarding such acquisitions upon request.

(2) SIGNIFICANT IRS INFORMATION TECHNOLOGY ACQUISITIONS.—For purposes of this subsection, the term “significant IRS information technology acquisitions” means—

(A) any acquisition of information technology for the Internal Revenue Service in excess of \$1,000,000, and

(B) such other acquisitions of information technology for the Internal Revenue Service (or categories of such acquisitions) as the IRS CIO, in consultation with the Chief Procurement Officer of the Internal Revenue Service, may identify.

(3) SCOPE.—Terms used in this subsection which are also used in section 7803(f) of the Internal Revenue Code of 1986 (as amended by subsection (a)) shall have the same meaning as when used in such section.

SEC. 2102. DEVELOPMENT OF ONLINE ACCOUNTS AND PORTALS.

(a) IN GENERAL.—The Secretary of the Treasury or the Secretary’s delegate (hereafter referred to in this section as the “Secretary”) shall—

(1) develop secure individualized online accounts to provide services to taxpayers and their designated return preparers, including obtaining taxpayer information, making payment of taxes, sharing documentation, and (to the extent feasible) addressing and correcting issues, and

(2) develop a process for the acceptance of tax forms, and supporting documentation, in digital or other electronic format.

(b) ELECTRONIC SERVICES TREATED AS SUPPLEMENTAL; APPLICATION OF SECURITY STANDARDS.—The Secretary shall ensure that the processes described in subsection (a)—

(1) are a supplement to, and not a replacement for, other services provided by the Internal Revenue Service to taxpayers, including face-to-face taxpayer assistance and services provided by phone, and

(2) comply with applicable security standards and guidelines.

(c) PROCESS FOR DEVELOPING ONLINE ACCOUNTS.—

(1) DEVELOPMENT OF PLAN.—Not later than 1 year after the date of the enactment of this Act, the Secretary shall submit to Congress a written report describing the Secretary’s plan for developing the secure individualized online accounts described in subsection (a)(1). Such plan shall address the feasibility of taxpayers addressing and correcting issues through such accounts and whether access to such accounts should be restricted and in what manner.

(2) DEADLINE.—The Secretary shall make every reasonable effort to make the secure individualized online accounts described in subsection (a)(1) available to taxpayers by December 31, 2023.

SEC. 2103. INTERNET PLATFORM FOR FORM 1099 FILINGS.

(a) IN GENERAL.—Not later than January 1, 2023, the Secretary of the Treasury or the Secretary’s delegate (hereafter referred to in this section as the “Secretary”) shall make available an Internet website or other electronic media, with a user interface and functionality similar to the Business Services Online Suite of Services provided by the Social Security Administration, that will provide access to resources and guidance provided by the Internal Revenue Service and will allow persons to—

(1) prepare and file Forms 1099,

(2) prepare Forms 1099 for distribution to recipients other than the Internal Revenue Service, and

(3) maintain a record of completed and submitted Forms 1099.

(b) ELECTRONIC SERVICES TREATED AS SUPPLEMENTAL; APPLICATION OF SECURITY STANDARDS.—The Secretary shall ensure that the services described in subsection (a)—

(1) are a supplement to, and not a replacement for, other services provided by the Internal Revenue Service to taxpayers, and

(2) comply with applicable security standards and guidelines.

SEC. 2104. STREAMLINED CRITICAL PAY AUTHORITY FOR INFORMATION TECHNOLOGY POSITIONS.

(a) IN GENERAL.—Subchapter A of chapter 80 is amended by adding at the end the following new section:

“SEC. 7812. STREAMLINED CRITICAL PAY AUTHORITY FOR INFORMATION TECHNOLOGY POSITIONS.

“In the case of any position which is critical to the functionality of the information technology operations of the Internal Revenue Service—

“(1) section 9503 of title 5, United States Code, shall be applied—

“(A) by substituting ‘during the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2023’ for ‘Before September 30, 2013 in subsection (a)’,

“(B) without regard to subparagraph (B) of subsection (a)(1), and

“(C) by substituting ‘the date of the enactment of the Taxpayer First Act of 2018’ for ‘June 1, 1998’ in subsection (a)(6).

“(2) section 9504 of such title 5 shall be applied by substituting ‘During the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2023’ for ‘Before September 30, 2013’ each place it appears in subsections (a) and (b), and

“(3) section 9505 of such title shall be applied—

“(A) by substituting ‘During the period beginning on the date of the enactment of section 7812 of the Internal Revenue Code of 1986, and ending on September 30, 2023’ for ‘Before September 30, 2013’ in subsection (a), and

“(B) by substituting ‘the information technology operations’ for ‘significant functions’ in subsection (a).”.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter A of chapter 80 is amended by adding at the end the following new item:

“Sec. 7812. Streamlined critical pay authority for information technology positions.”.

Subtitle C—Modernization of Consent-based Income Verification System

SEC. 2201. DISCLOSURE OF TAXPAYER INFORMATION FOR THIRD-PARTY INCOME VERIFICATION.

(a) IN GENERAL.—Not later than 1 year after the close of the 2-year period described in subsection (d)(1), the Secretary of the Treasury or the Secretary’s delegate (hereafter referred to in this section as the “Secretary”) shall implement a program to ensure that any qualified disclosure—

(1) is fully automated and accomplished through the Internet, and

(2) is accomplished in as close to real-time as is practicable.

(b) QUALIFIED DISCLOSURE.—For purposes of this section, the term “qualified disclosure” means a disclosure under section 6103(c) of the Internal Revenue Code of 1986 of returns or return information by the Secretary to a person seeking to verify the income or creditworthiness of a taxpayer who is a borrower in the process of a loan application.

(c) APPLICATION OF SECURITY STANDARDS.—The Secretary shall ensure that the program

described in subsection (a) complies with applicable security standards and guidelines.

(d) **USER FEE.**—

(1) **IN GENERAL.**—During the 2-year period beginning on the first day of the 6th calendar month beginning after the date of the enactment of this Act, the Secretary shall assess and collect a fee for qualified disclosures (in addition to any other fee assessed and collected for such disclosures) at such rates as the Secretary determines are sufficient to cover the costs related to implementing the program described in subsection (a), including the costs of any necessary infrastructure or technology.

(2) **DEPOSIT OF COLLECTIONS.**—Amounts received from fees assessed and collected under paragraph (1) shall be deposited in, and credited to, an account solely for the purpose of carrying out the activities described in subsection (a). Such amounts shall be available to carry out such activities without need of further appropriation and without fiscal year limitation.

SEC. 2202. LIMIT REDISCLOSURES AND USES OF CONSENT-BASED DISCLOSURES OF TAX RETURN INFORMATION.

(a) **IN GENERAL.**—Section 6103(c) is amended by adding at the end the following: “Persons designated by the taxpayer under this subsection to receive return information shall not use the information for any purpose other than the express purpose for which consent was granted and shall not disclose return information to any other person without the express permission of, or request by, the taxpayer.”.

(b) **APPLICATION OF PENALTIES.**—Section 6103(a)(3) is amended by inserting “subsection (c),” after “return information under”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to disclosures made after the date of the enactment of this Act.

Subtitle D—Expanded Use of Electronic Systems

SEC. 2301. ELECTRONIC FILING OF RETURNS.

(a) **IN GENERAL.**—Section 6011(e)(2)(A) is amended by striking “250” and inserting “the applicable number of”.

(b) **APPLICABLE NUMBER.**—Section 6011(e) is amended by striking paragraph (5) and inserting the following new paragraphs:

“(5) **APPLICABLE NUMBER.**—

“(A) **IN GENERAL.**—For purposes of paragraph (2)(A), the applicable number shall be—

“(i) except as provided in subparagraph (B), in the case of calendar years before 2020, 250,

“(ii) in the case of calendar year 2020, 100, and

“(iii) in the case of calendar years after 2020, 10.

“(B) **SPECIAL RULE FOR PARTNERSHIPS FOR 2018 AND 2019.**—In the case of a partnership, for any calendar year before 2020, the applicable number shall be—

“(i) in the case of calendar year 2018, 200, and

“(ii) in the case of calendar year 2019, 150.

“(6) **PARTNERSHIPS REQUIRED TO FILE ON MAGNETIC MEDIA.**—Notwithstanding paragraph (2)(A), the Secretary shall require partnerships having more than 100 partners to file returns on magnetic media.”.

(c) **RETURNS FILED BY A TAX RETURN PREPARER.**—Section 6011(e)(3) is amended by adding at the end the following new subparagraph:

“(D) **EXCEPTION FOR CERTAIN PREPARERS LOCATED IN AREAS WITHOUT INTERNET ACCESS.**—The Secretary may waive the requirement of subparagraph (A) if the Secretary determines, on the basis of an application by the tax return preparer, that the preparer cannot meet such requirement by reason of being located in a geographic area which does not

have access to internet service (other than dial-up or satellite service).”.

(d) **EFFECTIVE DATE.**—The amendments made by this section shall take effect on the date of the enactment of this Act.

SEC. 2302. UNIFORM STANDARDS FOR THE USE OF ELECTRONIC SIGNATURES FOR DISCLOSURE AUTHORIZATIONS TO, AND OTHER AUTHORIZATIONS OF, PRACTITIONERS.

Section 6061(b)(3) is amended to read as follows:

“(3) **PUBLISHED GUIDANCE.**—

“(A) **IN GENERAL.**—The Secretary shall publish guidance as appropriate to define and implement any waiver of the signature requirements or any method adopted under paragraph (1).

“(B) **ELECTRONIC SIGNATURES FOR DISCLOSURE AUTHORIZATIONS TO, AND OTHER AUTHORIZATIONS OF, PRACTITIONERS.**—Not later than 6 months after the date of the enactment of this subparagraph, the Secretary shall publish guidance to establish uniform standards and procedures for the acceptance of taxpayers’ signatures appearing in electronic form with respect to any request for disclosure of a taxpayer’s return or return information under section 6103(c) to a practitioner or any power of attorney granted by a taxpayer to a practitioner.

“(C) **PRACTITIONER.**—For purposes of subparagraph (B), the term ‘practitioner’ means any individual in good standing who is regulated under section 330 of title 31, United States Code.”.

SEC. 2303. PAYMENT OF TAXES BY DEBIT AND CREDIT CARDS.

Section 6311(d)(2) is amended by adding at the end the following: “The preceding sentence shall not apply to the extent that the Secretary ensures that any such fee or other consideration is fully recouped by the Secretary in the form of fees paid to the Secretary by persons paying taxes imposed under subtitle A with credit, debit, or charge cards pursuant to such contract. Notwithstanding the preceding sentence, the Secretary shall seek to minimize the amount of any fee or other consideration that the Secretary pays under any such contract.”.

SEC. 2304. REQUIREMENT THAT ELECTRONICALLY PREPARED PAPER RETURNS INCLUDE SCANNABLE CODE.

(a) **IN GENERAL.**—Subsection (e) of section 6011, as amended by this Act, is amended by adding at the end the following new paragraph:

“(7) **SPECIAL RULE FOR RETURNS PREPARED ELECTRONICALLY AND SUBMITTED ON PAPER.**—The Secretary shall require that any return of tax which is prepared electronically, but is printed and filed on paper, bear a code which can, when scanned, convert such return to electronic format.”.

(b) **CONFORMING AMENDMENT.**—Paragraph (1) of section 6011(e) is amended by striking “paragraph (3)” and inserting “paragraphs (3) and (7)”.

(c) **EFFECTIVE DATE.**—The amendments made by this section shall apply to returns of tax the due date for which (determined without regard to extensions) is after December 31, 2020.

SEC. 2305. AUTHENTICATION OF USERS OF ELECTRONIC SERVICES ACCOUNTS.

Beginning 180 days after the date of the enactment of this Act, the Secretary of the Treasury (or the Secretary’s delegate) shall verify the identity of any individual opening an e-Services account with the Internal Revenue Service before such individual is able to use the e-Services tools.

Subtitle E—Other Provisions

SEC. 2401. REPEAL OF PROVISION REGARDING CERTAIN TAX COMPLIANCE PROCEDURES AND REPORTS.

Section 2004 of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 6012 note) is repealed.

SEC. 2402. COMPREHENSIVE TRAINING STRATEGY.

Not later than 1 year after the date of the enactment of this Act, the Commissioner of Internal Revenue shall submit to Congress a written report providing a comprehensive training strategy for employees of the Internal Revenue Service, including—

(1) a plan to streamline current training processes, including an assessment of the utility of further consolidating internal training programs, technology, and funding,

(2) a plan to develop annual training regarding taxpayer rights, including the role of the Office of the Taxpayer Advocate, for employees that interface with taxpayers and their managers,

(3) a plan to improve technology-based training,

(4) proposals to—

(A) focus employee training on early, fair, and efficient resolution of taxpayer disputes for employees that interface with taxpayers and their managers, and

(B) ensure consistency of skill development and employee evaluation throughout the Internal Revenue Service, and

(5) a thorough assessment of the funding necessary to implement such strategy.

TITLE III—MISCELLANEOUS PROVISIONS

Subtitle A—Reform of Laws Governing Internal Revenue Service Employees

SEC. 3001. ELECTRONIC RECORD RETENTION.

(a) **RETENTION OF RECORDS.**—

(1) **IN GENERAL.**—Email records of the Internal Revenue Service shall be retained in an appropriate electronic system that supports records management and litigation requirements, including the capability to identify, retrieve, and retain the records, in accordance with the requirements described in paragraph (2).

(2) **REQUIREMENTS.**—

(A) **PRIOR TO CERTIFICATION.**—The Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service shall retain all email records generated on or after the date of the enactment of this Act and before the date on which the Treasury Inspector General for Tax Administration makes the certification under subsection (c)(1).

(B) **PRINCIPAL OFFICERS AND SPECIFIED EMPLOYEES.**—Not later than December 31, 2019, the Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service shall maintain email records of all principal officers and specified employees of the Internal Revenue Service for a period of not less than 15 years beginning on the date such record was generated.

(b) **TRANSMISSION OF RECORDS TO THE NATIONAL ARCHIVES.**—Not later than 15 years after the date on which an email record of a principal officer or specified employee of the Internal Revenue Service is generated, the Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service shall transfer such email record to the Archivist of the United States.

(c) **COMPLIANCE.**—

(1) **CERTIFICATION.**—On the date that the Treasury Inspector General for Tax Administration determines that the Internal Revenue Service has a program in place that complies with the requirements of subsections (a)(2)(B) and (b), the Treasury Inspector General for Tax Administration shall certify to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate that the Internal Revenue Service is in compliance with such requirements.

(2) **REPORTS.**—

(A) **INTERIM REPORT.**—Not later than December 31, 2019, the Treasury Inspector General for Tax Administration shall submit a report to the Committee on Ways and Means

of the House of Representatives and the Committee on Finance of the Senate on the steps being taken by the Commissioner of Internal Revenue and the Chief Counsel for the Internal Revenue Service to comply with the requirements of subsections (a)(2)(B) and (b).

(B) FINAL REPORT.—Not later than April 1, 2020, the Treasury Inspector General for Tax Administration shall submit a report to the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate describing whether the Internal Revenue Service is in compliance with the requirements of subsections (a)(2)(B) and (b).

(d) DEFINITIONS.—For purposes of this section—

(1) PRINCIPAL OFFICER.—The term “principal officer” means, with respect to the Internal Revenue Service—

(A) any employee whose position is listed under the Internal Revenue Service in the most recent version of the United States Government Manual published by the Office of the Federal Register;

(B) any employee who is a senior staff member reporting directly to the Commissioner of Internal Revenue or the Chief Counsel for the Internal Revenue Service; and

(C) any associate counsel, deputy counsel, or division head in the Office of the Chief Counsel for the Internal Revenue Service.

(2) SPECIFIED EMPLOYEE.—The term “specified employee” means, with respect to the Internal Revenue Service, any employee who—

(A) holds a Senior Executive Service position (as defined in section 3132 of title 5, United States Code) in the Internal Revenue Service or the Office of Chief Counsel for the Internal Revenue Service; and

(B) is not a principal officer of the Internal Revenue Service.

SEC. 3002. PROHIBITION ON REHIRING ANY EMPLOYEE OF THE INTERNAL REVENUE SERVICE WHO WAS INVOLUNTARILY SEPARATED FROM SERVICE FOR MISCONDUCT.

(a) IN GENERAL.—Section 7804 is amended by adding at the end the following new subsection:

“(d) PROHIBITION ON REHIRING EMPLOYEES INVOLUNTARILY SEPARATED.—The Commissioner may not hire any individual previously employed by the Commissioner who was removed for misconduct under this subchapter or chapter 43 or chapter 75 of title 5, United States Code, or whose employment was terminated under section 1203 of the Internal Revenue Service Restructuring and Reform Act of 1998 (26 U.S.C. 7804 note).”

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to the hiring of employees after the date of the enactment of this Act.

SEC. 3003. NOTIFICATION OF UNAUTHORIZED INSPECTION OR DISCLOSURE OF RETURNS AND RETURN INFORMATION.

(a) IN GENERAL.—Subsection (e) of section 7431 is amended by adding at the end the following new sentences: “The Secretary shall also notify such taxpayer if the Internal Revenue Service or a Federal or State agency (upon notice to the Secretary by such Federal or State agency) proposes an administrative determination as to disciplinary or adverse action against an employee arising from the employee’s unauthorized inspection or disclosure of the taxpayer’s return or return information. The notice described in this subsection shall include the date of the unauthorized inspection or disclosure and the rights of the taxpayer under such administrative determination.”

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to determinations proposed after the date which is 180 days after the date of the enactment of this Act.

Subtitle B—Provisions Relating to Exempt Organizations

SEC. 3101. MANDATORY E-FILE BY EXEMPT ORGANIZATIONS.

(a) IN GENERAL.—Section 6033 is amended by redesignating subsection (n) as subsection (o) and by inserting after subsection (m) the following new subsection:

“(n) MANDATORY ELECTRONIC FILING.—Any organization required to file a return under this section shall file such return in electronic form.”

(b) CONFORMING AMENDMENT.—Paragraph (7) of section 527(j) is amended by striking “if the organization has” and all that follows through “such calendar year”.

(c) INSPECTION OF ELECTRONICALLY FILED ANNUAL RETURNS.—Subsection (b) of section 6104 is amended by adding at the end the following: “Any annual return required to be filed electronically under section 6033(n) shall be made available by the Secretary to the public as soon as practicable in a machine readable format.”

(d) EFFECTIVE DATE.—

(1) IN GENERAL.—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

(2) TRANSITIONAL RELIEF.—

(A) SMALL ORGANIZATIONS.—

(i) IN GENERAL.—In the case of any small organizations, or any other organizations for which the Secretary of the Treasury or the Secretary’s delegate (hereafter referred to in this paragraph as the “Secretary”) determines the application of the amendments made by this section would cause undue burden without a delay, the Secretary may delay the application of such amendments, but such delay shall not apply to any taxable year beginning on or after the date 2 years after of the enactment of this Act.

(ii) SMALL ORGANIZATION.—For purposes of clause (i), the term “small organization” means any organization—

(I) the gross receipts of which for the taxable year are less than \$200,000; and

(II) the aggregate gross assets of which at the end of the taxable year are less than \$500,000.

(B) ORGANIZATIONS FILING FORM 990-T.—In the case of any organization described in section 511(a)(2) of the Internal Revenue Code of 1986 which is subject to the tax imposed by section 511(a)(1) of such Code on its unrelated business taxable income, or any organization required to file a return under section 6033 of such Code and include information under subsection (e) thereof, the Secretary may delay the application of the amendments made by this section, but such delay shall not apply to any taxable year beginning on or after the date 2 years after of the enactment of this Act.

SEC. 3102. NOTICE REQUIRED BEFORE REVOCATION OF TAX EXEMPT STATUS FOR FAILURE TO FILE RETURN.

(a) IN GENERAL.—Section 6033(j)(1) is amended by striking “If an organization” and inserting the following:

“(A) NOTICE.—

“(i) IN GENERAL.—After an organization described in subsection (a)(1) or (i) fails to file the annual return or notice required under either subsection for 2 consecutive years, the Secretary shall notify the organization—

“(I) that the Internal Revenue Service has no record of such a return or notice from such organization for 2 consecutive years, and

“(II) about the revocation that will occur under subparagraph (B) if the organization fails to file such a return or notice by the due date for the next such return or notice required to be filed.

The notification under the preceding sentence shall include information about how to

comply with the filing requirements under subsection (a)(1) and (i).

“(B) REVOCATION.—If an organization”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to failures to file returns or notices for 2 consecutive years if the return or notice for the second year is required to be filed after December 31, 2018.

Subtitle C—Tax Court

SEC. 3301. DISQUALIFICATION OF JUDGE OR MAGISTRATE JUDGE OF THE TAX COURT.

(a) IN GENERAL.—Part II of subchapter C of chapter 76 is amended by adding at the end the following new section:

“SEC. 7467. DISQUALIFICATION OF JUDGE OR MAGISTRATE JUDGE OF THE TAX COURT.

“Section 455 of title 28, United States Code, shall apply to judges and magistrate judges of the Tax Court and to proceedings of the Tax Court.”

(b) CLERICAL AMENDMENT.—The table of sections for such part is amended by adding at the end the following new item:

“Sec. 7467. Disqualification of judge or magistrate judge of the Tax Court.”

SEC. 3302. OPINIONS AND JUDGMENTS.

(a) IN GENERAL.—Section 7459 is amended by striking all the precedes subsection (c) and inserting the following:

“SEC. 7459. OPINIONS AND JUDGMENTS.

“(a) REQUIREMENT.—An opinion upon any proceeding instituted before the Tax Court and a judgment thereon shall be made as quickly as practicable. The judgment shall be made by a judge in accordance with the opinion of the Tax Court, and such judgment so made shall, when entered, be the judgment of the Tax Court.

“(b) INCLUSION OF FINDINGS OF FACT IN OPINION.—It shall be the duty of the Tax Court and of each division to include in its opinion or memorandum opinion upon any proceeding, its findings of fact. The Tax Court shall issue in writing all of its findings of fact, opinions, and memorandum opinions. Subject to such conditions as the Tax Court may by rule provide, the requirements of this subsection and of section 7460 are met if findings of fact or opinion are stated orally and recorded in the transcript of the proceedings.”

(b) REFERENCES.—Section 7459 is amended by redesignating subsection (g) as subsection (h) and by inserting after subsection (f) the following new subsection:

“(g) REFERENCES.—Any reference in this title to a decision or report of the Tax Court shall be treated as a reference to a judgment or opinion of the Tax Court, respectively.”

(c) CONFORMING AMENDMENT.—The item relating to section 7459 in the table of sections for part II of subchapter C of chapter 76 is amended to read as follows:

“Sec. 7459. Opinions and judgments.”

(d) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, decisions, reports, rules, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions, in connection with the Tax Court, which are in effect at the time this section takes effect, or were final before the effective date of this section and are to become effective on or after the effective date of this section, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the Tax Court.

SEC. 3303. TITLE OF SPECIAL TRIAL JUDGE CHANGED TO MAGISTRATE JUDGE OF THE TAX COURT.

(a) IN GENERAL.—Section 7443A is amended—

(1) by striking "special trial judges" in subsections (a) and (e) and inserting "magistrate judges of the Tax Court";

(2) by striking "special trial judges of the court" in subsection (b) and inserting "magistrate judges of the Tax Court"; and

(3) by striking "special trial judge" in subsections (c) and (d) and inserting "magistrate judge of the Tax Court".

(b) CONFORMING AMENDMENTS.—

(1) The heading of section 7443A is amended by striking "SPECIAL TRIAL JUDGES" and inserting "MAGISTRATE JUDGES OF THE TAX COURT".

(2) The heading of section 7443A(b) is amended by striking "SPECIAL TRIAL JUDGES" and inserting "MAGISTRATE JUDGES OF THE TAX COURT".

(3) The item relating to section 7443A in the table of sections for part I of subchapter C of chapter 76 is amended to read as follows: "Sec. 7443A. Magistrate judges of the Tax Court..".

(4) The heading of section 7448 is amended by striking "SPECIAL TRIAL JUDGES" and inserting "MAGISTRATE JUDGES OF THE TAX COURT".

(5) Section 7448 is amended—

(A) by striking "special trial judge's" each place it appears in subsections (a)(6), (c)(1), (d), and (m)(1) and inserting "magistrate judge of the Tax Court's"; and

(B) by striking "special trial judge" each place it appears other than in subsection (n) and inserting "magistrate judge of the Tax Court".

(6) Section 7448(n) is amended—

(A) by striking "special trial judge which are allowable" and inserting "magistrate judge of the Tax Court which are allowable"; and

(B) by striking "special trial judge of the Tax Court" both places it appears and inserting "magistrate judge of the Tax Court".

(7) The heading of section 7448(b)(2) is amended by striking "SPECIAL TRIAL JUDGES" and inserting "MAGISTRATE JUDGES OF THE TAX COURT".

(8) The item relating to section 7448 in the table of sections for part I of subchapter C of chapter 76 is amended to read as follows:

"Sec. 7448. Annuities to surviving spouses and dependent children of judges and magistrate judges of the Tax Court..".

(9) Section 7456(a) is amended—

(A) by striking "special trial judge" each place it appears and inserting "magistrate judge"; and

(B) by striking "(or by the clerk" and inserting "of the Tax Court (or by the clerk)".

(10) Section 7466(a) is amended by striking "special trial judge" and inserting "magistrate judge".

(11) Section 7470A is amended by striking "special trial judges" both places it appears in subsections (a) and (b) and inserting "magistrate judges".

(12) Section 7471(a)(2)(A) is amended by striking "special trial judges" and inserting "magistrate judges".

(13) Section 7471(c) is amended—

(A) by striking "SPECIAL TRIAL JUDGES" in the heading and inserting "MAGISTRATE JUDGES OF THE TAX COURT"; and

(B) by striking "special trial judges" and inserting "magistrate judges".

SEC. 3304. REPEAL OF DEADWOOD RELATED TO BOARD OF TAX APPEALS.

(a) Section 7459, as amended by this Act, is amended by striking subsection (f) and by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

(b) Section 7447(a)(3) is amended to read as follows:

"(3) In any determination of length of service as judge or as a judge of the Tax Court of the United States there shall be included all

periods (whether or not consecutive) during which an individual served as judge.".

After debate,

Pursuant to House Resolution 1180, the previous question was ordered on the motion.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. MITCHELL, announced that the ayes had it.

Mr. NEAL demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. MITCHELL, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶167.75 FURTHER MESSAGE FROM THE SENATE

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

S. 3277. An Act to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes.

¶167.76 PROVIDING FOR CONSIDERATION OF THE AMENDMENT OF THE SENATE TO THE HOUSE AMENDMENT TO THE AMENDMENT OF THE SENATE TO H.R. 695

Mr. COLE, by direction of the Committee on Rules, reported (Rept. No. 115-1090) the resolution (H. Res. 1183) providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes.

When said resolution and report were referred to the House Calendar and ordered printed.

¶167.77 PROVIDING FOR CONSIDERATION OF THE AMENDMENT OF THE SENATE TO THE HOUSE AMENDMENT TO THE AMENDMENT OF THE SENATE TO H.R. 695

Mr. COLE, by direction of the Committee on Rules, called up the following resolution (H. Res. 1183):

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes, with the Senate amendment to the House amendment to the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion

offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment to the House amendment to the Senate amendment with an amendment consisting of the text of Rules Committee Print 115-88. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

When said resolution was considered.

After debate,

Mr. COLE moved the previous question on the resolution to its adoption or rejection.

The question being put, viva voce,

Will the House now order the previous question?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that the ayes had it.

Mr. MCGOVERN demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 223
affirmative Nays 178

¶167.78 [Roll No. 468]

YEAS—223

Abraham	Diaz-Balart	Kelly (MS)
Aderholt	Donovan	Kelly (PA)
Allen	Duffy	King (IA)
Amash	Duncan (TN)	King (NY)
Amodei	Dunn	Kinzinger
Arrington	Emmer	Knight
Babin	Estes (KS)	Kustoff (TN)
Bacon	Faso	Labrador
Balderson	Ferguson	LaHood
Banks (IN)	Fitzpatrick	LaMalfa
Barletta	Fleischmann	Lamborn
Barr	Flores	Lance
Barton	Fortenberry	Latta
Bergman	Fox	Lesko
Biggs	Frelinghuysen	Lewis (MN)
Bilirakis	Gaetz	LoBiondo
Bishop (MI)	Gallagher	Long
Bishop (UT)	Garrett	Loudermilk
Blackburn	Gianforte	Lucas
Blum	Gibbs	Luetkemeyer
Bost	Gohmert	MacArthur
Brady (TX)	Goodlatte	Marchant
Brat	Gosar	Marino
Brooks (AL)	Gowdy	Marshall
Brooks (IN)	Granger	Massie
Buchanan	Graves (GA)	Mast
Buck	Graves (LA)	McCarthy
Bucshon	Graves (MO)	McCaul
Budd	Griffith	McClintock
Burgess	Grothman	McHenry
Byrne	Guthrie	McKinley
Calvert	Handel	McMorris
Carter (GA)	Harper	Rodgers
Carter (TX)	Harris	McSally
Chabot	Hartzer	Meadows
Cheney	Hensarling	Mitchell
Cloud	Hern	Moolenaar
Coffman	Herrera Beutler	Mooney (WV)
Cole	Hice, Jody B.	Mullin
Collins (GA)	Higgins (LA)	Newhouse
Collins (NY)	Hill	Norman
Comer	Holding	Nunes
Conaway	Hollingsworth	Olson
Cook	Hudson	Palazzo
Costello (PA)	Huizenga	Palmer
Cramer	Hunter	Paulsen
Crawford	Hurd	Pearce
Culberson	Issa	Perry
Curbelo (FL)	Johnson (LA)	Pittenger
Curtis	Johnson (OH)	Poe (TX)
Davidson	Johnson, Sam	Poliquin
Davis, Rodney	Jordan	Posey
Denham	Joyce (OH)	Reed
DesJarlais	Katko	Reichert

Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert

Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Turner
Upton

Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—178

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Courtney
Crist
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Español
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge

Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Murphy (FL)
Nadler

Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarella
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wild
Wilson (FL)
Yarmuth

NOT VOTING—31

Black
Capuano
Comstock
Costa
Crowley
Davis, Danny
Duncan (SC)
Hanabusa
Hastings
Hultgren
Jenkins (KS)

Jones (NC)
Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
Messer
Noem
Polis
Ratcliffe

Rosen
Roskam
Rush
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Walz

So the previous question on the resolution was ordered.

The question being put, viva voce,
Will the House agree to said resolution?
The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that the ayes had it.

Mr. McGOVERN demanded a recorded vote on agreeing to said resolution, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 221
affirmative } Noes 179

¶167.79

[Roll No. 469]

AYES—221

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Blackburn
Blum
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
Denham
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foss
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert

Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzer
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hunter
Hurd
Issa
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
Lewis (MN)
LoBiondo
Long
Loudermilk
Lucas
Luetkemeyer
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo

Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis J.
Ros-Lehtinen
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Scalise
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tipton
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—179

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Cummings
Davis (CA)
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Español
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge

Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebsack
Lofgren
Lowey
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Moulton
Murphy (FL)
Nadler

Napolitano
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarella
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scott (VA)
Serrano
Sewell (AL)
Sherman
Sires
Smith (WA)
Soto
Speier
Suozzi
Takano
Thompson (CA)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Welch
Wild
Wilson (FL)
Yarmuth

NOT VOTING—32

Black
Capuano
Comstock
Crowley
Davis, Danny
Duncan (SC)
Hanabusa
Hastings
Hultgren
Jenkins (KS)
Jones (NC)

Keating
Kind
Love
Lowenthal
Lujan Grisham, M.
MacArthur
McCaust
Messer
Noem
Polis

Ratcliffe
Rosen
Roskam
Schradler
Scott, David
Shea-Porter
Sinema
Swalwell (CA)
Thompson (MS)
Trott
Walz

So the resolution was agreed to.

A motion to reconsider the vote whereby said resolution was agreed to was, by unanimous consent, laid on the table.

¶167.80 AMENDMENT OF THE SENATE TO H.R. 88—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to agree to the amendment of the Senate with an amendment to the bill (H.R. 88) to modify the boundary of the Shiloh National Military Park located in Tennessee and Mississippi, to establish Parker's Crossroads Battlefield as an

affiliated area of the National Park System, and for other purposes.

The question being put,

Will the House agree to said motion?

The vote was taken by electronic device.

It was decided in the { Yeas 220
affirmative { Nays 183

¶167.81 [Roll No. 470]

YEAS—220

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

NAYS—183

Adams	Blunt Rochester	Cárdenas
Aguiar	Bonamici	Carson (IN)
Amash	Boyle, Brendan F.	Cartwright
Barragán	F.	Castor (FL)
Bass	Brady (PA)	Castro (TX)
Beatty	Brown (MD)	Chu, Judy
Bera	Brownley (CA)	Cicilline
Beyer	Bustos	Clark (MA)
Bishop (GA)	Butterfield	Clarke (NY)
Blumenauer	Carbajal	Clay

Cleaver	Jones (MI)	Peters
Clyburn	Kaptur	Peterson
Cohen	Kelly (IL)	Pingree
Connolly	Kennedy	Pocan
Cooper	Khanna	Price (NC)
Correa	Kihuen	Quigley
Costa	Kildee	Raskin
Courtney	Kilmer	Rice (NY)
Crist	Krishnamoorthi	Richmond
Cuellar	Kuster (NH)	Rokita
Cummings	Lamb	Roybal-Allard
Davis (CA)	Langevin	Ruiz
DeFazio	Larsen (WA)	Ruppersberger
DeGette	Larson (CT)	Rush
Delaney	Lawrence	Ryan (OH)
DeLauro	Lawson (FL)	Sánchez
DelBene	Lee	Sanford
Demings	Levin	Sarbanes
DeSaulnier	Lewis (GA)	Scanlon
Deutch	Lieu, Ted	Schakowsky
Dingell	Lipinski	Schiff
Doggett	Loeb sack	Schneider
Doyle, Michael F.	Lofgren	Schrader
Ellison	Lowey	Scott (VA)
Engel	Luján, Ben Ray	Serrano
Eshoo	Lynch	Sewell (AL)
Espallat	Maloney, Carolyn B.	Sherman
Esty (CT)	Maloney, Sean	Sires
Evans	Matsui	Smith (WA)
Foster	McCollum	Soto
Frankel (FL)	McEachin	Speier
Fudge	McGovern	Suozi
Gabbard	McNerney	Takano
Gallego	Meeks	Thompson (CA)
Garamendi	Meng	Titus
Gomez	Moore	Tonko
Gonzalez (TX)	Morelle	Torres
Gottheimer	Moulton	Tsongas
Green, Al	Murphy (FL)	Vargas
Green, Gene	Nadler	Veasey
Grijalva	Napolitano	Vela
Gutiérrez	Neal	Velázquez
Heck	Nolan	Visclosky
Higgins (NY)	Norcross	Wasserman
Himes	O'Halleran	Schultz
Hoyer	O'Rourke	Waters, Maxine
Huffman	Pallone	Watson Coleman
Jackson Lee	Panetta	Welch
Jayapal	Pascrell	Wild
Jeffries	Payne	Wilson (FL)
Johnson (GA)	Pelosi	Yarmuth
Johnson, E. B.	Perlmutter	

NOT VOTING—29

Black	Jones (NC)	Ratcliffe
Capuano	Keating	Rosen
Comstock	Kind	Roskam
Crowley	Love	Scott, David
Davis, Danny	Lowenthal	Shea-Porter
Duncan (SC)	Lujan Grisham,	Sinema
Hanabusa	M.	Swalwell (CA)
Hastings	Messer	Thompson (MS)
Hultgren	Noem	Trott
Jenkins (KS)	Polis	Walz

So the motion was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶167.82 AMENDMENTS OF THE SENATE TO H.R. 2606—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendments of the Senate to the bill (H.R. 2606) to amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes.

The question being put, viva voce,

Will the House suspend the rules and agree to said amendments of the Senate?

The SPEAKER pro tempore, Mr. DUNCAN of Tennessee, announced that two-thirds of those present had voted in the affirmative.

Mr. MASSIE demanded a recorded vote on the motion to suspend the rules and agree to said amendments, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 399
affirmative { Noes 0

¶167.83 [Roll No. 471]

AYES—399

Abraham	Correa	Harris
Adams	Costa	Hartzler
Aderholt	Costello (PA)	Heck
Aguiar	Courtney	Hensarling
Allen	Cramer	Hern
Amash	Crawford	Herrera Beutler
Amodei	Crist	Hice, Jody B.
Arrington	Cuellar	Higgins (LA)
Babin	Cummings	Higgins (NY)
Bacon	Curbelo (FL)	Hill
Balderson	Curtis	Himes
Banks (IN)	Davidson	Holding
Barletta	Davis (CA)	Hollingsworth
Barr	Davis, Rodney	Hoyer
Barragán	DeFazio	Hudson
Barton	DeGette	Huffman
Bass	Delaney	Huizenga
Beatty	DeLauro	Hunter
Bera	DelBene	Hurd
Bergman	Demings	Issa
Beyer	Denham	Jackson Lee
Biggs	DeSaulnier	Jayapal
Bilirakis	DesJarlais	Jeffries
Bishop (GA)	Deutch	Johnson (GA)
Bishop (MI)	Diaz-Balart	Johnson (LA)
Bishop (UT)	Dingell	Johnson (OH)
Blackburn	Doggett	Johnson, E. B.
Blum	Donovan	Johnson, Sam
Blumenauer	Doyle, Michael F.	Jones (MI)
Blunt Rochester	F.	Jordan
Bonamici	Duffy	Joyce (OH)
Bost	Duncan (TN)	Kaptur
Boyle, Brendan F.	Dunn	Katko
Brady (PA)	Emmer	Kelly (IL)
Brady (TX)	Engel	Kelly (MS)
Brat	Eshoo	Kelly (PA)
Brooks (AL)	Espallat	Kennedy
Brooks (IN)	Estes (KS)	Khanna
Brown (MD)	Esty (CT)	Kihuen
Brownley (CA)	Evans	Kildee
Buchanan	Faso	Kilmer
Buck	Ferguson	King (IA)
Bucshon	Fitzpatrick	King (NY)
Budd	Fleischmann	Kinzing
Burgess	Flores	Knight
Bustos	Fortenberry	Krishnamoorthi
Butterfield	Foster	Kuster (NH)
Byrne	Fox	Kustoff (TN)
Calvert	Frankel (FL)	Labrador
Carbajal	Frelinghuysen	LaHood
Cárdenas	Fudge	LaMalfa
Carson (IN)	Gabbard	Lamb
Carter (GA)	Gaetz	Lamborn
Carter (TX)	Gallagher	Lance
Cartwright	Gallego	Langevin
Castor (FL)	Garamendi	Larsen (WA)
Castro (TX)	Garrett	Larson (CT)
Chabot	Gianforte	Latta
Cheney	Gibbs	Lawrence
Chu, Judy	Gohmert	Lawson (FL)
Cicilline	Gomez	Lee
Clark (MA)	Gonzalez (TX)	Lesko
Clarke (NY)	Goodlatte	Levin
Clay	Gosar	Lewis (GA)
Cleaver	Gottheimer	Lewis (MN)
Cloud	Gowdy	Lieu, Ted
Clyburn	Granger	Lipinski
Coffman	Graves (GA)	LoBiondo
Cohen	Graves (LA)	Loeb sack
Cole	Graves (MO)	Lofgren
Collins (GA)	Green, Al	Long
Collins (NY)	Green, Gene	Loudermilk
Comer	Griffith	Lowey
Conaway	Grijalva	Lucas
Connolly	Grothman	Luetkemeyer
Cook	Guthrie	Luján, Ben Ray
Cooper	Gutiérrez	Lynch
	Harper	MacArthur

Maloney,	Pocan	Smith (NJ)
Carolyn B.	Poe (TX)	Smith (TX)
Maloney, Sean	Poliquin	Smith (WA)
Marchant	Posey	Smucker
Marino	Price (NC)	Soto
Marshall	Quigley	Speier
Massie	Raskin	Stefanik
Mast	Reed	Stewart
Matsui	Reichert	Stivers
McCarthy	Renacci	Suozzi
McCaul	Rice (NY)	Takano
McClintock	Rice (SC)	Taylor
McCollum	Richmond	Tenney
McEachin	Roby	Thompson (CA)
McGovern	Roe (TN)	Thompson (PA)
McKinley	Rogers (AL)	Thornberry
McMorris	Rogers (KY)	Tipton
Rodgers	Rohrabacher	Titus
McNerney	Rokita	Tonko
McSally	Rooney, Francis	Torres
Meadows	Rooney, Thomas	Tsongas
Meeks	J.	Turner
Meng	Ros-Lehtinen	Upton
Mitchell	Ross	Valadao
Moolenaar	Rothfus	Vargas
Mooney (WV)	Rouzer	Veasey
Moore	Roybal-Allard	Vela
Morelle	Royce (CA)	Velázquez
Moulton	Ruiz	Visclosky
Mullin	Ruppersberger	Wagner
Murphy (FL)	Rush	Walberg
Nadler	Russell	Walden
Napolitano	Rutherford	Walker
Neal	Ryan (OH)	Walorski
Newhouse	Sánchez	Walters, Mimi
Nolan	Sanford	Wasserman
Norcross	Sarbanes	Schultz
Norman	Scalise	Waters, Maxine
Nunes	Scanlon	Watson Coleman
O'Halleran	Schakowsky	Weber (TX)
O'Rourke	Schiff	Webster (FL)
Olson	Schneider	Welch
Palazzo	Schrader	Wenstrup
Pallone	Schweikert	Westerman
Palmer	Scott (VA)	Wild
Panetta	Scott, Austin	Williams
Pascarell	Sensenbrenner	Wilson (FL)
Paulsen	Serrano	Wilson (SC)
Payne	Sessions	Wittman
Pearce	Sewell (AL)	Womack
Pelosi	Sherman	Woodall
Perlmutter	Shimkus	Yarmuth
Perry	Shuster	Yoder
Peters	Simpson	Yoho
Peterson	Sires	Young (AK)
Pingree	Smith (MO)	Young (IA)
Pittenger	Smith (NE)	Zeldin

NOT VOTING—33

Black	Jenkins (KS)	Ratcliffe
Capuano	Jones (NC)	Rosen
Comstock	Keating	Roskam
Crowley	Kind	Scott, David
Culberson	Love	Shea-Porter
Davis, Danny	Lowenthal	Sinema
Duncan (SC)	Lujan Grisham,	Swalwell (CA)
Ellison	M.	Thompson (MS)
Hanabusa	McHenry	Trott
Handel	Messer	Walz
Hastings	Noem	
Hultgren	Polis	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendments of the Senate were agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendments of the Senate were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

167.84 AMENDMENT OF THE SENATE TO THE HOUSE AMENDMENT TO THE AMENDMENT OF THE SENATE TO H.R. 695

Mr. FRELINGHUYSEN, pursuant to House Resolution 1183, took from the Speaker's table the bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background

check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes; together with the following amendment of the Senate to the House amendment to the amendment of the Senate thereto:

In lieu of the matter proposed to be inserted by the House amendment, insert the following:

DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2019

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115–245) is further amended—

(1) by striking the date specified in section 105(3) and inserting “February 8, 2019”; and

(2) by adding after section 136 the following:

“SEC. 137. Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 and the timetable in section 254(a) of such Act, the final sequestration report for fiscal year 2019 pursuant to section 254(f)(1) of such Act and any order for fiscal year 2019 pursuant to section 254(f)(5) of such Act shall be issued, for the Congressional Budget Office, 10 days after the date specified in section 105(3), and for the Office of Management and Budget, 15 days after the date specified in section 105(3).”

“SEC. 138. The authority provided under title XXI of the Homeland Security Act of 2002 (6 U.S.C. 621 et seq.), as amended by section 2(a) of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (Public Law 113–254), shall continue in effect through the date specified in section 105(3).”

“SEC. 139. Section 319L(e)(1)(A) of the Public Health Service Act (42 U.S.C. 247d–7e(e)(1)(A)) shall continue in effect through the date specified in section 105(3) of this Act.

“SEC. 140. Section 405(a) of the Pandemic and All-Hazards Preparedness Act (42 U.S.C. 247d–6a note) shall continue in effect through the date specified in section 105(3) of this Act.”

This division may be cited as the “Further Additional Continuing Appropriations Act, 2019”.

DIVISION B—MEDICAID EXTENDERS

SEC. 101. EXTENSION OF MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION.

(a) GENERAL FUNDING.—Section 6071(h) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(1) in paragraph (1)—
(A) in subparagraph (D), by striking “and” after the semicolon;

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

(C) by adding at the end the following:
“(F) subject to paragraph (3), \$112,000,000 for fiscal year 2019.”;

(2) in paragraph (2)—
(A) by striking “Amounts made” and inserting “Subject to paragraph (3), amounts made”; and

(B) by striking “September 30, 2016” and inserting “September 30, 2021”; and

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

“(3) SPECIAL RULE FOR FY 2019.—Funds appropriated under paragraph (1)(F) shall be made available for grants to States only if such States have an approved MFP demonstration project under this section as of December 31, 2018.”

(b) FUNDING FOR QUALITY ASSURANCE AND IMPROVEMENT; TECHNICAL ASSISTANCE; OVERSIGHT.—Section 6071(f) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by striking paragraph (2) and inserting the following:

“(2) FUNDING.—From the amounts appropriated under subsection (h)(1)(F) for fiscal year

2019, \$500,000 shall be available to the Secretary for such fiscal year to carry out this subsection.”.

(c) TECHNICAL AMENDMENT.—Section 6071(b) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by adding at the end the following:

“(10) SECRETARY.—The term ‘Secretary’ means the Secretary of Health and Human Services.”.

SEC. 102. EXTENSION OF PROTECTION FOR MEDICAID RECIPIENTS OF HOME AND COMMUNITY-BASED SERVICES AGAINST SPOUSAL IMPOVERISHMENT.

(a) IN GENERAL.—Section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) is amended by striking “the 5-year period that begins on January 1, 2014,” and inserting “the period beginning on January 1, 2014, and ending on March 31, 2019.”.

(b) RULE OF CONSTRUCTION.—

(1) PROTECTING STATE SPOUSAL INCOME AND ASSET DISREGARD FLEXIBILITY UNDER WAIVERS AND PLAN AMENDMENTS.—Nothing in section 2404 of Public Law 111–148 (42 U.S.C. 1396r–5 note) or section 1924 of the Social Security Act (42 U.S.C. 1396r–5) shall be construed as prohibiting a State from disregarding an individual's spousal income and assets under a State waiver or plan amendment described in paragraph (2) for purposes of making determinations of eligibility for home and community-based services or home and community-based attendant services and supports under such waiver or plan amendment.

(2) STATE WAIVER OR PLAN AMENDMENT DESCRIBED.—A State waiver or plan amendment described in this paragraph is any of the following:

(A) A waiver or plan amendment to provide medical assistance for home and community-based services under a waiver or plan amendment under subsection (c), (d), or (i) of section 1915 of the Social Security Act (42 U.S.C. 1396n) or under section 1115 of such Act (42 U.S.C. 1315).

(B) A plan amendment to provide medical assistance for home and community-based services for individuals by reason of being determined eligible under section 1902(a)(10)(C) of such Act (42 U.S.C. 1396a(a)(10)(C)) or by reason of section 1902(f) of such Act (42 U.S.C. 1396a(f)) or otherwise on the basis of a reduction of income based on costs incurred for medical or other remedial care under which the State disregarded the income and assets of the individual's spouse in determining the initial and ongoing financial eligibility of an individual for such services in place of the spousal impoverishment provisions applied under section 1924 of such Act (42 U.S.C. 1396r–5).

(C) A plan amendment to provide medical assistance for home and community-based attendant services and supports under section 1915(k) of such Act (42 U.S.C. 1396n(k)).

SEC. 103. REDUCTION IN FMAP AFTER 2020 FOR STATES WITHOUT ASSET VERIFICATION PROGRAM.

Section 1940 of the Social Security Act (42 U.S.C. 1396w) is amended by adding at the end the following new subsection:

“(k) REDUCTION IN FMAP AFTER 2020 FOR NON-COMPLIANT STATES.—

“(1) IN GENERAL.—With respect to a calendar quarter beginning on or after January 1, 2021, the Federal medical assistance percentage otherwise determined under section 1905(b) for a non-compliant State shall be reduced—

“(A) for calendar quarters in 2021 and 2022, by 0.12 percentage points;

“(B) for calendar quarters in 2023, by 0.25 percentage points;

“(C) for calendar quarters in 2024, by 0.35 percentage points; and

“(D) for calendar quarters in 2025 and each year thereafter, by 0.5 percentage points.

“(2) NON-COMPLIANT STATE DEFINED.—For purposes of this subsection, the term ‘non-compliant State’ means a State—

“(A) that is one of the 50 States or the District of Columbia;

“(B) with respect to which the Secretary has not approved a State plan amendment submitted under subsection (a)(2); and

“(C) that is not operating, on an ongoing basis, an asset verification program in accordance with this section.”.

SEC. 104. MEDICAID IMPROVEMENT FUND.

Section 1941(b)(1) of the Social Security Act (42 U.S.C. 1396w-1(b)(1)) is amended by striking “\$31,000,000” and inserting “\$6,000,000”.

SEC. 105. BUDGETARY EFFECTS.

(a) **STATUTORY PAYGO SCORECARDS.**—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) **SENATE PAYGO SCORECARDS.**—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) **CLASSIFICATION OF BUDGETARY EFFECTS.**—Notwithstanding Rule 3 of the Budget Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

(d) **PAYGO ANNUAL REPORT.**—For the purposes of the annual report issued pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the second session of the 115th Congress, and for determining whether a sequestration order is necessary under such section, the debit for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2019 and added to such scorecard in 2020.

Mr. FRELINGHUYSEN, pursuant to House Resolution 1183, moved to agree to the amendment of the Senate to the House amendment to the amendment of the Senate with the following amendment consisting of the text of Rules Committee Print 115-88:

In lieu of the matter proposed to be inserted by the Senate, insert the following:

DIVISION A—FURTHER ADDITIONAL CONTINUING APPROPRIATIONS ACT, 2019

SEC. 101. The Continuing Appropriations Act, 2019 (division C of Public Law 115-245) is further amended—

(1) by striking the date specified in section 105(3) and inserting “February 8, 2019”; and

(2) by adding after section 136 the following:

“SEC. 137. Notwithstanding section 251(a)(1) of the Balanced Budget and Emergency Deficit Control Act of 1985 and the timetable in section 254(a) of such Act, the final sequestration report for fiscal year 2019 pursuant to section 254(f)(1) of such Act and any order for fiscal year 2019 pursuant to section 254(f)(5) of such Act shall be issued, for the Congressional Budget Office, 10 days after the date specified in section 105(3), and for the Office of Management and Budget, 15 days after the date specified in section 105(3).

“SEC. 138. The authority provided under title XXI of the Homeland Security Act of 2002 (6 U.S.C. 621 et seq.), as amended by section 2(a) of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (Public Law 113-254), shall continue in effect through the date specified in section 105(3).

“SEC. 139. Section 319L(e)(1)(A) of the Public Health Service Act (42 U.S.C. 247d-

7e(e)(1)(A)) shall continue in effect through the date specified in section 105(3) of this Act.

“SEC. 140. Section 405(a) of the Pandemic and All Hazards Preparedness Act (42 U.S.C. 247d-6a note) shall continue in effect through the date specified in section 105(3) of this Act.

“SEC. 141. Notwithstanding any other provision of this Act, there is appropriated for ‘U.S. Customs and Border Protection—Procurement, Construction, and Improvements’ \$5,710,357,000 for fiscal year 2019, to remain available until September 30, 2023.

“SEC. 142. Notwithstanding section 101, section 230 of division F of Public Law 115-141 shall not apply to amounts made available by this Act.”.

This division may be cited as the “Further Additional Continuing Appropriations Act, 2019”.

DIVISION B—MEDICAID EXTENDERS

SEC. 101. EXTENSION OF MONEY FOLLOWS THE PERSON REBALANCING DEMONSTRATION.

(a) **GENERAL FUNDING.**—Section 6071(h) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended—

(1) in paragraph (1)—

(A) in subparagraph (D), by striking “and” after the semicolon;

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

(C) by adding at the end the following:

“(F) subject to paragraph (3), \$112,000,000 for fiscal year 2019.”.

(2) in paragraph (2)—

(A) by striking “Amounts made” and inserting “Subject to paragraph (3), amounts made”; and

(B) by striking “September 30, 2016” and inserting “September 30, 2021”; and

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

“(3) **SPECIAL RULE FOR FY 2019.**—Funds appropriated under paragraph (1)(F) shall be made available for grants to States only if such States have an approved MFP demonstration project under this section as of December 31, 2018.”.

(b) **FUNDING FOR QUALITY ASSURANCE AND IMPROVEMENT; TECHNICAL ASSISTANCE; OVERSIGHT.**—Section 6071(f) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by striking paragraph (2) and inserting the following:

“(2) **FUNDING.**—From the amounts appropriated under subsection (h)(1)(F) for fiscal year 2019, \$500,000 shall be available to the Secretary for such fiscal year to carry out this subsection.”.

(c) **TECHNICAL AMENDMENT.**—Section 6071(b) of the Deficit Reduction Act of 2005 (42 U.S.C. 1396a note) is amended by adding at the end the following:

“(10) **SECRETARY.**—The term ‘Secretary’ means the Secretary of Health and Human Services.”.

SEC. 102. EXTENSION OF PROTECTION FOR MEDICAID RECIPIENTS OF HOME AND COMMUNITY-BASED SERVICES AGAINST SPOUSAL IMPOVERISHMENT.

(a) **IN GENERAL.**—Section 2404 of Public Law 111-148 (42 U.S.C. 1396r-5 note) is amended by striking “the 5-year period that begins on January 1, 2014,” and inserting “the period beginning on January 1, 2014, and ending on March 31, 2019.”.

(b) **RULE OF CONSTRUCTION.**—

(1) **PROTECTING STATE SPOUSAL INCOME AND ASSET DISREGARD FLEXIBILITY UNDER WAIVERS AND PLAN AMENDMENTS.**—Nothing in section 2404 of Public Law 111-148 (42 U.S.C. 1396r-5 note) or section 1924 of the Social Security Act (42 U.S.C. 1396r-5) shall be construed as prohibiting a State from disregarding an individual’s spousal income and assets under a

State waiver or plan amendment described in paragraph (2) for purposes of making determinations of eligibility for home and community-based services or home and community-based attendant services and supports under such waiver or plan amendment.

(2) **STATE WAIVER OR PLAN AMENDMENT DESCRIBED.**—A State waiver or plan amendment described in this paragraph is any of the following:

(A) A waiver or plan amendment to provide medical assistance for home and community-based services under a waiver or plan amendment under subsection (c), (d), or (i) of section 1915 of the Social Security Act (42 U.S.C. 1396n) or under section 1115 of such Act (42 U.S.C. 1315).

(B) A plan amendment to provide medical assistance for home and community-based services for individuals by reason of being determined eligible under section 1902(a)(10)(C) of such Act (42 U.S.C. 1396a(a)(10)(C)) or by reason of section 1902(f) of such Act (42 U.S.C. 1396a(f)) or otherwise on the basis of a reduction of income based on costs incurred for medical or other remedial care under which the State disregarded the income and assets of the individual’s spouse in determining the initial and ongoing financial eligibility of an individual for such services in place of the spousal impoverishment provisions applied under section 1924 of such Act (42 U.S.C. 1396r-5).

(C) A plan amendment to provide medical assistance for home and community-based attendant services and supports under section 1915(k) of such Act (42 U.S.C. 1396n(k)).

SEC. 103. REDUCTION IN FMAP AFTER 2020 FOR STATES WITHOUT ASSET VERIFICATION PROGRAM.

Section 1940 of the Social Security Act (42 U.S.C. 1396w) is amended by adding at the end the following new subsection:

“(k) **REDUCTION IN FMAP AFTER 2020 FOR NON-COMPLIANT STATES.**—

“(1) **IN GENERAL.**—With respect to a calendar quarter beginning on or after January 1, 2021, the Federal medical assistance percentage otherwise determined under section 1905(b) for a non-compliant State shall be reduced—

“(A) for calendar quarters in 2021 and 2022, by 0.12 percentage points;

“(B) for calendar quarters in 2023, by 0.25 percentage points;

“(C) for calendar quarters in 2024, by 0.35 percentage points; and

“(D) for calendar quarters in 2025 and each year thereafter, by 0.5 percentage points.

“(2) **NON-COMPLIANT STATE DEFINED.**—For purposes of this subsection, the term ‘non-compliant State’ means a State—

“(A) that is one of the 50 States or the District of Columbia;

“(B) with respect to which the Secretary has not approved a State plan amendment submitted under subsection (a)(2); and

“(C) that is not operating, on an ongoing basis, an asset verification program in accordance with this section.”.

SEC. 104. MEDICAID IMPROVEMENT FUND.

Section 1941(b)(1) of the Social Security Act (42 U.S.C. 1396w-1(b)(1)) is amended by striking “\$31,000,000” and inserting “\$6,000,000”.

SEC. 105. BUDGETARY EFFECTS.

(a) **STATUTORY PAYGO SCORECARDS.**—The budgetary effects of this division shall not be entered on either PAYGO scorecard maintained pursuant to section 4(d) of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 933(d)).

(b) **SENATE PAYGO SCORECARDS.**—The budgetary effects of this division shall not be entered on any PAYGO scorecard maintained for purposes of section 4106 of H. Con. Res. 71 (115th Congress).

(c) **CLASSIFICATION OF BUDGETARY EFFECTS.**—Notwithstanding Rule 3 of the Budg-

et Scorekeeping Guidelines set forth in the joint explanatory statement of the committee of conference accompanying Conference Report 105-217 and section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985, the budgetary effects of this division shall not be estimated—

(1) for purposes of section 251 of such Act; and

(2) for purposes of paragraph (4)(C) of section 3 of the Statutory Pay-As-You-Go Act of 2010 as being included in an appropriation Act.

(d) PAYGO ANNUAL REPORT.—For the purposes of the annual report issued pursuant to section 5 of the Statutory Pay-As-You-Go Act of 2010 (2 U.S.C. 934) after adjournment of the second session of the 115th Congress, and for determining whether a sequestration order is necessary under such section, the debit for the budget year on the 5-year scorecard, if any, and the 10-year scorecard, if any, shall be deducted from such scorecard in 2019 and added to such scorecard in 2020.

DIVISION C—ADDITIONAL SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF, 2019

The following sums in this division are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2019, and for other purposes, namely:

TITLE I

DEPARTMENT OF AGRICULTURE AGRICULTURAL PROGRAMS PROCESSING, RESEARCH AND MARKETING OFFICE OF THE SECRETARY

For an additional amount for the “Office of the Secretary”, \$1,105,442,000, which shall remain available until December 31, 2020, for necessary expenses related to losses of crops (including milk), trees, bushes, and vines, as a consequence of Hurricanes Michael and Florence, other hurricanes, typhoons, volcanic activity, and wildfires occurring in calendar year 2018 under such terms and conditions as determined by the Secretary: *Provided*, That the Secretary where authorized may provide assistance for such losses in the form of block grants to eligible states and territories and such assistance may include compensation to producers, as determined by the Secretary, for forest restoration and poultry and livestock losses: *Provided further*, That in the case of producers impacted by volcanic activity that resulted in the loss of crop land, or access to crop land, the Secretary shall consider all measures available, as appropriate, to bring replacement land into production: *Provided further*, That the total amount of payments received under this heading and applicable policies of crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop Disaster Assistance Program (NAP) under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 7333) shall not exceed 85 percent of the loss as determined by the Secretary: *Provided further*, That the total amount of payments received under this heading for producers who did not obtain a policy or plan of insurance for an insurable commodity for the applicable crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses or did not file the required paperwork and pay the service fee by the applicable State filing deadline for a noninsurable commodity for the applicable crop year under NAP for the crop incurring the losses shall not exceed 65 percent of the loss as determined by the Secretary: *Provided further*, That producers receiving payments under this heading, as determined by the Secretary, shall be required to purchase crop insurance where crop insurance is available for the next two available crop years, exclud-

ing tree insurance policies, and producers receiving payments under this heading shall be required to purchase coverage under NAP where crop insurance is not available in the next two available crop years, as determined by the Secretary: *Provided further*, That, not later than 120 days after the end of fiscal year 2018, the Secretary shall submit a report to the Congress specifying the type, amount, and method of such assistance by state and territory: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FARM SERVICE AGENCY

EMERGENCY FOREST RESTORATION PROGRAM

For an additional amount for the “Emergency Forest Restoration Program”, for necessary expenses related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, \$200,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATURAL RESOURCES CONSERVATION SERVICE

WATERSHED AND FLOOD PREVENTION OPERATIONS

For an additional amount for “Watershed and Flood Prevention Operations”, for necessary expenses for the Emergency Watershed Protection Program related to the consequences of Hurricanes Michael and Florence and of wildfires occurring in calendar year 2018, and other natural disasters, \$125,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RURAL DEVELOPMENT

RURAL COMMUNITY FACILITIES PROGRAM ACCOUNT

For an additional amount for “Rural Community Facilities Program Account”, \$8,000,000, to remain available until September 30, 2020, for Community Facilities Technical Assistance and Training Grants pursuant to section 306(a)(26) of the Consolidated Farm and Rural Development Act to assist recovering communities in identifying public and private resources to address identified community facility needs related to disaster relief, long-term recovery, and economic revitalization as a consequence of Hurricanes Michael and Florence: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 101. Notwithstanding section 3(r) of the Food and Nutrition Act of 2008 (7 U.S.C. 2028), not to exceed \$8,500,000 of funds made available for the contingency reserve under the heading “Supplemental Nutrition Assistance Program” of division A of Public Law 115-31 shall be available for the Secretary to provide a grant to the Commonwealth of the Northern Mariana Islands for disaster nutrition assistance in response to the Presidentially declared major disasters and emergencies: *Provided*, That funds made available to the Commonwealth of the Northern Mariana Islands under this section shall remain available for obligation by the Commonwealth until September 30, 2020, and shall be in addition to funds otherwise made available: *Provided further*, That such amount is

designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. For purposes of administering Title I of Subdivision 1 of Division B of the Bipartisan Budget Act of 2018 (Public Law 115-123), losses to agricultural producers resulting from hurricanes shall also include losses incurred from Tropical Storm Cindy and losses of peach and blueberry crops in calendar year 2017 due to extreme cold: *Provided*, That the amounts provided by this section are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE II

DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

Pursuant to section 703 of the Public Works and Economic Development Act (42 U.S.C. 3233), for an additional amount for “Economic Development Assistance Programs” for necessary expenses related to flood mitigation, disaster relief, long-term recovery, and restoration of infrastructure in areas that received a major disaster designation as a result of Hurricanes Florence, Michael and Lane, Typhoons Yutu and Mangkhut, and of wildfires, volcanic eruptions and other natural disasters occurring in calendar year 2018 under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$300,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That within the amount appropriated, up to 2 percent of funds may be transferred to the “Salaries and Expenses” account for administration and oversight activities: *Provided further*, That within the amount appropriated, \$1,000,000 shall be transferred to the “Office of Inspector General” account for carrying out investigations and audits related to the funding provided under this heading.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for “Operations, Research, and Facilities” for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoon Yutu, and of wildfires occurring in calendar year 2018, \$70,570,000, to remain available until September 30, 2020, as follows:

(1) \$3,000,000 for repair and replacement of observing assets, real property, and equipment;

(2) \$11,000,000 for marine debris assessment and removal;

(3) \$31,570,000 for mapping, charting, and geodesy services; and

(4) \$25,000,000 to improve (a) hurricane intensity forecasting, including through deployment of unmanned ocean observing platforms and enhanced data assimilation; (b) flood prediction, forecasting, and mitigation capabilities; and (c) wildfire prediction, detection, and forecasting;

Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for funding provided under subsection (4) of this heading within 45 days after the date of enactment of this Act.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for "Procurement, Acquisition and Construction", \$25,000,000, to remain available until September 30, 2021, for improvements to operational and research weather supercomputing infrastructure and satellite ground services used for hurricane intensity and track prediction; flood prediction, forecasting, and mitigation; and wildfire prediction, detection, and forecasting: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

FISHERY DISASTER ASSISTANCE

For an additional amount for "Fishery Disaster Assistance" for necessary expenses associated with the mitigation of fishery disasters, \$82,000,000, to remain available until expended: *Provided*, That funds shall be used for mitigating the effects of commercial fishery failures and fishery resource disasters declared by the Secretary of Commerce, as well as those declared by the Secretary to be a direct result of Hurricanes Florence and Michael and Typhoons Yutu and Mangkhut: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricanes Florence and Michael, and Typhoon Yutu, \$1,336,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities" for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoon Yutu, \$28,400,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for "Payment to the Legal Services Corporation" to carry out the purposes of the Legal Services Corporation Act by providing for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoons Yutu and Mangkhut, and calendar year 2018 wildfires

and volcanic eruptions, \$5,000,000: *Provided*, That the amount made available under this heading shall be used only to provide the mobile resources, technology, and disaster coordinators necessary to provide storm-related services to the Legal Services Corporation client population and only in the areas significantly affected by Hurricanes Florence and Michael, Typhoons Yutu and Mangkhut, and calendar year 2018 wildfires and volcanic eruptions: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That none of the funds appropriated in this division to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this division to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2018 and 2019, respectively, and except that sections 501 and 503 of Public Law 104-134 (referenced by Public Law 105-119) shall not apply to the amount made available under this heading: *Provided further*, That, for the purposes of this division, the Legal Services Corporation shall be considered an agency of the United States Government.

TITLE III

DEPARTMENT OF DEFENSE

DEPARTMENT OF DEFENSE—MILITARY OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$200,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$400,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IV

CORPS OF ENGINEERS—CIVIL

DEPARTMENT OF THE ARMY

INVESTIGATIONS

For an additional amount for "Investigations" for necessary expenses related to the completion, or initiation and completion, of flood and storm damage reduction, including shore protection, studies which are currently authorized or which are authorized after the date of enactment of this division, to reduce risk from future floods and hurricanes, at full Federal expense, \$50,000,000, to remain available until expended: *Provided*, That funds made available under this heading shall be for high-priority studies of projects in States that were impacted by Hurricane Florence: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Represent-

atives and the Senate detailing the allocation and obligation of these funds, including new studies selected to be initiated using funds provided under this heading, beginning not later than 60 days after the enactment of this division.

CONSTRUCTION

For an additional amount for "Construction", \$250,000,000, to construct flood and storm damage reduction, including shore protection, projects which are currently authorized or which are authorized after the date of enactment of this division, and flood and storm damage reduction, including shore protection, projects which have signed Chief's Reports as of the date of enactment of this division or which are studied using funds provided under the heading "Investigations" if the Secretary determines such projects to be technically feasible, economically justified, and environmentally acceptable, in States that were impacted by Hurricane Florence: *Provided*, That for projects receiving funding under this heading, the provisions of section 902 of the Water Resources Development Act of 1986 shall not apply to these funds: *Provided further*, That the completion of ongoing construction projects receiving funds provided under this heading shall be at full Federal expense with respect to such funds: *Provided further*, That using funds provided under this heading, the non-Federal cash contribution for projects eligible for funding pursuant to the first proviso shall be financed in accordance with the provisions of section 103(k) of Public Law 99-662 over a period of 30 years from the date of completion of the project or separable element: *Provided further*, That not less than \$15,000,000 of the funds made available under this heading shall be used for continuing authorities projects to reduce the risk of flooding and storm damage: *Provided further*, That any projects using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring, where applicable, the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this division.

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for "Mississippi River and Tributaries" for necessary expenses to address emergency situations at Corps of Engineers projects and rehabilitate and repair damages to Corps of Engineers projects, caused by natural disasters, \$225,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this Act.

OPERATION AND MAINTENANCE

For an additional amount for “Operation and Maintenance” for necessary expenses to dredge Federal navigation projects in response to, and repair damages to Corps of Engineers Federal projects caused by, natural disasters, \$245,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this Act.

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For an additional amount for “Central Utah Project Completion Account”, \$350,000, to be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission, to remain available until expended, for expenses necessary in carrying out fire remediation activities related to wildfires in 2018: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for “Water and Related Resources”, \$15,500,000, to remain available until expended, for fire remediation and suppression emergency assistance related to wildfires in 2017 and 2018: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

DEPARTMENT OF HOMELAND SECURITY

COAST GUARD

OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, \$46,977,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL COMPLIANCE AND RESTORATION

For an additional amount for “Environmental Compliance and Restoration” for necessary expenses related to the consequences of Hurricanes Michael and Florence, \$2,000,000, to remain available until September 30, 2023: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, CONSTRUCTION, AND IMPROVEMENTS

For an additional amount for “Procurement, Construction, and Improvements” for

necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, \$194,755,000, to remain available until September 30, 2023: *Provided*, That, not later than 60 days after enactment of this Act, the Secretary of Homeland Security, or her designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VI

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE
CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricanes Florence, Lane, and Michael, flooding associated with major declared disaster DR 4365, and calendar year 2018 earthquakes, \$32,400,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the “Historic Preservation Fund” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and Typhoon Yutu, \$50,000,000, to remain available until September 30, 2022, including costs to States and territories necessary to complete compliance activities required by section 306108 of title 54, United States Code (formerly section 106 of the National Historic Preservation Act) and costs needed to administer the program: *Provided*, That grants shall only be available for areas that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That individual grants shall not be subject to a non-Federal matching requirement: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoons Yutu and Mangkhut, calendar year 2018 wildfires, earthquakes, and volcanic eruptions, \$78,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for “Surveys, Investigations, and Research” for necessary expenses related to the consequences of Hurricanes Florence and Michael, earthquake damage associated with emergency declaration EM 3410, and in those areas impacted by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) with respect to calendar year 2018 wildfires or volcanic eruptions, \$69,500,000, to remain available until expended: *Provided*, That of

this amount, \$43,310,000 is for costs related to the repair and replacement of equipment and facilities damaged by disasters in 2018: *Provided further*, That, not later than 90 days after enactment of this Act, the Survey shall submit a report to the Committees on Appropriations that describes the potential options to replace the facility damaged by the 2018 volcano disaster along with cost estimates and a description of how the Survey will provide direct access for monitoring volcanic activity and the potential threat to at-risk communities: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For an additional amount for “Technical Assistance” for financial management expenses related to the consequences of Typhoon Yutu, \$2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses” for necessary expenses related to the consequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, \$1,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For an additional amount for “Science and Technology” for necessary expenses related to improving preparedness of the water sector, \$600,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEAKING UNDERGROUND STORAGE TANK TRUST
FUND PROGRAM

For an additional amount for “Leaking Underground Storage Tank Fund” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and Typhoon Yutu, \$1,500,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For an additional amount for “State and Tribal Assistance Grants” for necessary expenses related to the consequences of Hurricanes Florence and Michael for the hazardous waste financial assistance grants program, \$1,000,000, to remain available until expended; for necessary expenses related to the consequences of Typhoon Yutu for the hazardous waste financial assistance grants program and for other solid waste management activities, \$56,000,000, to remain available until expended; and for grants under section 106 of the Federal Water Pollution Control Act, \$5,000,000, to remain available until expended, to address impacts of Hurricane Florence, Hurricane Michael, Typhoon Yutu,

and calendar year 2018 wildfires, notwithstanding paragraphs (b), (e), and (f), of such section: *Provided*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For an additional amount for “Forest and Rangeland Research” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, \$1,000,000, to remain available until expended for the forest inventory and analysis program: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND PRIVATE FORESTRY

For an additional amount for “State and Private Forestry” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, \$2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For an additional amount for “National Forest System” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, \$63,960,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for “Capital Improvement and Maintenance” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, \$36,040,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Wildland Fire Management”, \$720,271,000, to remain available through September 30, 2022, for urgent wildland fire suppression operations: *Provided*, That such funds shall be solely available to be transferred to and merged with other appropriations accounts from which funds were previously transferred for wildland fire suppression in fiscal year 2018 to fully repay those amounts: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 601. Not later than 45 days after enactment, the Agencies receiving funds appropriated by this title shall provide a detailed operating plan of anticipated uses of funds made available in this title by State and Territory, and by program, project, or activity, to the Committees on Appropriations: *Provided*, That no funds shall be obligated before the operating plans are provided to the Committees: *Provided further*, That such plans shall be updated, including obligations to date, and submitted to the Committees on

Appropriations every 60 days until all funds are expended.

TITLE VII

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES CHILDREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for “Children and Families Services Programs”, \$25,000,000, to remain available until September 30, 2021, for Head Start programs, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoons Mangkhut and Yutu, and wildfires occurring in 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5190), including making payments under the Head Start Act: *Provided*, That none of the funds appropriated in this paragraph shall be included in the calculation of the “base grant” in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 645(d)(3) of the Head Start Act: *Provided further*, That funds appropriated in this paragraph are not subject to the allocation requirements of section 640(a) of the Head Start Act: *Provided further*, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further*, That up to \$500,000 shall be available for Federal administrative expenses: *Provided further*, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES EMERGENCY FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the “Public Health and Social Services Emergency Fund”, \$15,500,000, to remain available until September 30, 2020, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoons Mangkhut and Yutu, and wildfires occurring in calendar year 2018 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5190) (referred to under this heading as “covered disaster or emergency”), including activities authorized under section 319(a) of the Public Health Service Act (referred to in this title as the “PHS Act”): *Provided*, That of the amount provided, \$7,500,000 shall be transferred to “Health Resources and Services Administration—Primary Health Care”, for expenses directly related to the covered disaster or emergency for disaster response and recovery, for the Health Centers Program under section 330 of the PHS Act, including alteration, renovation, construction, equipment, and other capital improvement costs as necessary to meet the needs of areas affected by a covered disaster or emergency: *Provided further*, That the time limitation in section 330(e)(3) of the PHS Act shall not apply to funds made available under the preceding proviso: *Provided further*, That of the amount provided, not less than \$7,500,000 shall be transferred to “Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support”

for grants, contracts, and cooperative agreements for behavioral health treatment, crisis counseling, treatment of substance abuse disorders, and other related helplines, and for other similar programs to provide support to a covered disaster or emergency: *Provided further*, That of the amount provided, up to \$500,000, to remain available until expended, shall be transferred to “Office of the Secretary—Office of Inspector General” for oversight of activities responding to such hurricanes, typhoons, and wildfires: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF EDUCATION

HURRICANE EDUCATION RECOVERY

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Hurricane Education Recovery”, \$50,000,000, to remain available through September 30, 2021, for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoons Mangkhut and Yutu, and wildfires or earthquakes occurring in 2018 in those areas for which a major disaster or emergency has been declared under sections 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5190) (referred to under this heading as “covered disaster or emergency”), for assisting in meeting the educational needs of individuals affected by a covered disaster or emergency: *Provided*, That such assistance may be provided through any of the programs authorized under this heading in title VIII of subdivision 1 of division B of Public Law 115-123 (as amended by Public Law 115-141), as determined by the Secretary of Education, and subject to the terms and conditions that applied to those program, except that the Secretary shall understand references to dates and school years in Public Law 115-123 to be the corresponding dates and school years for the covered disaster or emergency: *Provided further*, That the Secretary of Education may determine the amounts to be used for each such program: *Provided further*, That \$500,000 of the funds made available under this heading, to remain available until expended, shall be transferred to the Office of the Inspector General of the Department of Education for oversight of activities supported with funds appropriated under this heading, and up to \$500,000 of the funds made available under this heading shall be for program administration: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 701. Not later than 30 days after enactment of this Act, the Secretaries of Health and Human Services and Education shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and administrative costs, to the Committees on Appropriations: *Provided*, That such plans shall be updated and submitted to the Committees on Appropriations every 60 days until all funds are expended or expire.

SEC. 702. Unless otherwise provided for by this title, the additional amounts appropriated by this title to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2019.

TITLE VIII
LEGISLATIVE BRANCH
GOVERNMENT ACCOUNTABILITY OFFICE
SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$4,000,000, to remain available until expended, for audits and investigations relating to Hurricanes Florence, Lane, and Michael, Typhoons Yutu and Mangkhut, the 2018 wildfires and volcano eruptions, and other disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That not later than 90 days after the date of enactment of this Act, the Government Accountability Office shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spend plan specifying funding estimates for audits and investigations of any such declared disasters occurring in 2018 and identifying funding estimates or carryover balances, if any, that may be available for audits and investigations of any other such declared disasters: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IX
DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE
CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$90,000,000, to remain available until September 30, 2023, for planning and design related to the consequences of Hurricanes Florence and Michael: *Provided*, That not later than 60 days after enactment of this Act, the Secretary of the Navy, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force”, \$150,000,000, to remain available until September 30, 2023, for planning and design related to the consequences of Hurricane Michael: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a basing plan and future mission requirements for installations damaged by Hurricane Michael: *Provided further*, That, not later than 60 days after enactment of this Act, the Secretary of the Air Force, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, ARMY NATIONAL
GUARD

For an additional amount for “Military Construction, Army National Guard”, \$42,400,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate

receive a form 1391 for each specific project: *Provided further*, That, not later than 60 days after enactment of this Act, the Director of the Army National Guard, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such funds may be obligated or expended for military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF VETERANS AFFAIRS
VETERANS HEALTH ADMINISTRATION
MEDICAL FACILITIES

For an additional amount for “Medical Facilities”, \$3,000,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu: *Provided*, That the Secretary of Veterans Affairs, upon determination that such action is necessary to address needs as a result of the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu, may transfer such funds to any discretionary account of the Department of Veterans Affairs: *Provided further*, That before a transfer may take place, the Secretary of Veterans Affairs shall submit notice thereof to the Committee on Appropriations of the House of Representatives and the Senate: *Provided further*, That none of these funds shall be available for obligation until the Secretary of Veterans Affairs submits to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE X
DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION
OPERATIONS

(AIRPORT AND AIRWAY TRUST FUND)

Of the amounts made available for “Federal Aviation Administration—Operations” in Division B of the Bipartisan Budget Act of 2018 (Public Law 115–123), up to \$18,000,000 shall also be available for necessary expenses related to the consequences of major declared disasters occurring in calendar year 2018: *Provided*, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION
EMERGENCY RELIEF PROGRAM

For an additional amount for the “Emergency Relief Program” as authorized under section 125 of title 23, United States Code, \$1,650,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL TRANSIT ADMINISTRATION
PUBLIC TRANSPORTATION EMERGENCY RELIEF
PROGRAM

For an additional amount for the “Public Transportation Emergency Relief Program”

as authorized under section 5324 of title 49, United States Code, \$10,542,000 to remain available until expended, for transit systems affected by major declared disasters in 2018: *Provided*, That not more than three-quarters of one percent of the funds for public transportation emergency relief shall be available for administrative expenses and ongoing program management oversight as authorized under sections 5334 and 5338(f)(2) of such title and shall be in addition to any other appropriations for such purpose: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HOUSING AND URBAN
DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT
COMMUNITY DEVELOPMENT FUND
(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Community Development Fund”, \$1,060,000,000, to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster that occurred in 2018 pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That funds shall be awarded directly to the State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974) at the discretion of the Secretary: *Provided further*, That any funds made available under this heading and under the same heading in Public Law 115–254 that remain available after the funds under such headings have been allocated for necessary expenses for activities authorized under such headings shall be allocated to grantees that received allocations for disasters that occurred in 2018 for mitigation activities in the most impacted and distressed areas resulting from a major disaster that occurred in 2018: *Provided further*, That such allocations shall be made in the same proportion that the amount of funds each grantee received under this division and the same heading in division I of Public Law 115–254 bears to the amount of all funds provided to all grantees that received allocations for disasters that occurred in 2018: *Provided further*, That of the amounts made available under the text preceding the first proviso under this heading and under the same heading in Public Law 115–254, the Secretary shall allocate to all such grantees an aggregate amount not less than 33 percent of the sum of such amounts of funds within 120 days after the enactment of this Act based on the best available data, and shall allocate no less than 100 percent of such funds by no later than 180 days after enactment of this Act: *Provided further*, That the Secretary shall not prohibit the use of funds made available under this heading and the same heading in Public Law 115–254 for non-Federal share as authorized by section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)): *Provided further*, That of the amounts made available under this heading, grantees may establish grant programs to assist small businesses for working capital purposes to aid in recovery: *Provided further*, That as a condition of making any grant, the Secretary shall certify in advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent

any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further*, That with respect to any such duplication of benefits, the Secretary and any grantee under this section shall not take into consideration or reduce the amount provided to any applicant for assistance from the grantee where such applicant applied for and was approved, but declined assistance related to such major declared disasters that occurred in 2017 and 2018 from the Small Business Administration under section 7(b) of the Small Business Act (15 U.S.C. 636(b)): *Provided further*, That the Secretary shall require grantees to maintain on a public website information containing common reporting criteria established by the Department that permits individuals and entities awaiting assistance and the general public to see how all grant funds are used, including copies of all relevant procurement documents, grantee administrative contracts and details of ongoing procurement processes, as determined by the Secretary: *Provided further*, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas: *Provided further*, That such funds may not be used for activities reimbursable by, or for which funds are made available by, the Federal Emergency Management Agency or the Army Corps of Engineers: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a State, unit of general local government, or Indian tribe may use up to 5 percent of its allocation for administrative costs: *Provided further*, That the first proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (division I of Public Law 115-254) is amended by striking “State or unit of general local government” and inserting “State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))”: *Provided further*, That the sixth proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (division I of Public Law 115-254) is amended by striking “State or subdivision thereof” and inserting “State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))”: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: *Provided further*, That, notwithstanding the preceding proviso, recipients of

funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408(c)(4), or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver or alternative requirement: *Provided further*, That of the amounts made available under this heading, up to \$5,000,000 shall be made available for capacity building and technical assistance, including assistance on contracting and procurement processes, to support States, units of general local government, or Indian tribes (and their subrecipients) that receive allocations pursuant to this heading, received disaster recovery allocations under the same heading in Public Law 115-254, or may receive similar allocations for disaster recovery in future appropriations Acts: *Provided further*, That of the amounts made available under this heading and under the same heading in Public Law 115-254, up to \$2,500,000 shall be transferred, in aggregate, to “Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development” for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading: *Provided further*, That the amount specified in the preceding proviso shall be combined with funds appropriated under the same heading and for the same purpose in Public Law 115-254 and the aggregate of such amounts shall be available for any of the purposes specified under this heading or the same heading in Public Law 115-254 without limitation: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 1001. (a) Amounts previously made available for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster, including funds provided under section 145 of division C

of Public Law 114-223, section 192 of division C of Public Law 114-223 (as added by section 101(3) of division A of Public Law 114-254), section 421 of division K of Public Law 115-31, and any mitigation funding provided under the heading “Department of Housing and Urban Development—Community Planning and Development—Community Development Fund” of Public Law 115-123 that were allocated in response to Hurricane Matthew may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Florence. In addition, any funds provided under the heading “Department of Housing and Urban Development—Community Planning and Development—Community Development Fund” in this Act or in division I of Public Law 115-254 that are allocated in response to Hurricane Florence may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Matthew. Until HUD publishes the Federal Register Notice implementing this provision, grantees may submit for HUD approval revised plans for the use of funds related to Hurricane Matthew that expand the eligible beneficiaries of existing programs contained in such previously approved plans to include those impacted by Hurricane Florence. Approval of any such revised plans shall include the execution of revised grant terms and conditions as necessary.

(b) Amounts made available for administrative costs for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas under this title or any future Act, and amounts previously provided under section 420 of division L of Public Law 114-113, section 145 of division C of Public Law 114-223, section 192 of division C of Public Law 114-223 (as added by section 101(3) of division A of Public Law 114-254), section 421 of division K of Public Law 115-31, and under the heading “Department of Housing and Urban Development—Community Planning and Development—Community Development Fund” of division B of Public Law 115-56, Public Law 115-123, and Public Law 115-254, shall be available for eligible administrative costs of the grantee related to any disaster relief funding identified in this subsection without regard to the particular disaster appropriation from which such funds originated.

(c) Amounts repurposed pursuant to this section that were previously designated by the Congress as an emergency requirement or as being for disaster relief pursuant to the Balanced Budget and Emergency Deficit Control Act are designated by the Congress, respectively, as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE XI

GENERAL PROVISIONS—THIS DIVISION

SEC. 1101. Each amount appropriated or made available by this division is in addition to amounts otherwise appropriated for the fiscal year involved.

SEC. 1102. No part of any appropriation contained in this division shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 1103. Unless otherwise provided for by this division, the additional amounts appropriated by this division to appropriations accounts shall be available under the authorities and conditions applicable to such appropriations accounts for fiscal year 2019.

SEC. 1104. Each amount designated in this division by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

SEC. 1105. For purposes of this division, the consequences or impacts of any hurricane shall include damages caused by the storm at any time during the entirety of its duration as a cyclone, as defined by the National Hurricane Center.

SEC. 1106. Any amount appropriated by this division, designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 and subsequently so designated by the President, and transferred pursuant to transfer authorities provided by this division shall retain such designation.

This division may be cited as the “Additional Supplemental Appropriations for Disaster Relief, 2019”.

After debate,

Pursuant to House Resolution 1183, the previous question was ordered on the motion.

The question being put, viva voce,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. BYRNE, announced that the ayes had it.

Mrs. LOWEY demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 217
affirmative { Nays 185

¶167.85 [Roll No. 472]

YEAS—217

Abraham	Costello (PA)	Harris
Aderholt	Cramer	Hartzler
Allen	Crawford	Hensarling
Amodei	Culberson	Hern
Arrington	Curtis	Herrera Beutler
Babin	Davidson	Hice, Jody B.
Bacon	Davis, Rodney	Higgins (LA)
Balderson	Denham	Hill
Banks (IN)	DesJarlais	Holding
Barletta	Diaz-Balart	Hollingsworth
Barr	Donovan	Hudson
Barton	Duffy	Huizenga
Bergman	Duncan (TN)	Hunter
Biggs	Dunn	Johnson (LA)
Bilirakis	Emmer	Johnson (OH)
Bishop (MI)	Estes (KS)	Johnson, Sam
Bishop (UT)	Faso	Jordan
Blackburn	Ferguson	Joyce (OH)
Blum	Fitzpatrick	Katko
Bost	Fleischmann	Kelly (MS)
Brady (TX)	Flores	Kelly (PA)
Brat	Fortenberry	King (IA)
Brooks (AL)	Fox	King (NY)
Brooks (IN)	Frelinghuysen	Kinzing
Buchanan	Gaetz	Knight
Bucshon	Gallagher	Kustoff (TN)
Budd	Garrett	Labrador
Burgess	Gianforte	LaHood
Byrne	Gibbs	LaMalfa
Calvert	Gohmert	Lamborn
Carter (GA)	Goodlatte	Lance
Carter (TX)	Gosar	Latta
Chabot	Gowdy	Lesko
Cheney	Granger	Lewis (MN)
Cloud	Graves (GA)	LoBiondo
Coffman	Graves (LA)	Long
Cole	Graves (MO)	Loudermilk
Collins (GA)	Griffith	Lucas
Collins (NY)	Grothman	Luetkemeyer
Comer	Guthrie	MacArthur
Conaway	Handel	Marchant
Cook	Harper	Marino

Marshall	Reichert	Smith (TX)
Massie	Renacci	Smucker
Mast	Rice (SC)	Stefanik
McCarthy	Roby	Stewart
McCaul	Roe (TN)	Stivers
McClintock	Rogers (AL)	Taylor
McHenry	Rogers (KY)	Tenney
McKinley	Rohrabacher	Thompson (PA)
McMorris	Rokita	Thornberry
Rodgers	Rooney, Francis	Tipton
McSally	Rooney, Thomas J.	Turner
Meadows	Ross	Wagner
Messer	Rothfus	Walberg
Mitchell	Rouzer	Walden
Moolenaar	Royce (CA)	Walker
Mooney (WV)	Russell	Walorski
Mullin	Rutherford	Walters, Mimi
Newhouse	Ryan (WI)	Weber (TX)
Norman	Sanford	Webster (FL)
Nunes	Scalise	Wenstrup
Olson	Schweikert	Westerman
Palazzo	Scott, Austin	Williams
Palmer	Sensenbrenner	Wilson (SC)
Pearce	Sessions	Wittman
Perry	Shimkus	Womack
Pittenger	Shuster	Woodall
Poe (TX)	Simpson	Yoder
Poliquin	Smith (MO)	Yoho
Posey	Smith (NE)	Young (AK)
Ratcliffe	Smith (NJ)	Young (IA)
Reed		Zeldin

NAYS—185

Adams	Fudge	Napolitano
Aguiar	Gabbard	Neal
Amash	Gallo	Nolan
Barragán	Garamendi	Norcross
Bass	Gomez	O'Halleran
Beatty	Gonzalez (TX)	O'Rourke
Bera	Gottheimer	Pallone
Beyer	Green, Al	Panetta
Bishop (GA)	Green, Gene	Pascarell
Blumenauer	Grijalva	Paulsen
Blunt Rochester	Gutiérrez	Payne
Bonamici	Heck	Pelosi
Boyle, Brendan F.	Higgins (NY)	Perlmutter
Brady (PA)	Himes	Peters
Brown (MD)	Hoyer	Peterson
Brownley (CA)	Huffman	Pingree
Buck	Hurd	Pocan
Bustos	Jackson Lee	Price (NC)
Butterfield	Jayapal	Quigley
Carbajal	Jeffries	Raskin
Cárdenas	Johnson (GA)	Rice (NY)
Carson (IN)	Johnson, E. B.	Ros-Lehtinen
Cartwright	Jones (MI)	Roybal-Allard
Castor (FL)	Kaptur	Ruiz
Castro (TX)	Kelly (IL)	Ruppersberger
Chu, Judy	Kennedy	Rush
Cicilline	Khanna	Ryan (OH)
Clark (MA)	Kihuen	Sánchez
Clarke (NY)	Kildee	Sarbanes
Clay	Kilmer	Scanlon
Cleaver	Krishnamoorthi	Schakowsky
Clyburn	Kuster (NH)	Schiff
Cohen	Lamb	Schneider
Connolly	Langevin	Schrader
Cooper	Larsen (WA)	Scott (VA)
Correa	Larson (CT)	Serrano
Costa	Lawrence	Sewell (AL)
Courtney	Lawson (FL)	Sherman
Crist	Lee	Sires
Cuellar	Levin	Smith (WA)
Cummings	Lewis (GA)	Soto
Curbelo (FL)	Lieu, Ted	Speier
Davis (CA)	Lipinski	Suozzi
DeFazio	Loeb	Takano
DeGette	Lofgren	Thompson (CA)
Delaney	Lowe	Titus
DeLauro	Lujan, Ben Ray	Tonko
DelBene	Lynch	Torres
Demings	Maloney,	Tsongas
DeSaulnier	Carolyn B.	Upton
Deutsch	Maloney, Sean	Valadao
Dingell	Matsui	Vargas
Doggett	McCollum	Veasey
Doyle, Michael F.	McEachin	Vela
Engel	McGovern	Velázquez
Eshoo	McNerney	Visclosky
Española	Meeks	Wasserman
Esty (CT)	Meng	Schultz
Evans	Moore	Waters, Maxine
Foster	Morelle	Watson Coleman
Frankel (FL)	Moulton	Welch
	Murphy (FL)	Wild
	Nadler	Wilson (FL)

NOT VOTING—31

Black	Comstock	Davis, Danny
Capuano	Crowley	Duncan (SC)

Ellison	Love	Scott, David
Hanabusa	Lowenthal	Shea-Porter
Hastings	Lujan Grisham,	Sinema
Hultgren	M.	Swalwell (CA)
Issa	Noem	Thompson (MS)
Jenkins (KS)	Polis	Trott
Jones (NC)	Richmond	Walz
Keating	Rosen	Yarmuth
Kind	Roskam	

So the motion was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶167.86 H.R. 6602—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. BYRNE, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 6602) to reauthorize the New Jersey Coastal Heritage Trail Route, and for other purposes.

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. BYRNE, announced that two-thirds of those present had voted in the affirmative.

Mr. MASSIE demanded a recorded vote on the motion to suspend the rules and pass said bill, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 382
affirmative { Noes 9

¶167.87 [Roll No. 473]

AYES—382

Abraham	Burgess	Curbelo (FL)
Adams	Bustos	Curtis
Aderholt	Butterfield	Davidson
Aguiar	Byrne	Davis (CA)
Allen	Calvert	Davis, Rodney
Amodei	Carbajal	DeGette
Arrington	Cárdenas	DeLauro
Babin	Carson (IN)	DelBene
Bacon	Carter (GA)	Demings
Balderson	Carter (TX)	Denham
Banks (IN)	Cartwright	DeSaulnier
Barletta	Castor (FL)	DesJarlais
Barr	Castro (TX)	Deutch
Barragán	Chabot	Diaz-Balart
Barton	Cheney	Dingell
Bass	Chu, Judy	Doggett
Beatty	Cicilline	Donovan
Bera	Clark (MA)	Duffy
Bergman	Clarke (NY)	Duncan (TN)
Beyer	Clay	Dunn
Bilirakis	Cleaver	Emmer
Bishop (GA)	Cloud	Engel
Bishop (MI)	Clyburn	Eshoo
Bishop (UT)	Coffman	Española
Blackburn	Cohen	Estes (KS)
Blum	Cole	Esty (CT)
Blumenauer	Collins (GA)	Evans
Blunt Rochester	Collins (NY)	Faso
Bonamici	Comer	Ferguson
Bost	Conaway	Fitzpatrick
Boyle, Brendan F.	Connolly	Fleischmann
Brady (PA)	Cook	Flores
Brady (TX)	Cooper	Fortenberry
Brat	Correa	Foster
Brooks (IN)	Costa	Fox
Brown (MD)	Costello (PA)	Frankel (FL)
Brownley (CA)	Courtney	Frelinghuysen
Buchanan	Crawford	Fudge
Buck	Crist	Gabbard
Bucshon	Cuellar	Gaetz
Budd	Culberson	Gallagher
	Cummings	Gallo

Garamendi	LoBiondo	Rouzer
Gianforte	Loebbeck	Roybal-Allard
Gibbs	Lofgren	Royce (CA)
Gohmert	Long	Ruiz
Gomez	Lowey	Ruppersberger
Gonzalez (TX)	Lucas	Rush
Goodlatte	Luetkemeyer	Russell
Gosar	Lujan, Ben Ray	Rutherford
Gottheimer	Lynch	Ryan (OH)
Gowdy	MacArthur	Sánchez
Granger	Maloney,	Sanford
Graves (GA)	Carolyn B.	Sarbanes
Graves (LA)	Maloney, Sean	Scalise
Graves (MO)	Marchant	Scanlon
Green, Al	Marino	Schakowsky
Green, Gene	Marshall	Schiff
Grijalva	Mast	Schneider
Grothman	Matsui	Schrader
Guthrie	McCarthy	Schweikert
Gutiérrez	McCaul	Scott (VA)
Handel	McClintock	Scott, Austin
Harper	McCollum	Sensenbrenner
Hartzler	McEachin	Serrano
Heck	McGovern	Sessions
Hensarling	McHenry	Sewell (AL)
Hern	McKinley	Sherman
Herrera Beutler	McMorris	Shimkus
Hice, Jody B.	Rodgers	Shuster
Higgins (LA)	McNerney	Simpson
Higgins (NY)	McSally	Sires
Hill	Meadows	Smith (MO)
Himes	Meeks	Smith (NE)
Holding	Meng	Smith (NJ)
Hollingsworth	Messer	Smith (TX)
Hoyer	Mitchell	Smith (WA)
Hudson	Moolenaar	Smucker
Huffman	Moore	Soto
Huizenga	Morelle	Speier
Hunter	Moulton	Stefanik
Hurd	Mullin	Stewart
Issa	Murphy (FL)	Stivers
Jackson Lee	Nadler	Suozzi
Jayapal	Napolitano	Takano
Jeffries	Neal	Taylor
Johnson (GA)	Newhouse	Tenney
Johnson (LA)	Norcross	Thompson (CA)
Johnson (OH)	Norman	Thompson (PA)
Johnson, E. B.	Nunes	Thornberry
Johnson, Sam	O'Halleran	Tipton
Jones (MI)	O'Rourke	Titus
Jordan	Olson	Tonko
Joyce (OH)	Palazzo	Torres
Kaptur	Pallone	Turner
Katko	Palmer	Upton
Kelly (IL)	Pascrell	Valadao
Kelly (MS)	Paulsen	Vargas
Kelly (PA)	Payne	Veasey
Kennedy	Pearce	Vela
Khanna	Pelosi	Velázquez
Kihuen	Perlmutter	Visclosky
Kildee	Perry	Wagner
Kilmer	Peters	Walberg
King (IA)	Peterson	Walden
King (NY)	Pingree	Walker
Kinzinger	Pittenger	Walorski
Knight	Pocan	Walters, Mimi
Krishnamoorthi	Poliquin	Wasserman
Kuster (NH)	Posey	Schultz
Kustoff (TN)	Price (NC)	Watson Coleman
Labrador	Quigley	Weber (TX)
LaHood	Raskin	Webster (FL)
LaMalfa	Ratcliffe	Welch
Lamb	Reed	Wenstrup
Lamborn	Reichert	Westerman
Lance	Renacci	Wild
Langevin	Rice (NY)	Williams
Larsen (WA)	Richmond	Wilson (FL)
Latta	Roby	Wilson (SC)
Lawrence	Roe (TN)	Wittman
Lawson (FL)	Rogers (AL)	Womack
Lee	Rogers (KY)	Woodall
Lesko	Rohrabacher	Yarmuth
Levin	Rokita	Yoder
Lewis (GA)	Rooney, Francis	Young (AK)
Lewis (MN)	Ros-Lehtinen	Young (IA)
Lieu, Ted	Ross	Zeldin
Lipinski	Rothfus	

NOES—9

Amash	Garrett	Mooney (WV)
Biggs	Griffith	Rice (SC)
Brooks (AL)	Massie	Yoho

NOT VOTING—41

Black	DeFazio	Hanabusa
Capuano	Delaney	Harris
Comstock	Doyle, Michael	Hastings
Cramer	F.	Hultgren
Crowley	Duncan (SC)	Jenkins (KS)
Davis, Danny	Ellison	Jones (NC)

Keating	Nolan	Shea-Porter
Kind	Panetta	Sinema
Larson (CT)	Poe (TX)	Swalwell (CA)
Loudermilk	Polis	Thompson (MS)
Love	Rooney, Thomas	Trott
Lowenthal	J.	Tsongas
Lujan Grisham,	Rosen	Walz
M.	Roskam	Waters, Maxine
Noem	Scott, David	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

167.88 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 767. An Act to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

H.R. 1162. An Act to direct the Secretary of Veterans Affairs to carry out a pilot program to provide access to magnetic EEG/EKG-guided resonance therapy to veterans.

H.R. 1210. An Act to designate the facility of the United States Postal Service located at 122 W. Goodwin Street, Pleasanton, Texas, as the "Pleasanton Veterans Post Office".

H.R. 1211. An Act to designate the facility of the United States Postal Service located at 400 N. Main Street, Encinal, Texas, as the "Encinal Veterans Post Office".

H.R. 1222. An Act to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

H.R. 1733. An Act to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

H.R. 1850. An Act to designate the facility of the United States Postal Service located at 907 Fourth Avenue in Lake Odessa, Michigan, as the "Donna Sauers Besko Post Office".

H.R. 3184. An Act to designate the facility of the United States Postal Service located at 180 McCormick Road in Charlottesville, Virginia, as the "Captain Humayun Khan Post Office".

H.R. 3383. An Act to designate the flood control project in Sedgwick County, Kansas, commonly known as the Wichita-Valley Center Flood Control Project, as the "M.S. 'Mitch' Mitchell Floodway".

H.R. 4227. An Act to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, and for other purposes.

H.R. 4326. An Act to designate the facility of the United States Postal Service located at 200 West North Street in Normal, Illinois, as the "Sgt. Josh Rodgers Post Office".

H.R. 4819. An Act to promote inclusive economic growth through conservation and biodiversity programs that facilitate transboundary cooperation, improve natural resource management, and build local capacity to protect and preserve threatened wildlife species in the greater Okavango River Basin of southern Africa.

H.R. 5075. An Act to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes.

H.R. 5205. An Act to designate the facility of the United States Postal Service located at 701 6th Street in Hawthorne, Nevada, as the "Sergeant Kenneth Eric Bostic Post Office".

H.R. 5395. An Act to designate the facility of the United States Postal Service located at 116 Main Street in Dansville, New York, as the "Staff Sergeant Alexandria Gleason-Morrow Post Office Building".

H.R. 5412. An Act to designate the facility of the United States Postal Service located at 25 2nd Avenue in Brentwood, New York, as the "Army Specialist Jose L. Ruiz Post Office Building".

H.R. 5475. An Act to designate the facility of the United States Postal Service located at 108 North Macon Street in Bevier, Missouri, as the "SO2 Navy SEAL Adam Olin Smith Post Office".

H.R. 5509. An Act to direct the National Science Foundation to provide grants for research about STEM education approaches and the STEM-related workforce, and for other purposes.

H.R. 5787. An Act to amend the Coastal Barrier Resources Act to give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping of such units, and for other purposes.

H.R. 5791. An Act to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the "Deputy Sheriff Zackari Spurlock Parrish, III, Post Office Building".

H.R. 5792. An Act to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the "Detective Heath McDonald Gumm Post Office".

H.R. 5923. An Act to direct the Secretary of Agriculture to exchange certain public lands in Ouachita National Forest, and for other purposes.

H.R. 6020. An Act to designate the facility of the United States Postal Service located at 325 South Michigan Avenue in Howell, Michigan, as the "Sergeant Donald Burgett Post Office Building".

H.R. 6059. An Act to designate the facility of the United States Postal Service located at 51 Willow Street in Lynn, Massachusetts, as the "Thomas P. Costin, Jr. Post Office Building".

H.R. 6167. An Act to designate the facility of the United States Postal Service located at 5707 South Cass Avenue in Westmont, Illinois, as the "James William Robinson Jr. Memorial Post Office Building".

H.R. 6216. An Act to designate the facility of the United States Postal Service located at 3025 Woodgate Road in Montrose, Colorado, as the "Sergeant David Kinterknecht Post Office".

H.R. 6217. An Act to designate the facility of the United States Postal Service located at 241 N 4th Street in Grand Junction, Colorado, as the "Deputy Sheriff Derek Geer Post Office Building".

H.R. 6227. An Act to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States.

H.R. 6335. An Act to designate the facility of the United States Postal Service located at 322 Main Street in Oakville, Connecticut, as the "Oakville Veterans Memorial Post Office".

H.R. 6347. An Act to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6348. An Act to adjust the real estate appraisal thresholds under the section 504 program to bring them into line with the

thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6400. An Act to require the Secretary of Homeland Security to conduct a threat and operational analysis of ports of entry, and for other purposes.

H.R. 6405. An Act to designate the facility of the United States Postal Service located at 2801 Mitchell Road in Ceres, California, as the "Lance Corporal Juana Navarro Arellano Post Office Building".

H.R. 6428. An Act to designate the facility of the United States Postal Service located at 332 Ramapo Valley Road in Oakland, New Jersey, as the "Frank Leone Post Office".

H.R. 6513. An Act to designate the facility of the United States Postal Service located at 1110 West Market Street in Athens, Alabama, as the "Judge James E. Horton, Jr. Post Office Building".

H.R. 6591. An Act to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the "Napoleon 'Nap' Ford Post Office Building".

H.R. 6615. An Act to reauthorize the Traumatic Brain Injury program.

H.R. 6621. An Act to designate the facility of the United States Postal Service located at 530 East Main Street in Johnson City, Tennessee, as the "Major Homer L. Pease Post Office".

H.R. 6628. An Act to designate the facility of the United States Postal Service located at 4301 Northeast 4th Street in Renton, Washington, as the "James Marshall 'Jimi' Hendrix Post Office Building".

H.R. 6655. An Act to designate the facility of the United States Postal Service located at 44160 State Highway 299 East Suite 1 in McArthur, California, as the "Janet Lucille Oilar Post Office".

H.R. 6780. An Act to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the "Major Andreas O'Keeffe Post Office Building".

H.R. 6831. An Act to designate the facility of the United States Postal Service located at 35 West Main Street in Frisco, Colorado, as the "Patrick E. Mahany, Jr., Post Office Building".

H.R. 6893. An Act to amend the Overtime Pay for Protective Services Act of 2016 to extend the Secret Service overtime pay exception through 2020, and for other purposes.

H.R. 6930. An Act to designate the facility of the United States Postal Service located at 10 Miller Street in Plattsburgh, New York, as the "Ross Bouyea Post Office Building".

H.R. 7120. An Act to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

H.R. 7230. An Act to designate the facility of the United States Postal Service located at 226 West Main Street in Lake City, South Carolina, as the "Postmaster Frazier B. Baker Post Office".

H.R. 7243. An Act to amend Public Law 115-217 to change the address of the postal facility designated by such Public Law in honor of Sergeant First Class Alwyn Crendall Cashe, and for other purposes.

¶167.89 SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 756. An Act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

And then,

¶167.90 ADJOURNMENT

On motion of Mr. ARRINGTON, at 9 o'clock and 15 minutes p.m., the House adjourned.

¶167.91 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 2425. A bill to support the establishment and improvement of communications sites on or adjacent to Federal lands under the jurisdiction of the Secretary of the Interior or the Secretary of Agriculture through the retention and use of rental fees associated with such sites, and for other purposes; with an amendment (Rept. 115-1086, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 3535. A bill to restore Federal recognition to the Ruffey Rancheria of California, and for other purposes; with an amendment (Rept. 115-1087). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6510. A bill to establish, fund, and provide for the use of amounts in a National Park Service and Public Lands Legacy Restoration Fund to address the maintenance backlog of the National Park Service, United States Fish and Wildlife Service, Bureau of Land Management, and Bureau of Indian Education, and for other purposes; with an amendment (Rept. 115-1088, Pt. 1). Ordered to be printed.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6255. A bill to amend title 18, United States Code, to establish measures to combat invasive lionfish, and for other purposes (Rept. 115-1089, Pt. 1). Ordered to be printed.

Mr. COLE: Committee on Rules. House Resolution 1183. Resolution providing for consideration of the Senate amendment to the House amendment to the Senate amendment to the bill (H.R. 695) to amend the National Child Protection Act of 1993 to establish a voluntary national criminal history background check system and criminal history review program for certain individuals who, related to their employment, have access to children, the elderly, or individuals with disabilities, and for other purposes (Rept. 115-1090). Referred to the House Calendar.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 502. A bill to permanently reauthorize the Land and Water Conservation Fund; with an amendment (Rept. 115-1091). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6939. A bill to protect and ensure multiple use and public access to public lands in Wyoming per the request of the respective counties, and for other purposes (Rept. 115-1092). Referred to the Committee of the Whole House on the state of the Union.

Mrs. BROOKS of Indiana: Committee on Ethics. In the Matter of Allegations Relating to Representative Elizabeth Esty (Rept. 115-1093). Referred to the House Calendar.

¶167.92 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 2425. Referral to the Committee on Agriculture extended for a period ending not later than December 28, 2018.

H.R. 6510. Referral to the Committee on Education and the Workforce extended for a period ending not later than December 28, 2018.

¶167.93 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration of H.R. 6510.

¶167.94 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DAVIDSON (for himself and Mr. SOTO):

H.R. 7356. A bill to amend the Securities Act of 1933 and the Securities Exchange Act of 1934 to exclude digital tokens from the definition of a security, to direct the Securities and Exchange Commission to enact certain regulatory changes regarding digital units secured through public key cryptography, to adjust taxation of virtual currencies held in individual retirement accounts, to create a tax exemption for exchanges of one virtual currency for another, to create a de minimis exemption from taxation for gains realized from the sale or exchange of virtual currency for other than cash, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LIPINSKI:

H.R. 7357. A bill to establish within the Department of Transportation an Assistant Secretary of Automated Mobility and to direct such Assistant Secretary to submit to Congress a report on automated vehicles, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Financial Services, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLDING:

H.R. 7358. A bill to amend the Internal Revenue Code of 1986 to provide an alternative exclusion for nonresident citizens of the United States living abroad; to the Committee on Ways and Means.

By Ms. MOORE (for herself, Ms. JACKSON LEE, Ms. CLARKE of New York, and Ms. NORTON):

H.R. 7359. A bill to authorize the use of certain Department of Justice grant funds for voting restoration education, and for other purposes; to the Committee on the Judiciary.

By Ms. JUDY CHU of California:

H.R. 7360. A bill to prohibit the Department of Health and Human Services from operating unlicensed temporary emergency shelters for unaccompanied alien children; to the Committee on the Judiciary.

By Mr. BUDD:

H.R. 7361. A bill to amend the Internal Revenue Code of 1986 to allow exclusion of gain or loss on like-kind exchanges of virtual currency; to the Committee on Ways and Means.

By Mr. MULLIN:

H.R. 7362. A bill to provide full-year appropriations for the Indian Health Service in the event of a partial lapse in appropri-

tions, and for other purposes; to the Committee on Appropriations.

By Mr. GOHMERT:

H.R. 7363. A bill to amend the Communications Act of 1934 to provide that an owner or operator of a social media service that hinders the display of user-generated content shall be treated as a publisher or speaker of such content, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BARR:

H.R. 7364. A bill to amend the Consumer Financial Protection Act of 2010 to extend the supervisory authority of the Bureau of Consumer Financial Protection to include assessing compliance with the Military Lending Act; to the Committee on Financial Services, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FLORES (for himself, Mr. LONG, and Mr. GUTHRIE):

H.R. 7365. A bill to require the Federal Communications Commission to approve or deny a license transfer application within 180 days of submission, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ISSA:

H.R. 7366. A bill to reform and improve procedures for amending patents subject to post-issuance review proceedings of the United States Patent and Trademark Office, and for other purposes; to the Committee on the Judiciary.

By Mr. BEYER (for himself and Mr. REICHERT):

H.R. 7367. A bill to designate a peak in the State of Washington as "Mount Cleator"; to the Committee on Natural Resources.

By Mr. BEYER (for himself, Mr. WITTMAN, Mr. GARAMENDI, Mr. SERRANO, Ms. NORTON, Mr. KILMER, Mr. PERLMUTTER, Mr. CONNOLLY, Mr. CICILLINE, Ms. CLARK of Massachusetts, Mr. TAKANO, Mr. RASKIN, Mr. LYNCH, Mr. MEEKS, Mr. COOPER, Ms. SCHAKOWSKY, Mr. VELA, Mr. PALONE, Mrs. DEMINGS, Mr. POCAN, Mr. CUMMINGS, Mr. SCOTT of Virginia, Ms. PINGREE, Mrs. CAROLYN B. MALONEY of New York, Mr. BEN RAY LUJÁN of New Mexico, Ms. CLARKE of New York, Mr. MCEACHIN, Mr. HASTINGS, Mr. MICHAEL F. DOYLE of Pennsylvania, Ms. MOORE, Mr. BROWN of Maryland, Mrs. COMSTOCK, Mr. VISCLOSKEY, Mr. LAWSON of Florida, Mr. COLE, Mrs. BUSTOS, Ms. ESHOO, Mr. COURTNEY, Ms. STEFANIK, Mr. VARGAS, Ms. DELAUNO, Mrs. WATSON COLEMAN, Mr. PRICE of North Carolina, Ms. SHEA-PORTER, Ms. LOFGREN, Ms. ROYBAL-ALLARD, Mr. HOYER, Mr. SARBANES, Mr. SIREN, Mr. LOWENTHAL, Mr. PANETTA, Mr. DELANEY, Ms. JACKSON LEE, Ms. WILSON of Florida, Mr. CARSON of Indiana, Mr. FITZPATRICK, Mr. VEASEY, Ms. BLUNT ROCHESTER, Ms. BARRAGAN, Ms. MCCOLLUM, Mr. COHEN, Mr. COSTA, Mr. RUPPERSBERGER, Mr. FOSTER, Mr. JONES of North Carolina, Mr. LANGEVIN, Mr. BRENDAN F. BOYLE of Pennsylvania, Mr. DEFazio, Ms. MENG, Mr. CARBAJAL, Mr. SMITH of Washington, and Ms. PLASKETT):

H.R. 7368. A bill to provide for the compensation of Federal employees furloughed during a Government shutdown; to the Committee on Oversight and Government Reform.

By Mr. BILIRAKIS (for himself and Mr. RUIZ):

H.R. 7369. A bill to amend title XVIII of the Social Security Act to require the Secretary

of Health and Human Services to provide the Attorney General certain notifications in certain determinations made by the Secretary of improper prescribing of controlled substances, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRIST (for himself and Mr. GRAVES of Louisiana):

H.R. 7370. A bill to direct the Attorney General to convene an interagency working group to study the enforcement of section 227(b) of the Communications Act of 1934; to the Committee on Energy and Commerce.

By Mr. CRIST:

H.R. 7371. A bill to provide that the Social Security Administration pay fees associated with obtaining a birth certificate or State identification card for purposes of obtaining a replacement social security card for certain victims of domestic violence, and for other purposes; to the Committee on Ways and Means.

By Ms. DELAUNO:

H.R. 7372. A bill to prevent the changing of regulations governing the provision of waivers under the Supplemental Nutrition Assistance Program, and for other purposes; to the Committee on Agriculture.

By Mr. HOLDING:

H.R. 7373. A bill to amend the Internal Revenue Code of 1986 to provide an exemption from FIRPTA for interests held by certain foreign insurance companies; to the Committee on Ways and Means.

By Ms. JONES of Michigan (for herself and Mrs. LAWRENCE):

H.R. 7374. A bill to provide consequences to States that reduce their State minimum wage and to redirects Federal funding to those States to the neediest localities; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JONES of Michigan (for herself and Mrs. LAWRENCE):

H.R. 7375. A bill to eliminate certain tax breaks and benefits and use the savings for investment in affordable housing for extremely low- and very low-income families, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Natural Resources, Financial Services, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KILMER (for himself and Ms. BONAMICI):

H.R. 7376. A bill to amend the Higher Education Act of 1965 to establish a work-based learning opportunities pilot grant program; to the Committee on Education and the Workforce.

By Mr. LARSEN of Washington:

H.R. 7377. A bill to amend the Internal Revenue Code of 1986 to exempt survivor benefit annuity plan payments from the individual alternative minimum tax; to the Committee on Ways and Means.

By Mr. LUETKEMEYER (for himself, Mr. LAMALFA, Mr. LONG, Mr. NORMAN, Mr. KELLY of Mississippi, Mr. SMITH of Missouri, and Mrs. WAGNER):

H.R. 7378. A bill to require a guidance clarity statement on certain agency documents; to the Committee on Oversight and Government Reform.

By Mr. MEADOWS:

H.R. 7379. A bill to prioritize the purchase of agricultural commodities from domestically owned enterprises, and for other purposes; to the Committee on Agriculture.

By Mr. MEADOWS:

H.R. 7380. A bill to provide for an online repository for certain reporting requirements for recipients of Federal disaster assistance, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Small Business, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PERRY:

H.R. 7381. A bill to amend title 18, United States Code, to provide that traveling interstate or causing another to travel interstate for the purpose of female genital mutilation is prohibited, and for other purposes; to the Committee on the Judiciary.

By Mr. ROYCE of California (for himself and Ms. VELÁZQUEZ):

H.R. 7382. A bill to regulate lobbying by Fannie Mae and Freddie Mac, and for other purposes; to the Committee on Financial Services.

By Mr. SHERMAN:

H.R. 7383. A bill to break up large financial entities; to the Committee on Financial Services.

By Mr. SHERMAN (for himself, Mr. YOHIO, Mr. CONNOLLY, Mrs. WAGNER, and Mr. MCGOVERN):

H.R. 7384. A bill to counter the mass arbitrary detention of Turkic Muslims, including Uighurs, within the Xinjiang Uighur Autonomous Region of the People's Republic of China, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. TITUS (for herself and Ms. PLASKETT):

H.R. 7385. A bill to direct the President to establish pilot programs to provide long-term rental housing assistance and case management services after certain major disasters, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WALBERG (for himself and Ms. DELBENE):

H.R. 7386. A bill to amend the Internal Revenue Code of 1986 and the Higher Education Act of 1965 to facilitate the disclosure of tax return information to carry out the Higher Education Act of 1965, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WALDEN:

H.R. 7387. A bill to adjust the eastern boundary of the Deschutes Canyon-Steelhead Falls and Deschutes Canyon Wilderness Study Areas in the State of Oregon to facilitate fire prevention and response activities to protect private property, and for other purposes; to the Committee on Natural Resources.

By Mr. BURGESS:

H. Con. Res. 146. Concurrent resolution expressing the sense of Congress on the need to inform American consumers with more balanced purchasing information for prescription drugs through the disclosure of price information in direct-to-consumer (DTC) advertisements; to the Committee on Energy

and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DESAULNIER:

H. Con. Res. 147. Concurrent resolution calling for an update to certain Occupational Safety and Health Regulations and certain Environmental Protection Agency programs relating to highly hazardous chemicals; to the Committee on Education and the Workforce, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PAULSEN:

H. Res. 1184. A resolution expressing the sense of the House of Representatives that the 15th anniversary of the creation of Health Savings Accounts should be remembered as a turning point in the history of health care in the United States; to the Committee on Ways and Means.

¶167.95 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 173: Mr. MORELLE.
H.R. 914: Mr. MORELLE.
H.R. 930: Mr. WEBER of Texas.
H.R. 1291: Mr. KEATING and Ms. WILD.
H.R. 1615: Mr. MORELLE.
H.R. 1739: Mr. MORELLE.
H.R. 1869: Mr. MORELLE.
H.R. 1957: Mr. MORELLE.
H.R. 2151: Mr. MORELLE.
H.R. 2242: Ms. CLARKE of New York.
H.R. 2475: Mr. COURTNEY and Mr. KRISHNAMOORTHY.
H.R. 2906: Mr. HUFFMAN.
H.R. 2978: Mr. MORELLE.
H.R. 3222: Mr. MORELLE.
H.R. 3602: Mr. MORELLE.
H.R. 3653: Mr. MEEKS.
H.R. 3918: Mr. FASO.
H.R. 3923: Ms. SCANLON.
H.R. 4040: Mr. CARBAJAL.
H.R. 4206: Mr. BERA.
H.R. 4271: Mr. RUPPERSBERGER.
H.R. 4297: Mr. GIANFORTE, Mr. SMUCKER, and Mr. GARAMENDI.
H.R. 4384: Mr. SEAN PATRICK MALONEY of New York.
H.R. 4647: Mr. PERLMUTTER and Mr. OLSON.
H.R. 4732: Ms. JUDY CHU of California, Mr. VARGAS, Mrs. HARTZLER, and Ms. ESHOO.
H.R. 4815: Mr. MCGOVERN and Ms. LOFGREN.
H.R. 4843: Mr. THOMPSON of California.
H.R. 5011: Mr. PERLMUTTER and Ms. BONAMICI.
H.R. 5340: Mr. BIGGS.
H.R. 5499: Mr. LANGEVIN, Mr. GOTTHEIMER, Mr. KHANNA, Mr. GRIJALVA, Mr. DESAULNIER, Mr. ENGEL, Mr. CORREA, and Mr. HIMES.
H.R. 5658: Mr. WALBERG.
H.R. 6016: Mr. JOYCE of Ohio.
H.R. 6060: Mr. LEWIS of Georgia, Ms. BROWNLEY of California, and Mr. CARBAJAL.
H.R. 6080: Ms. WILD.
H.R. 6093: Mr. DESAULNIER.
H.R. 6230: Mr. PANETTA.
H.R. 6505: Mr. SIRES and Ms. CASTOR of Florida.
H.R. 6510: Ms. BARRAGÁN.
H.R. 6543: Ms. BROWNLEY of California.
H.R. 6759: Ms. BARRAGÁN.
H.R. 6864: Mr. SOTO.
H.R. 7082: Mr. DANNY K. DAVIS of Illinois.
H.R. 7128: Mr. GROTHMAN.
H.R. 7129: Mr. JOHNSON of Georgia.
H.R. 7165: Ms. LOFGREN.
H.R. 7212: Mr. CÁRDENAS, Mr. DESAULNIER, Miss GONZÁLEZ-COLÓN of Puerto Rico, Ms. WILSON of Florida, and Mr. MARSHALL.

H.R. 7225: Mr. EMMER.
H.R. 7249: Mr. MARSHALL.
H.R. 7273: Mr. ZELDIN.
H.R. 7275: Mr. CORREA.
H.R. 7277: Ms. SPEIER.
H.R. 7293: Mr. COURTNEY.
H.R. 7304: Mr. JODY B. HICE of Georgia and Mr. ZELDIN.
H.R. 7320: Mr. CICILLINE, Mr. KENNEDY, Mr. LYNCH, and Mr. MOULTON.
H.R. 7325: Mr. POSEY and Mr. ZELDIN.
H.R. 7350: Mr. YOHO and Mr. DOGGETT.
H.J. Res. 145: Mr. DESAULNIER.
H. Con. Res. 145: Mr. DELANEY.
H. Res. 69: Ms. MAXINE WATERS of California.
H. Res. 1031: Mr. LYNCH, Ms. JAYAPAL, Mr. LAWSON of Florida, and Mr. CUELLAR.
H. Res. 1067: Mr. DELANEY.

FRIDAY, DECEMBER 21, 2018 (168)

The House was called to order by the SPEAKER.

¶168.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Thursday, December 20, 2018.

Mr. MAST, pursuant to clause 1 of rule I, demanded a vote on agreeing to the Chair's approval of the Journal.

The question being put, viva voce, Will the House agree to the Chair's approval of said Journal?

The SPEAKER announced that the ayes had it.

Mr. MAST objected to the vote on the ground that a quorum was not present and not voting.

The SPEAKER, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

The point of no quorum was considered as withdrawn.

¶168.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7237. A letter from the Assistant Secretary of Defense, Special Operations/Low Intensity Conflict, Department of Defense, transmitting the FY 2018 annual Regional Defense Combating Terrorism Fellowship Program Report to Congress, pursuant to title 10, U.S.C. 345; to the Committee on Armed Services.

7238. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a determination regarding countries of particular concern for having engaged in or tolerated particularly severe violations of religious freedom, pursuant to 22 U.S.C. 6442(c)(5); Public Law 105-292, Sec. 402(c)(5) (as amended by Public Law 106-55, Sec. 2(a)); (113 Stat. 405); to the Committee on Foreign Affairs.

7239. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting notification of a change to the membership of the Accountability Review Board to examine the circumstances surrounding a January 2017 shooting of a U.S. government employee in Guadalajara, Mexico, pursuant to 22 U.S.C. 4831(c); Public Law 99-399, Sec. 301(c) (as amended by Public Law 109-140, Sec. 3); (119 Stat. 2650); to the Committee on Foreign Affairs.

7240. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting a notification pursuant

to the reporting requirements of Section 3(d) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

7241. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-093, pursuant to Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

7242. A letter from the Federal Co-Chair, Appalachian Regional Commission, transmitting the Administration's Semiannual Report to Congress of the Office of Inspector General, covering the period from April 1, 2018, through September 30, 2018, pursuant to Public Law 95-452, of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

7243. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's Fiscal Year 2018 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7244. A letter from the Director, Congressional Affairs, Federal Election Commission, transmitting the Commission's Semiannual Report to Congress of the Office of Inspector General, covering the period from April 1, 2018, through September 30, 2018, pursuant to Public Law 95-452, of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

7245. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting Notice of Realty Action: Non-Competitive (Direct Sale) and conveyance of Public Land and Mineral Interests of Public Land in Maricopa and Pinal Counties, Arizona, pursuant to 43 U.S.C. 1713(c); Public Law 94-579, Sec. 203(c); (90 Stat. 2750); to the Committee on Natural Resources.

7246. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No.: 170320292-7580-02] (RIN: 0648-XF311) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7247. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Groundfish Fishery; Framework Adjustment 56 [Docket No.: 170104014-7683-02] (RIN: 0648-BG53) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7248. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Sea Scallop Fishery; State Waters Exemption [Docket No.: 170301213-7869-02] (RIN: 0648-BG70) received December 13, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Natural Resources.

7249. A letter from the Ombudsman for Energy Employees, Occupational Compensation Program, Department of Labor, transmitting the 2017 Annual Report of the Ombudsman for the Energy Employees Occupational Ill-

ness Compensation Program, pursuant to 42 U.S.C. 7385s-15(e)(1); Public Law 106-398, Sec. 1 (as amended by Public Law 108-375, Sec. 3161); (118 Stat. 2185); to the Committee on the Judiciary.

7250. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2018-0642; Product Identifier 2018-NM-087-AD; Amendment 39-19507; AD 2018-24-03] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7251. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; General Electric Company Turbofan Engines [Docket No.: FAA-2018-0633; Product Identifier 2018-NE-22-AD; Amendment 39-19470; AD 2018-21-12] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7252. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International S.A. Turbofan Engines [Docket No.: FAA-2018-0869; Product Identifier 2018-NE-32-AD; Amendment 39-19435; AD 2018-20-01] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7253. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Leonardo S.p.A. (Type Certificate Previously Held by Finmeccanica S.p.A., AugustaWestland S.p.A.) Helicopters [Docket No.: FAA-2017-1081; Product Identifier 2017-SW-090-AD; Amendment 39-19510; AD 2018-24-06] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7254. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0512; Product Identifier 2017-NM-170-AD; Amendment 39-19513; AD 2018-25-02] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

¶168.3 LINCOLN ROOM

Mr. MAST moved to suspend the rules and agree to the following resolution (H. Res. 1063):

Whereas Abraham Lincoln was elected to the House of Representatives in 1846 to represent the 7th Congressional District of Illinois in the Thirtieth Congress from March 1847 to March 1849;

Whereas Abraham Lincoln served the people for 15 years as a State Legislator, Member of Congress, and President of the United States;

Whereas Abraham Lincoln was a member of the Illinois General Assembly for four terms and was respected as an effective leader of his party and a popular campaigner;

Whereas during Congressman Lincoln's tenure, the room now designated as room H-226 of the United States Capitol was used as

the post office of the House, where he spent almost every morning exchanging stories near the fireplace;

Whereas the old post office space was just steps away from Congressman Lincoln's desk, where he worked and voted and is now marked by a gold plaque on the floor of Statuary Hall;

Whereas Congressman Lincoln was known to be the champion story-teller of the Capitol, having an endless repertoire of tales;

Whereas Abraham Lincoln was one of America's greatest presidents, whose life was a story of adversity, perseverance, and leadership; and

Whereas when the United States was at its darkest hour, Abraham Lincoln fought to end slavery and brought the country back together: Now, therefore, be it

Resolved, That room H-226 of the United States Capitol is designated as the "Lincoln Room".

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. MAST and Ms. TITUS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.4 PUBLIC BUILDINGS REFORM BOARD TIME REQUIREMENTS

Mr. MAST moved to suspend the rules and pass the bill (H.R. 7318) to amend the Federal Assets Sale and Transfer Act of 2016 to ensure that the Public Buildings Reform Board has adequate time to carry out the responsibilities of the Board, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. MAST and Ms. TITUS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.5 LEASEBACK FLEXIBILITY

Mr. MAST moved to suspend the rules and pass the bill (H.R. 7319) to amend the Federal Assets Sale and Transfer Act of 2016 to provide flexi-

bility with respect to the leaseback of certain Federal real property, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. MAST and Ms. TITUS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.6 FRANK LOBIONDO COAST GUARD AUTHORIZATION TECHNICAL CORRECTIONS

Mr. MAST moved to suspend the rules and pass the bill (H.R. 7329) to make technical corrections to provisions of law enacted by the Frank LoBiondo Coast Guard Authorization Act of 2018, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. MAST and Ms. TITUS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.7 DEPARTMENT OF TRANSPORTATION REPORTS HARMONIZATION

Mr. MAST moved to suspend the rules and pass the bill of the Senate (S. 3367) to amend certain transportation-related reporting requirements to improve congressional oversight, reduce reporting burdens, and promote transparency, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. MAST and Ms. TITUS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which

demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.8 LOUISE AND BOB SLAUGHTER POST OFFICE

Mr. WALKER moved to suspend the rules and pass the bill (H.R. 7293) to designate the facility of the United States Postal Service located at 770 Ayrault Road in Fairport, New York, as the "Louise and Bob Slaughter Post Office".

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. WALKER and Mr. RASKIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.9 AMENDMENT OF THE SENATE TO H.R. 4174

Mr. MAST moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 4174) to amend titles 5 and 44, United States Code, to require Federal evaluation activities, improve Federal data management, and for other purposes:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Foundations for Evidence-Based Policymaking Act of 2018".

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—FEDERAL EVIDENCE-BUILDING ACTIVITIES

Sec. 101. Federal evidence-building activities.

TITLE II—OPEN GOVERNMENT DATA ACT

Sec. 201. Short title.

Sec. 202. OPEN Government data.

TITLE III—CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFICIENCY

Sec. 301. Short title.

Sec. 302. Confidential information protection and statistical efficiency.

Sec. 303. Increasing access to data for evidence.

TITLE IV—GENERAL PROVISIONS

Sec. 401. Rule of construction.

Sec. 402. Use of existing resources.

Sec. 403. Effective date.

TITLE I—FEDERAL EVIDENCE-BUILDING ACTIVITIES

SEC. 101. FEDERAL EVIDENCE-BUILDING ACTIVITIES.

(a) *IN GENERAL.*—Chapter 3 of part I of title 5, United States Code, is amended—

(1) by inserting before section 301 the following:

"SUBCHAPTER I—GENERAL PROVISIONS";

AND

(2) by adding at the end the following:

"SUBCHAPTER II—FEDERAL EVIDENCE-BUILDING ACTIVITIES

"§311. Definitions

"In this subchapter:

"(1) *AGENCY.*—The term 'agency' has the meaning given the term 'Executive agency' under section 105.

"(2) *DIRECTOR.*—The term 'Director' means the Director of the Office of Management and Budget.

"(3) *EVALUATION.*—The term 'evaluation' means an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency.

"(4) *EVIDENCE.*—The term 'evidence' has the meaning given that term in section 3561 of title 44.

"(5) *STATE.*—The term 'State' means each of the several States, the District of Columbia, each territory or possession of the United States, and each federally recognized governing body of any Indian Tribe, band, nation, pueblo, or other organized group or community which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians.

"(6) *STATISTICAL ACTIVITIES; STATISTICAL AGENCY OR UNIT; STATISTICAL PURPOSE.*—The terms 'statistical activities', 'statistical agency or unit', and 'statistical purpose' have the meanings given those terms in section 3561 of title 44.

"§312. Agency evidence-building plan

"(a) *REQUIREMENT.*—The head of each agency shall include in the strategic plan required under section 306 a systematic plan for identifying and addressing policy questions relevant to the programs, policies, and regulations of the agency. Such plan shall contain the following:

"(1) A list of policy-relevant questions for which the agency intends to develop evidence to support policymaking.

"(2) A list of data the agency intends to collect, use, or acquire to facilitate the use of evidence in policymaking.

"(3) A list of methods and analytical approaches that may be used to develop evidence to support policymaking.

"(4) A list of any challenges to developing evidence to support policymaking, including any statutory or other restrictions to accessing relevant data.

"(5) A description of the steps the agency will take to accomplish paragraphs (1) and (2).

"(6) Any other information as required by guidance issued by the Director.

"(b) *EVALUATION PLAN.*—The head of each agency shall issue in conjunction with the performance plan required under section 115(b) of title 31, an evaluation plan describing activities the agency plans to conduct pursuant to subsection (a) of this section during the fiscal year following the year in which the performance plan is submitted. Such plan shall—

"(1) describe key questions for each significant evaluation study that the agency plans to begin in the next fiscal year;

"(2) describe key information collections or acquisitions the agency plans to begin in the next fiscal year; and

"(3) any other information included in guidance issued by the Director under subsection (a)(6).

"(c) *CONSULTATION.*—In developing the plan required under subsection (a), the head of an agency shall consult with stakeholders, including the public, agencies, State and local governments, and representatives of non-governmental researchers.

"§313. Evaluation Officers

"(a) *ESTABLISHMENT.*—The head of each agency shall designate a senior employee of the agency as the Evaluation Officer of the agency.

"(b) *QUALIFICATIONS.*—The Evaluation Officer of an agency shall be appointed or designated without regard to political affiliation and based on demonstrated expertise in evaluation methodology and practices and appropriate expertise to the disciplines of the agency.

"(c) *COORDINATION.*—The Evaluation Officer of an agency shall, to the extent practicable, coordinate activities with agency officials necessary to carry out the functions required under subsection (d).

"(d) *FUNCTIONS.*—The Evaluation Officer of each agency shall—

"(1) continually assess the coverage, quality, methods, consistency, effectiveness, independence, and balance of the portfolio of evaluations, policy research, and ongoing evaluation activities of the agency;

"(2) assess agency capacity to support the development and use of evaluation;

"(3) establish and implement an agency evaluation policy; and

"(4) coordinate, develop, and implement the plans required under section 312.

"§314. Statistical expertise

"(a) *IN GENERAL.*—The head of each agency shall designate the head of any statistical agency or unit within the agency, or in the case of an agency that does not have a statistical agency or unit, any senior agency official with appropriate expertise, as a statistical official to advise on statistical policy, techniques, and procedures. Agency officials engaged in statistical activities may consult with any such statistical official as necessary.

"(b) *MEMBERSHIP ON INTERAGENCY COUNCIL ON STATISTICAL POLICY.*—Each statistical official designated under subsection (a) shall serve as a member of the Interagency Council on Statistical Policy established under section 3504(e)(8) of title 44.

"§315. Advisory Committee on Data for Evidence Building

"(a) *ESTABLISHMENT.*—The Director, or the head of an agency designated by the Director, shall establish an Advisory Committee on Data for Evidence Building (in this section referred to as the 'Advisory Committee') to review, analyze, and make recommendations on how to promote the use of Federal data for evidence building.

"(b) *MEMBERSHIP.*—The members of the Advisory Committee shall consist of the Chief Statistician of the United States, who shall serve as the Chair of the Advisory Committee, and other members appointed by the Director as follows:

"(1) One member who is an agency Chief Information Officer.

"(2) One member who is an agency Chief Privacy Officer.

"(3) One member who is an agency Chief Performance Officer.

"(4) Three members who are agency Chief Data Officers.

"(5) Three members who are agency Evaluation Officers.

"(6) Three members who are members of the Interagency Council for Statistical Policy established under section 3504(e)(8) of title 44.

"(7) At least 10 members who are representatives of State and local governments and non-governmental stakeholders with expertise in government data policy, privacy, technology, transparency policy, evaluation and research methodologies, and other relevant subjects, of whom—

"(A) at least one shall have expertise in transparency policy;

"(B) at least one shall have expertise in privacy policy;

"(C) at least one shall have expertise in statistical data use;

"(D) at least one shall have expertise in information management;

"(E) at least one shall have expertise in information technology; and

"(F) at least one shall be from the research and evaluation community.

"(c) *TERM OF SERVICE.*—

“(1) IN GENERAL.—Each member of the Advisory Committee shall serve for a term of 2 years.

“(2) VACANCY.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member’s predecessor was appointed shall be appointed only for the remainder of that term. A vacancy in the Commission shall be filled in the manner in which the original appointment was made.

“(d) COMPENSATION.—Members of the Advisory Committee shall serve without compensation.

“(e) DUTIES.—The Advisory Committee shall—

“(1) assist the Director in carrying out the duties of the Director under part D of subchapter III of chapter 35 of title 44;

“(2) evaluate and provide recommendations to the Director on how to facilitate data sharing, enable data linkage, and develop privacy enhancing techniques; and

“(3) review the coordination of data sharing or availability for evidence building across all agencies.

“(f) REPORTS.—The Advisory Committee shall submit to the Director and make publicly available an annual report on the activities and findings of the Advisory Committee.

“(g) TERMINATION.—The Advisory Committee shall terminate not later than two years after the date of the first meeting.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The table of sections for chapter 3 of part I of title 5, United States Code, is amended—

(1) by inserting before the item relating to section 301 the following:

“SUBCHAPTER I—GENERAL PROVISIONS”; AND

(2) by adding at the end the following:

“SUBCHAPTER II—FEDERAL EVIDENCE-BUILDING ACTIVITIES

“311. Definitions.

“312. Agency evidence-building plan.

“313. Evaluation Officers.

“314. Statistical expertise.

“315. Advisory Committee on Data for Evidence Building.”

(c) AGENCY STRATEGIC PLANS.—Section 306(a) of title 5, United States Code, is amended—

(1) in paragraph (7), by striking “; and” at the end and inserting a semicolon;

(2) in paragraph (8), by—

(A) striking the period at the end; and

(B) inserting after “to be conducted” the following: “, and citations to relevant provisions of the plans required under section 312; and”; and

(3) by adding at the end the following:

“(9) an assessment of the coverage, quality, methods, effectiveness, and independence of the statistics, evaluation, research, and analysis efforts of the agency, including—

“(A) a list of the activities and operations of the agency that are currently being evaluated and analyzed;

“(B) the extent to which the evaluations, research, and analysis efforts and related activities of the agency support the needs of various divisions within the agency;

“(C) the extent to which the evaluation research and analysis efforts and related activities of the agency address an appropriate balance between needs related to organizational learning, ongoing program management, performance management, strategic management, inter-agency and private sector coordination, internal and external oversight, and accountability;

“(D) the extent to which the agency uses methods and combinations of methods that are appropriate to agency divisions and the corresponding research questions being addressed, including an appropriate combination of formative and summative evaluation research and analysis approaches;

“(E) the extent to which evaluation and research capacity is present within the agency to include personnel and agency processes for planning and implementing evaluation activities, disseminating best practices and findings, and incorporating employee views and feedback; and

“(F) the extent to which the agency has the capacity to assist agency staff and program offices to develop the capacity to use evaluation research and analysis approaches and data in the day-to-day operations.”

(d) GAO REPORT.—Not later than 2 years after the date on which each strategic plan required under section 306(a) of title 5, United States Code, is published, the Comptroller General of the United States shall submit to Congress a report that—

(1) summarizes agency findings and highlights trends in the assessment conducted pursuant to subsection (a)(9) of section 306 of title 5, United States Code, as added by subsection (c); and

(2) if appropriate, recommends actions to further improve agency capacity to use evaluation techniques and data to support evaluation efforts.

(e) EVALUATION AND PERSONNEL STANDARDS.—

(1) REQUIREMENT.—Not later than 1 year after the date of enactment of this Act, the Director of the Office of Management and Budget, in consultation with any interagency council relating to evaluation, shall—

(A) issue guidance for program evaluation for agencies consistent with widely accepted standards for evaluation; and

(B) identify best practices for evaluation that would improve Federal program evaluation.

(2) GUIDANCE.—Not later than 90 days after the date on which the guidance under paragraph (1) is issued, the head of each agency shall oversee the implementation of such guidance.

(3) OPM GUIDANCE.—Not later than 180 days after the date on which the guidance under paragraph (1) is issued, the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall—

(A) identify key skills and competencies needed for program evaluation in an agency;

(B) establish a new occupational series, or update and improve an existing occupational series, for program evaluation within an agency; and

(C) establish a new career path for program evaluation within an agency.

(4) DEFINITIONS.—In this Act:

(A) AGENCY.—Except as otherwise provided, the term “agency” has the meaning given the term “Executive agency” under section 105.

(B) EVALUATION.—The term “evaluation” has the meaning given that term in section 311 of title 5, United States Code, as added by subsection (a).

TITLE II—OPEN GOVERNMENT DATA ACT

SEC. 201. SHORT TITLE.

This title may be cited as the “Open, Public, Electronic, and Necessary Government Data Act” or the “OPEN Government Data Act”.

SEC. 202. OPEN GOVERNMENT DATA.

(a) DEFINITIONS.—Section 3502 of title 44, United States Code, is amended—

(1) in paragraph (13), by striking “; and” at the end and inserting a semicolon;

(2) in paragraph (14), by striking the period at the end and inserting a semicolon; and

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

“(15) the term ‘comprehensive data inventory’ means the inventory created under section 3511(a), but does not include any underlying data asset listed on the inventory;

“(16) the term ‘data’ means recorded information, regardless of form or the media on which the data is recorded;

“(17) the term ‘data asset’ means a collection of data elements or data sets that may be grouped together;

“(18) the term ‘machine-readable’, when used with respect to data, means data in a format that can be easily processed by a computer without human intervention while ensuring no semantic meaning is lost;

“(19) the term ‘metadata’ means structural or descriptive information about data such as con-

tent, format, source, rights, accuracy, provenance, frequency, periodicity, granularity, publisher or responsible party, contact information, method of collection, and other descriptions;

“(20) the term ‘open Government data asset’ means a public data asset that is—

“(A) machine-readable;

“(B) available (or could be made available) in an open format;

“(C) not encumbered by restrictions, other than intellectual property rights, including under titles 17 and 35, that would impede the use or reuse of such asset; and

“(D) based on an underlying open standard that is maintained by a standards organization;

“(21) the term ‘open license’ means a legal guarantee that a data asset is made available—

“(A) at no cost to the public; and

“(B) with no restrictions on copying, publishing, distributing, transmitting, citing, or adapting such asset;

“(22) the term ‘public data asset’ means a data asset, or part thereof, maintained by the Federal Government that has been, or may be, released to the public, including any data asset, or part thereof, subject to disclosure under section 552 of title 5; and

“(23) the term ‘statistical laws’ means subchapter III of this chapter and other laws pertaining to the protection of information collected for statistical purposes as designated by the Director.”

(b) GUIDANCE TO MAKE DATA OPEN BY DEFAULT.—Section 3504(b) of title 44, United States Code, is amended—

(1) in paragraph (4), by striking “; and” and inserting a semicolon;

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

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

“(6) issue guidance for agencies to implement section 3506(b)(6) in a manner that takes into account—

“(A) risks and restrictions related to the disclosure of personally identifiable information, including the risk that an individual data asset in isolation does not pose a privacy or confidentiality risk but when combined with other available information may pose such a risk;

“(B) security considerations, including the risk that information in an individual data asset in isolation does not pose a security risk but when combined with other available information may pose such a risk;

“(C) the cost and benefits to the public of converting a data asset into a machine-readable format that is accessible and useful to the public;

“(D) whether the application of the requirements described in such section to a data asset could result in legal liability;

“(E) a determination of whether a data asset—

“(i) is subject to intellectual property rights, including rights under titles 17 and 35;

“(ii) contains confidential business information, that could be withheld under section 552(b)(4) of title 5; or

“(iii) is otherwise restricted by contract or other binding, written agreement;

“(F) the requirement that a data asset be disclosed, if it would otherwise be made available under section 552 of title 5 (commonly known as the ‘Freedom of Information Act’); and

“(G) any other considerations that the Director determines to be relevant.”

(c) FEDERAL AGENCY RESPONSIBILITIES TO MAKE DATA OPEN BY DEFAULT.—

(1) AMENDMENTS.—Section 3506 of title 44, United States Code, is amended—

(A) in subsection (b)—

(i) by amending paragraph (2) to read as follows:

“(2) in accordance with guidance by the Director, develop and maintain a strategic information resources management plan that, to the extent practicable—

“(A) describes how information resources management activities help accomplish agency missions;

“(B) includes an open data plan that—
“(i) requires the agency to develop processes and procedures that—

“(I) require data collection mechanisms created on or after the date of the enactment of the OPEN Government Data Act to be available in an open format; and

“(II) facilitate collaboration with non-Government entities (including businesses), researchers, and the public for the purpose of understanding how data users value and use government data;

“(ii) identifies and implements methods for collecting and analyzing digital information on data asset usage by users within and outside of the agency, including designating a point of contact within the agency to assist the public and to respond to quality issues, usability issues, recommendations for improvements, and complaints about adherence to open data requirements within a reasonable period of time;

“(iii) develops and implements a process to evaluate and improve the timeliness, completeness, consistency, accuracy, usefulness, and availability of open Government data assets;

“(iv) includes requirements for meeting the goals of the agency open data plan, including the acquisition of technology, provision of training for employees, and the implementation of procurement standards, in accordance with existing law, regulation, and policy, that allow for the acquisition of innovative solutions from public and private sectors;

“(v) identifies as priority data assets any data asset for which disclosure would be in the public interest and establishes a plan to evaluate each priority data asset for disclosure on the Federal Data Catalogue under section 3511 and for a determination under 3511(a)(2)(A)(iii)(I)(bb), including an accounting of which priority data assets have not yet been evaluated; and

“(vi) requires the agency to comply with requirements under section 3511, including any standards established by the Director under such section, when disclosing a data asset pursuant to such section; and

“(C) is updated annually and made publicly available on the website of the agency not later than 5 days after each such update;”;

(ii) in paragraph (4), by striking “; and” and inserting a semicolon;

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

(iv) by adding at the end the following new paragraph:

“(6) in accordance with guidance by the Director—

“(A) make each data asset of the agency available in an open format; and

“(B) make each public data asset of the agency available—

“(i) as an open Government data asset; and

“(ii) under an open license.”; and

(B) in subsection (d)—

(i) in paragraph (3), by striking “and” at the end;

(ii) in paragraph (4), by striking the period at the end and inserting a semicolon; and

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

“(5) ensure that any public data asset of the agency is machine-readable; and

“(6) engage the public in using public data assets of the agency and encourage collaboration by—

“(A) publishing on the website of the agency, on a regular basis (not less than annually), information on the usage of such assets by non-Government users;

“(B) providing the public with the opportunity to request specific data assets to be prioritized for disclosure and to provide suggestions for the development of agency criteria with respect to prioritizing data assets for disclosure;

“(C) assisting the public in expanding the use of public data assets; and

“(D) hosting challenges, competitions, events, or other initiatives designed to create additional value from public data assets of the agency.”.

(2) **USE OF OPEN DATA ASSETS.**—Not later than 1 year after the date of the enactment of this Act, the head of each agency (as defined in section 3502 of title 44, United States Code) shall ensure that any activity by the agency meets the requirements of section 3506 of title 44, United States Code, as amended by this subsection.

(3) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect on the date that is 1 year after the date of the enactment of this Act.

(4) **DATA INVENTORY AND FEDERAL DATA CATALOGUE.**—

(1) **AMENDMENT.**—Section 3511 of title 44, United States Code, is amended to read as follows:

“**§3511. Data inventory and Federal data catalogue**

“(a) **COMPREHENSIVE DATA INVENTORY.**—

“(1) **IN GENERAL.**—In consultation with the Director and in accordance with the guidance established under paragraph (2), the head of each agency shall, to the maximum extent practicable, develop and maintain a comprehensive data inventory that accounts for all data assets created by, collected by, under the control or direction of, or maintained by the agency. The head of each agency shall ensure that such inventory provides a clear and comprehensive understanding of the data assets in the possession of the agency.

“(2) **GUIDANCE.**—The Director shall establish guidance for agencies to develop and maintain comprehensive data inventories under paragraph (1). Such guidance shall include the following:

“(A) A requirement for the head of an agency to include in the comprehensive data inventory metadata on each data asset of the agency, including, to the maximum extent practicable, the following:

“(i) A description of the data asset, including all variable names and definitions.

“(ii) The name or title of the data asset.

“(iii) An indication of whether or not the agency—

“(I) has determined or can determine if the data asset is—

“(aa) an open Government data asset;

“(bb) subject to disclosure or partial disclosure or exempt from disclosure under section 552 of title 5;

“(cc) a public data asset eligible for disclosure under subsection (b); or

“(dd) a data asset not subject to open format or open license requirements due to existing limitations or restrictions on government distribution of the asset; or

“(II) as of the date of such indication, has not made such determination.

“(iv) Any determination made under section 3582, if available.

“(v) A description of the method by which the public may access or request access to the data asset.

“(vi) The date on which the data asset was most recently updated.

“(vii) Each agency responsible for maintaining the data asset.

“(viii) The owner of the data asset.

“(ix) To the extent practicable, any restriction on the use of the data asset.

“(x) The location of the data asset.

“(xi) Any other metadata necessary to make the comprehensive data inventory useful to the agency and the public, or otherwise determined useful by the Director.

“(B) A requirement for the head of an agency to exclude from the comprehensive data inventory any data asset contained on a national security system, as defined in section 11103 of title 40.

“(C) Criteria for the head of an agency to use in determining which metadata required by subparagraph (A), if any, in the comprehensive data inventory may not be made publicly available, which shall include, at a minimum, a re-

quirement to ensure all information that could not otherwise be withheld from disclosure under section 552 of title 5 is made public in the comprehensive data inventory.

“(D) A requirement for the head of each agency, in accordance with a procedure established by the Director, to submit for inclusion in the Federal data catalogue maintained under subsection (c) the comprehensive data inventory developed pursuant to subparagraph (C), including any real-time updates to such inventory, and data assets made available in accordance with subparagraph (E) or any electronic hyperlink providing access to such data assets.

“(E) Criteria for the head of an agency to use in determining whether a particular data asset should not be made publicly available in a manner that takes into account—

“(i) risks and restrictions related to the disclosure of personally identifiable information, including the risk that an individual data asset in isolation does not pose a privacy or confidentiality risk but when combined with other available information may pose such a risk;

“(ii) security considerations, including the risk that information in an individual data asset in isolation does not pose a security risk but when combined with other available information may pose such a risk;

“(iii) the cost and benefits to the public of converting the data into a format that could be understood and used by the public;

“(iv) whether the public dissemination of the data asset could result in legal liability;

“(v) whether the data asset—

“(I) is subject to intellectual property rights, including rights under titles 17 and 35;

“(II) contains confidential business information, that could be withheld under section 552(b)(4) of title 5; or

“(III) is restricted by contract or other binding, written agreement;

“(vi) whether the holder of a right to such data asset has been consulted;

“(vii) the expectation that all data assets that would otherwise be made available under section 552 of title 5 be disclosed; and

“(viii) any other considerations that the Director determines to be relevant.

“(F) Criteria for the head of an agency to use in assessing the indication of a determination under subparagraph (A)(iii) and how to prioritize any such subsequent determinations in the strategic information management plan under section 3506, in consideration of the existing resources available to the agency.

(3) **REGULAR UPDATES REQUIRED.**—With respect to each data asset created or identified by an agency, the head of the agency shall update the comprehensive data inventory of the agency not later than 90 days after the date of such creation or identification.

(b) **PUBLIC DATA ASSETS.**—The head of each agency shall submit public data assets, or links to public data assets available online, as open Government data assets for inclusion in the Federal data catalogue maintained under subsection (c), in accordance with the guidance established under subsection (a)(2).

(c) **FEDERAL DATA CATALOGUE.**—

(1) **IN GENERAL.**—The Administrator of General Services shall maintain a single public interface online as a point of entry dedicated to sharing agency data assets with the public, which shall be known as the ‘Federal data catalogue’. The Administrator and the Director shall ensure that agencies can submit public data assets, or links to public data assets, for publication and public availability on the interface.

(2) **REPOSITORY.**—The Director shall collaborate with the Office of Government Information Services and the Administrator of General Services to develop and maintain an online repository of tools, best practices, and schema standards to facilitate the adoption of open data practices across the Federal Government, which shall—

“(A) include any definitions, regulations, policies, checklists, and case studies related to open data policy;

“(B) facilitate collaboration and the adoption of best practices across the Federal Government relating to the adoption of open data practices; and

“(C) be made available on the Federal data catalogue maintained under paragraph (1).

“(3) ACCESS TO OTHER DATA ASSETS.—The Director shall ensure the Federal data catalogue maintained under paragraph (1) provides information on how the public can access a data asset included in a comprehensive data inventory under subsection (a) that is not yet available on the Federal data catalogue, including information regarding the application process established under section 3583 of title 44.

“(d) DELEGATION.—The Director shall delegate to the Administrator of the Office of Information and Regulatory Affairs and the Administrator of the Office of Electronic Government the authority to jointly issue guidance required under this section.”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) TABLE OF SECTIONS.—The item relating to section 3511 of the table of sections at the beginning of chapter 35 of title 44, United States Code, is amended to read as follows:

“3511. Data inventory and Federal data catalogue.”.

(B) CROSS-REFERENCE.—Section 3504(b)(2)(A) of title 44, United States Code, is amended by striking “the use of the Government Information Locator Service” and inserting “the use of comprehensive data inventories and the Federal data catalogue under section 3511”.

(e) CHIEF DATA OFFICERS.—

(1) AMENDMENT.—Section 3520 of title 44, United States Code, is amended to read as follows:

“§3520. Chief Data Officers

“(a) ESTABLISHMENT.—The head of each agency shall designate a career appointee (as defined in section 3132 of title 5) in the agency as the Chief Data Officer of the agency.

“(b) QUALIFICATIONS.—The Chief Data Officer of an agency shall be designated on the basis of demonstrated training and experience in data management, governance (including creation, application, and maintenance of data standards), collection, analysis, protection, use, and dissemination, including with respect to any statistical and related techniques to protect and de-identify confidential data.

“(c) FUNCTIONS.—The Chief Data Officer of an agency shall—

“(1) be responsible for lifecycle data management;

“(2) coordinate with any official in the agency responsible for using, protecting, disseminating, and generating data to ensure that the data needs of the agency are met;

“(3) manage data assets of the agency, including the standardization of data format, sharing of data assets, and publication of data assets in accordance with applicable law;

“(4) in carrying out the requirements under paragraphs (3) and (5), consult with any statistical official of the agency (as designated under section 314 of title 5);

“(5) carry out the requirements of the agency under subsections (b) through (d), (f), and (i) of section 3506, section 3507, and section 3511;

“(6) ensure that, to the extent practicable, agency data conforms with data management best practices;

“(7) engage agency employees, the public, and contractors in using public data assets and encourage collaborative approaches on improving data use;

“(8) support the Performance Improvement Officer of the agency in identifying and using data to carry out the functions described in section 1124(a)(2) of title 31;

“(9) support the Evaluation Officer of the agency in obtaining data to carry out the functions described in section 313(d) of title 5;

“(10) review the impact of the infrastructure of the agency on data asset accessibility and co-

ordinate with the Chief Information Officer of the agency to improve such infrastructure to reduce barriers that inhibit data asset accessibility;

“(11) ensure that, to the extent practicable, the agency maximizes the use of data in the agency, including for the production of evidence (as defined in section 3561), cybersecurity, and the improvement of agency operations;

“(12) identify points of contact for roles and responsibilities related to open data use and implementation (as required by the Director);

“(13) serve as the agency liaison to other agencies and the Office of Management and Budget on the best way to use existing agency data for statistical purposes (as defined in section 3561); and

“(14) comply with any regulation and guidance issued under subchapter III, including the acquisition and maintenance of any required certification and training.

“(d) DELEGATION OF RESPONSIBILITIES.—

“(1) IN GENERAL.—To the extent necessary to comply with statistical laws, the Chief Data Officer of an agency shall delegate any responsibility under subsection (c) to the head of a statistical agency or unit (as defined in section 3561) within the agency.

“(2) CONSULTATION.—To the extent permissible under law, the individual to whom a responsibility has been delegated under paragraph (1) shall consult with the Chief Data Officer of the agency in carrying out such responsibility.

“(3) DEFERENCE.—The Chief Data Officer of the agency shall defer to the individual to whom a responsibility has been delegated under paragraph (1) regarding the necessary delegation of such responsibility with respect to any data acquired, maintained, or disseminated by the agency under applicable statistical law.

“(e) REPORTS.—The Chief Data Officer of an agency shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives an annual report on the compliance of the agency with the requirements of this subchapter, including information on each requirement that the agency could not carry out and, if applicable, what the agency needs to carry out such requirement.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The item relating to section 3520 of the table of sections at the beginning of chapter 35 of title 44, United States Code, is amended to read as follows:

“3520. Chief Data Officers.”.

(f) CHIEF DATA OFFICER COUNCIL.—

(1) AMENDMENT.—Subchapter I of chapter 35 of title 44, United States Code, is amended by inserting before section 3521 the following new section:

“§3520A. Chief Data Officer Council

“(a) ESTABLISHMENT.—There is established in the Office of Management and Budget a Chief Data Officer Council (in this section referred to as the ‘Council’).

“(b) PURPOSE AND FUNCTIONS.—The Council shall—

“(1) establish Governmentwide best practices for the use, protection, dissemination, and generation of data;

“(2) promote and encourage data sharing agreements between agencies;

“(3) identify ways in which agencies can improve upon the production of evidence for use in policymaking;

“(4) consult with the public and engage with private users of Government data and other stakeholders on how to improve access to data assets of the Federal Government; and

“(5) identify and evaluate new technology solutions for improving the collection and use of data.

“(c) MEMBERSHIP.—

“(1) IN GENERAL.—The Chief Data Officer of each agency shall serve as a member of the Council.

“(2) CHAIR.—The Director shall select the Chair of the Council from among the members of the Council.

“(3) ADDITIONAL MEMBERS.—The Administrator of the Office of Electronic Government shall serve as a member of the Council.

“(4) EX OFFICIO MEMBER.—The Director shall appoint a representative for all Chief Information Officers and Evaluation Officers, and such representative shall serve as an ex officio member of the Council.

“(d) REPORTS.—The Council shall submit to the Director, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives a biennial report on the work of the Council.

“(e) EVALUATION AND TERMINATION.—

“(1) GAO EVALUATION OF COUNCIL.—Not later than 4 years after date of the enactment of this section, the Comptroller General shall submit to Congress a report on whether the additional duties of the Council improved the use of evidence and program evaluation in the Federal Government.

“(2) TERMINATION OF COUNCIL.—The Council shall terminate and this section shall be repealed upon the expiration of the 2-year period that begins on the date the Comptroller General submits the report under paragraph (1) to Congress.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections at the beginning of chapter 35 of title 44, United States Code, is amended by inserting before the item relating to section 3521 the following new item:

“3520A. Chief Data Officer Council.”.

(g) REPORTS.—

(1) GAO REPORT.—Not later than 3 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives a report that identifies, to the extent practicable—

(A) the value of information made available to the public as a result of this Act and the amendments made by this Act;

(B) whether the public availability of any information that has not yet been made so available would be valuable to the public; and

(C) the completeness of each comprehensive data inventory developed under section 3511 of title 44, United States Code, as amended by subsection (d).

(2) BIENNIAL OMB REPORT.—Not later than 1 year after date of the enactment of this Act, and biennially thereafter, the Director of the Office of Management and Budget shall electronically publish a report on agency performance and compliance with this Act and the amendments made by this Act.

TITLE III—CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFICIENCY

SEC. 301. SHORT TITLE.

This title may be cited as the “Confidential Information Protection and Statistical Efficiency Act of 2018”.

SEC. 302. CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFICIENCY.

(a) IN GENERAL.—Chapter 35 of title 44, United States Code, is amended by adding at the end the following new subchapter:

“SUBCHAPTER III—CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFICIENCY

“PART A—GENERAL

“§3561. Definitions

“In this subchapter:

“(1) AGENCY.—The term ‘agency’ means any entity that falls within the definition of the term ‘executive agency’, as defined in section 102 of title 31, or ‘agency’, as defined in section 3502.

“(2) AGENT.—The term ‘agent’ means an individual—

“(A)(i) who is an employee of a private organization or a researcher affiliated with an institution of higher learning (including a person granted special sworn status by the Bureau of the Census under section 23(c) of title 13), and with whom a contract or other agreement is executed, on a temporary basis, by an executive agency to perform exclusively statistical activities under the control and supervision of an officer or employee of that agency;

“(ii) who is working under the authority of a government entity with which a contract or other agreement is executed by an executive agency to perform exclusively statistical activities under the control of an officer or employee of that agency;

“(iii) who is a self-employed researcher, a consultant, a contractor, or an employee of a contractor, and with whom a contract or other agreement is executed by an executive agency to perform a statistical activity under the control of an officer or employee of that agency; or

“(iv) who is a contractor or an employee of a contractor, and who is engaged by the agency to design or maintain the systems for handling or storage of data received under this subchapter; and

“(B) who agrees in writing to comply with all provisions of law that affect information acquired by that agency.

“(3) BUSINESS DATA.—The term ‘business data’ means operating and financial data and information about businesses, tax-exempt organizations, and government entities.

“(4) DATA ASSET.—The term ‘data asset’ has the meaning given that term in section 3502.

“(5) DIRECTOR.—The term ‘Director’ means the Director of the Office of Management and Budget.

“(6) EVIDENCE.—The term ‘evidence’ means information produced as a result of statistical activities conducted for a statistical purpose.

“(7) IDENTIFIABLE FORM.—The term ‘identifiable form’ means any representation of information that permits the identity of the respondent to whom the information applies to be reasonably inferred by either direct or indirect means.

“(8) NONSTATISTICAL PURPOSE.—The term ‘nonstatistical purpose’—

“(A) means the use of data in identifiable form for any purpose that is not a statistical purpose, including any administrative, regulatory, law enforcement, adjudicatory, or other purpose that affects the rights, privileges, or benefits of a particular identifiable respondent; and

“(B) includes the disclosure under section 552 of title 5 of data that are acquired for exclusively statistical purposes under a pledge of confidentiality.

“(9) RESPONDENT.—The term ‘respondent’ means a person who, or organization that, is requested or required to supply information to an agency, is the subject of information requested or required to be supplied to an agency, or provides that information to an agency.

“(10) STATISTICAL ACTIVITIES.—The term ‘statistical activities’—

“(A) means the collection, compilation, processing, or analysis of data for the purpose of describing or making estimates concerning the whole, or relevant groups or components within, the economy, society, or the natural environment; and

“(B) includes the development of methods or resources that support those activities, such as measurement methods, models, statistical classifications, or sampling frames.

“(11) STATISTICAL AGENCY OR UNIT.—The term ‘statistical agency or unit’ means an agency or organizational unit of the executive branch whose activities are predominantly the collection, compilation, processing, or analysis of information for statistical purposes, as designated by the Director under section 3562.

“(12) STATISTICAL PURPOSE.—The term ‘statistical purpose’—

“(A) means the description, estimation, or analysis of the characteristics of groups, with-

out identifying the individuals or organizations that comprise such groups; and

“(B) includes the development, implementation, or maintenance of methods, technical or administrative procedures, or information resources that support the purposes described in subparagraph (A).

“§3562. Coordination and oversight of policies

“(a) IN GENERAL.—The Director shall coordinate and oversee the confidentiality and disclosure policies established by this subchapter. The Director may promulgate rules or provide other guidance to ensure consistent interpretation of this subchapter by the affected agencies. The Director shall develop a process by which the Director designates agencies or organizational units as statistical agencies and units. The Director shall promulgate guidance to implement such process, which shall include specific criteria for such designation and methods by which the Director will ensure transparency in the process.

“(b) AGENCY RULES.—Subject to subsection (c), agencies may promulgate rules to implement this subchapter. Rules governing disclosures of information that are authorized by this subchapter shall be promulgated by the agency that originally collected the information.

“(c) REVIEW AND APPROVAL OF RULES.—The Director shall review any rules proposed by an agency pursuant to this subchapter for consistency with the provisions of this chapter and such rules shall be subject to the approval of the Director.

“(d) REPORTS.—

“(1) The head of each agency shall provide to the Director such reports and other information as the Director requests.

“(2) Each Designated Statistical Agency (as defined in section 3576(e)) shall report annually to the Director, the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate on the actions it has taken to implement section 3576. The report shall include copies of each written agreement entered into pursuant to section 3576(c)(1) for the applicable year.

“(3) The Director shall include a summary of reports submitted to the Director under this subsection and actions taken by the Director to advance the purposes of this subchapter in the annual report to Congress on statistical programs prepared under section 3504(e)(2).

“§3563. Statistical agencies

“(a) RESPONSIBILITIES.—

“(1) IN GENERAL.—Each statistical agency or unit shall—

“(A) produce and disseminate relevant and timely statistical information;

“(B) conduct credible and accurate statistical activities;

“(C) conduct objective statistical activities; and

“(D) protect the trust of information providers by ensuring the confidentiality and exclusive statistical use of their responses.

“(2) POLICIES, BEST PRACTICES, AND PROCEDURES.—Each statistical agency or unit shall adopt policies, best practices, and appropriate procedures to implement the responsibilities described in paragraph (1).

“(b) SUPPORT FROM OTHER AGENCIES.—The head of each agency shall enable, support, and facilitate statistical agencies or units in carrying out the responsibilities described in subsection (a)(1).

“(c) REGULATIONS.—The Director shall prescribe regulations to carry out this section.

“(d) DEFINITIONS.—In this section:

“(1) ACCURATE.—The term ‘accurate’, when used with respect to statistical activities, means statistics that consistently match the events and trends being measured.

“(2) CONFIDENTIALITY.—The term ‘confidentiality’ means a quality or condition accorded to information as an obligation not to disclose that information to an unauthorized party.

“(3) OBJECTIVE.—The term ‘objective’, when used with respect to statistical activities, means accurate, clear, complete, and unbiased.

“(4) RELEVANT.—The term ‘relevant’, when used with respect to statistical information, means processes, activities, and other such matters likely to be useful to policymakers and public and private sector data users.

“§3564. Effect on other laws

“(a) TITLE 44, UNITED STATES CODE.—This subchapter does not diminish the authority under section 3510 of the Director to direct, and of an agency to make, disclosures that are not inconsistent with any applicable law.

“(b) TITLE 13 AND TITLE 44, UNITED STATES CODE.—This subchapter does not diminish the authority of the Bureau of the Census to provide information in accordance with sections 8, 16, 301, and 401 of title 13 and section 2108 of title 44.

“(c) TITLE 13, UNITED STATES CODE.—This subchapter shall not be construed as authorizing the disclosure for nonstatistical purposes of demographic data or information collected by the Bureau of the Census pursuant to section 9 of title 13.

“(d) VARIOUS ENERGY STATUTES.—Data or information acquired by the Energy Information Administration under a pledge of confidentiality and designated by the Energy Information Administration to be used for exclusively statistical purposes shall not be disclosed in identifiable form for nonstatistical purposes under—

“(1) section 12, 20, or 59 of the Federal Energy Administration Act of 1974 (15 U.S.C. 771, 779, 790h);

“(2) section 11 of the Energy Supply and Environmental Coordination Act of 1974 (15 U.S.C. 796); or

“(3) section 205 or 407 of the Department of Energy Organization Act (42 U.S.C. 7135, 7177).

“(e) SECTION 201 OF CONGRESSIONAL BUDGET ACT OF 1974.—This subchapter shall not be construed to limit any authorities of the Congressional Budget Office to work (consistent with laws governing the confidentiality of information the disclosure of which would be a violation of law) with databases of Designated Statistical Agencies (as defined in section 3576(e)), either separately or, for data that may be shared pursuant to section 3576(c) or other authority, jointly in order to improve the general utility of these databases for the statistical purpose of analyzing pension and health care financing issues.

“(f) PREEMPTION OF STATE LAW.—Nothing in this subchapter shall preempt applicable State law regarding the confidentiality of data collected by the States.

“(g) STATUTES REGARDING FALSE STATEMENTS.—Notwithstanding section 3572, information collected by an agency for exclusively statistical purposes under a pledge of confidentiality may be provided by the collecting agency to a law enforcement agency for the prosecution of submissions to the collecting agency of false statistical information under statutes that authorize criminal penalties (such as section 221 of title 13) or civil penalties for the provision of false statistical information, unless such disclosure or use would otherwise be prohibited under Federal law.

“(h) CONSTRUCTION.—Nothing in this subchapter shall be construed as restricting or diminishing any confidentiality protections or penalties for unauthorized disclosure that otherwise apply to data or information collected for statistical purposes or nonstatistical purposes, including, but not limited to, section 6103 of the Internal Revenue Code of 1986.

“(i) AUTHORITY OF CONGRESS.—Nothing in this subchapter shall be construed to affect the authority of the Congress, including its committees, members, or agents, to obtain data or information for a statistical purpose, including for oversight of an agency’s statistical activities.

"PART B—CONFIDENTIAL INFORMATION PROTECTION"

"§3571. Findings"

"The Congress finds the following:

"(1) Individuals, businesses, and other organizations have varying degrees of legal protection when providing information to the agencies for strictly statistical purposes.

"(2) Pledges of confidentiality by agencies provide assurances to the public that information about individuals or organizations or provided by individuals or organizations for exclusively statistical purposes will be held in confidence and will not be used against such individuals or organizations in any agency action.

"(3) Protecting the confidentiality interests of individuals or organizations who provide information under a pledge of confidentiality for Federal statistical programs serves both the interests of the public and the needs of society.

"(4) Declining trust of the public in the protection of information provided under a pledge of confidentiality to the agencies adversely affects both the accuracy and completeness of statistical analyses.

"(5) Ensuring that information provided under a pledge of confidentiality for statistical purposes receives protection is essential in continuing public cooperation in statistical programs.

"§3572. Confidential information protection"

"(a) PURPOSES.—The purposes of this section are the following:

"(1) To ensure that information supplied by individuals or organizations to an agency for statistical purposes under a pledge of confidentiality is used exclusively for statistical purposes.

"(2) To ensure that individuals or organizations who supply information under a pledge of confidentiality to agencies for statistical purposes will neither have that information disclosed in identifiable form to anyone not authorized by this subchapter nor have that information used for any purpose other than a statistical purpose.

"(3) To safeguard the confidentiality of individually identifiable information acquired under a pledge of confidentiality for statistical purposes by controlling access to, and uses made of, such information.

"(b) USE OF STATISTICAL DATA OR INFORMATION.—Data or information acquired by an agency under a pledge of confidentiality and for exclusively statistical purposes shall be used by officers, employees, or agents of the agency exclusively for statistical purposes and protected in accordance with such pledge.

"(c) DISCLOSURE OF STATISTICAL DATA OR INFORMATION.—

"(1) Data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes shall not be disclosed by an agency in identifiable form, for any use other than an exclusively statistical purpose, except with the informed consent of the respondent.

"(2) A disclosure pursuant to paragraph (1) is authorized only when the head of the agency approves such disclosure and the disclosure is not prohibited by any other law.

"(3) This section does not restrict or diminish any confidentiality protections in law that otherwise apply to data or information acquired by an agency under a pledge of confidentiality for exclusively statistical purposes.

"(d) RULE FOR USE OF DATA OR INFORMATION FOR NONSTATISTICAL PURPOSES.—A statistical agency or unit shall clearly distinguish any data or information it collects for nonstatistical purposes (as authorized by law) and provide notice to the public, before the data or information is collected, that the data or information could be used for nonstatistical purposes.

"(e) DESIGNATION OF AGENTS.—A statistical agency or unit may designate agents, by contract or by entering into a special agreement containing the provisions required under section

3561(2) for treatment as an agent under that section, who may perform exclusively statistical activities, subject to the limitations and penalties described in this subchapter.

"(f) FINES AND PENALTIES.—Whoever, being an officer, employee, or agent of an agency acquiring information for exclusively statistical purposes, having taken and subscribed the oath of office, or having sworn to observe the limitations imposed by this section, comes into possession of such information by reason of his or her being an officer, employee, or agent and, knowing that the disclosure of the specific information is prohibited under the provisions of this subchapter, willfully discloses the information in any manner to a person or agency not entitled to receive it, shall be guilty of a class E felony and imprisoned for not more than 5 years, or fined not more than \$250,000, or both.

"PART C—STATISTICAL EFFICIENCY"

"§3575. Findings"

"The Congress finds the following:

"(1) Federal statistics are an important source of information for public and private decision-makers such as policymakers, consumers, businesses, investors, and workers.

"(2) Federal statistical agencies should continuously seek to improve their efficiency. Statutory constraints limit the ability of these agencies to share data and thus to achieve higher efficiency for Federal statistical programs.

"(3) The quality of Federal statistics depends on the willingness of businesses to respond to statistical surveys. Reducing reporting burdens will increase response rates, and therefore lead to more accurate characterizations of the economy.

"(4) Enhanced sharing of business data among the Bureau of the Census, the Bureau of Economic Analysis, and the Bureau of Labor Statistics for exclusively statistical purposes will improve their ability to track more accurately the large and rapidly changing nature of United States business. In particular, the statistical agencies will be able to better ensure that businesses are consistently classified in appropriate industries, resolve data anomalies, produce statistical samples that are consistently adjusted for the entry and exit of new businesses in a timely manner, and correct faulty reporting errors quickly and efficiently.

"(5) Congress enacted the International Investment and Trade in Services Survey Act (Public Law 94-472), which allowed the Bureau of the Census, the Bureau of Economic Analysis, and the Bureau of Labor Statistics to share data on foreign-owned companies. The Act not only expanded detailed industry coverage from 135 industries to over 800 industries with no increase in the data collected from respondents but also demonstrated how data sharing can result in the creation of valuable data products.

"(6) With part B of this subchapter, the sharing of business data among the Bureau of the Census, the Bureau of Economic Analysis, and the Bureau of Labor Statistics continues to ensure the highest level of confidentiality for respondents to statistical surveys.

"§3576. Designated statistical agencies"

"(a) PURPOSES.—The purposes of this section are the following:

"(1) To authorize the sharing of business data among the Bureau of the Census, the Bureau of Economic Analysis, and the Bureau of Labor Statistics for exclusively statistical purposes.

"(2) To reduce the paperwork burdens imposed on businesses that provide requested information to the Federal Government.

"(3) To improve the comparability and accuracy of Federal economic statistics by allowing the Bureau of the Census, the Bureau of Economic Analysis, and the Bureau of Labor Statistics to update sample frames, develop consistent classifications of establishments and companies into industries, improve coverage, and reconcile significant differences in data produced by the three agencies.

"(4) To increase understanding of the United States economy, especially for key industry and regional statistics, to develop more accurate measures of the impact of technology on productivity growth, and to enhance the reliability of the Nation's most important economic indicators, such as the National Income and Product Accounts.

"(b) RESPONSIBILITIES OF DESIGNATED STATISTICAL AGENCIES.—The head of each of the Designated Statistical Agencies shall—

"(1) identify opportunities to eliminate duplication and otherwise reduce reporting burden and cost imposed on the public in providing information for statistical purposes;

"(2) enter into joint statistical projects to improve the quality and reduce the cost of statistical programs; and

"(3) protect the confidentiality of individually identifiable information acquired for statistical purposes by adhering to safeguard principles, including—

"(A) emphasizing to their officers, employees, and agents the importance of protecting the confidentiality of information in cases where the identity of individual respondents can reasonably be inferred by either direct or indirect means;

"(B) training their officers, employees, and agents in their legal obligations to protect the confidentiality of individually identifiable information and in the procedures that must be followed to provide access to such information;

"(C) implementing appropriate measures to assure the physical and electronic security of confidential data;

"(D) establishing a system of records that identifies individuals accessing confidential data and the project for which the data were required; and

"(E) being prepared to document their compliance with safeguard principles to other agencies authorized by law to monitor such compliance.

"(c) SHARING OF BUSINESS DATA AMONG DESIGNATED STATISTICAL AGENCIES.—

"(1) IN GENERAL.—A Designated Statistical Agency may provide business data in an identifiable form to another Designated Statistical Agency under the terms of a written agreement among the agencies sharing the business data that specifies—

"(A) the business data to be shared;

"(B) the statistical purposes for which the business data are to be used;

"(C) the officers, employees, and agents authorized to examine the business data to be shared; and

"(D) appropriate security procedures to safeguard the confidentiality of the business data.

"(2) RESPONSIBILITIES OF AGENCIES UNDER OTHER LAWS.—The provision of business data by an agency to a Designated Statistical Agency under this section shall in no way alter the responsibility of the agency providing the data under other statutes (including sections 552 and 552b of title 5) with respect to the provision or withholding of such information by the agency providing the data.

"(3) RESPONSIBILITIES OF OFFICERS, EMPLOYEES, AND AGENTS.—Examination of business data in identifiable form shall be limited to the officers, employees, and agents authorized to examine the individual reports in accordance with written agreements pursuant to this section. Officers, employees, and agents of a Designated Statistical Agency who receive data pursuant to this section shall be subject to all provisions of law, including penalties, that relate—

"(A) to the unlawful provision of the business data that would apply to the officers, employees, and agents of the agency that originally obtained the information; and

"(B) to the unlawful disclosure of the business data that would apply to officers, employees, and agents of the agency that originally obtained the information.

"(4) NOTICE.—Whenever a written agreement concerns data that respondents were required by law to report and the respondents were not in-

formed that the data could be shared among the Designated Statistical Agencies, for exclusively statistical purposes, the terms of such agreement shall be described in a public notice issued by the agency that intends to provide the data. Such notice shall allow a minimum of 60 days for public comment.

“(d) LIMITATIONS ON USE OF BUSINESS DATA PROVIDED BY DESIGNATED STATISTICAL AGENCIES.—

“(1) GENERAL USE.—Business data provided by a Designated Statistical Agency pursuant to this section shall be used exclusively for statistical purposes.

“(2) PUBLICATION.—Publication of business data acquired by a Designated Statistical Agency shall occur in a manner whereby the data furnished by any particular respondent are not in identifiable form.

“(e) DESIGNATED STATISTICAL AGENCY DEFINED.—In this section, the term ‘Designated Statistical Agency’ means each of the following:

“(1) The Census Bureau of the Department of Commerce.

“(2) The Bureau of Economic Analysis of the Department of Commerce.

“(3) The Bureau of Labor Statistics of the Department of Labor.”

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 35 of title 44, United States Code, as amended by proceeding provisions of this Act, is further amended by adding at the end the following:

“SUBCHAPTER III—CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFICIENCY

“PART A—GENERAL

“3561. Definitions.

“3562. Coordination and oversight of policies.

“3563. Statistical agencies.

“3564. Effect on other laws.

“PART B—CONFIDENTIAL INFORMATION PROTECTION

“3571. Findings.

“3572. Confidential information protection.

“PART C—STATISTICAL EFFICIENCY

“3575. Findings.

“3576. Designated statistical agencies.”

(c) CONFORMING AMENDMENTS.—

(1) REPEAL OF CONFIDENTIAL INFORMATION PROTECTION AND STATISTICAL EFFICIENCY ACT OF 2002.—Title V of the E-Government Act of 2002 (Public Law 107-347; 44 U.S.C. 3501 note) is repealed (and the table of contents of such Act shall be conformed accordingly).

(2) TITLE 13, UNITED STATES CODE.—Section 402 of title 13, United States Code, is amended by striking “the Confidential Information Protection and Statistical Efficiency Act of 2002” and inserting “section 3576(e) of title 44”.

(3) TITLE 49, UNITED STATES CODE.—Title 49, United States Code, is amended—

(A) in section 6302(d)(4), by striking “the Confidential Information” and all that follows through the period and inserting “section 3572 of title 44.”; and

(B) in section 6314(d)(2), by striking “the Confidential Information” and all that follows through the period and inserting “section 3572 of title 44.”

(4) ACT OF JANUARY 27, 1938.—The first section of the Act of January 27, 1938, entitled “An Act to make confidential certain information furnished to the Bureau of Foreign and Domestic Commerce, and for other purposes” (52 Stat. 8, chapter 11; 15 U.S.C. 176a), is amended by striking “the Confidential Information Protection and Statistical Efficiency Act of 2002” and inserting “subchapter III of chapter 35 of title 44, United States Code”.

(5) FIXING AMERICA’S SURFACE TRANSPORTATION ACT.—Section 7308(e)(2) of the Fixing America’s Surface Transportation Act (Public Law 114-94; 49 U.S.C. 20155 note) is amended by striking “the Confidential Information Protection and Statistical Efficiency Act of 2002 (44 U.S.C. 3501 note)” and inserting “section 3572 of title 44, United States Code”.

(d) TRANSITIONAL AND SAVINGS PROVISIONS.—

(1) CUTOFF DATE.—This title replaces certain provisions of law enacted on December 17, 2002. If a law enacted after that date amends or repeals a provision replaced by this title, that law is deemed to amend or repeal, as the case may be, the corresponding provision enacted by this title. If a law enacted after that date is otherwise inconsistent with this title, it supersedes this title to the extent of the inconsistency.

(2) ORIGINAL DATE OF ENACTMENT UNCHANGED.—For purposes of determining whether one provision of law supersedes another based on enactment later in time, the date of the enactment of a provision enacted by this title is deemed to be the date of the enactment of the provision it replaced.

(3) REFERENCES TO PROVISIONS REPLACED.—A reference to a provision of law replaced by this title, including a reference in a regulation, order, or other law, is deemed to refer to the corresponding provision enacted by this title.

(4) REGULATIONS, ORDERS, AND OTHER ADMINISTRATIVE ACTIONS.—A regulation, order, or other administrative action in effect under a provision of law replaced by this title continues in effect under the corresponding provision enacted by this title.

(5) ACTIONS TAKEN AND OFFENSES COMMITTED.—An action taken or an offense committed under a provision of law replaced by this title is deemed to have been taken or committed under the corresponding provision enacted by this title.

SEC. 303. INCREASING ACCESS TO DATA FOR EVIDENCE.

(a) IN GENERAL.—Subchapter III of chapter 35 of title 44, United States Code, as added by section 302, is amended by adding at the end the following new part:

“PART D—ACCESS TO DATA FOR EVIDENCE

“§3581. Presumption of accessibility for statistical agencies and units

“(a) ACCESSIBILITY OF DATA ASSETS.—The head of an agency shall, to the extent practicable, make any data asset maintained by the agency available, upon request, to any statistical agency or unit for purposes of developing evidence.

“(b) LIMITATIONS.—Subsection (a) does not apply to any data asset that is subject to a statute that—

“(1) prohibits the sharing or intended use of such asset in a manner as to leave no discretion on the issue; or

“(2) if enacted after the date of the enactment of this section, specifically cites to this paragraph.

“(c) REGULATIONS.—The Director shall prescribe regulations for agencies to carry out this section. Such regulations shall—

“(1) require the timely provision of data assets under subsection (a);

“(2) provide a list of statutes that exempt agencies from the requirement under subsection (a) pursuant to subsection (b)(1);

“(3) establish clear and consistent standards, to the extent possible, for complying with section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’) and any other applicable law requiring the protection and confidentiality of individually identifiable information; and

“(4) require a transparent process for statistical agencies and units to request data assets from agencies and for agencies to respond to such requests.

“(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed as altering existing intellectual property rights or the terms of any contract or other binding, written agreement.

“§3582. Expanding secure access to CIPSEA data assets

“(a) STATISTICAL AGENCY RESPONSIBILITIES.—To the extent practicable, each statistical agency or unit shall expand access to data assets of such agency or unit acquired or accessed under

this subchapter to develop evidence while protecting such assets from inappropriate access and use, in accordance with the regulations promulgated under subsection (b).

“(b) REGULATIONS FOR ACCESSIBILITY OF NON-PUBLIC DATA ASSETS.—The Director shall promulgate regulations, in accordance with applicable law, for statistical agencies and units to carry out the requirement under subsection (a). Such regulations shall include the following:

“(1) Standards for each statistical agency or unit to assess each data asset owned or accessed by the statistical agency or unit for purposes of categorizing the sensitivity level of each such asset and identifying the corresponding level of accessibility to each such asset. Such standards shall include—

“(A) common sensitivity levels and corresponding levels of accessibility that may be assigned to a data asset, including a requisite minimum and maximum number of sensitivity levels for each statistical agency or unit to use;

“(B) criteria for determining the sensitivity level and corresponding level of accessibility of each data asset; and

“(C) criteria for determining whether a less sensitive and more accessible version of a data asset can be produced.

“(2) Standards for each statistical agency or unit to improve access to a data asset pursuant to paragraph (1) or (3) by removing or obscuring information in such a manner that the identity of the data subject is less likely to be reasonably inferred by either direct or indirect means.

“(3) A requirement for each statistical agency or unit to conduct a comprehensive risk assessment of any data asset acquired or accessed under this subchapter prior to any public release of such asset, including standards for such comprehensive risk assessment and criteria for making a determination of whether to release the data.

“(4) Requirements for each statistical agency or unit to make any process or assessment established, produced, or conducted pursuant to this section transparent and easy to understand, including the following:

“(A) A requirement to make information on the assessment of the sensitivity level of each data asset conducted pursuant to paragraph (1) available on the Federal data catalogue established under section 3511(c)(1).

“(B) A requirement to make any comprehensive risk assessment, and associated determinations, conducted under paragraph (3) available on the Federal data catalogue established under section 3511(c)(1).

“(C) A requirement to make any standard or policy established by the statistical agency or unit to carry out this section and any assessment conducted under this section easily accessible on the public website of such agency or unit.

“(c) RESPONSIBILITIES OF THE DIRECTOR.—The Director shall—

“(1) make public all standards and policies established under this section; and

“(2) ensure that statistical agencies and units have the ability to make information public on the Federal data catalogue established under section 3511(c)(1), in accordance with requirements established pursuant to subsection (b).

“§3583. Application to access data assets for developing evidence

“(a) STANDARD APPLICATION PROCESS.—The Director shall establish a process through which agencies, the Congressional Budget Office, State, local, and Tribal governments, researchers, and other individuals, as appropriate, may apply to access the data assets accessed or acquired under this subchapter by a statistical agency or unit for purposes of developing evidence. The process shall include the following:

“(1) Sufficient detail to ensure that each statistical agency or unit establishes an identical process.

“(2) A common application form.

“(3) Criteria for statistical agencies and units to determine whether to grant an applicant access to a data asset.

“(4) Timeframes for prompt determinations by each statistical agency or unit.

“(5) An appeals process for adverse decisions and noncompliance with the process established under this subsection.

“(6) Standards for transparency, including requirements to make the following information publicly available:

“(A) Each application received.

“(B) The status of each application.

“(C) The determination made for each application.

“(D) Any other information, as appropriate, to ensure full transparency of the process established under this subsection.

“(b) CONSULTATION.—In establishing the process required under subsection (a), the Director shall consult with stakeholders, including the public, agencies, State and local governments, and representatives of non-governmental researchers.

“(c) IMPLEMENTATION.—The head of each statistical agency or unit shall implement the process established under subsection (a).”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 35 of title 44, United States Code, as amended by preceding provisions of this Act, is further amended by adding at the end the following:

“PART D—ACCESS TO DATA FOR EVIDENCE

“3581. Presumption of accessibility for statistical agencies and units.

“3582. Expanding secure access to CIPSEA data assets.

“3583. Application to access data assets for developing evidence.”.

(c) DEADLINE FOR GUIDANCE AND IMPLEMENTATION.—Not later than 1 year after the date of the enactment of this Act, the Director of the Office of Management and Budget shall promulgate or issue any regulation or guidance required by subchapter III of title 44, United States Code, as amended by this section, with a requirement for such regulation or guidance to be implemented not later than 1 year after the date on which such regulation or guidance has been promulgated or issued.

TITLE IV—GENERAL PROVISIONS

SEC. 401. RULE OF CONSTRUCTION.

Nothing in this Act, or the amendments made by this Act, may be construed—

(1) to require the disclosure of information or records that are exempt from disclosure under section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”);

(2) to create or expand an exemption from disclosure under such section;

(3) to override, limit, or otherwise affect intellectual property rights, including rights under titles 17 and 35, United States Code;

(4) to affect the authority of a Federal agency regarding the use, disclosure, or licensing of—

(A) confidential business information that could be withheld under section 552(b)(4) of title 5, United States Code; or

(B) data assets restricted from disclosure under a contract or other binding, written agreement; or

(5) to affect the independence, responsibilities, or work products of an Inspector General of any agency.

SEC. 402. USE OF EXISTING RESOURCES.

To the extent practicable, the head of each agency shall use existing procedures and systems to carry out agency requirements and shall select existing employees for appointments under this Act and the amendments made by this Act.

SEC. 403. EFFECTIVE DATE.

Except as otherwise provided, this Act, and the amendments made by this Act, shall take effect on the date that is 180 days after the date of the enactment of this Act.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. WALKER and Mr. RASKIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.10 GOOD ACCOUNTING OBLIGATION IN GOVERNMENT

Mr. WALKER moved to suspend the rules and pass the bill of the Senate (S. 2276) to require agencies to submit reports on outstanding recommendations in the annual budget justification submitted to Congress.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. WALKER and Mr. RASKIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.11 FEDERAL PERSONAL PROPERTY MANAGEMENT

Mr. WALKER moved to suspend the rules and pass the bill of the Senate (S. 3031) to amend chapter 5 of title 40, United States Code, to improve the management of Federal personal property.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. WALKER and Mr. RASKIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.12 ORDER OF BUSINESS— PROCEEDINGS ON VOTES

On motion of Mr. MCCARTHY, by unanimous consent,

Ordered, That it may be in order that during further proceedings today in the House, the Chair be authorized to reduce to 2 minutes the minimum time for electronic voting on any question that otherwise could be subjected to 5-minute voting under clause 8 or 9 of rule XX.

¶168.13 CIVIL RIGHTS COLD CASE RECORDS COLLECTION

Mr. WALKER moved to suspend the rules and pass the bill of the Senate (S. 3191) to provide for the expeditious disclosure of records related to civil rights cold cases, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. WALKER and Mr. RASKIN, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.14 RECESS—9:33 A.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 9 o'clock and 33 minutes a.m., for a period of less than 15 minutes.

¶168.15 AFTER RECESS—9:45 A.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶168.16 H. RES. 1063—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and agree to the resolution (H. Res. 1063) designating room H-226 of the United States Capitol as the “Lincoln Room”.

The question being put,

Will the House suspend the rules and agree to said resolution?

The vote was taken by electronic device.

It was decided in the { Yeas 366
affirmative } Nays 0

¶168.17 [Roll No. 474]

YEAS—366

Abraham
Adams
Aderholt
Aguilar

Allen
Amash
Amodei
Arrington

Bacon
Balderson
Banks (IN)
Barletta

Barr	Flores	Lucas	Shimkus	Titus	Watson Coleman	Bustos	Guthrie	Messer
Barragán	Fortenberry	Luetkemeyer	Simpson	Tonko	Weber (TX)	Butterfield	Handel	Mitchell
Barton	Foster	Luján, Ben Ray	Sires	Torres	Webster (FL)	Byrne	Harper	Moolenaar
Bass	Fox	Lynch	Smith (MO)	Tsongas	Welch	Calvert	Harris	Mooney (WV)
Beatty	Frankel (FL)	MacArthur	Smith (NE)	Turner	Wenstrup	Carbajal	Hartzler	Moore
Bera	Frelinghuysen	Maloney,	Smith (NJ)	Upton	Westerman	Cárdenas	Heck	Morelle
Bergman	Fudge	Carolyn B.	Smith (TX)	Valadao	Wild	Carson (IN)	Hensarling	Moulton
Beyer	Gabbard	Maloney, Sean	Smucker	Vargas	Williams	Carter (GA)	Hern	Mullin
Biggs	Gaetz	Marchant	Soto	Veasey	Wilson (FL)	Carter (TX)	Herrera Beutler	Murphy (FL)
Bilirakis	Gallagher	Marino	Speier	Vela	Wilson (SC)	Cartwright	Hice, Jody B.	Nadler
Bishop (GA)	Gallego	Marshall	Stefanik	Velázquez	Wittman	Castor (FL)	Higgins (LA)	Napolitano
Bishop (MI)	Garamendi	Massie	Stewart	Wagner	Womack	Castro (TX)	Higgins (NY)	Neal
Bishop (UT)	Garrett	Mast	Stivers	Walberg	Woodall	Chabot	Hill	Nolan
Blumenauer	Gianforte	Matsui	Suozzi	Walden	Yarmuth	Cheney	Himes	Norcross
Blunt Rochester	Gibbs	McCarthy	Takano	Walker	Yoder	Chu, Judy	Hollingsworth	Norman
Bonamici	Gohmert	McCaul	Tenney	Walorski	Yoho	Cicilline	Hoyer	Nunes
Bost	Gomez	McClintock	Thompson (CA)	Walters, Mimi	Young (AK)	Clark (MA)	Hudson	O'Halleran
Boyle, Brendan F.	Goodlatte	McCollum	Thompson (PA)	Wasserman	Young (IA)	Cleaver	Huizenga	O'Rourke
Brady (TX)	Gosar	McEachin	Thornberry	Schultz	Zeldin	Cloud	Hunter	Olson
Brat	Gottheimer	McGovern	Tipton	Waters, Maxine		Clyburn	Hurd	Palazzo
Brooks (AL)	Granger	McHenry				Coffman	Issa	Pallone
Brooks (IN)	Graves (LA)	McKinley	Babin	Hastings	Rice (NY)	Cole	Jackson Lee	Palmer
Brown (MD)	Graves (MO)	McMorris	Black	Holding	Roby	Collins (NY)	Jayapal	Panetta
Brownley (CA)	Green, Al	Rodgers	Blackburn	Hultgren	Rogers (AL)	Comer	Jeffries	Pascarell
Buchanan	Green, Gene	McNerney	Blum	Jenkins (KS)	Rohrabacher	Comstock	Johnson (GA)	Paulsen
Buck	Griffith	McSally	Brady (PA)	Jones (NC)	Rooney, Thomas J.	Conaway	Johnson (LA)	Payne
Bucshon	Grijalva	Meadows	Butterfield	Joyce (OH)	Cook	Connolly	Johnson (OH)	Pearce
Budd	Grothman	Meeks	Capuano	Keating	Cooper	Cook	Johnson, E. B.	Pelosi
Burgess	Guthrie	Meng	Castor (FL)	Kind	Cooper	Correa	Johnson, Sam	Perlmutter
Bustos	Handel	Mitchell	Clarke (NY)	Lewis (MN)	Correa	Costa	Jones (MI)	Perry
Byrne	Harper	Moolenaar	Clay	Lipinski	Ross	Costello (PA)	Jordan	Peters
Calvert	Harris	Mooney (WV)	Coffman	Love	Scott, David	Courtney	Joyce (OH)	Peterson
Carbajal	Hartzler	Moore	Comstock	Lowenthal	Sensenbrenner	Cramer	Kaptur	Pingree
Cárdenas	Heck	Morelle	Crowley	Lujan Grisham,	Sewell (AL)	Crawford	Katko	Pocan
Carson (IN)	Hensarling	Moulton	Culberson	M.	Shea-Porter	Crist	Kelly (IL)	Poliquin
Carter (GA)	Hern	Mullin	Davis, Danny	Messner	Shuster	Cuellar	Kelly (MS)	Posey
Carter (TX)	Herrera Beutler	Murphy (FL)	Denham	Nadler	Sinema	Cummings	Kelly (PA)	Price (NC)
Cartwright	Hice, Jody B.	Napolitano	Ellison	Newhouse	Smith (WA)	Curbelo (FL)	Kennedy	Quigley
Castro (TX)	Higgins (LA)	Neal	Engel	Noem	Swalwell (CA)	Curtis	Khanna	Raskin
Chabot	Higgins (NY)	Norcross	Gonzalez (TX)	Nolan	Taylor	Davidson	Kihuen	Ratcliffe
Cheney	Hill	Norman	Gowdy	Pelosi	Thompson (MS)	Davis (CA)	Kildee	Reichert
Chu, Judy	Himes	Nunes	Graves (GA)	Pittenger	Trott	Davis, Rodney	Kilmer	Renacci
Cicilline	Hollingsworth	O'Halleran	Gutiérrez	Poe (TX)	Visclosky	DeFazio	King (IA)	Rice (SC)
Clark (MA)	Hoyer	O'Rourke	Hanabusa	Polis	Walz	DeGette	King (NY)	Richmond
Cleaver	Hudson	Olson				Delaney	Kinzinger	Roe (TN)
Cloud	Huffman	Palazzo				Delaney	Knight	Rogers (KY)
Clyburn	Hunter	Pallone				DeLauro	Krishnamoorthi	Rokita
Cohen	Hurd	Palmer				DelBene	Kuster (NH)	Rooney, Francis
Cole	Hurt	Panetta				Demings	Kustoff (TN)	Ros-Lehtinen
Collins (GA)	Issa	Pascarell				DesSaulnier	Labrador	Rothfus
Collins (NY)	Jackson Lee	Paulsen				DesJarlais	LaHood	Rouzer
Comer	Jayapal	Payne				Deutsch	LaMalfa	Roybal-Allard
Conaway	Jeffries	Pearce				Diaz-Balart	Lamb	Royce (CA)
Connolly	Johnson (GA)	Perlmutter				Dingell	Lamborn	Ruiz
Cook	Johnson (LA)	Perry				Doggett	Lance	Ruppersberger
Cooper	Johnson (OH)	Peters				Donovan	Langevin	Rush
Correa	Johnson, E. B.	Peterson				Doyle, Michael F.	Larsen (WA)	Russell
Costa	Johnson, Sam	Pingree				Duffy	Larson (CT)	Rutherford
Costello (PA)	Jones (MI)	Pocan				Duncan (SC)	Latta	Ryan (OH)
Courtney	Jordan	Poliquin				Duncan (TN)	Lawrence	Sánchez
Cramer	Kaptur	Posey				Dunn	Lawson (FL)	Sanford
Crawford	Katko	Price (NC)				Emmer	Lee	Sarbanes
Crist	Kelly (IL)	Quigley				Eshoo	Lesko	Scalise
Cuellar	Kelly (MS)	Raskin				Españat	Levin	Scanlon
Cummings	Kelly (PA)	Ratcliffe				Estes (KS)	Lewis (GA)	Schakowsky
Curbelo (FL)	Kennedy	Reed				Esty (CT)	Lieu, Ted	Schiff
Curtis	Khanna	Reichert				Evans	LoBiondo	Schneider
Davidson	Kihuen	Renacci				Faso	Loeb sack	Schrader
Davis (CA)	Kildee	Rice (SC)				Ferguson	Lofgren	Schweikert
Davis, Rodney	Kilmer	Richmond				Fitzpatrick	Long	Scott (VA)
DeFazio	King (IA)	Roe (TN)				Fleischmann	Loudermilk	Scott, Austin
DeGette	King (NY)	Rogers (KY)					Lowey	Serrano
Delaney	Kinzinger	Rokita						Sessions
DeLauro	Kinzinger	Rokita						Sewell (AL)
DelBene	Knight	Rooney, Francis						Sherman
Demings	Kustoff (TN)	Rothfus						Shimkus
DesSaulnier	Kustoff (TN)	Rouzer						Simpson
DeSaulnier	Labrador	Roybal-Allard						Sires
DesJarlais	LaHood	Royce (CA)						Smith (MO)
Deutsch	LaMalfa	Ruiz						Smith (NE)
Diaz-Balart	Lamb	Ruppersberger						Smith (NJ)
Dingell	Lamborn	Rush						Smith (TX)
Doggett	Lance	Russell						Smith (WA)
Donovan	Langevin	Rutherford						Smucker
Doyle, Michael F.	Larsen (WA)	Ryan (OH)						Soto
Duffy	Larson (CT)	Sánchez						Speier
Duncan (SC)	Latta	Sanford						Stefanik
Duncan (TN)	Lawrence	Sarbanes						Stewart
Dunn	Lawson (FL)	Scalise						Stivers
Emmer	Lee	Scanlon						Suozzi
Eshoo	Lesko	Schakowsky						Takano
Españat	Levin	Schiff						Tenney
Estes (KS)	Lewis (GA)	Schneider						Thompson (CA)
Esty (CT)	Lieu, Ted	Schrader						Thompson (PA)
Evans	LoBiondo	Schweikert						Thornberry
Faso	Loeb sack	Scott (VA)						Titus
Ferguson	Lofgren	Scott, Austin						Tonko
Fitzpatrick	Long	Serrano						Torres
Fleischmann	Loudermilk	Sessions						Tsongas
	Lowey	Sherman						

NOT VOTING—66

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said resolution was agreed to was, by unanimous consent, laid on the table.

168.18 H.R. 7318—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7318) to amend the Federal Assets Sale and Transfer Act of 2016 to ensure that the Public Buildings Reform Board has adequate time to carry out the responsibilities of the Board, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 372
affirmative Nays 2

168.19 [Roll No. 475]

YEAS—372

Abraham	Barton	Bost
Adams	Bass	Boyle, Brendan F.
Aderholt	Beatty	Brady (TX)
Aguilar	Bera	Brat
Allen	Bergman	Brooks (AL)
Amash	Beyer	Brooks (IN)
Amodei	Biggs	Brown (MD)
Arrington	Bilirakis	Brownley (CA)
Babin	Bishop (GA)	Buchanan
Bacon	Bishop (MI)	Buck
Balderson	Bishop (UT)	Bucshon
Banks (IN)	Blumenauer	Budd
Barletta	Blunt Rochester	Burgess
Barragán	Bonamici	

Turner	Walters, Mimi	Wilson (FL)
Upton	Wasserman	Wilson (SC)
Valadao	Schultz	Wittman
Vargas	Waters, Maxine	Womack
Veasey	Watson Coleman	Woodall
Vela	Weber (TX)	Yarmuth
Velázquez	Webster (FL)	Yoder
Wagner	Welch	Yoho
Walberg	Wenstrup	Young (AK)
Walden	Westerman	Young (IA)
Walker	Wild	Zeldin
Walorski	Williams	

NAYS—2

Cohen

Massie

NOT VOTING—58

Barr	Hastings	Rice (NY)
Black	Holding	Roby
Blackburn	Huffman	Rogers (AL)
Blum	Hultgren	Rohrabacher
Brady (PA)	Jenkins (KS)	Rooney, Thomas
Capuano	Jones (NC)	J.
Clarke (NY)	Keating	Rosen
Clay	Kind	Roskam
Collins (GA)	Lewis (MN)	Ross
Crowley	Lipinski	Scott, David
Culberson	Love	Sensenbrenner
Davis, Danny	Lowenthal	Shea-Porter
Denham	Lujan Grisham,	Shuster
Ellison	M.	Sinema
Engel	Newhouse	Swalwell (CA)
Goodlatte	Noem	Taylor
Gowdy	Pittenger	Thompson (MS)
Graves (GA)	Poe (TX)	Trott
Gutiérrez	Polis	Visclosky
Hanabusa	Reed	Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶168.20 H.R. 7319—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7319) to amend the Federal Assets Sale and Transfer Act of 2016 to provide flexibility with respect to the leaseback of certain Federal real property, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 372
affirmative { Nays 1

¶168.21 [Roll No. 476]

YEAS—372

Abraham	Biggs	Bustos
Adams	Bilirakis	Butterfield
Aderholt	Bishop (GA)	Byrne
Aguilar	Bishop (MI)	Calvert
Allen	Bishop (UT)	Carbajal
Amash	Blumenauer	Cárdenas
Amodei	Blunt Rochester	Carson (IN)
Arrington	Bonamici	Carter (GA)
Babin	Bost	Carter (TX)
Bacon	Boyle, Brendan	Cartwright
Balderson	F.	Castor (FL)
Banks (IN)	Brat	Castro (TX)
Barletta	Brooks (AL)	Chabot
Barr	Brooks (IN)	Cheney
Barragán	Brown (MD)	Chu, Judy
Barton	Brownley (CA)	Cicilline
Bass	Buchanan	Clark (MA)
Beatty	Buck	Cleaver
Bera	Bucshon	Cloud
Bergman	Budd	Clyburn
Beyer	Burgess	Cole

Collins (NY)	Jackson Lee	Palmer
Comer	Jayapal	Panetta
Comstock	Jeffries	Pascarell
Conaway	Johnson (GA)	Paulsen
Connolly	Johnson (LA)	Payne
Cook	Johnson (OH)	Pearce
Cooper	Johnson, E. B.	Pelosi
Correa	Johnson, Sam	Perlmutter
Costa	Jones (MI)	Perry
Costello (PA)	Jordan	Peters
Courtney	Joyce (OH)	Peterson
Cramer	Kaptur	Pingree
Crawford	Katko	Pocan
Crist	Kelly (IL)	Poliquin
Cuellar	Kelly (MS)	Posey
Cummings	Kelly (PA)	Price (NC)
Curbelo (FL)	Kennedy	Quigley
Curtis	Khanna	Raskin
Davidson	Kihuen	Ratcliffe
Davis (CA)	Kildee	Reed
Davis, Rodney	Kilmer	Reichert
DeFazio	King (IA)	Renacci
DeGette	King (NY)	Rice (SC)
Delaney	Kinzing	Richmond
DeLauro	Knight	Roe (TN)
DeBene	Krishnamoorthi	Rogers (KY)
Demings	Kuster (NH)	Rokita
DeSaulnier	Kustoff (TN)	Rooney, Francis
DesJarlais	Labrador	Ros-Lehtinen
Deuth	LaHood	Rothfus
Diaz-Balart	LaMalfa	Rouzer
Dingell	Lamb	Roybal-Allard
Doggett	Lamborn	Royce (CA)
Donovan	Lance	Ruiz
Doyle, Michael	Langevin	Ruppersberger
F.	Larsen (WA)	Rush
Duffy	Larson (CT)	Russell
Duncan (SC)	Latta	Rutherford
Duncan (TN)	Lawrence	Ryan (OH)
Dunn	Lawson (FL)	Sánchez
Emmer	Lee	Sanford
Engel	Lesko	Sarbanes
Eshoo	Levin	Scalise
Espallat	Lewis (GA)	Scanlon
Estes (KS)	Lieu, Ted	Schakowsky
Esty (CT)	LoBiondo	Schiff
Evans	Loebback	Schneider
Faso	Lofgren	Schrader
Ferguson	Long	Schweikert
Fitzpatrick	Loudermilk	Scott (VA)
Fleischmann	Lowe	Scott, Austin
Flores	Lucas	Serrano
Fortenberry	Luetkemeyer	Sessions
Fox	Luján, Ben Ray	Sewell (AL)
Frankel (FL)	Lynch	Sherman
Frelinghuysen	MacArthur	Shimkus
Fudge	Maloney,	Simpson
Gabbard	Carolyn B.	Sires
Gaetz	Maloney, Sean	Smith (MO)
Gallagher	Marchant	Smith (NE)
Galleo	Marino	Smith (NJ)
Garamendi	Marshall	Smith (TX)
Garrett	Massie	Smith (WA)
Gianforte	Mast	Smucker
Gibbs	Matsui	Soto
Gohmert	McCarthy	Speier
Gomez	McCaul	Stefanik
Gonzalez (TX)	McClintock	Stewart
Gosar	McCollum	Stivers
Gottheimer	McEachin	Suozzi
Granger	McGovern	Takano
Graves (LA)	McHenry	Tenney
Graves (MO)	McKinley	Thompson (CA)
Green, Al	McMorris	Thompson (PA)
Green, Gene	Rodgers	Thornberry
Griffith	McNerney	Tipton
Grijalva	McSally	Titus
Grothman	Meadows	Tonko
Guthrie	Meeks	Torres
Handel	Meng	Tsongas
Harper	Messer	Turner
Harris	Mitchell	Upton
Hartzer	Moelenaar	Valadao
Heck	Mooney (WV)	Vargas
Hensarling	Moore	Vela
Hern	Morrell	Velázquez
Herrera Beutler	Moulton	Wagner
Hice, Jody B.	Mullin	Walberg
Higgins (LA)	Murphy (FL)	Walden
Higgins (NY)	Nadler	Walker
Hill	Neal	Walorski
Himes	Nolan	Walters, Mimi
Hollingsworth	Norcross	Wasserman
Hoyer	Norman	Schultz
Hudson	Nunes	Waters, Maxine
Huffman	O'Halleran	Watson Coleman
Huizenga	O'Rourke	Weber (TX)
Hunter	Olson	Webster (FL)
Hurd	Palazzo	Welch
Issa	Pallone	Wenstrup

Westerman	Wittman	Yoho
Wild	Womack	Young (AK)
Williams	Woodall	Young (IA)
Wilson (FL)	Yarmuth	Zeldin
Wilson (SC)	Yoder	

NAYS—1

Cohen

NOT VOTING—59

Black	Hastings	Rogers (AL)
Blackburn	Holding	Rohrabacher
Blum	Hultgren	Rooney, Thomas
Brady (PA)	Jenkins (KS)	J.
Brady (TX)	Jones (NC)	Rosen
Capuano	Keating	Roskam
Clarke (NY)	Kind	Ross
Clay	Lewis (MN)	Scott, David
Coffman	Lipinski	Sensenbrenner
Collins (GA)	Love	Shea-Porter
Crowley	Lowenthal	Shuster
Culberson	Lujan Grisham,	Sinema
Davis, Danny	M.	Swalwell (CA)
Denham	Napolitano	Taylor
Ellison	Newhouse	Thompson (MS)
Foster	Noem	Trott
Goodlatte	Pittenger	Veasey
Gowdy	Poe (TX)	Visclosky
Graves (GA)	Polis	Walz
Gutiérrez	Rice (NY)	
Hanabusa	Roby	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶168.22 H.R. 7329—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7329) to make technical corrections to provisions of law enacted by the Frank LoBiondo Coast Guard Authorization Act of 2018, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 378
affirmative { Nays 2

¶168.23 [Roll No. 477]

YEAS—378

Abraham	Bonamici	Cicilline
Adams	Bost	Clark (MA)
Aderholt	Boyle, Brendan	Clarke (NY)
Aguilar	F.	Cleaver
Allen	Brady (TX)	Cloud
Amash	Brat	Clyburn
Amodei	Brooks (IN)	Coffman
Arrington	Brown (MD)	Cole
Babin	Brownley (CA)	Collins (NY)
Bacon	Buchanan	Comer
Balderson	Buck	Comstock
Banks (IN)	Bucshon	Conaway
Barletta	Burgess	Connolly
Barr	Bustos	Cook
Barragán	Butterfield	Cooper
Barton	Byrne	Correa
Bass	Calvert	Costa
Beatty	Carbajal	Costello (PA)
Bera	Cárdenas	Courtney
Bergman	Carson (IN)	Cramer
Beyer	Carter (GA)	Crawford
Biggs	Carter (TX)	Crist
Bilirakis	Cartwright	Cuellar
Bishop (GA)	Castor (FL)	Cummings
Bishop (MI)	Castro (TX)	Curbelo (FL)
Bishop (UT)	Chabot	Curtis
Blumenauer	Cheney	Davidson
Blunt Rochester	Chu, Judy	Davis (CA)

Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutsch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Granger
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen

Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lieu, Ted
LoBiondo
Loeb
Loeb
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Lujan, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
McNerney
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarella
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin

Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney, Francis
Ros-Lehtinen
Rothfus
Rouzer
Roybal-Allard
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sanchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Takano
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velazquez
Visclosky
Wagner
Walberg
Walker
Walorski
Walters, Mimi
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2
Brooks (AL)
Cohen

NOT VOTING—52
Black
Blackburn
Blum
Brady (PA)
Budd
Capuano
Clay
Collins (GA)
Crowley
Culberson
Davis, Danny
Denham
Ellison
Goodlatte
Gowdy
Graves (GA)
Gutiérrez
Hanabusa

Hastings
Holding
Hultgren
Jenkins (KS)
Jones (NC)
Keating
Kind
Lewis (MN)
Lipinski
Love
Lowenthal
Lujan Grisham, M.
Newhouse
Noem
Pittenger
Poe (TX)
Polis

Rice (NY)
Rohrabacher
Rooney, Thomas J.
Rosen
Roskam
Ross
Royce (CA)
Scott, David
Sensenbrenner
Shea-Porter
Shuster
Sinema
Swalwell (CA)
Taylor
Thompson (MS)
Trott
Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶168.24 S. 3367—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3367) to amend certain transportation-related reporting requirements to improve congressional oversight, reduce reporting burdens, and promote transparency, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 381
affirmative Nays 2

¶168.25 [Roll No. 478]

YEAS—381
Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barietta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (TX)
Brat
Brooks (IN)

Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Cloud
Clyburn
Coffman
Cole
Collins (NY)
Comer
Comstock
Conaway
Connolly

Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Cuellar
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutsch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn

Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Fox
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Issa
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn

Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loeb
Loeb
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Lujan, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarella
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin

Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Ros-Lehtinen
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Takano
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velazquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Brooks (AL)
Cohen

NOT VOTING—49

Black	Holding	Rohrabacher
Blackburn	Hultgren	Rooney, Francis
Blum	Hurd	Rooney, Thomas
Brady (PA)	Jenkins (KS)	J.
Capuano	Jones (NC)	Rosen
Clay	Keating	Roskam
Collins (GA)	Kind	Ross
Crowley	Lewis (MN)	Scott, David
Culberson	Love	Sensenbrenner
Davis, Danny	Lowenthal	Shea-Porter
Denham	Lujan Grisham,	Shuster
Ellison	M.	Sinema
Goodlatte	Noem	Swalwell (CA)
Gowdy	Pittenger	Taylor
Gutiérrez	Poe (TX)	Thompson (MS)
Hanabusa	Polis	Trott
Hastings	Rice (NY)	Walz

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.26 H.R. 7293—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7293) to designate the facility of the United States Postal Service located at 770 Ayrault Road in Fairport, New York, as the “Louise and Bob Slaughter Post Office”.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	375
	Nays	6
	Answered present	2

¶168.27 [Roll No. 479]

YEAS—375

Abraham	Brownley (CA)	Costa
Adams	Buchanan	Costello (PA)
Aderholt	Buck	Courtney
Aguilar	Bucshon	Cramer
Allen	Budd	Crawford
Amash	Burgess	Crist
Amodei	Bustos	Cuellar
Arrington	Butterfield	Cummings
Babin	Byrne	Curbelo (FL)
Bacon	Calvert	Curtis
Balderson	Carbajal	Davidson
Banks (IN)	Cárdenas	Davis (CA)
Barletta	Carson (IN)	Davis, Rodney
Barr	Carter (GA)	DeFazio
Barragán	Carter (TX)	DeGette
Barton	Cartwright	Delaney
Bass	Castor (FL)	DeLauro
Beatty	Castro (TX)	DelBene
Bera	Chabot	Demings
Bergman	Cheney	DeSaulnier
Beyer	Chu, Judy	DesJarlais
Biggs	Cicilline	Deutch
Bilirakis	Clark (MA)	Diaz-Balart
Bishop (GA)	Clarke (NY)	Dingell
Bishop (MI)	Cleaver	Doggett
Bishop (UT)	Cloud	Donovan
Blumenauer	Clyburn	Doyle, Michael
Blunt Rochester	Coffman	F.
Bonamici	Cohen	Duffy
Bost	Cole	Duncan (SC)
Boyle, Brendan	Comer	Duncan (TN)
F.	Comstock	Dunn
Brady (TX)	Conaway	Emmer
Brat	Connolly	Engel
Brooks (AL)	Cook	Eshoo
Brooks (IN)	Cooper	Espallat
Brown (MD)	Correa	Estes (KS)

Esty (CT)	Latta	Roe (TN)
Evans	Lawrence	Rogers (AL)
Faso	Lawson (FL)	Rogers (KY)
Ferguson	Lee	Rohrabacher
Fitzpatrick	Lesko	Rokita
Fleischmann	Levin	Rooney, Francis
Flores	Lewis (GA)	Ros-Lehtinen
Fortenberry	Lieu, Ted	Rouzer
Foster	Lipinski	Roybal-Allard
Foxx	LoBlond	Royce (CA)
Frankel (FL)	Loeb sack	Ruiz
Frelinghuysen	Lofgren	Ruppersberger
Fudge	Long	Rush
Gabbard	Loudermilk	Russell
Gaetz	Lowey	Rutherford
Gallagher	Lucas	Ryan (OH)
Galleo	Luetkemeyer	Sánchez
Garamendi	Luján, Ben Ray	Sarbanes
Garrett	Lynch	Scalise
Gianforte	MacArthur	Scanlon
Gibbs	Maloney	Schakowsky
Gohmert	Carolyn B.	Schiff
Gomez	Maloney, Sean	Schneider
Gonzalez (TX)	Marchant	Schrader
Gosar	Marino	Schweikert
Gotthelmer	Marshall	Scott (VA)
Granger	Mast	Scott, Austin
Graves (GA)	Matsui	Serrano
Graves (LA)	McCarthy	Sessions
Graves (MO)	McCaul	Sewell (AL)
Green, Al	McClintock	Sherman
Green, Gene	McCollum	Shimkus
Griffith	McEachin	Simpson
Grijalva	McGovern	Sires
Guthrie	McHenry	Smith (MO)
Handel	McKinley	Smith (NE)
Harper	McMorris	Smith (NJ)
Hartzler	Rodgers	Smith (TX)
Heck	McNerney	Smith (WA)
Hensarling	McSally	Smucker
Hern	Meadows	Soto
Herrera Beutler	Meeks	Speier
Higgins (LA)	Meng	Stefanik
Higgins (NY)	Messer	Stewart
Hill	Mitchell	Stivers
Himes	Moolenaar	Suozzi
Hollingsworth	Mooney (WV)	Takano
Hoyer	Moore	Tenney
Hudson	Morelle	Thompson (CA)
Huffman	Moulton	Thompson (PA)
Huizenga	Mullin	Thornberry
Hunter	Murphy (FL)	Tipton
Hurd	Nadler	Titus
Issa	Napolitano	Tonko
Jackson Lee	Neal	Torres
Jayapal	Newhouse	Tsongas
Jeffries	Nolan	Turner
Johnson (GA)	Norcross	Upton
Johnson (OH)	Norman	Valadao
Johnson, E. B.	Nunes	Vargas
Johnson, Sam	O'Halleran	Veasey
Jones (MI)	O'Rourke	Vela
Jordan	Olson	Velázquez
Joyce (OH)	Palazzo	Visclosky
Kaptur	Pallone	Wagner
Katko	Palmer	Walberg
Kelly (IL)	Panetta	Walden
Kelly (MS)	Pascrell	Walker
Kelly (PA)	Paulsen	Walorski
Kennedy	Payne	Walters, Mimi
Khanna	Pearce	Wasserman
Kihuen	Pelosi	Schultz
Kildee	Perlmutter	Waters, Maxine
Kilmer	Perry	Watson Coleman
King (IA)	Peters	Weber (TX)
King (NY)	Peterson	Welch
Kinzing	Pingree	Wenstrup
Knight	Pocan	Westerman
Krishnamoorthi	Poliquin	Wild
Kuster (NH)	Posey	Williams
Kustoff (TN)	Price (NC)	Wilson (FL)
Labrador	Quigley	Wilson (SC)
LaHood	Raskin	Wittman
LaMalfa	Ratcliffe	Womack
Lamb	Reed	Woodall
Lamborn	Reichert	Yarmuth
Lance	Renacci	Yoder
Langevin	Rice (SC)	Young (IA)
Larsen (WA)	Richmond	Zeldin
Larson (CT)	Roby	

NAYS—6

Harris	Johnson (LA)	Rothfus
Hice, Jody B.	Massie	Yoho

ANSWERED “PRESENT”—2

Grothman	Sanford

NOT VOTING—49

Black	Hastings	Rooney, Thomas
Blackburn	Holding	J.
Blum	Hultgren	Rosen
Brady (PA)	Jenkins (KS)	Roskam
Capuano	Jones (NC)	Ross
Clay	Keating	Scott, David
Collins (GA)	Kind	Sensenbrenner
Collins (NY)	Lewis (MN)	Shea-Porter
Crowley	Love	Shuster
Culberson	Lowenthal	Sinema
Davis, Danny	Lujan Grisham,	Swalwell (CA)
Denham	M.	Taylor
Ellison	Noem	Thompson (MS)
Goodlatte	Pittenger	Trott
Gowdy	Poe (TX)	Walz
Gutiérrez	Polis	Webster (FL)
Hanabusa	Rice (NY)	Young (AK)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶168.28 S. 2276—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 2276) to require agencies to submit reports on outstanding recommendations in the annual budget justification submitted to Congress.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative	Yeas	382
	Nays	2

¶168.29 [Roll No. 480]

YEAS—382

Abraham	Bustos	Curtis
Adams	Butterfield	Davidson
Aderholt	Byrne	Davis (CA)
Aguilar	Calvert	Davis, Rodney
Allen	Carbajal	DeFazio
Amash	Cárdenas	DeGette
Amodei	Carson (IN)	Delaney
Arrington	Carter (GA)	DeLauro
Babin	Carter (TX)	DelBene
Bacon	Cartwright	Demings
Balderson	Castor (FL)	DeSaulnier
Banks (IN)	Castro (TX)	DesJarlais
Barletta	Chabot	Deutch
Barr	Cheney	Diaz-Balart
Barragán	Chu, Judy	Dingell
Barton	Cicilline	Doggett
Bass	Clark (MA)	Donovan
Beatty	Clarke (NY)	Doyle, Michael
Bera	Cleaver	F.
Bergman	Cloud	Duffy
Beyer	Clyburn	Duncan (SC)
Bilirakis	Coffman	Duncan (TN)
Bishop (GA)	Cohen	Dunn
Bishop (MI)	Cole	Emmer
Bishop (UT)	Collins (NY)	Engel
Blumenauer	Comer	Eshoo
Blunt Rochester	Comstock	Espallat
Bonamici	Conaway	Estes (KS)
Bost	Connolly	Esty (CT)
Boyle, Brendan	Cook	Evans
F.	Cooper	Faso
Brady (TX)	Correa	Ferguson
Brat	Costa	Fitzpatrick
Brooks (IN)	Costello (PA)	Fleischmann
Brown (MD)	Courtney	Flores
Brownley (CA)	Cramer	Fortenberry
Buchanan	Crawford	Foster
Buck	Crist	Foxx
Bucshon	Cuellar	Frankel (FL)
Budd	Cummings	Frelinghuysen
Burgess	Curbelo (FL)	Fudge

Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Guthman
Guthrie
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Hollingsworth
Hoyer
Hudson
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larsen (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)

Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Richmond
Rohrabacher

Rokita
Rooney, Francis
Ros-Lehtinen
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Serrano
Sessions
Sewell (AL)
Shimkus
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Takano
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Biggs Brooks (AL)

NOT VOTING—48

Black
Blackburn
Blum
Brady (PA)
Capuano
Clay
Collins (GA)
Crowley
Culberson
Davis, Danny
Denham
Ellison
Goodlatte
Gowdy
Gutiérrez
Hanabusa
Hastings
Holding
Hultgren
Jenkins (KS)
Jones (NC)

Keating
Kind
Lewis (MN)
Love
Lowenthal
Lujan Grisham,
M.
Noem
Pittenger
Poe (TX)
Polis
Rice (NY)
Rooney, Thomas
J.
Rosen
Roskam
Ross
Scott, David
Sensenbrenner
Shea-Porter
Sherman
Shuster
Sinema
Swalwell (CA)
Taylor
Thompson (MS)
Trott
Walz
Webster (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.30 S. 3031—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be motion to suspend the rules and pass the bill of the Senate (S. 3031) to amend chapter 5 of title 40, United States Code, to improve the management of Federal personal property.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 383
affirmative } Nays 1

¶168.31

[Roll No. 481]

YEAS—383

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Balderson
Banks (IN)
Barletta
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (TX)
Brat
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Cuellar
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaunier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Eshoo
Español
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Foster
Foxy
Frankel (FL)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Guthrie
Handel
Harper
Harris
Hartzler

Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones (MI)
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larsen (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Massie
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Richmond
Rohrabacher
Rohrabacher
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Serrano
Sessions
Sewell (AL)
Shimkus
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Takano
Tenney
Thompson (CA)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wenstrup
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—1

Brooks (AL)

NOT VOTING—48

Black
Blackburn
Blum
Brady (PA)
Capuano
Clay
Collins (GA)
Crowley
Culberson
Davis, Danny
Denham
Ellison
Fortenberry
Goodlatte
Gowdy
Gutiérrez
Hanabusa
Hastings
Holding
Hultgren
Jenkins (KS)
Jones (NC)
Keating
Kind
Lewis (MN)
Love
Lowenthal
Lujan Grisham,
M.
Noem
Pittenger
Poe (TX)
Polis
Rice (NY)
Rooney, Thomas
J.
Rosen
Roskam
Ross
Scott, David
Sensenbrenner
Shea-Porter
Shuster
Sinema

Swalwell (CA) Thompson (MS) Walz
Taylor Trott Webster (FL)

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.32 S. 3191—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3191) to provide for the expeditious disclosure of records related to civil rights cold cases, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 376
affirmative { Nays 6

¶168.33 [Roll No. 482] YEAS—376

Abraham	Clark (MA)	Fleischmann
Adams	Clarke (NY)	Flores
Aderholt	Clay	Fortenberry
Aguilar	Cleaver	Foster
Allen	Cloud	Frankel (FL)
Amodei	Clyburn	Frelinghuysen
Arrington	Coffman	Fudge
Babin	Cohen	Gabbard
Bacon	Cole	Gaetz
Balderson	Collins (NY)	Gallagher
Banks (IN)	Comer	Galleo
Barietta	Comstock	Garamendi
Barr	Conaway	Garrett
Barragán	Connolly	Gianforte
Barton	Cook	Gibbs
Bass	Cooper	Gomez
Beatty	Correa	Gonzalez (TX)
Bera	Costa	Gottheimer
Bergman	Costello (PA)	Granger
Beyer	Courtney	Graves (GA)
Biggs	Cramer	Graves (LA)
Bilirakis	Crawford	Graves (MO)
Bishop (GA)	Crist	Green, Al
Bishop (MI)	Cuellar	Green, Gene
Bishop (UT)	Cummings	Griffith
Blumenauer	Curbelo (FL)	Grijalva
Blunt Rochester	Curtis	Grothman
Bonamici	Davis (CA)	Guthrie
Bost	Davis, Rodney	Handel
Boyle, Brendan F.	DeFazio	Harper
Brady (TX)	DeGette	Hartzler
Brat	Delaney	Heck
Brooks (AL)	DeLauro	Hensarling
Brooks (IN)	DelBene	Hern
Brown (MD)	Demings	Herrera Beutler
Brownley (CA)	DeSaulnier	Hice, Jody B.
Buchanan	DesJarlais	Higgins (LA)
Buck	Deutch	Higgins (NY)
Bucshon	Diaz-Balart	Hill
Budd	Dingell	Himes
Burgess	Doggett	Hollingsworth
Bustos	Donovan	Hoyer
Butterfield	Doyle, Michael F.	Hudson
Byrne	Duffy	Huffman
Calvert	Duncan (SC)	Huizenga
Carbajal	Duncan (TN)	Hunter
Cardenas	Dunn	Hurd
Carson (IN)	Emmer	Issa
Carter (GA)	Engel	Jackson Lee
Carter (TX)	Eshoo	Jayapal
Cartwright	Espallat	Jeffries
Castor (FL)	Estes (KS)	Johnson (GA)
Castro (TX)	Esty (CT)	Johnson (LA)
Chabot	Evans	Johnson (OH)
Cheney	Faso	Johnson, E. B.
Chu, Judy	Ferguson	Johnson, Sam
Cicilline	Fitzpatrick	Jones (MI)
		Jordan

Joyce (OH)	Meng	Schiff
Kaptur	Messer	Schneider
Katko	Mitchell	Schrader
Kelly (IL)	Moolenaar	Schweikert
Kelly (MS)	Mooney (WV)	Scott, Austin
Kelly (PA)	Moore	Serrano
Kennedy	Moulton	Sessions
Khanna	Mullin	Sewell (AL)
Kihuen	Murphy (FL)	Sherman
Kildee	Nadler	Shimkus
Kilmer	Napolitano	Simpson
King (IA)	Neal	Sires
King (NY)	Newhouse	Smith (MO)
Kinzinger	Nolan	Smith (NE)
Knight	Norcross	Smith (NJ)
Krishnamoorthi	Norman	Smith (TX)
Kuster (NH)	Nunes	Smith (WA)
Kustoff (TN)	O'Halleran	Smucker
Labrador	O'Rourke	Soto
LaHood	Olson	Speier
LaMalfa	Palazzo	Stefanik
Lamb	Pallone	Stewart
Lamborn	Palmer	Stivers
Lance	Panetta	Suozzi
Langevin	Pascrell	Takano
Larsen (WA)	Paulsen	Tenney
Larson (CT)	Payne	Thompson (CA)
Latta	Pearce	Thompson (PA)
Lawrence	Pelosi	Thornberry
Lawson (FL)	Perlmutter	Tipton
Lee	Perry	Titus
Lesko	Peters	Tonko
Levin	Peterson	Torres
Lewis (GA)	Pingree	Tsongas
Lieu, Ted	Pocan	Turner
Lipinski	Poliquin	Upton
LoBiondo	Posey	Valadao
Loebach	Price (NC)	Vargas
Lofgren	Quigley	Veasey
Long	Raskin	Vela
Loudermilk	Ratcliffe	Velázquez
Lowey	Reed	Visclosky
Lucas	Reichert	Wagner
Luetkemeyer	Renacci	Walberg
Luján, Ben Ray	Rice (SC)	Walden
Lynch	Richmond	Walker
MacArthur	Roby	Walorski
Maloney	Roe (TN)	Walters, Mimi
Carolyn B. Maloney	Rogers (AL)	Wasserman
Maloney, Sean	Rogers (KY)	Schultz
Marchant	Rohrabacher	Waters, Maxine
Marino	Rokita	Watson Coleman
Marshall	Rooney, Francis	Weber (TX)
Mast	Ros-Lehtinen	Welch
Matsui	Rothfus	Wenstrup
McCarthy	Rouzer	Westerman
McCaul	Roybal-Allard	Wild
Cook McClintock	Royce (CA)	Williams
McCollum	Ruiz	Wilson (FL)
McEachin	Ruppersberger	Wilson (SC)
McGovern	Rush	Wittman
McHenry	Russell	Womack
McKinley	Rutherford	Woodall
McMorris	Ryan (OH)	Yarmuth
Rodgers	Sánchez	Yoder
McNerney	Sanford	Yoho
McSally	Scalise	Young (AK)
Meadows	Scanlon	Young (IA)
Meeks	Schakowsky	Zeldin

NAYS—6

Amash	Gohmert	Harris
Davidson	Gosar	Massie

NOT VOTING—50

Black	Hultgren	Rosen
Blackburn	Jenkins (KS)	Roskam
Blum	Jones (NC)	Ross
Brady (PA)	Keating	Sarbanes
Capuano	Kind	Scott (VA)
Collins (GA)	Lewis (MN)	Scott, David
Crowley	Love	Sensenbrenner
Culberson	Lowenthal	Shea-Porter
Davis, Danny	Lujan Grisham,	Shuster
Denham	M.	Sinema
Ellison	Morelle	Swalwell (CA)
Fox	Noem	Taylor
Goodlatte	Pittenger	Thompson (MS)
Gowdy	Poe (TX)	Trott
Guтиérrez	Polis	Walz
Hanabusa	Rice (NY)	Webster (FL)
Hastings	Rooney, Thomas J.	
Holding		

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.34 5TH ANNIVERSARY OF WORLD WAR II COMMEMORATION

Mr. GRAVES of Missouri, moved to suspend the rules and pass the bill of the Senate (S. 3661) to provide for a program of the Department of Defense to commemorate the 75th anniversary of World War II; as amended.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. GRAVES of Missouri, and Mr. LIPINSKI, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.35 AMENDMENT OF THE SENATE TO H.R. 2200

Mr. ROYCE of California, moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 2200) to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2018".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

TITLE I—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES

Subtitle A—Programs to Support Victims and Persons Vulnerable to Human Trafficking

Sec. 101. Grants to assist in the recognition of trafficking.

Sec. 102. Preventing future trafficking in the United States through receipt of complaints abroad.

Sec. 103. Modification to grants for victims services.

Subtitle B—Governmental Efforts to Prevent Human Trafficking

Sec. 111. Required training to prevent human trafficking for certain contracting air carriers.

Sec. 112. Ensuring United States procurement does not fund human trafficking.

Sec. 113. Training course on human trafficking and government contracting.

Sec. 114. Modifications to the Advisory Council on Human Trafficking.

Sec. 115. Sense of Congress on the Senior Policy Operating Group.

Sec. 116. Best practices to prevent forced child labor trafficking.

Subtitle C—Preventing Trafficking in Persons in the United States

Sec. 121. Demand reduction strategies in the United States.

Sec. 122. Designation of a labor prosecutor to enhance State and local efforts to combat trafficking in persons.

Sec. 123. Preventing human trafficking in foreign missions and diplomatic households.

Sec. 124. Actions against significant traffickers in persons.

Subtitle D—Monitoring Child, Forced, and Slave Labor

Sec. 131. Sense of Congress.

Sec. 132. Report on the enforcement of section 307 of the Tariff Act of 1930.

Sec. 133. Modification to list of child-made and slavery-made goods.

TITLE II—FIGHTING HUMAN TRAFFICKING ABROAD

Subtitle A—Efforts to Combat Trafficking

Sec. 201. Including the Secretary of the Treasury and the United States Trade Representative as a member of the Interagency Task Force to Monitor and Combat Trafficking.

Sec. 202. Encouraging countries to maintain and share data on human trafficking efforts.

Sec. 203. Appropriate listing of governments involved in human trafficking.

Sec. 204. Requirements for strategies to prevent trafficking.

Sec. 205. Briefing on countries with primarily migrant workforces.

Sec. 206. Report on recipients of funding from the United States Agency for International Development.

Subtitle B—Child Soldier Prevention Act of 2018

Sec. 211. Findings.

Sec. 212. Amendments to the Child Soldiers Prevention Act of 2008.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

Sec. 301. Authorization of appropriations under the Trafficking Victims Protection Act of 2000.

Sec. 302. Authorization of appropriations under the International Megan's Law.

Sec. 303. Authorization of appropriations for airport personnel training to identify and report human trafficking victims.

TITLE I—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES

Subtitle A—Programs to Support Victims and Persons Vulnerable to Human Trafficking

SEC. 101. GRANTS TO ASSIST IN THE RECOGNITION OF TRAFFICKING.

(a) GRANTS TO ASSIST IN RECOGNITION OF TRAFFICKING.—Section 106(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(b)) is amended—

(1) by striking “The President” and inserting the following:

“(1) IN GENERAL.—The President”; and

(2) by adding at the end the following:

“(2) GRANTS TO ASSIST IN THE RECOGNITION OF TRAFFICKING.—

“(A) DEFINITIONS.—In this paragraph:

“(i) ESEA TERMS.—The terms ‘elementary school’, ‘local educational agency’, ‘other staff’, and ‘secondary school’ have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

“(ii) HIGH-INTENSITY CHILD SEX TRAFFICKING AREA.—The term ‘high-intensity child sex trafficking area’ means a metropolitan area designated by the Director of the Federal Bureau of Investigation as having a high rate of children involved in sex trafficking.

“(iii) LABOR TRAFFICKING.—The term ‘labor trafficking’ means conduct described in section

103(9)(B) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)(B)).

“(iv) SCHOOL STAFF.—The term ‘school staff’ means teachers, nurses, school leaders and administrators, and other staff at elementary schools and secondary schools.

“(v) SEX TRAFFICKING.—The term ‘sex trafficking’ means the conduct described in section 103(9)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)(A)).

“(B) IN GENERAL.—The Secretary of Health and Human Services, in consultation with the Secretary of Education and the Secretary of Labor, may award grants to local educational agencies, in partnership with a nonprofit, non-governmental agency, to establish, expand, and support programs—

“(i) to educate school staff to recognize and respond to signs of labor trafficking and sex trafficking; and

“(ii) to provide age-appropriate information to students on how to avoid becoming victims of labor trafficking and sex trafficking.

“(C) PROGRAM REQUIREMENTS.—Amounts awarded under this paragraph shall be used for—

“(i) education regarding—

“(I) avoiding becoming victims of labor trafficking and sex trafficking;

“(II) indicators that an individual is a victim or potential victim of labor trafficking or sex trafficking;

“(III) options and procedures for referring such an individual, as appropriate, to information on such trafficking and services available for victims of such trafficking;

“(IV) reporting requirements and procedures in accordance with applicable Federal and State law; and

“(V) how to carry out activities authorized under subparagraph (A)(ii); and

“(ii) a plan, developed and implemented in consultation with local law enforcement agencies, to ensure the safety of school staff and students reporting such trafficking.

“(D) PRIORITY.—In awarding grants under this paragraph, the Secretary shall give priority to local educational agencies serving a high-intensity child sex trafficking area.”.

(b) INCLUSION IN AUTHORIZATION OF APPROPRIATIONS.—Section 113(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110(b)(1)) is amended by striking “section 107(b)” and inserting “sections 106(b) and 107(b)”.

SEC. 102. PREVENTING FUTURE TRAFFICKING IN THE UNITED STATES THROUGH RECEIPT OF COMPLAINTS ABROAD.

(a) IN GENERAL.—The Secretary of State shall ensure that each diplomatic or consular post or other mission designates an employee to be responsible for receiving information from—

(1) any person who was a victim of a severe form of trafficking in persons (as such term is defined in section 103(14) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(14))) while present in the United States; or

(2) any person who has information regarding a victim described in paragraph (1).

(b) PROVISION OF INFORMATION.—Any information received pursuant to subsection (a) shall be transmitted to the Department of Justice, the Department of Labor, the Department of Homeland Security, and to any other relevant Federal agency for appropriate response. The Attorney General, the Secretary of Labor, the Secretary of Homeland Security, and the head of any other such relevant Federal agency shall establish a process to address any actions to be taken in response to such information.

(c) ASSISTANCE FROM FOREIGN GOVERNMENTS.—The employee designated for receiving information pursuant to subsection (a) should coordinate with foreign governments or civil society organizations in the countries of origin of victims of severe forms of trafficking in persons, with the permission of and without compromising the safety of such victims, to ensure that such victims receive any additional support available.

SEC. 103. MODIFICATION TO GRANTS FOR VICTIMS SERVICES.

Section 107(b)(2)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)(A)) is amended by striking “programs for” and all that follows and inserting the following: “programs for victims of human trafficking, including programs that provide trauma-informed care or housing options to such victims who are—

“(i)(I) between 12 and 24 years of age; and

“(II) homeless, in foster care, or involved in the criminal justice system;

“(ii) transitioning out of the foster care system; or

“(iii) women or girls in underserved populations.”.

Subtitle B—Governmental Efforts to Prevent Human Trafficking

SEC. 111. REQUIRED TRAINING TO PREVENT HUMAN TRAFFICKING FOR CERTAIN CONTRACTING AIR CARRIERS.

(a) IN GENERAL.—Section 40118 of title 49, United States Code, is amended by adding at the end the following:

“(g) TRAINING REQUIREMENTS.—The Administrator of General Services shall ensure that any contract entered into for provision of air transportation with a domestic carrier under this section requires that the contracting air carrier submits to the Administrator of General Services, the Secretary of Transportation, the Administrator of the Transportation Security Administration, the Secretary of Labor and the Commissioner of U.S. Customs and Border Protection an annual report regarding—

“(1) the number of personnel trained in the detection and reporting of potential human trafficking (as described in paragraphs (9) and (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)), including the training required under section 44734(a)(4);

“(2) the number of notifications of potential human trafficking victims received from staff or other passengers; and

“(3) whether the air carrier notified the National Human Trafficking Hotline or law enforcement at the relevant airport of the potential human trafficking victim for each such notification of potential human trafficking, and if so, when the notification was made.”.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any contract entered into after the date of enactment of this Act except for contracts entered into by the Secretary of Defense.

SEC. 112. ENSURING UNITED STATES PROCUREMENT DOES NOT FUND HUMAN TRAFFICKING.

Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following:

“(k) AGENCY ACTION TO PREVENT FUNDING OF HUMAN TRAFFICKING.—

“(1) IN GENERAL.—At the end of each fiscal year, the Secretary of State, the Secretary of Labor, the Administrator of the United States Agency for International Development, and the Director of the Office of Management and Budget shall each submit a report to the Administrator of General Services that includes—

“(A) the name and contact information of the individual within the agency’s Office of Legal Counsel or Office of Acquisition Policy who is responsible for overseeing the implementation of—

“(i) subsection (g);

“(ii) title XVII of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 7104a et seq.); and

“(iii) any regulation in the Federal Acquisition Regulation (48 C.F.R. 1 et seq.) that is related to any subject matter referred to in clause (i) or (ii);

“(B) agency action to ensure that contractors are educated on the applicable laws and regulations listed in subparagraph (A);

“(C) agency action to ensure that the acquisition workforce and agency officials understand

implementation of the laws and regulations listed in subparagraph (A), including best practices for—

“(i) ensuring compliance with such laws and regulations;

“(ii) assessing the serious, repeated, willful, or pervasive nature of any violation of such laws or regulations; and

“(iii) evaluating steps contractors have taken to correct any such violation;

“(D)(i) the number of contracts containing language referring to the laws and regulations listed in subparagraph (A); and

“(ii) the number of contracts that did not contain any language referring to such laws and regulations;

“(E)(i) the number of allegations of severe forms of trafficking in persons received; and

“(ii) the source type of the allegation (such as contractor, subcontractor, employee of contractor or subcontractor, or an individual outside of the contract);

“(F)(i) the number of such allegations investigated by the agency;

“(ii) a summary of any findings from such investigations; and

“(iii) any improvements recommended by the agency to prevent such conduct from recurring;

“(G)(i) the number of such allegations referred to the Attorney General for prosecution under section 3271 of title 18, United States Code; and

“(ii) the outcomes of such referrals;

“(H) any remedial action taken as a result of such investigation, including whether—

“(i) a contractor or subcontractor (at any tier) was debarred or suspended due to a violation of a law or regulation relating to severe forms of trafficking in persons; or

“(ii) a contract was terminated pursuant to subsection (g) as a result of such violation;

“(I) any other assistance offered to agency contractors to ensure compliance with a law or regulation relating to severe forms of trafficking in persons;

“(J) any interagency meetings or data sharing regarding suspended or disbarred contractors or subcontractors (at any tier) for severe forms of trafficking in persons; and

“(K) any contract with a contractor or subcontractor (at any tier) located outside the United States and the country location, where safe to reveal location, for each such contractor or subcontractor.

“(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ‘appropriate congressional committees’ means—

“(A) the Committee on Foreign Affairs of the House of Representatives;

“(B) the Committee on Armed Services of the House of Representatives;

“(C) the Committee on Education and the Workforce of the House of Representatives;

“(D) the Committee on the Judiciary of the House of Representatives;

“(E) the Committee on Oversight and Government Reform of the House of Representatives;

“(F) the Committee on Foreign Relations of the Senate;

“(G) the Committee on Armed Services of the Senate;

“(H) the Committee on the Judiciary of the Senate; and

“(I) the Committee on Health, Education, Labor, and Pensions of the Senate.”.

SEC. 113. TRAINING COURSE ON HUMAN TRAFFICKING AND GOVERNMENT CONTRACTING.

Any curriculum, including any continuing education curriculum, for the acquisition workforce used by the Federal Acquisition Institute established under section 1201 of title 41, United States Code, shall include at least 1 course, lasting at least 30 minutes, regarding the law and regulations relating to human trafficking and contracting with the Federal Government.

SEC. 114. MODIFICATIONS TO THE ADVISORY COUNCIL ON HUMAN TRAFFICKING.

The Survivors of Human Trafficking Empowerment Act (section 115 of Public Law 114–22; 129 Stat. 243) is amended—

(1) in subsection (f), by amending paragraph (2) to read as follows:

“(2) shall receive travel expenses, including per diem in lieu of subsistence, in accordance with the applicable provisions under subchapter I of chapter 57 of title 5, United States Code.”; and

(2) in subsection (h), by striking “2020” and inserting “2021”.

SEC. 115. SENSE OF CONGRESS ON THE SENIOR POLICY OPERATING GROUP.

It is the sense of Congress that the Senior Policy Operating Group established under section 105(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(g)) should create a working group to examine the role of demand reduction, both domestically and internationally, in achieving the purposes of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.) and the Justice for Victims of Trafficking Act (Public Law 114–22; 129 Stat. 227).

SEC. 116. BEST PRACTICES TO PREVENT FORCED CHILD LABOR TRAFFICKING.

It is the sense of the Congress that—

(1) the United States Government condemns, in the strongest terms, forced child labor, including in situations of trafficking; and

(2) the President should work with the private sector to develop best practices and guidance for preventing forced child labor and indentured servitude, including in situations of trafficking.

Subtitle C—Preventing Trafficking in Persons in the United States

SEC. 121. DEMAND REDUCTION STRATEGIES IN THE UNITED STATES.

(a) DEPARTMENT OF JUSTICE TASK FORCE.—Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) in subparagraph (Q)(vii), by striking “and” at the end;

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

(3) by adding at the end the following:

“(S) tactics and strategies employed by human trafficking task forces sponsored by the Department of Justice to reduce demand for trafficking victims.”.

(b) REPORT ON STATE ENFORCEMENT.—Subsection (e)(1)(A) of the Combat Human Trafficking Act of 2015 (34 U.S.C. 20709(e)(1)(A)) is amended—

(1) in the matter preceding clause (i), by striking “rates” and inserting “number”; and

(2) by inserting “, noting the number of covered offenders” after “covered offense” each place such term appears;

(3) in clause (i), by striking “arrest” and inserting “arrests”; and

(4) in clause (ii), by striking “prosecution” and inserting “prosecutions”; and

(5) in clause (iii), by striking “conviction” and inserting “convictions”.

SEC. 122. DESIGNATION OF A LABOR PROSECUTOR TO ENHANCE STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS.

Section 204(a)(1) of the Trafficking Victims Protection Reauthorization Act of 2005 (34 U.S.C. 20705(a)(1)) is amended—

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

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

(3) by adding at the end the following:

“(F) as appropriate, to designate at least 1 prosecutor for cases of severe forms of trafficking in persons (as such term is defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)).”.

SEC. 123. PREVENTING HUMAN TRAFFICKING IN FOREIGN MISSIONS AND DIPLOMATIC HOUSEHOLDS.

Section 203(a) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375c(a)) is amended—

(1) in paragraph (2)—

(A) by striking “for such period as the Secretary determines necessary” and inserting “for

a period of at least 1 year, except if the Secretary determines and reports to the appropriate congressional committees, in advance, the reasons a shorter period is in the national interest.”; and

(B) by striking “the Secretary determines” and all that follows and inserting “there is an unpaid default or final civil judgement directly or indirectly related to human trafficking against the employer or a family member assigned to the embassy, or the diplomatic mission or international organization hosting the employer or family member has not responded affirmatively to a request to waive immunity within 6 weeks of the request in a case brought by the United States Government and the country that accredited the employer or family member or, in the case of international organizations, the country of citizenship, has not initiated prosecution against the employer or family member.”; and

(2) in paragraph (3), by striking “a mechanism is in place” and inserting “, as applicable, the unpaid default judgment or final civil judgment has been resolved, the diplomatic mission or international organization hosting the employer or family member has waived immunity for the employer or family member or the country that accredited the employer or family member or the country of citizenship of the employer or family member completed the prosecution of the employer or family member, and the diplomatic mission or international organization hosting the employer or family member has a mechanism in place”.

SEC. 124. ACTIONS AGAINST SIGNIFICANT TRAFFICKERS IN PERSONS.

Section 111(a)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7108(a)(1)) is amended—

(1) in the matter preceding subparagraph (A), by inserting “, or section 1263 of the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note),” after “1701)” the second place it appears; and

(2) by adding at the end the following:

“(D) Officials of a foreign government who participate in, facilitate, or condone severe forms of trafficking in persons for significant financial gain.”.

Subtitle D—Monitoring Child, Forced, and Slave Labor

SEC. 131. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) foreign assistance that addresses poverty alleviation and humanitarian disasters reduces the vulnerability of men, women, and children to human trafficking and is a crucial part of the response of the United States to modern-day slavery;

(2) the Deputy Under Secretary of the Bureau of International Labor Affairs of the Department of Labor and the grant programs administered by the Deputy Under Secretary play a critical role in preventing and protecting children from the worst forms of child labor, including situations of trafficking, and in reducing the vulnerabilities of men and women to situations of forced labor and trafficking; and

(3) the Secretary of Labor also plays a critical role in helping other Federal departments and agencies to prevent goods made with forced and child labor from entering the United States by consulting with such departments and agencies to reduce forced and child labor internationally and ensuring that products made by forced labor and child labor in violation of international standards are not imported into the United States.

SEC. 132. REPORT ON THE ENFORCEMENT OF SECTION 307 OF THE TARIFF ACT OF 1930.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the committees listed in subsection (b) that describes any obstacles or challenges to

enforcing section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(b) **COMMITTEES.**—The committees listed in this subsection are—

(1) the Committee on Foreign Affairs of the House of Representatives;

(2) the Committee on Financial Services of the House of Representatives;

(3) the Committee on Energy and Commerce of the House of Representatives;

(4) the Committee on the Judiciary of the House of Representatives;

(5) the Committee on Ways and Means of the House of Representatives;

(6) the Committee on Foreign Relations of the Senate;

(7) the Committee on Health, Education, Labor, and Pensions of the Senate;

(8) the Committee on Commerce, Science, and Transportation of the Senate;

(9) the Committee on the Judiciary of the Senate; and

(10) the Committee on Finance of the Senate.

(c) **REQUIREMENTS.**—The report required under subsection (a) shall—

(1) describe the role and best practices of private sector employers in the United States in complying with the provisions of section 307 of the Tariff Act of 1930;

(2) describe any efforts or programs undertaken by relevant Federal, State, or local government agencies to encourage employers, directly or indirectly, to comply with such provisions;

(3) describe the roles of the relevant Federal departments and agencies in overseeing and regulating such provisions, and the oversight and enforcement mechanisms used by such departments or agencies;

(4) provide concrete, actual case studies or examples of how such provisions are enforced;

(5) identify the number of petitions received and cases initiated (whether by petition or otherwise) or investigated by each relevant Federal department or agency charged with implementing and enforcing such provisions, as well as the dates petitions were received or investigations were initiated, and their current statuses;

(6) identify any enforcement actions during the most recent 10 years, including—

(A) the issuance of Withhold Release Orders;

(B) the detention of shipments;

(C) the issuance of civil penalties; and

(D) the formal charging with criminal charges relating to the forced labor scheme taken as a result of petitions and investigations identified pursuant to paragraph (5), organized by type of action, date of action, commodity, and country of origin;

(7) with respect to any relevant petition filed during the 10-year period immediately preceding the date of the enactment of this Act with the relevant Federal departments and agencies tasked with implementing such provisions, list the specific products, country of origin, manufacturer, importer, end-user or retailer, and outcomes of any investigation;

(8) identify any gaps that may exist in enforcement of such provisions;

(9) describe the engagement of the relevant Federal departments and agencies with stakeholders, including the engagement of importers, forced labor experts, and nongovernmental organizations; and

(10) based on the information required under paragraphs (1) through (9)—

(A) identify any regulatory obstacles or challenges to enforcement of such provisions; and

(B) provide recommendations for actions that could be taken by the relevant Federal departments and agencies to overcome such obstacles.

SEC. 133. MODIFICATION TO LIST OF CHILD-MADE AND SLAVERY-MADE GOODS.

(a) **IN GENERAL.**—Section 105(b)(2)(C) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)(2)(C)) is amended by inserting “, including, to the extent practicable, goods that are produced with inputs

that are produced with forced labor or child labor” after “international standards”.

(b) **INCLUSION IN AUTHORIZATION OF APPROPRIATIONS.**—Amounts appropriated pursuant to the authorization of appropriations under section 113(f) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110(f)), as amended by section 301, are authorized to be made available to carry out the purposes described in section 105(b)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)(2)), as amended by subsection (a).

TITLE II—FIGHTING HUMAN TRAFFICKING ABROAD

Subtitle A—Efforts to Combat Trafficking

SEC. 201. INCLUDING THE SECRETARY OF THE TREASURY AND THE UNITED STATES TRADE REPRESENTATIVE AS A MEMBER OF THE INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

Section 105(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting “the Secretary of the Treasury, the United States Trade Representative,” after “the Secretary of Education.”.

SEC. 202. ENCOURAGING COUNTRIES TO MAINTAIN AND SHARE DATA ON HUMAN TRAFFICKING EFFORTS.

Section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)) is amended—

(1) in paragraph (1)—

(A) by striking “the capacity” and inserting “a demonstrably increasing capacity”; and

(B) by striking the last sentence; and

(2) in paragraph (7)—

(A) by striking “consistent with its resources” and inserting “, consistent with a demonstrably increasing capacity of such government to obtain such data,”; and

(B) by striking the last sentence.

SEC. 203. APPROPRIATE LISTING OF GOVERNMENTS INVOLVED IN HUMAN TRAFFICKING.

Section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A)(iii)(I)—

(i) by striking “absolute” and inserting “estimated”; and

(ii) by inserting “and the country is not taking proportional concrete actions” before the semicolon at the end; and

(B) by adding at the end the following:

“(F) **SPECIAL RULE FOR CERTAIN COUNTRIES ON SPECIAL WATCH LIST THAT ARE DOWNGRADED AND REINSTATED ON SPECIAL WATCH LIST.**—Notwithstanding subparagraphs (D) and (E), a country may not be included on the special watch list described in subparagraph (A)(iii) for more than 1 consecutive year after the country—

“(i) was included on the special watch list described in subparagraph (A)(iii) for—

“(I) 2 consecutive years after the date of the enactment of subparagraph (D); and

“(II) any additional years after such date of enactment as a result of the President exercising the waiver authority under subparagraph (D)(ii); and

“(ii) was subsequently included on the list of countries described in paragraph (1)(C).”; and

(2) in paragraph (3)—

(A) by redesignating subparagraphs (A), (B), and (C) as clauses (i), (ii), and (iii) and moving such clauses 2 ems to the right;

(B) in the matter preceding clause (i), as redesignated, by striking “In determinations” and inserting the following:

“(A) **IN GENERAL.**—In determinations”; and

(C) by adding at the end the following:

“(B) **PROOF OF FAILURE TO MAKE SIGNIFICANT EFFORTS.**—In addition to the considerations described in clauses (i), (ii), and (iii) of subparagraph (A), in determinations under paragraph (1)(C) as to whether the government of a country is not making significant efforts to bring

itself into compliance with the minimum standards for the elimination of trafficking, the Secretary of State shall consider, as proof of failure to make significant efforts, a government policy or pattern of—

“(i) trafficking;

“(ii) trafficking in government-funded programs;

“(iii) forced labor (in government-affiliated medical services, agriculture, forestry, mining, construction, or other sectors);

“(iv) sexual slavery in government camps, compounds, or outposts; or

“(v) employing or recruiting child soldiers.”.

SEC. 204. REQUIREMENTS FOR STRATEGIES TO PREVENT TRAFFICKING.

(a) **REPORT ON NEW PRACTICES TO COMBAT TRAFFICKING.**—

(1) **IN GENERAL.**—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for 7 years, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that—

(A) describes any practices adopted by the Department of State or the United States Agency for International Development to better combat trafficking in persons, in accordance with the report submitted under section 101(b)(4) of the Trafficking Victims Protection Reauthorization Act of 2005, in order to reduce the risk of trafficking in post-conflict or post-disaster areas; or

(B) if no practices referred to in subparagraph (A) have been adopted, includes a strategy to reduce the risk of trafficking in such areas.

(2) **PUBLIC AVAILABILITY.**—Each report submitted under paragraph (1) shall be posted on a publicly available internet website of the Department of State.

(b) **CHILD PROTECTION STRATEGIES IN WATCH LIST COUNTRIES.**—

(1) **IN GENERAL.**—The Administrator of the United States Agency for International Development shall incorporate into the relevant country development cooperation strategy for each country on the list described in paragraph (1)(C) of section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) or the special watch list described in paragraph (2)(A)(iii) of such section, strategies for the protection of children and the reduction of the risk of trafficking.

(2) **COMPONENTS.**—The child protection and trafficking reduction strategies required under paragraph (1) shall—

(A) address the root causes of insecurity that leave children and youth vulnerable to trafficking; and

(B) include common metrics and indicators to monitor progress across Federal agencies to prevent, address, and end violence against children and youth globally in post-conflict and post-disaster areas.

SEC. 205. BRIEFING ON COUNTRIES WITH PRIMARILY MIGRANT WORKFORCES.

Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall provide a briefing to the Committee on Foreign Relations of the Senate, the Committee on the Judiciary of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on the Judiciary of the House of Representatives that includes, with respect to each country that has a domestic workforce of which more than 80 percent are third-country nationals—

(1) an assessment of the progress made by the government of such country toward implementing the recommendations with respect to such country contained in the most recent Trafficking in Persons Report submitted by the Secretary under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)), as amended by section 203 of this Act; and

(2) a description of the efforts made by the United States to ensure that any domestic worker brought into the United States by an official of such country is not a victim of trafficking.

SEC. 206. REPORT ON RECIPIENTS OF FUNDING FROM THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

Not later than 90 days after the date of the enactment of this Act, and by October 1 of each of the following 4 years, the Administrator of the United States Agency for International Development shall submit a report to the Committee on Foreign Relations of the Senate, the Committee on Appropriations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Appropriations of the House of Representatives that describes, with respect to the prior fiscal year—

(1) each obligation or expenditure of Federal funds by the Agency for the purpose of combating human trafficking and forced labor; and

(2) with respect to each such obligation or expenditure, the program, project, activity, primary recipient, and any subgrantees or subcontractors.

Subtitle B—Child Soldier Prevention Act of 2018

SEC. 211. FINDINGS.

Congress finds the following:

(1) The recruitment or use of children in armed conflict is unacceptable for any government or government-supported entity receiving United States assistance.

(2) The recruitment or use of children in armed conflict, including direct combat, support roles, and sexual slavery, occurred during 2016 or 2017 in Afghanistan, Iran, Mali, Niger, South Sudan, Sudan, Burma, the Democratic Republic of the Congo, Iraq, Nigeria, Rwanda, Somalia, Syria, and Yemen.

(3) Entities of the Government of Afghanistan, particularly the Afghan Local Police and Afghan National Police, continue to recruit children to serve as combatants or as servants, including as sex slaves.

(4) Police forces of the Government of Afghanistan participate in counterterrorism operations, direct and indirect combat, security operations, fight alongside regular armies, and are targeted for violence by the Taliban and other opposition groups.

(5) In February 2016, a 10-year-old boy was assassinated by the Taliban after he had been publicly honored by Afghan local police forces for his assistance in combat operations against the Taliban.

(6) Recruitment and use of children in armed conflict by government forces has continued in South Sudan with the return to hostilities.

(7) At least 19,000 children have been recruited since South Sudan's civil war began in 2013.

SEC. 212. AMENDMENTS TO THE CHILD SOLDIERS PREVENTION ACT OF 2008.

(a) **DEFINITIONS.**—Section 402(2) of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c(2)) is amended—

(1) in subparagraph (A), by inserting “, police, or other security forces” after “governmental armed forces” each place such term appears; and

(2) in subparagraph (B), by striking “clauses” and inserting “clause”.

(b) **PROHIBITION.**—Section 404 of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c-1) is amended—

(1) in subsection (a)—

(A) by inserting “, police, or other security forces,” after “governmental armed forces”; and

(B) by striking “recruit and use child soldiers” and inserting “recruit or use child soldiers”;

(2) in subsection (b), by amending paragraph (2) to read as follows:

“(2) **NOTIFICATION.**—

“(A) **IN GENERAL.**—Not later than 45 days after the date on which each report is submitted under section 110(b) of the Trafficking Victims

Protection Act of 2000 (22 U.S.C. 7107(b)), the Secretary of State shall formally notify each government included in the list under paragraph (1) that such government is included in such list.

“(B) **CONGRESSIONAL NOTIFICATION.**—As soon as practicable after making all of the notifications required under subparagraph (A) with respect to a report, the Secretary of State shall notify the appropriate congressional committees that the requirements of subparagraph (A) have been met.”;

(3) in subsection (c)(1), by inserting before the period at the end the following: “and certifies to the appropriate congressional committees that the government of such country is taking effective and continuing steps to address the problem of child soldiers”;

(4) in subsection (e)(1), in the matter preceding subparagraph (A), by striking “to a country” and all that follows through “subsection (a)” and inserting “under section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) through the Defense Institute for International Legal Studies or the Center for Civil-Military Relations at the Naval Post-Graduate School, and may provide nonlethal supplies (as defined in section 2557(d)(1)(B) of title 10, United States Code), to a country subject to the prohibition under subsection (a)”.

(c) **REPORTS.**—Section 405 of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c-2) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by striking “, during any of the 5 years following the date of the enactment of this Act,”; and

(ii) by striking “wavier” and inserting “waiver”;

(B) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(C) by inserting after paragraph (1) the following:

“(2) a description and the amount of any assistance withheld under this title pursuant to the application to those countries of the prohibition in section 404(a);”;

(D) in paragraph (5), as redesignated, by inserting “and the amount” after “a description”;

(2) by adding at the end the following:

“(d) **INFORMATION TO BE INCLUDED IN ANNUAL TRAFFICKING IN PERSONS REPORT.**—If the Secretary of State notifies a country pursuant to section 404(b)(2), or the President grants a waiver pursuant to section 404(c)(1), the Secretary of State shall include, in each report required under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)), the information required to be included in the annual report to Congress under paragraphs (1) through (5) of subsection (c).”.

(d) **ELIMINATION OF CHILD SEXUAL ASSAULT BY AFGHAN SECURITY FORCES.**—

(1) **SENSE OF CONGRESS.**—It is the sense of Congress that the Department of State and the Department of Defense should fully implement the recommendations in the Special Inspector General for Afghanistan Reconstruction’s 2017 report on Child Sexual Assault in Afghanistan.

(2) **REPORT ON STATUS OF IMPLEMENTATION OF RECOMMENDATIONS.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense shall report to the appropriate congressional committees on the status of implementation, within their respective departments, of each recommendation included in the report referenced in paragraph (1).

(3) **REPORT ON INTERAGENCY EFFORTS TO MONITOR ABUSES.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State and the Secretary of Defense shall report to the appropriate congressional committees on the status of interagency efforts to establish effective, coherent, and discrete reporting by United States personnel on child sexual abuse by Afghan security forces with whom they train or advise or to whom they provide assistance.

(4) **PRIORITIZATION AT MINISTERIAL CONFERENCE ON AFGHANISTAN.**—The Department of State shall ensure that the issue of child sexual assault by Afghan security forces is incorporated and elevated as an issue of international concern and focus at the next Ministerial Conference on Afghanistan, scheduled for November 27-28, 2018, in Geneva, Switzerland, with the goal of ending the illegal but ongoing practice known as “bacha bazi”.

(5) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

SEC. 301. AUTHORIZATION OF APPROPRIATIONS UNDER THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.

Section 113 of the Trafficking Victims Prevention Act of 2000 (22 U.S.C. 7110) is amended—

(1) by amending subsection (a) to read as follows:

“(a) **AUTHORIZATION OF APPROPRIATIONS IN SUPPORT OF THE TASK FORCE.**—There are authorized to be appropriated to the Department of State, for each of the fiscal years 2018 through 2021, \$13,822,000 for Diplomatic and Consular Programs of the Office to Monitor and Combat Trafficking in Persons, which shall be used to carry out sections 105(e), 105(f), and 110, including for additional personnel.”;

(2) in subsection (b)(1), by striking “\$14,500,000 for each of the fiscal years 2014 through 2017” and inserting “\$19,500,000 for each of the fiscal years 2018 through 2021, of which \$3,500,000 is authorized to be appropriated for each fiscal year for the National Human Trafficking Hotline.”;

(3) in subsection (c), by amending paragraph (1) to read as follows:

“(1) **ASSISTANCE TO COMBAT TRAFFICKING.**—There are authorized to be appropriated to the Department of State, for each of the fiscal years 2018 through 2021, \$65,000,000, which shall be used—

“(A) to carry out sections 106 and 107(a);

“(B) to carry out section 134 of the Foreign Assistance Act of 1961 (22 U.S.C. 2152d);

“(C) to assist countries in meeting the minimum standards described in section 108; and

“(D) for programs and activities on prevention, protection, and prosecution to combat all forms of trafficking in persons internationally, including training activities for law enforcement officers, prosecutors, and members of the judiciary with respect to trafficking in persons at the International Law Enforcement Academies.”;

(4) in subsection (f), by striking “2014 through 2017” and inserting “2018 through 2021.”.

SEC. 302. AUTHORIZATION OF APPROPRIATIONS UNDER THE INTERNATIONAL MEGAN’S LAW.

Section 11 of the International Megan’s Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (34 U.S.C. 21509) is amended by striking “2017 and 2018” and inserting “2018 through 2021”.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS FOR AIRPORT PERSONNEL TRAINING TO IDENTIFY AND REPORT HUMAN TRAFFICKING VICTIMS.

There is authorized to be appropriated to the Commissioner of U.S. Customs and Border Protection \$250,000 for each of the fiscal years 2018 through 2021 to expand outreach and live on-site anti-trafficking training for airport and airline personnel.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.36 TROPICAL FOREST CONSERVATION

Mr. ROYCE of California, moved to suspend the rules and pass the bill of the Senate (S. 1023) to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.37 ELIE WIESEL GENOCIDE AND ATROCITIES PREVENTION

Mr. ROYCE of California, moved to suspend the rules and pass the bill of the Senate (S. 1158) to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to prevent, mitigate, and respond to such crises.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule

XX, announced that further proceedings on the question were postponed.

¶168.38 PROTECTING GIRLS' ACCESS TO EDUCATION IN VULNERABLE SETTINGS

Mr. ROYCE of California, moved to suspend the rules and pass the bill of the Senate (S. 1580) to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.39 TRAFFICKING VICTIMS PROTECTION

Mr. ROYCE of California, moved to suspend the rules and pass the bill of the Senate (S. 1862) to amend the Trafficking Victims Protection Act of 2000 to modify the criteria for determining whether countries are meeting the minimum standards for the elimination of human trafficking, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.40 WOMEN'S ENTREPRENEURSHIP AND ECONOMIC EMPOWERMENT

Mr. ROYCE of California, moved to suspend the rules and pass the bill of the Senate (S. 3247) to improve programs and activities relating to women's entrepreneurship and economic

empowerment that are carried out by the United States Agency for International Development, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. ROYCE of California, and Mr. ENGEL, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.41 NUCLEAR ENERGY INNOVATION AND MODERNIZATION

Mr. KINZINGER moved to suspend the rules and pass the bill of the Senate (S. 512) to modernize the regulation of nuclear energy.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. KINZINGER and Mr. Michael F. DOYLE of Pennsylvania, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.42 ALASKA REMOTE GENERATOR RELIABILITY AND PROTECTION

Mr. SHIMKUS moved to suspend the rules and pass the bill of the Senate (S. 1934) to prevent catastrophic failure or shutdown of remote diesel power engines due to emission control devices, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. SHIMKUS and Mr. TONKO, each for 20 minutes.

After debate,
The question being put, viva voce,
Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. TONKO demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.43 NATHANIEL P. REED HOBE SOUND NATIONAL WILDLIFE REFUGE

Mr. MCCLINTOCK moved to suspend the rules and pass the bill of the Senate (S. 3456) to redesignate Hobe Sound National Wildlife Refuge as the Nathaniel P. Reed Hobe Sound National Wildlife Refuge, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. MCCLINTOCK and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.44 SPACE FRONTIER

Mr. SMITH of Texas, moved to suspend the rules and pass the bill of the Senate (S. 3277) to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. SMITH of Texas, and Ms. Eddie Bernice JOHNSON of Texas, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.45 NATIONAL FLOOD INSURANCE PROGRAM COMPETITION AND EXTENSION

Mr. HENSARLING moved to suspend the rules and pass the bill (H.R. 7388) to extend the National Flood Insurance Program, and for other purposes.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. HENSARLING and Ms. Maxine WATERS of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.46 RECESS—12:03 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 3 minutes p.m., subject to the call of the Chair.

¶168.47 AFTER RECESS—3:36 P.M.

The SPEAKER pro tempore, Mr. WOMACK, called the House to order.

¶168.48 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER pro tempore, Mr. WOMACK, laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,

U.S. HOUSE OF REPRESENTATIVES,

Washington, DC, December 21, 2018.

Hon. PAUL D. RYAN,

The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 21, 2018, at 12:26 p.m.:

That the Senate passed S. 2432.

That the Senate passed without amendment H.R. 1660.

That the Senate passed without amendment H.R. 3460.

That the Senate passed with an amendment H.R. 6287.

With best wishes, I am

Sincerely,

KAREN L. HAAS,

Clerk of the House.

¶168.49 AMENDMENT OF THE SENATE TO H.R. 6287

Mr. MCCLINTOCK moved to suspend the rules and agree to the following amendment of the Senate to the bill (H.R. 6287) to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001:

On page 2, lines 9 and 10, strike “, the Pentagon, and United Airlines Flight 93” and insert “and the Pentagon”.

The SPEAKER pro tempore, Mr. WOMACK, recognized Mr. MCCLINTOCK and Mr. GRIJALVA, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said amendment of the Senate?

The SPEAKER pro tempore, Mr. WOMACK, announced that two-thirds

of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.50 CLERK TO CORRECT ENROLLMENT OF H.R. 4174

Mr. MITCHELL moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 149):

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill H.R. 4174, the Clerk of the House of Representatives shall make the following corrections:

(1) Page 2, beginning line 13, strike “has the meaning given the term ‘Executive agency’ under section 105” and insert “means an agency referred to under section 901(b) of title 31”.

(2) Page 19, line 13, insert “for data that does not concern monetary policy” after “open data plan”.

(3) Page 32, beginning line 6, strike “career” and all that follows through “title 5)” and insert “nonpolitical appointee employee”.

The SPEAKER pro tempore, Mr. WOMACK, recognized Mr. MITCHELL and Mr. CUMMINGS, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. WOMACK, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 362
affirmative Nays 12

¶168.51 [Roll No. 483]

YEAS—362

Abraham	Boyle, Brendan	Clark (MA)
Adams	F.	Clarke (NY)
Aguilar	Brady (PA)	Clay
Allen	Brady (TX)	Cleaver
Amodei	Brooks (IN)	Cloud
Babin	Brown (MD)	Clyburn
Bacon	Brownley (CA)	Coffman
Balderson	Buchanan	Cohen
Banks (IN)	Bucshon	Cole
Barr	Budd	Collins (GA)
Barragán	Bustos	Collins (NY)
Barton	Butterfield	Comer
Bass	Byrne	Comstock
Beatty	Calvert	Conaway
Bera	Carbajal	Connolly
Bergman	Cárdenas	Cook
Beyer	Carson (IN)	Cooper
Bilirakis	Carter (GA)	Correa
Bishop (GA)	Carter (TX)	Costa
Bishop (MI)	Cartwright	Costello (PA)
Bishop (UT)	Castor (FL)	Courtney
Blunt Rochester	Castro (TX)	Cramer
Bonamici	Chabot	Crawford
Bost	Chu, Judy	Crist
	Cicilline	Cuellar

Culberson	Kennedy	Quigley	NAYS—12			Culberson	Kilmer	Raskin
Cummings	Khanna	Raskin	Amash	Buck	Griffith	Cummings	King (IA)	Reed
Curbelo (FL)	Kihuen	Reed	Biggs	Burgess	Massie	Curbelo (FL)	King (NY)	Reichert
Curtis	Kildee	Reichert	Brat	Gohmert	Perry	Curtis	Knight	Rice (NY)
Davidson	Kilmer	Rice (NY)	Brooks (AL)	Gosar	Rokita	Davidson	Krishnamoorthi	Rice (SC)
Davis (CA)	King (IA)	Rice (SC)	NOT VOTING—58			Davis (CA)	Kuster (NH)	Richmond
Davis, Danny	King (NY)	Richmond	Aderholt	Hudson	Renacci	Davis, Danny	Kustoff (TN)	Roby
Davis, Rodney	Knight	Roby	Black	Hultgren	Rooney, Francis	Davis, Rodney	Labrador	Roe (TN)
DeFazio	Krishnamoorthi	Roe (TN)	Blackburn	Jenkins (KS)	Rooney, Thomas J.	DeFazio	LaHood	Rogers (AL)
DeGette	Kuster (NH)	Rogers (AL)	Blum	Johnson, E. B.	Rosen	DeGette	LaMalfa	Rogers (KY)
Delaney	Kustoff (TN)	Rogers (KY)	Blumenauer	Jones (NC)	Roskam	Delaney	Lamb	Rohrabacher
DeLauro	Labrador	Rohrabacher	Capuano	Keating	Ross	DeLauro	Lamborn	Rokita
DelBene	LaHood	Ros-Lehtinen	Cheney	Kind	Russell	DelBene	Lance	Ros-Lehtinen
Demings	LaMalfa	Rothfus	Crowley	Kinzinger	Shea-Porter	Demings	Langevin	Rothfus
DeSaulnier	Lamb	Rouzer	Denham	Lewis (MN)	Shuster	DeSaulnier	Larsen (WA)	Rouzer
DesJarlais	Lamborn	Roybal-Allard	Ellison	Love	Sinema	DesJarlais	Larson (CT)	Roybal-Allard
Deutsch	Lance	Royce (CA)	Eshoo	Lowenthal	Smith (TX)	Deutsch	Latta	Royce (CA)
Diaz-Balart	Langevin	Ruiz	Fudge	Lujan Grisham, M.	Taylor	Diaz-Balart	Lawrence	Ruiz
Dingell	Larsen (WA)	Ruppersberger	Garamendi	Noem	Trott	Dingell	Lawson (FL)	Ruppersberger
Doggett	Larson (CT)	Rush	Gowdy	Nolan	Upton	Doggett	Lee	Rush
Donovan	Latta	Rutherford	Green, Gene	O'Rourke	Walters, Mimi	Donovan	Lesko	Rutherford
Doyle, Michael F.	Lawrence	Ryan (OH)	Gutiérrez	Pittenger	Walz	Doyle, Michael F.	Levin	Ryan (OH)
Duffy	Lawson (FL)	Sánchez	Hanabusa	Poe (TX)	Webster (FL)	Duffy	Lieu, Ted	Sanchez
Duncan (SC)	Lee	Sanford	Hastings	Polis	Wenstrup	Duncan (SC)	Lipinski	Sanford
Duncan (TN)	Lesko	Sarbanes	So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.			Duncan (TN)	LoBiondo	Sarbanes
Dunn	Levin	Scalise	A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.			Dunn	Loebback	Scalise
Emmer	Lewis (GA)	Scanlon	<i>Ordered.</i> That the Clerk request the concurrence of the Senate in said concurrent resolution.			Emmer	Lofgren	Scanlon
Engel	Lieu, Ted	Schakowsky	¶168.52 AMENDMENT OF THE SENATE TO H.R. 4174—UNFINISHED BUSINESS			Engel	Long	Schakowsky
Espallat	Lipinski	Schiff	The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 4174) to amend titles 5 and 44, United States Code, to require Federal evaluation activities, improve Federal data management, and for other purposes.			Espallat	Loudermilk	Schiff
Estes (KS)	LoBiondo	Schneider	The question being put,			Estes (KS)	Lowey	Schneider
Esty (CT)	Loebback	Schrader	Will the House suspend the rules and agree to said amendment of the Senate?			Esty (CT)	Lucas	Schrader
Evans	Lofgren	Schweikert	The vote was taken by electronic device.			Evans	Luetkemeyer	Schweikert
Faso	Long	Scott (VA)	It was decided in the { Yeas 356 affirmative Nays 17			Faso	Lujan, Ben Ray	Scott (VA)
Ferguson	Loudermilk	Scott, Austin	¶168.53 [Roll No. 484]			Ferguson	Lynch	Scott, Austin
Fitzpatrick	Lowey	Scott, David	YEAS—356			Fitzpatrick	MacArthur	Scott, David
Fleischmann	Lucas	Sensenbrenner	Abraham			Fleischmann	Maloney, Carolyn B.	Serrano
Flores	Luetkemeyer	Serrano	Boyle, Brendan F.			Flores	Maloney, Sean	Sessions
Fortenberry	Lujan, Ben Ray	Sessions	Clark (MA)			Fortenberry	Marchant	Sewell (AL)
Foster	Lynch	Sewell (AL)	Clarke (NY)			Foster	Marino	Sherman
Fox	MacArthur	Sherman	Clay			Fox	Marshall	Shimkus
Frankel (FL)	Maloney, Carolyn B.	Shimkus	Cleaver			Frankel (FL)	Mast	Simpson
Frelinghuysen	Maloney, Sean	Simpson	Cloud			Frelinghuysen	McCarthy	Sires
Gabbard	Marchant	Sires	Clyburn			Gabbard	McCauley	Smith (MO)
Gaetz	Marino	Smith (MO)	Coffman			Gaetz	McClintock	Smith (NE)
Gallagher	Marshall	Smith (NE)	Cohen			Gallagher	McCollum	Smith (NJ)
Galleo	Mast	Smith (NJ)	Cole			Galleo	McClintock	Smith (WA)
Garrett	Matsui	Smith (WA)	Collins (GA)			Garrett	McCollum	Smucker
Gianforte	McCarthy	Smucker	Collins (NY)			Gibbs	McCollum	Soto
Gibbs	McCauley	Soto	Comer			Gibbs	McCollum	Speier
Gomez	McClintock	Speier	Conaway			Gomez	McCollum	Stefanik
Gonzalez (TX)	McCollum	Stefanik	Connolly			Gonzalez (TX)	McCollum	Stewart
Goodlatte	McEachin	Stewart	Cook			Goodlatte	McEachin	Stivers
Gottheimer	McGovern	Stivers	Costa			Gottheimer	McGovern	Suozi
Granger	McHenry	Suozi	Courtney			Granger	McHenry	Swalwell (CA)
Graves (GA)	McKinley	Swalwell (CA)	Cramer			Graves (GA)	McKinley	Takano
Graves (LA)	McMorris	Takano	Crawford			Graves (LA)	McMorris	Tenney
Graves (MO)	Rodgers	Tenney	Crist			Graves (MO)	Rodgers	Thompson (CA)
Green, Al	McNerney	Thompson (CA)	Cuellar			Green, Al	McNerney	Thompson (MS)
Grijalva	McSally	Thompson (MS)	Herrera Beutler			Grijalva	McNerney	Thompson (PA)
Grothman	Meadows	Thompson (PA)	Higgins (LA)			Grothman	McNerney	Thornberry
Guthrie	Meeks	Thornberry	Higgins (NY)			Guthrie	Meeks	Tipton
Handel	Meng	Titus	Hill			Handel	Meng	Titus
Harper	Messer	Tonko	Himes			Harper	Messer	Tonko
Harris	Mitchell	Torres	Holding			Harris	Mitchell	Torres
Hartzler	Moolenaar	Tsongas	Hollingsworth			Hartzler	Moolenaar	Tsongas
Heck	Mooney (WV)	Turner	Hoyer			Heck	Mooney (WV)	Turner
Hensarling	Moore	Valadao	Huffman			Hensarling	Moore	Valadao
Hern	Morelle	Vargas	Huizenga			Hern	Morelle	Vargas
Herrera Beutler	Moulton	Veasey	Hunter			Herrera Beutler	Moulton	Veasey
Hice, Jody B.	Mullin	Vela	Hurd			Hice, Jody B.	Mullin	Vela
Higgins (LA)	Murphy (FL)	Velázquez	Issa			Higgins (LA)	Murphy (FL)	Velázquez
Higgins (NY)	Nadler	Visclosky	Jackson Lee			Higgins (NY)	Nadler	Visclosky
Hill	Napolitano	Wagner	Jayapal			Hill	Napolitano	Wagner
Himes	Neal	Walberg	Jeffries			Himes	Neal	Walberg
Holding	Newhouse	Walden	Johnson (GA)			Holding	Newhouse	Walden
Hollingsworth	Norcross	Walker	Johnson (OH)			Hollingsworth	Norcross	Walker
Hoyer	Norman	Walorski	Johnson, Sam			Hoyer	Norman	Walorski
Huffman	Nunes	Wasserman	Jones (MI)			Huffman	Nunes	Wasserman
Huizenga	O'Halleran	Schultz	Jordan			Huizenga	O'Halleran	Schultz
Hunter	Olson	Waters, Maxine	Joyce (OH)			Hunter	Olson	Waters, Maxine
Hurd	Palazzo	Watson Coleman	Kaptur			Hurd	Palazzo	Watson Coleman
Issa	Pallone	Weber (TX)	Katko			Issa	Pallone	Weber (TX)
Jackson Lee	Palmer	Welch	Kelly (IL)			Jackson Lee	Palmer	Welch
Jayapal	Panetta	Westerman	Kelly (MS)			Jayapal	Panetta	Westerman
Jeffries	Pascarell	Wild	Kelly (PA)			Jeffries	Pascarell	Wild
Johnson (GA)	Paulsen	Williams	Kennedy			Johnson (GA)	Paulsen	Williams
Johnson (LA)	Payne	Wilson (FL)	Khanna			Johnson (LA)	Payne	Wilson (FL)
Johnson (OH)	Pearce	Wilson (SC)	Kihuen			Johnson (OH)	Pearce	Wilson (SC)
Johnson, Sam	Pelosi	Wittman	Kildee			Johnson, Sam	Pelosi	Wittman
Jones (MI)	Perlmutter	Womack	NAYS—17			Jones (MI)	Perlmutter	Womack
Jordan	Peters	Woodall	Amash			Jordan	Peters	Woodall
Joyce (OH)	Peterson	Yarmuth	Biggs			Joyce (OH)	Peterson	Yarmuth
Kaptur	Pingree	Yoder	Brooks (AL)			Kaptur	Pingree	Yoder
Katko	Pocan	Yoho	Buck			Katko	Pocan	Yoho
Kelly (IL)	Poliquin	Young (AK)	Burgess			Kelly (IL)	Poliquin	Young (AK)
Kelly (MS)	Posey	Young (IA)				Kelly (MS)	Posey	Young (IA)
Kelly (PA)	Price (NC)					Kelly (PA)	Price (NC)	

Gaetz
Garrett
Gohmert
Gosar

Griffith
Harris
Hice, Jody B.
Johnson (LA)

Jordan
Massie
Perry

Gottheimer
Granger
Graves (GA)
Graves (LA)
Griffith
Grothman
Guthrie
Handel
Harper
Harris
Hartzler
Heck
Hensarling
Hern
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Holding
Hollingsworth
Hoyer
Huizenga
Hunter
Hurd
Issa
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Kaptur
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Latta
Lawson (FL)
Lesko
LoBiondo
Long
Loudermilk

Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Mast
McCarthy
McCaul
McClintock
McCollum
McEachin
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Mooleenaar
Mooney (WV)
Moulton
Mullin
Murphy (FL)
Newhouse
Norman
Nunes
O'Rourke
Olson
Palazzo
Palmer
Panetta
Paulsen
Pearce
Perlmutter
Perry
Poliquin
Posey
Reed
Reichert
Rice (SC)
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Rothfus
Rouzer

Royce (CA)
Ruppersberger
Rutherford
Ryan (OH)
Sanford
Scalise
Schiff
Schneider
Schweikert
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell (AL)
Shimkus
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Stefanik
Stewart
Stivers
Suozi
Tenney
Thompson (PA)
Thornberry
Tipton
Turner
Valadao
Vela
Wagner
Walberg
Walden
Walker
Walorski
Wasserman
Schultz
Weber (TX)
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho

NOT VOTING—56

Arrington
Barletta
Black
Blackburn
Blum
Blumenauer
Capuano
Cheney
Crowley
Denham
Ellison
Eshoo
Fudge
Garamendi
Gowdy
Green, Gene
Gutiérrez
Hanabusa
Hastings
Hudson
Hultgren
Jenkins (KS)
Johnson, E. B.
Jones (NC)
Keating
Kind
Kinzinger
Lewis (MN)
Love
Lowenthal
Lujan Grisham,
M.
Noem
Nolan
Pittenger
Poe (TX)
Polis
Ratcliffe
Renacci
Rooney, Francis
Rooney, Thomas
J.
Rosen
Roskam
Ross
Russell
Shea-Porter
Shuster
Sinema
Smith (TX)
Taylor
Trott
Upton
Walters, Mimi
Walz
Webster (FL)
Wenstrup
Zeldin

NOT VOTING—59

Aderholt
Arrington
Barletta
Black
Blackburn
Blum
Blumenauer
Capuano
Cheney
Crowley
Denham
Ellison
Eshoo
Fudge
Garamendi
Gowdy
Green, Gene
Gutiérrez
Hanabusa
Hastings
Hudson
Hultgren
Jenkins (KS)
Johnson, E. B.
Jones (NC)
Keating
Kind
Kinzinger
Lewis (MN)
Love
Lowenthal
Lujan Grisham,
M.
Noem
Nolan
Pittenger
Poe (TX)
Polis
Ratcliffe
Renacci
Rooney, Francis
Rooney, Thomas
J.
Rosen
Roskam
Ross
Russell
Shea-Porter
Shuster
Sinema
Smith (TX)
Taylor
Trott
Upton
Velázquez
Walters, Mimi
Walz
Webster (FL)
Wenstrup
Zeldin

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.54 S. 3277—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3277) to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 239
negative } Nays 137

¶168.55 [Roll No. 485]

YEAS—239

Abraham
Aderholt
Allen
Amodei
Babin
Bacon
Balderson
Banks (IN)
Barr
Barton
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blunt Rochester
Bonamici
Bost
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Castor (FL)
Chabot
Chu, Judy
Clay
Cleaver
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Costa
Costello (PA)
Cramer
Crawford
Crist
Cuellar
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
DeGette
DelBene
Demings
DesJarlais
Deutch
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Frankel (FL)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gonzalez (TX)
Goodlatte
Gosar

NAYS—137

Adams
Agullar
Amash
Barragán
Bass
Beatty
Boyle, Brendan
F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Carr
Cárdenas
Carson (IN)
Cartwright
Castro (TX)
Cicilline
Clark (MA)
Clarke (NY)
Clyburn
Cohen
Cooper
Correa
Courtney
Cummings
Davis (CA)
Davis, Danny
DeFazio
Delaney
DeLauro
DeSaulnier
Dingell
Doggett
Doyle, Michael
F.
Engel
Españat
Esty (CT)
Evans
Foxy
Gabbard
Gallego
Gohmert
Gomez
Graves (MO)
Green, Al
Grijalva
Himes
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Jones (MI)
Kelly (IL)
Kennedy
Khanna
Kihuen
Kliver
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowey
Luján, Ben Ray
Lynch
Maloney,
Carolyn B.
Maloney, Sean
Massie
Matsui
McGovern
McNerney
Meeks
Meng
Moore
Morelle
Nadler
Napolitano
Neal
Norcross
O'Halloran
Pallone
Pascarella
Payne
Pelosi
Peters
Peterson
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Rush
Sánchez
Sarbanes
Scanlon
Schakowsky
Schrader
Scott (VA)
Serrano
Sherman
Sires
Speier
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Velázquez
Visclosky
Waters, Maxine
Watson Coleman
Welch
Wild
Wilson (FL)
Yarmuth
Young (AK)
Young (IA)

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not passed.

¶168.56 S. 3661—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3661) to provide for a program of the Department of Defense to commemorate the 75th anniversary of World War II; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic device.

It was decided in the { Yeas 370
affirmative } Nays 0

¶168.57 [Roll No. 486]

YEAS—370

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Babin
Bacon
Balderson
Banks (IN)
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Españat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Frelinghuysen
Gabbard
Gaetz
Gallagher
Gallego
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Españat
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxy
Frankel (FL)
Frelinghuysen
Gabbard
Gaetz
Gallagher
Gallego
Garrett
Gianforte
Gibbs
Gohmert
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Granger
Graves (GA)
Graves (LA)

Graves (MO) Maloney, Carolyn B.
 Green, Al Maloney, Sean
 Griffith Marchant
 Grijalva Marino
 Grothman Marshall
 Guthrie Massie
 Handel Mast
 Harper Matsui
 Harris McCarthy
 Hartzler McCaul
 Heck McClintock
 Hensarling McCollum
 Hern McEachin
 Herrera Beutler McGovern
 Hice, Jody B. McHenry
 Higgins (LA) McKinley
 Higgins (NY) McMorris
 Hill Rodgers
 Himes McNeerney
 Holding McSally
 Hollingsworth Meadows
 Hoyer Meeks
 Huffman Meng
 Huizenga Messer
 Hunter Mitchell
 Hurd Moelenaar
 Issa Mooney (WV)
 Jackson Lee Moore
 Jayapal Morelle
 Jeffries Moulton
 Johnson (GA) Mullin
 Johnson (LA) Murphy (FL)
 Johnson (OH) Nadler
 Johnson, Sam Napolitano
 Jones (MI) Neal
 Jordan Newhouse
 Joyce (OH) Norcross
 Kaptur Norman
 Katko Nunes
 Kelly (IL) O'Halleran
 Kelly (MS) O'Rourke
 Kelly (PA) Olson
 Kennedy Palazzo
 Khanna Pallone
 Kihuen Palmer
 Kildee Panetta
 Kilmer Pascarell
 King (IA) Paulsen
 King (NY) Payne
 Knight Pearce
 Krishnamoorthi Pelosi
 Kuster (NH) Perlmutter
 Kustoff (TN) Perry
 Labrador Peters
 LaHood Peterson
 LaMalfa Pingree
 Lamb Pocan
 Lamborn Poliquin
 Lance Posey
 Larsen (WA) Price (NC)
 Latta Quigley
 Lawrence Raskin
 Lawson (FL) Reed
 Lee Reichert
 Lesko Rice (NY)
 Levin Rice (SC)
 Lewis (GA) Richmond
 Lieu, Ted Roby
 Lipinski Roe (TN)
 LoBiondo Rogers (AL)
 Loeb sack Rogers (KY)
 Lofgren Rohrabacher
 Long Rokita
 Loudermilk Ros-Lehtinen
 Lowey Rothfus
 Lucas Rouzer
 Luetkemeyer Roybal-Allard
 Lujan, Ben Ray Royce (CA)
 MacArthur

NOT VOTING—62

Arrington Hanabusa
 Barletta Hastings
 Black Hudson
 Blackburn Hultgren
 Blum Jenkins (KS)
 Blumenauer Johnson, E. B.
 Capuano Jones (NC)
 Cheney Keating
 Cleaver Kind
 Courtney Kinzinger
 Crowley Langevin
 Denham Larson (CT)
 Ellison Lewis (MN)
 Eshoo Love
 Fudge Lowenthal
 Garamendi Lujan Grisham,
 Gowdy M.
 Green, Gene Lynch
 Gutiérrez Noem

Ruiz Ruppertsberger
 Rush
 Rutherford Ryan (OH)
 Sanchez Sanchez
 Sanford Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schneider
 Schrader
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell (AL)
 Sherman
 Shimkus
 Simpson
 Sires
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (WA)
 Smucker
 Soto
 Speier
 Stefanik
 Stewart
 Stivers
 Suozzi
 Swalwell (CA)
 Takano
 Tenney
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tipton
 Titus
 Tonko
 Torres
 Tsongas
 Turner
 Valadao
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Weber (TX)
 Welch
 Westerman
 Wild
 Williams
 Wilson (FL)
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yarmuth
 Yoder
 Yoho
 Young (AK)
 Young (IA)

Trott
 Upton
 Walters, Mimi

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said amendment.

¶168.58 AMENDMENT OF THE SENATE TO
 H.R. 2200—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 2200) to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the { Yeas 368
 affirmative } Nays 7

¶168.59 [Roll No. 487]

YEAS—368

Abraham Chu, Judy
 Adams Cicilline
 Aderholt Clark (MA)
 Aguilar Clarke (NY)
 Allen Clay
 Amodei Cleaver
 Babin Cloud
 Bacon Clyburn
 Balderson Coffman
 Banks (IN) Cohen
 Barr Cole
 Barragán Collins (GA)
 Barton Collins (NY)
 Bass Comer
 Beatty Comstock
 Bera Conaway
 Bergman Connolly
 Bilirakis Cook
 Bishop (GA) Cooper
 Bishop (MI) Correa
 Bishop (UT) Costa
 Costello (PA)
 Courtney
 Cramer
 Crawford
 Crist
 Cuellar
 Culberson
 Cummings
 Curbelo (FL)
 Brat
 Brooks (IN)
 Brown (MD)
 Brownley (CA)
 Buchanan
 Buck
 Buchson
 Budd
 Burgess
 Bustos
 Butterfield
 Byrne
 Calvert
 Carbajal
 Cárdenas
 Carson (IN)
 Carter (GA)
 Carter (TX)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chabot

Duncan (SC)
 Duncan (TN)
 Dunn
 Emmer
 Espaillat
 Estes (KS)
 Esty (CT)
 Flores
 Evans
 Faso
 Ferguson
 Fitzpatrick
 Fleischmann
 Flores
 Fortenberry
 Foster
 Foxx
 Frankel (FL)
 Frelinghuysen
 Gabbard
 Gallagher
 Gallego
 Garrett
 Gianforte
 Gibbs
 Gohmert
 Gomez
 Gonzalez (TX)
 Goodlatte
 Gottheimer
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Green, Al
 Griffith
 Grijalva
 Grothman
 Guthrie
 Handel
 Harper
 Harris
 Hartzler
 Heck
 Hensarling
 Hern
 Herrera Beutler
 Hice, Jody B.
 Higgins (LA)
 Higgins (NY)
 Hill
 Himes

Holding
 Hollingsworth
 Hoyer
 Huffman
 Huizenga
 Hunter
 Hurd
 Issa
 Jackson Lee
 Jayapal
 Jeffries
 Johnson (GA)
 Johnson (LA)
 Johnson (OH)
 Johnson, Sam
 Jones (MI)
 Jordan
 Joyce (OH)
 Kaptur
 Katko
 Kelly (IL)
 Kelly (MS)
 Kelly (PA)
 Kennedy
 Khanna
 Kihuen
 Kildee
 Kilmer
 King (IA)
 King (NY)
 Knight
 Krishnamoorthi
 Kuster (NH)
 Kustoff (TN)
 Labrador
 LaHood
 LaMalfa
 Lamb
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latta
 Lawrence
 Lawson (FL)
 Lee
 Lesko
 Levin
 Lewis (GA)
 Lieu, Ted
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren
 Long
 Loudermilk
 Lowey
 Lucas
 Luetkemeyer
 Lujan, Ben Ray
 Lynch
 MacArthur
 Maloney,
 Carolyn B.
 Maloney, Sean
 Marchant
 Marino
 Marshall
 Mast
 Matsui
 McCarthy
 McCaul
 McClintock

McCollum
 McEachin
 McGovern
 McHenry
 McKinley
 McMorris
 Rodgers
 McNeerney
 McSally
 Meadows
 Meeks
 Meng
 Messer
 Mitchell
 Moelenaar
 Mooney (WV)
 Moore
 Morelle
 Moulton
 Mullin
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Newhouse
 Norcross
 Norman
 Nunes
 O'Halleran
 O'Rourke
 Olson
 Palazzo
 Pallone
 Palmer
 Panetta
 Pascarell
 Paulsen
 Payne
 Pearce
 Pelosi
 Perlmutter
 Perry
 Peters
 Peterson
 Pingree
 Pocan
 Poliquin
 Posey
 Price (NC)
 Quigley
 Raskin
 Reed
 Reichert
 Rice (NY)
 Rice (SC)
 Richmond
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Ros-Lehtinen
 Rothfus
 Rouzer
 Roybal-Allard
 Royce (CA)
 Ruiz
 Ruppertsberger
 Rush
 Rutherford
 Ryan (OH)
 Sanchez
 Sarbanes

NAYS—7

Amash
 Biggs
 Brooks (AL)
 Gaetz
 Gosar
 Massie

NOT VOTING—57

Arrington Hanabusa
 Barletta Hastings
 Black Hudson
 Blackburn Hultgren
 Blum Jenkins (KS)
 Blumenauer Johnson, E. B.
 Capuano Jones (NC)
 Cheney Keating
 Cleaver Kind
 Courtney Kinzinger
 Crowley Kinzinger
 Denham Lewis (MN)
 Ellison Love
 Engel Lowenthal
 Eshoo Lujan Grisham,
 Fudge M.
 Garamendi Noem
 Gowdy Nolan
 Green, Gene
 Gutiérrez Pittenger

Scalise
 Scanlon
 Schakowsky
 Schiff
 Schneider
 Schrader
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell (AL)
 Sherman
 Shimkus
 Simpson
 Sires
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (WA)
 Smucker
 Soto
 Speier
 Stefanik
 Stewart
 Stivers
 Suozzi
 Swalwell (CA)
 Takano
 Tenney
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tipton
 Titus
 Tonko
 Torres
 Tsongas
 Turner
 Valadao
 Vargas
 Veasey
 Vela
 Velázquez
 Visclosky
 Wagner
 Walberg
 Walden
 Walker
 Walorski
 Wasserman
 Schultz
 Waters, Maxine
 Watson Coleman
 Weber (TX)
 Welch
 Westerman
 Wild
 Williams
 Wilson (FL)
 Wilson (SC)
 Wittman
 Womack
 Woodall
 Yarmuth
 Yoder
 Yoho
 Young (AK)
 Young (IA)

Upton
Walters, Mimi

Walz
Webster (FL)

Wenstrup
Zeldin

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.60 S. 1023—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1023) to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 332
affirmative Nays 43

¶168.61 [Roll No. 488]

YEAS—332

Abraham	Cohen	Gabbard
Adams	Cole	Gallego
Aderholt	Collins (GA)	Gianforte
Aguilar	Collins (NY)	Gibbs
Allen	Comstock	Gomez
Amodei	Connolly	Gonzalez (TX)
Babin	Cook	Goodlatte
Bacon	Cooper	Gottheimer
Balderson	Correa	Graves (GA)
Banks (IN)	Costa	Graves (MO)
Barr	Costello (PA)	Green, Al
Barragán	Courtney	Grijalva
Barton	Cramer	Grothman
Bass	Crawford	Guthrie
Beatty	Crist	Handel
Bera	Cuellar	Harper
Bergman	Culberson	Hartzler
Beyer	Cummings	Heck
Bilirakis	Curbelo (FL)	Hensarling
Bishop (GA)	Curtis	Herrera Beutler
Bishop (UT)	Davis (CA)	Higgins (NY)
Blunt Rochester	Davis, Danny	Hill
Bonamici	Davis, Rodney	Himes
Bost	DeFazio	Holding
Boyle, Brendan	DeGette	Hollingsworth
F.	Delaney	Hoyer
Brady (PA)	DeLauro	Huffman
Brady (TX)	DelBene	Huizenga
Brooks (IN)	Demings	Hurd
Brown (MD)	DeSaulnier	Issa
Brownley (CA)	Deutch	Jackson Lee
Buchanan	Diaz-Balart	Jayapal
Bucshon	Dingell	Jeffries
Burgess	Doggett	Johnson (GA)
Bustos	Donovan	Johnson (OH)
Butterfield	Doyle, Michael	Johnson, Sam
Byrne	F.	Jones (MI)
Calvert	Duffy	Joyce (OH)
Carbajal	Dunn	Kaptur
Cárdenas	Emmer	Katko
Carson (IN)	Engel	Kelly (IL)
Carter (GA)	Españillat	Kelly (MS)
Carter (TX)	Estes (KS)	Kelly (PA)
Cartwright	Esty (CT)	Kennedy
Castor (FL)	Evans	Khanna
Castro (TX)	Faso	Kihuen
Chabot	Ferguson	Kildee
Chu, Judy	Fitzpatrick	Kilmer
Cicilline	Fleischmann	King (IA)
Clark (MA)	Flores	King (NY)
Clarke (NY)	Fortenberry	Knight
Clay	Poster	Krishnamoorthi
Cleaver	Poxx	Kuster (NH)
Clyburn	Frankel (FL)	Kustoff (TN)
Coffman	Frelinghuysen	Labrador

LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loeb sack
Lofgren
Long
Lowey
Lucas
Luetkemeyer
Lujan, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meeks
Meng
Messer
Mitchell
Moolenaar
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal

Amash
Biggs
Bishop (MI)
Brat
Brooks (AL)
Buck
Budd
Cloud
Comer
Conaway
Davidson
DesJarlais
Duncan (SC)
Duncan (TN)
Gaetz

Arrington
Barletta
Black
Blackburn
Blum
Blumenauer
Capuano
Cheney
Crowley
Denham
Ellison
Eshoo
Fudge
Garamendi
Gowdy
Graves (LA)
Green, Gene
Gutiérrez
Hanabusa
Hastings

Newhouse
Norcross
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Panetta
Pascarell
Paulsen
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Poliquin
Price (NC)
Quigley
Raskin
Reed
Reichert
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sanchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schroder
Schweikert
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)

NAYS—43

Gallagher
Garrett
Gohmert
Gosar
Granger
Griffith
Harris
Hern
Hice, Jody B.
Higgins (LA)
Hunter
Johnson (LA)
Jordan
Loudermilk
Marshall

NOT VOTING—57

Hudson
Hultgren
Jenkins (KS)
Johnson, E. B.
Jones (NC)
Keating
Kind
Kinzinger
Lewis (MN)
Love
Lowenthal
Lujan Grisham,
M.
Noem
Nolan
Pittenger
Poe (TX)
Polis
Ratcliffe
Renacci

Sherman
Shimkus
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)

Massie
McClintock
Meadows
Mooney (WV)
Norman
Palmer
Pearce
Perry
Posey
Sanford
Scott, Austin
Thornberry
Yoho

Rooney, Francis
Rooney, Thomas
J.
Rosen
Roskam
Ross
Russell
Shea-Porter
Shuster
Sinema
Smith (TX)
Taylor
Trott
Upton
Walters, Mimi
Walz
Webster (FL)
Wenstrup
Zeldin

the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.62 S. 1158—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1158) to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to prevent, mitigate, and respond to such crises.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 367
affirmative Nays 4

¶168.63 [Roll No. 489]

YEAS—367

Abraham	Clyburn	Foster
Adams	Coffman	Foxx
Aderholt	Cohen	Frankel (FL)
Aguilar	Cole	Frelinghuysen
Allen	Collins (GA)	Gabbard
Amodei	Collins (NY)	Gaetz
Babin	Comer	Gallagher
Bacon	Comstock	Gallego
Balderson	Conaway	Garrett
Banks (IN)	Connolly	Gianforte
Barr	Cook	Gibbs
Barragán	Cooper	Gohmert
Barton	Correa	Gomez
Bass	Costa	Gonzalez (TX)
Beatty	Costello (PA)	Goodlatte
Bera	Courtney	Gottheimer
Bergman	Cramer	Granger
Beyer	Crawford	Graves (LA)
Bilirakis	Crist	Graves (MO)
Bishop (GA)	Cuellar	Green, Al
Bishop (MI)	Culberson	Griffith
Bishop (UT)	Cummings	Grijalva
Blunt Rochester	Curbelo (FL)	Grothman
Bonamici	Curtis	Guthrie
Bost	Davidson	Handel
Boyle, Brendan	Davis (CA)	Harper
F.	Davis, Danny	Harris
Brady (PA)	Davis, Rodney	Hartzler
Brady (TX)	DeFazio	Heck
Brooks (IN)	DeGette	Hensarling
Brown (MD)	Delaney	Hern
Brownley (CA)	DeLauro	Herrera Beutler
Buchanan	DelBene	Hice, Jody B.
Buck	Demings	Higgins (LA)
Bucshon	DeSaulnier	Higgins (NY)
Budd	DesJarlais	Hill
Burgess	Deutch	Himes
Bustos	Diaz-Balart	Holding
Butterfield	Dingell	Hollingsworth
Byrne	Doggett	Hoyer
Calvert	Donovan	Huffman
Carbajal	Doyle, Michael	Huizenga
Cárdenas	F.	Hunter
Carson (IN)	Duffy	Hurd
Carter (GA)	Duncan (SC)	Issa
Carter (TX)	Duncan (TN)	Jackson Lee
Cartwright	Dunn	Jayapal
Castor (FL)	Emmer	Jeffries
Castro (TX)	Engel	Johnson (GA)
Chabot	Españillat	Johnson (LA)
Chu, Judy	Estes (KS)	Johnson (OH)
Cicilline	Esty (CT)	Johnson, Sam
Clark (MA)	Evans	Jones (MI)
Clarke (NY)	Faso	Jordan
Clay	Ferguson	Joyce (OH)
Cleaver	Fitzpatrick	Kaptur
Clyburn	Fleischmann	Katko
Coffman	Flores	Kelly (IL)
	Fortenberry	Kelly (MS)

So, two-thirds of the Members present having voted in favor thereof,

Kelly (PA)	Moolenaar	Schrader
Kennedy	Mooney (WV)	Schweikert
Khanna	Moore	Scott (VA)
Kihuen	Morelle	Scott, Austin
Kildee	Moulton	Scott, David
Kilmer	Mullin	Sensenbrenner
King (IA)	Murphy (FL)	Serrano
King (NY)	Nadler	Sessions
Knight	Napolitano	Sewell (AL)
Krishnamoorthi	Neal	Sherman
Kuster (NH)	Newhouse	Shimkus
Kustoff (TN)	Norcross	Simpson
Labrador	Norman	Sires
LaHood	Nunes	Smith (MO)
LaMalfa	O'Halleran	Smith (NE)
Lamb	O'Rourke	Smith (NJ)
Lamborn	Olson	Smith (WA)
Lance	Palazzo	Smucker
Langevin	Pallone	Soto
Larsen (WA)	Palmer	Speier
Latta	Panetta	Stefanik
Lawrence	Pascrell	Stewart
Lawson (FL)	Paulsen	Stivers
Lee	Payne	Suozzi
Lesko	Pearce	Swalwell (CA)
Levin	Pelosi	Takano
Lewis (GA)	Perlmutter	Tenney
Lieu, Ted	Perry	Thompson (CA)
Lipinski	Peters	Thompson (MS)
LoBiondo	Peterson	Thompson (PA)
Loeb sack	Pingree	Thornberry
Lofgren	Pocan	Tipton
Long	Poliquin	Titus
Loudermilk	Posey	Tonko
Lowe y	Price (NC)	Torres
Lucas	Quigley	Tsongas
Luetkemeyer	Raskin	Turner
Lujan, Ben Ray	Reed	Valadao
Lynch	Rice (NY)	Vargas
MacArthur	Rice (SC)	Veasey
Maloney,	Richmond	Vela
Carolyn B.	Roby	Visclosky
Maloney, Sean	Roe (TN)	Wagner
Marchant	Rogers (AL)	Walberg
Marino	Rogers (KY)	Walden
Marshall	Rohrabacher	Walorski
Mast	Rokita	Wasserman
Matsui	Ros-Lehtinen	Schultz
McCarthy	Rothfus	Waters, Maxine
McCaul	Rouzer	Watson Coleman
McClintock	Roybal-Allard	Weber (TX)
McCollum	Royce (CA)	Welch
McEachin	Ruiz	Westerman
McGovern	Ruppersberger	Wild
McHenry	Rush	Williams
McKinley	Rutherford	Wilson (FL)
McMorris	Ryan (OH)	Wilson (SC)
Rodgers	Sánchez	Wittman
McNerney	Sanford	Womack
McSally	Sarbanes	Woodall
Meadows	Scalise	Yarmuth
Meeks	Scanlon	Yoder
Meng	Schakowsky	Yoho
Messer	Schiff	Young (AK)
Mitchell	Schneider	Young (IA)

NAYS—4

Amash	Gosar
Biggs	Massie

NOT VOTING—61

Arrington	Hultgren	Rooney, Francis
Barletta	Jenkins (KS)	Rooney, Thomas
Black	Johnson, E. B.	J.
Blackburn	Jones (NC)	Rosen
Blum	Keating	Roskam
Blumenauer	Kind	Ross
Capuano	Kinzinger	Russell
Cheney	Larson (CT)	Shea-Porter
Crowley	Lewis (MN)	Shuster
Denham	Love	Sinema
Ellison	Lowenthal	Smith (TX)
Eshoo	Lujan Grisham,	Taylor
Fudge	M.	Trott
Garamendi	Noem	Upton
Gowdy	Nolan	Velázquez
Graves (GA)	Pittenger	Walker
Green, Gene	Poe (TX)	Walters, Mimi
Gutiérrez	Polis	Walz
Hanabusa	Ratcliffe	Webster (FL)
Hastings	Reichert	Wenstrup
Hudson	Renacci	Zeldin

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and

said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.64 S. 1580—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1580) to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the	{ Yeas	362
affirmative	{ Nays	5

¶168.65 [Roll No. 490]

YEAS—362

Abraham	Comer	Gonzalez (TX)
Adams	Comstock	Goodlatte
Aderholt	Conaway	Gosar
Aguliar	Connolly	Gottheimer
Allen	Cook	Granger
Amodei	Cooper	Graves (LA)
Babin	Correa	Graves (MO)
Bacon	Costa	Green, Al
Balderson	Costello (PA)	Griffith
Banks (IN)	Courtney	Grijalva
Barr	Crawford	Grothman
Barragán	Crist	Guthrie
Bass	Cuellar	Harper
Beatty	Culberson	Harris
Bera	Cummings	Heck
Bergman	Curbelo (FL)	Hensarling
Beyer	Curtis	Hern
Bilirakis	Davidson	Herrera Beutler
Bishop (GA)	Davis (CA)	Hice, Jody B.
Bishop (MI)	Davis, Danny	Higgins (LA)
Bishop (UT)	Davis, Rodney	Higgins (NY)
Blunt Rochester	DeFazio	Hill
Bonamici	DeGette	Himes
Bost	Delaney	Holding
Boyle, Brendan	DeLauro	Hollingsworth
F.	DelBene	Hoyer
Brady (PA)	Demings	Huffman
Brady (TX)	DeSaulnier	Huizenga
Brat	DesJarlais	Hunter
Brooks (AL)	Deutch	Hurd
Brooks (IN)	Diaz-Balart	Jackson Lee
Brown (MD)	Dingell	Jayapal
Brownley (CA)	Doggett	Jeffries
Buchanan	Donovan	Johnson (GA)
Buck	Doyle, Michael	Johnson (LA)
Bucshon	F.	Johnson (OH)
Budd	Duffy	Johnson, Sam
Burgess	Duncan (SC)	Jones (MI)
Bustos	Duncan (TN)	Jordan
Butterfield	Dunn	Joyce (OH)
Byrne	Emmer	Kaptur
Calvert	Engel	Katko
Carbajal	Españat	Kelly (IL)
Cárdenas	Estes (KS)	Kelly (MS)
Carson (IN)	Esty (CT)	Kelly (PA)
Carter (GA)	Evans	Kennedy
Carter (TX)	Faso	Khanna
Cartwright	Ferguson	Kihuen
Castor (FL)	Fitzpatrick	Kildee
Castro (TX)	Fleischmann	Kilmer
Chabot	Flores	King (IA)
Chu, Judy	Fortenberry	King (NY)
Cicilline	Foster	Knight
Clark (MA)	Fox	Krishnamoorthi
Clarke (NY)	Frankel (FL)	Kuster (NH)
Clay	Frelinghuysen	Kustoff (TN)
Cleaver	Gabbard	Labrador
Cloud	Gaetz	LaHood
Clyburn	Gallagher	Lamb
Coffman	Gallego	Lamborn
Cohen	Garrett	Lance
Cole	Gianforte	Langevin
Collins (GA)	Gibbs	Larsen (WA)
Collins (NY)	Gomez	Larson (CT)

Latta	O'Halleran	Sewell (AL)
Lawrence	O'Rourke	Sherman
Lawson (FL)	Olson	Shimkus
Lee	Palazzo	Simpson
Lesko	Pallone	Sires
Levin	Palmer	Smith (MO)
Lewis (GA)	Panetta	Smith (NE)
Lieu, Ted	Pascrell	Smith (NJ)
Lipinski	Paulsen	Smith (WA)
LoBiondo	Payne	Smucker
Loeb sack	Pearce	Soto
Lofgren	Pelosi	Speier
Long	Perlmutter	Stefanik
Loudermilk	Perry	Stewart
Lowe y	Peters	Stivers
Lucas	Peterson	Suozzi
Luetkemeyer	Pingree	Swalwell (CA)
Lujan, Ben Ray	Pocan	Takano
Lynch	Poliquin	Tenney
MacArthur	Posey	Thompson (CA)
Maloney,	Price (NC)	Thompson (MS)
Carolyn B.	Quigley	Thompson (PA)
Maloney, Sean	Raskin	Thornberry
Marchant	Reed	Tipton
Marino	Reichert	Titus
Marshall	Rice (NY)	Tonko
Mast	Rice (SC)	Torres
Matsui	Richmond	Tsongas
McCarthy	Roby	Turner
McCaul	Roe (TN)	Valadao
McClintock	Rogers (AL)	Vargas
McCollum	Rogers (KY)	Veasey
McEachin	Rohrabacher	Vela
McGovern	Rokita	Visclosky
McHenry	Ros-Lehtinen	Wagner
McKinley	Rothfus	Walberg
McMorris	Rouzer	Walden
Rodgers	Roybal-Allard	Walorski
McNerney	Royce (CA)	Wasserman
McSally	Ruiz	Schultz
Meadows	Ruppersberger	Waters, Maxine
Meeks	Rush	Watson Coleman
Meng	Rutherford	Weber (TX)
Messer	Ryan (OH)	Welch
Mitchell	Sánchez	Westerman
	Sanford	Wild
	Sarbanes	Williams
	Scalise	Wilson (FL)
	Scanlon	Wilson (SC)
	Schakowsky	Wittman
	Schiff	Womack
	Schneider	Woodall
	Schrader	Yarmuth
	Schweikert	Yoder
	Scott (VA)	Yoho
	Scott, Austin	Young (AK)
	Scott, David	Young (IA)
	Serrano	
	Sessions	

NAYS—5

Amash	Gohmert	Sensenbrenner
Biggs	Massie	

NOT VOTING—65

Arrington	Hastings	Rooney, Francis
Barletta	Hudson	Rooney, Thomas
Barton	Hultgren	J.
Black	Issa	Rosen
Blackburn	Jenkins (KS)	Roskam
Blum	Johnson, E. B.	Ross
Blumenauer	Jones (NC)	Russell
Capuano	Keating	Shea-Porter
Cheney	Kind	Shuster
Cramer	Kinzinger	Sinema
Crowley	LaMalfa	Smith (TX)
Denham	Lewis (MN)	Taylor
Ellison	Love	Trott
Eshoo	Lowenthal	Upton
Fudge	Lujan Grisham,	Velázquez
Garamendi	M.	Walker
Gowdy	Noem	Walters, Mimi
Graves (GA)	Nolan	Walz
Green, Gene	Pittenger	Webster (FL)
Gutiérrez	Poe (TX)	Polis
Hanabusa	Polis	Wenstrup
Handel	Ratcliffe	Zeldin
Hartzler	Renacci	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.66 S. 1862—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1862) to amend the Trafficking Victims Protection Act of 2000 to modify the criteria for determining whether countries are meeting the minimum standards for the elimination of human trafficking, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 370
affirmative Nays 0

¶168.67 [Roll No. 491]

YEAS—370

Abraham	Comstock	Gottheimer
Adams	Conaway	Granger
Aderholt	Connolly	Graves (GA)
Aguilar	Cook	Graves (LA)
Allen	Cooper	Graves (MO)
Amash	Correa	Green, Al
Amodei	Costa	Griffith
Babin	Costello (PA)	Grijalva
Bacon	Courtney	Grothman
Balderson	Cramer	Guthrie
Banks (IN)	Crawford	Handel
Barr	Crist	Harper
Barragán	Cuellar	Harris
Barton	Culberson	Hartzler
Bass	Cummings	Heck
Beatty	Curbelo (FL)	Hensarling
Bera	Curtis	Hern
Bergman	Davidson	Herrera Beutler
Beyer	Davis (CA)	Hice, Jody B.
Biggs	Davis, Danny	Higgins (LA)
Bilirakis	Davis, Rodney	Higgins (NY)
Bishop (GA)	DeFazio	Hill
Bishop (MI)	DeGette	Himes
Bishop (UT)	Delaney	Holding
Blunt Rochester	DeLauro	Hollingsworth
Bonamici	DelBene	Hoyer
Bost	Demings	Huffman
Boyle, Brendan F.	DeSaulnier	Huizenga
Brady (PA)	DesJarlais	Hunter
Brady (TX)	Deutch	Hurd
Brat	Diaz-Balart	Jackson Lee
Brooks (AL)	Dingell	Jayapal
Brooks (IN)	Doggett	Jeffries
Brown (MD)	Donovan	Johnson (GA)
Brownley (CA)	Doyle, Michael F.	Johnson (LA)
Buchanan	Duffy	Johnson (OH)
Buck	Duncan (SC)	Johnson, Sam
Bucshon	Duncan (TN)	Jones (MI)
Budd	Dunn	Jordan
Burgess	Emmer	Joyce (OH)
Bustos	Engel	Kaptur
Butterfield	Engel	Katko
Byrne	Españillat	Kelly (IL)
Calvert	Estes (KS)	Kelly (MS)
Carbajal	Esty (CT)	Kelly (PA)
Cárdenas	Evans	Kennedy
Carson (IN)	Faso	Khanna
Carter (GA)	Ferguson	Kihuen
Carter (TX)	Fitzpatrick	Kildee
Cartwright	Fleischmann	Kilmer
Castor (FL)	Flores	King (NY)
Castro (TX)	Fortenberry	Knight
Chabot	Foster	Krishnamoorthi
Chu, Judy	Fox	Kuster (NH)
Cicilline	Frankel (FL)	Kustoff (TN)
Clark (MA)	Frelinghuysen	Labrador
Clarke (NY)	Gabbard	LaHood
Clay	Gaetz	LaMalfa
Cleaver	Gallagher	Lamb
Cloud	Gallego	Lamborn
Clyburn	Garrett	Lance
Coffman	Gianforte	Langevin
Cohen	Gibbs	Larsen (WA)
Cole	Gohmert	Larson (CT)
Collins (GA)	Gomez	Latta
Collins (NY)	Gonzalez (TX)	Lawrence
Comer	Goodlatte	Lawson (FL)
	Gosar	Lee

Lesko	Palazzo	Sewell (AL)
Levin	Pallone	Sherman
Lewis (GA)	Palmer	Shimkus
Lieu, Ted	Panetta	Simpson
Lipinski	Pascrell	Sires
LoBiondo	Paulsen	Smith (MO)
Loeb sack	Payne	Smith (NE)
Lofgren	Pearce	Smith (NJ)
Long	Pelosi	Smith (WA)
Loudermilk	Perlmutter	Smucker
Lucas	Perry	Soto
Luetkemeyer	Peters	Speier
Luján, Ben Ray	Peterson	Stefanik
Lynch	Pingree	Stewart
MacArthur	Pocan	Stivers
Maloney,	Poliquin	Suozzi
Carolyn B.	Posey	Swalwell (CA)
Maloney, Sean	Price (NC)	Takano
Marchant	Quigley	Tenney
Marino	Raskin	Thompson (CA)
Marshall	Reed	Thompson (MS)
Massie	Reichert	Thompson (PA)
Mast	Rice (NY)	Thornberry
Matsui	Rice (SC)	Tipton
McCarthy	Richmond	Titus
McCaul	Roby	Tonko
McClintock	Roe (TN)	Torres
McCollum	Rogers (AL)	Tsongas
McEachin	Rogers (KY)	Turner
McGovern	Rohrabacher	Valadao
McKinley	Rokita	Vargas
McMorris	Ros-Lehtinen	Veasey
Rodgers	Rothfus	Vela
McNerney	Rouzer	Visclosky
McSally	Roybal-Allard	Wagner
Meadows	Royce (CA)	Walberg
Meeks	Ruiz	Walden
Meng	Ruppersberger	Walorski
Messer	Rush	Wasserman
Mitchell	Rutherford	Schultz
Moolenaar	Ryan (OH)	Waters, Maxine
Mooney (WV)	Sánchez	Watson Coleman
Moore	Sanford	Weber (TX)
Morelle	Sarbanes	Welch
Moulton	Scalise	Westerman
Mullin	Scanlon	Wild
Murphy (FL)	Schakowsky	Williams
Nadler	Schiff	Wilson (FL)
Napolitano	Schneider	Wilson (SC)
Neal	Schrader	Wittman
Newhouse	Schweikert	Womack
Norcross	Scott (VA)	Woodall
Norman	Scott, Austin	Woodard
Nunes	Scott, David	Yarmuth
O'Halleran	Sensenbrenner	Yoder
O'Rourke	Serrano	Yoho
Olson	Sessions	Young (AK)
		Young (IA)

NOT VOTING—62

Arrington	Jenkins (KS)	Rooney, Thomas J.
Barletta	Johnson, E. B.	Rosen
Black	Jones (NC)	Roskam
Blackburn	Keating	Ross
Blum	Kind	Russell
Blumenauer	King (IA)	Shea-Porter
Capuano	Kinzing	Shuster
Cheney	Lewis (MN)	Sinema
Crowley	Love	Smith (TX)
Denham	Lowenthal	Taylor
Ellison	Lowe	Trott
Esch	Lujan Grisham,	M.
Fudge	M.	McHenry
Garamendi	McHenry	Noem
Goody	Noem	Nolan
Green, Gene	Nolan	Pittenger
Gutiérrez	Pittenger	Poe (TX)
Hanabusa	Poe (TX)	Polis
Hastings	Polis	Ratcliffe
Hudson	Ratcliffe	Renacci
Hultgren	Renacci	Rooney, Francis
Issa	Rooney, Francis	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.68 S. 3247—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished

business to be the motion to suspend the rules and pass the bill of the Senate (S. 3247) to improve programs and activities relating to women's entrepreneurship and economic empowerment that are carried out by the United States Agency for International Development, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 352
affirmative Nays 18

¶168.69 [Roll No. 492]

YEAS—352

Abraham	Cummings	Jayapal
Adams	Curbelo (FL)	Jeffries
Aderholt	Curtis	Johnson (GA)
Aguilar	Davidson	Johnson (LA)
Allen	Davis (CA)	Johnson (OH)
Amodei	Davis, Danny	Johnson, Sam
Babin	Davis, Rodney	Jones (MI)
Bacon	DeFazio	Jordan
Balderson	DeGette	Joyce (OH)
Banks (IN)	Delaney	Kaptur
Barr	DeLauro	Katko
Barragán	DelBene	Kelly (IL)
Barton	Demings	Kelly (MS)
Bass	DeSaulnier	Kelly (PA)
Beatty	DesJarlais	Kennedy
Bera	Deutch	Khanna
Bergman	Diaz-Balart	Kihuen
Beyer	Dingell	Kildee
Bishop (GA)	Doggett	Kilmer
Bishop (MI)	Donovan	King (NY)
Bishop (UT)	Doyle, Michael F.	Knight
Blunt Rochester	Duffy	Krishnamoorthi
Bonamici	Duncan (SC)	Kuster (NH)
Bost	Dunn	Kustoff (TN)
Boyle, Brendan F.	Emmer	LaHood
Brady (PA)	Engel	Lamb
Brady (TX)	Españillat	Lamborn
Brooks (IN)	Estes (KS)	Lance
Brown (MD)	Esty (CT)	Langevin
Brownley (CA)	Evans	Larsen (WA)
Buchanan	Faso	Larson (CT)
Buck	Ferguson	Latta
Bucshon	Fitzpatrick	Lawrence
Budd	Fleischmann	Lawson (FL)
Burgess	Flores	Lee
Bustos	Fortenberry	Lesko
Butterfield	Foster	Levin
Byrne	Fox	Lewis (GA)
Calvert	Frankel (FL)	Lieu, Ted
Carbajal	Frelinghuysen	Lipinski
Cárdenas	Gabbard	LoBiondo
Carson (IN)	Gallagher	Loeb sack
Carter (GA)	Gallego	Lofgren
Carter (TX)	Gianforte	Long
Cartwright	Gibbs	Loudermilk
Castor (FL)	Gomez	Lowe
Castro (TX)	Gonzalez (TX)	Lucas
Chabot	Goodlatte	Luetkemeyer
Chu, Judy	Gottheimer	Luján, Ben Ray
Cicilline	Granger	Lynch
Clark (MA)	Graves (GA)	MacArthur
Clarke (NY)	Graves (MO)	Maloney,
Clay	Green, Al	Carolyn B.
Cleaver	Griffith	Maloney, Sean
Cloud	Grijalva	Marchant
Clyburn	Grothman	Marino
Coffman	Guthrie	Marshall
Cohen	Handel	Mast
Cole	Harper	Matsui
Collins (GA)	Hartzler	McCarthy
Collins (NY)	Hice, Jody B.	McCaul
Comer	Higgins (LA)	McCollum
Comstock	Higgins (NY)	McEachin
Conaway	Hill	McGovern
Connolly	Himes	McHenry
Cook	Holding	McKinley
Cooper	Hollingsworth	McMorris
Correa	Hoyer	Rodgers
Costa	Huffman	McNerney
Costello (PA)	Huizenga	McSally
Courtney	Hurd	Meadows
Cramer	Jackson Lee	Meeks
Crawford		Meng
Crist		Messer
Cuellar		Mitchell
Culberson		Moolenaar
		Mooney (WV)

Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Pallone
Palmer
Panetta
Pascarell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)

Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sanchez
Sanford
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Schneider
Schradler
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers

Suozi
Swalwell (CA)
Takano
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tipton
Titus
Tonko
Torres
Tsongas
Turner
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walenski
Walorski
Wasserman
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)

NAYS—18

Amash
Biggs
Brat
Brooks (AL)
Duncan (TN)
Gaetz

Garrett
Gohmert
Gosar
Harris
Hunter
King (IA)

Labrador
LaMalfa
Massie
McClintock
Rohrabacher
Rokita

NOT VOTING—62

Arrington
Barletta
Bilirakis
Black
Blackburn
Blum
Blumenauer
Capuano
Cheney
Crowley
Denham
Ellison
Eshoo
Fudge
Garamendi
Gowdy
Graves (LA)
Green, Gene
Gutiérrez
Hanabusa
Hastings
Hudson

Hultgren
Issa
Jenkins (KS)
Johnson, E. B.
Jones (NC)
Keating
Kind
Kinzinger
Lewis (MN)
Love
Lowenthal
Lujan Grisham,
M.
Noem
Nolan
Pittenger
Poe (TX)
Polis
Ratcliffe
Renacci
Rooney, Francis

Rooney, Thomas
J.
Rosen
Roskam
Ross
Russell
Russell
Scalise
Shea-Porter
Shuster
Sinema
Smith (TX)
Taylor
Trott
Upton
Velázquez
Walker
Walters, Mimi
Walz
Webster (FL)
Wenstrup
Zeldin

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.70 S. 512—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 512) to modernize the regulation of nuclear energy.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 361
affirmative } Nays 10

¶168.71

[Roll No. 493]

YEAS—361

Abraham
Adams
Aderholt
Aguliar
Allen
Amodei
Babin
Bacon
Balderson
Banks (IN)
Barr
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Blunt Rochester
Bonamici
Bost
Boyle, Brendan
F.
Brady (PA)
Brady (TX)
Brat
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Cloud
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Cook
Cooper
Correa
Costa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Cuellar
Culberson
Cummings
Curbelo (FL)
Curtis
Davidson
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette

Delaney
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael
F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Engel
Española
Estes (KS)
Esty (CT)
Evans
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Fox
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Payne
Pearce
Pelosi

Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamb
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Lesko
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Long
Loudermilk
Lowey
Lucas
Luetkemeyer
Luján, Ben Ray
Lynch
MacArthur
Maloney,
Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris
Rodgers
McNerney
McSally
Meadows
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Newhouse
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascarell
Paulsen
Payne
Pearce
Pelosi

Perlmutter
Perry
Peters
Peterson
Pingree
Pocan
Poliquin
Posey
Price (NC)
Quigley
Raskin
Reed
Reichert
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (OH)
Sanchez
Sanford

Scanlon
Schiff
Schneider
Schradler
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Simpson
Sires
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozi
Swalwell (CA)
Takano
Tenneny
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry

Tipton
Titus
Tonko
Torres
Tsongas
Turner
Valadao
Vargas
Veasey
Vela
Visclosky
Wagner
Walberg
Walden
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Westerman
Wild
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)

NAYS—10

Amash
Biggs
Brooks (AL)
Grijalva

Harris
Huffman
Johnson (GA)
Massie

McClintock
Schakowsky

NOT VOTING—61

Arrington
Barletta
Black
Blackburn
Blum
Blumenauer
Capuano
Cheney
Crowley
Denham
Ellison
Eshoo
Fudge
Garamendi
Gowdy
Green, Gene
Gutiérrez
Hanabusa
Hastings
Hudson
Hultgren
Issa

Jenkins (KS)
Johnson, E. B.
Jones (NC)
Keating
Kind
Kinzinger
Lewis (MN)
Love
Lowenthal
Lujan Grisham,
M.
Noem
Nolan
Pittenger
Poe (TX)
Polis
Ratcliffe
Renacci
Rooney, Francis
Rooney, Thomas
J.
Rosen

Roskam
Ross
Russell
Sarbanes
Scalise
Shea-Porter
Shuster
Sinema
Smith (TX)
Taylor
Trott
Upton
Velázquez
Walker
Walters, Mimi
Walz
Webster (FL)
Wenstrup
Zeldin

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.72 S. 1934—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 1934) to prevent catastrophic failure or shutdown of remote diesel power engines due to emission control devices, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 202
negative } Nays 171

¶168.73

[Roll No. 494]

YEAS—202

Abraham	Gianforte	Mooney (WV)
Aderholt	Gibbs	Mullin
Allen	Gohmert	Newhouse
Amodei	Goodlatte	Norman
Babin	Gosar	Nunes
Bacon	Granger	O'Halleran
Balderson	Graves (GA)	Olson
Banks (IN)	Graves (LA)	Palazzo
Barr	Graves (MO)	Palmer
Barton	Griffith	Paulsen
Bergman	Grothman	Pearce
Beyer	Guthrie	Perry
Biggs	Handel	Peterson
Bilirakis	Harper	Poliquin
Bishop (MI)	Hartzler	Posey
Bishop (UT)	Hensarling	Reed
Bost	Hern	Reichert
Brady (TX)	Herrera Beutler	Rice (SC)
Brat	Hice, Jody B.	Roby
Brooks (IN)	Higgins (LA)	Roe (TN)
Buchanan	Hill	Rogers (AL)
Buck	Holding	Rogers (KY)
Bucshon	Hollingsworth	Rohrabacher
Budd	Huizenga	Rokita
Burgess	Hunter	Ros-Lehtinen
Byrne	Hurd	Rothfus
Calvert	Johnson (LA)	Rouzer
Carter (GA)	Johnson (OH)	Royce (CA)
Carter (TX)	Johnson, Sam	Ruiz
Chabot	Jordan	Rutherford
Cloud	Joyce (OH)	Schrader
Coffman	Katko	Schweikert
Cole	Kelly (MS)	Scott, Austin
Collins (GA)	Kelly (PA)	Sensenbrenner
Collins (NY)	King (IA)	Sessions
Comer	King (NY)	Shimkus
Comstock	Knight	Simpson
Conaway	Kustoff (TN)	Smith (MO)
Cook	Labrador	Smith (NE)
Costa	LaHood	Smith (NJ)
Costello (PA)	LaMalfa	Smucker
Cramer	Lamborn	Stefanik
Crawford	Lance	Stewart
Culberson	Latta	Stivers
Curbelo (FL)	Lesko	Tenney
Curtis	LoBiondo	Thompson (PA)
Davidson	Long	Thornberry
Davis, Rodney	Loudermilk	Tipton
DesJarlais	Lucas	Trott
Diaz-Balart	Luetkemeyer	Turner
Donovan	MacArthur	Valadao
Duffy	Marchant	Wagner
Duncan (SC)	Marino	Walberg
Duncan (TN)	Marshall	Walden
Dunn	Massie	Walker
Emmer	Mast	Walorski
Estes (KS)	McCarthy	Weber (TX)
Faso	McCaul	Westerman
Ferguson	McClintock	Williams
Fitzpatrick	McHenry	Wilson (SC)
Fleischmann	McKinley	Wittman
Flores	McMorris	Womack
Fortenberry	Rodgers	Woodall
Fox	McSally	Yoder
Frelinghuysen	Meadows	Yoho
Gabbard	Messer	Young (AK)
Gallagher	Mitchell	Young (IA)
Garrett	Moolenaar	

NAYS—171

Adams	Castro (TX)	Demings
Aguilar	Chu, Judy	DeSaulnier
Amash	Cielline	Deutch
Barragán	Clark (MA)	Dingell
Bass	Clarke (NY)	Doggett
Beatty	Clay	Doyle, Michael F.
Bera	Cleaver	Engel
Bishop (GA)	Clyburn	Espallat
Blunt Rochester	Cohen	Esty (CT)
Bonamici	Connolly	Evans
Boyle, Brendan F.	Cooper	Foster
Brady (PA)	Correa	Frankel (FL)
Brooks (AL)	Courtney	Gaetz
Brown (MD)	Crist	Galleo
Brownley (CA)	Cuellar	Gomez
Bustos	Cummings	Gonzalez (TX)
Butterfield	Davis (CA)	Gottheimer
Carbajal	Davis, Danny	Green, Al
Cárdenas	DeFazio	Grijalva
Carson (IN)	DeGette	Harris
Cartwright	Delaney	Heck
Castor (FL)	DeLauro	Higgins (NY)
	DeBene	

Himes	Matsui	Scanlon
Hoyer	McCollum	Schakowsky
Huffman	McEachin	Schiff
Jackson Lee	McGovern	Schneider
Jayapal	McNerney	Scott (VA)
Jeffries	Meeks	Scott, David
Johnson (GA)	Meng	Serrano
Jones (MI)	Moore	Sewell (AL)
Kaptur	Morelle	Sherman
Kelly (IL)	Moulton	Sires
Kennedy	Murphy (FL)	Smith (WA)
Khanna	Nadler	Soto
Kihuen	Napolitano	Speier
Kildee	Neal	Suozi
Kilmer	Norcross	Swalwell (CA)
Krishnamoorthi	O'Rourke	Takano
Kuster (NH)	Pallone	Thompson (CA)
Lamb	Panetta	Thompson (MS)
Langevin	Pascarell	
Larsen (WA)	Payne	Titus
Larson (CT)	Perlmutter	Tonko
Lawrence	Peters	Torres
Lawson (FL)	Pingree	Tsongas
Lee	Pocan	Vargas
Levin	Price (NC)	Veasey
Lewis (GA)	Quigley	Vela
Lieu, Ted	Raskin	Visclosky
Lipinski	Rice (NY)	Wasserman
Loeb sack	Richmond	Schultz
Lofgren	Roybal-Allard	Waters, Maxine
Lowey	Ruppersberger	Watson Coleman
Luján, Ben Ray	Rush	Welch
Lynch	Ryan (OH)	Wild
Maloney,	Sánchez	Wilson (FL)
Carolyn B.	Sanford	Yarmuth
Maloney, Sean	Sarbanes	

NOT VOTING—59

Arrington	Issa	Rooney, Thomas J.
Barletta	Jenkins (KS)	
Black	Johnson, E. B.	Rosen
Blackburn	Jones (NC)	Roskam
Blum	Keating	Ross
Blumenauer	Kind	Russell
Capuano	Kinzing	Scalise
Cheney	Lewis (MN)	Shea-Porter
Crowley	Love	Shuster
Denham	Lowenthal	Sinema
Ellison	Lujan Grisham, M.	Smith (TX)
Eshoo	Noem	Taylor
Fudge	Nolan	Upton
Garamendi	Pelosi	Velázquez
Goody	Pittenger	Walters, Mimi
Green, Gene	Poe (TX)	Walz
Gutiérrez	Polis	Webster (FL)
Hanabusa	Ratcliffe	Wenstrup
Hastings	Renacci	Zeldin
Hudson	Rooney, Francis	
Hultgren		

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not passed.

¶168.74 AMENDMENT OF THE SENATE TO H.R. 6287—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and agree to the amendment of the Senate to the bill (H.R. 6287) to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.

The question being put,

Will the House suspend the rules and agree to said amendment of the Senate?

The vote was taken by electronic device.

It was decided in the { Yeas 371
affirmative } Nays 3

¶168.75

[Roll No. 495]

YEAS—371

Abraham	Allen	Balderson
Adams	Amodei	Banks (IN)
Aderholt	Babin	Barr
Aguilar	Bacon	Barragán

Barton	Evans	Long
Bass	Faso	Loudermilk
Beatty	Ferguson	Lowey
Bera	Fitzpatrick	Lucas
Bergman	Fleischmann	Luetkemeyer
Beyer	Flores	Luján, Ben Ray
Biggs	Fortenberry	Lynch
Bilirakis	Foster	MacArthur
Bishop (GA)	Fox	Maloney,
Bishop (MI)	Frankel (FL)	Carolyn B.
Bishop (UT)	Frelinghuysen	Maloney, Sean
Blunt Rochester	Gabbard	Marchant
Bonamici	Gaetz	Marino
Bost	Gallagher	Marshall
Boyle, Brendan F.	Gallego	Mast
Brady (PA)	Garrett	Matsui
Brady (TX)	Gianforte	McCarthy
Brat	Gibbs	McCaul
Brooks (AL)	Gohmert	McClintock
Brooks (IN)	Gomez	McCollum
Brooks (MD)	Gonzalez (TX)	McEachin
Brownley (CA)	Goodlatte	McGovern
Bustos	Gosar	McHenry
Butterfield	Gottheimer	McKinley
Byrne	Granger	McMorris
Calvert	Graves (GA)	Rodgers
Carbajal	Graves (LA)	McNerney
Cárdenas	Graves (MO)	McSally
Carson (IN)	Green, Al	Meadows
Carter (GA)	Griffith	Meeks
Carter (TX)	Grijalva	Meng
Castor (FL)	Grothman	Messer
Castro (TX)	Guthrie	Mitchell
Chabot	Handel	Moolenaar
Cheney	Harper	Mooney (WV)
Chu, Judy	Harris	Moore
Cielline	Hartzler	Morelle
Clark (MA)	Heck	Moulton
Clarke (NY)	Hensarling	Mullin
Clay	Hern	Murphy (FL)
Cleaver	Herrera Beutler	Nadler
Cloud	Hice, Jody B.	Napolitano
Clyburn	Higgins (LA)	Neal
Coffman	Higgins (NY)	Newhouse
Cohen	Hill	Norcross
Cole	Himes	Norman
Collins (GA)	Holding	Nunes
Collins (NY)	Hollingsworth	O'Halleran
Comer	Hoyer	O'Rourke
Comstock	Huffman	Olson
Conaway	Huizenga	Palazzo
Connolly	Hunter	Pallone
Cook	Hurd	Palmer
Cooper	Jackson Lee	Panetta
Correa	Jayapal	Pascarell
Costa	Jeffries	Paulsen
Costello (PA)	Johnson (GA)	Payne
Courtney	Johnson (LA)	Pearce
Cramer	Johnson (OH)	Perlmutter
Crawford	Johnson, Sam	Perry
Crist	Jones (MI)	Peters
Cuellar	Jordan	Peterson
Culberson	Joyce (OH)	Pingree
Cummings	Kaptur	Pocan
Curbelo (FL)	Katko	Poliquin
Curtis	Kelly (IL)	Posey
Davidson	Kelly (MS)	Price (NC)
Davis (CA)	Kelly (PA)	Quigley
Davis, Danny	Kennedy	Raskin
Davis, Rodney	Khanna	Reed
DeFazio	Kihuen	Reichert
DeGette	Kildee	Rice (NY)
Delaney	Kilmer	Rice (SC)
DeLauro	King (IA)	Richmond
DeBene	King (NY)	Roby
Demings	Knight	Roe (TN)
DeSaulnier	Krishnamoorthi	Rogers (AL)
DesJarlais	Kuster (NH)	Rogers (KY)
Deutch	Kustoff (TN)	Rohrabacher
Diaz-Balart	Labrador	Rokita
Dingell	LaHood	Ros-Lehtinen
Doggett	LaMalfa	Rothfus
Donovan	Lamb	Rouzer
Doyle, Michael F.	Lamborn	Roybal-Allard
Duffy	Lance	Royce (CA)
Duncan (SC)	Langevin	Ruiz
Duncan (TN)	Larsen (WA)	Ruppersberger
Dunn	Larson (CT)	Rush
Emmer	Latta	Rutherford
Engel	Lawrence	Ryan (OH)
Espallat	Lawson (FL)	Sánchez
Estes (KS)	Lee	Sarbanes
Esty (CT)	Lesko	Scalise
	Levin	Scanlon
	Lewis (GA)	Schakowsky
	Lieu, Ted	Schiff
	Lipinski	Schneider
	LoBiondo	Schrader
	Loeb sack	Schweikert
	Lofgren	Scott (VA)

Scott, Austin	Takano	Walorski	Bishop (UT)	Frelinghuysen	Marshall	Smucker	Torres	Weber (TX)
Scott, David	Tenney	Wasserman	Blunt Rochester	Gabbard	Mast	Soto	Trott	Welch
Sensenbrenner	Thompson (CA)	Schultz	Bonamici	Gaetz	Matsui	Speier	Turner	Westerman
Serrano	Thompson (MS)	Waters, Maxine	Bost	Gallagher	McCarthy	Stefanik	Valadao	Wild
Sessions	Thompson (PA)	Watson Coleman	Boyle, Brendan F.	Gallego	McCaul	Stewart	Vargas	Williams
Sewell (AL)	Thornberry	Weber (TX)	Brady (PA)	Gianforte	McClintock	Stivers	Veasey	Wilson (FL)
Sherman	Tipton	Welch	Brady (TX)	Gibbs	McCollum	Suozzi	Vela	Wilson (SC)
Shimkus	Titus	Westerman	Brat	Gohmert	McEachin	Swalwell (CA)	Visclosky	Wittman
Simpson	Tonko	Wild	Brooks (AL)	Gomez	McGovern	Takano	Wagner	Womack
Sires	Torres	Williams	Brooks (IN)	Gonzalez (TX)	McHenry	Tenney	Walberg	Woodall
Smith (MO)	Trott	Wilson (FL)	Brown (MD)	Goodlatte	McKinley	Thompson (CA)	Walden	Yarmuth
Smith (NE)	Tsongas	Wilson (SC)	Brownley (CA)	Gosar	McMorris	Thompson (MS)	Walker	Yoder
Smith (NJ)	Turner	Wittman	Buchanan	Gottheimer	Rodgers	Thompson (PA)	Walorski	Yoho
Smith (WA)	Valadao	Womack	Buck	Granger	McNerney	Thornberry	Wasserman	Young (AK)
Smucker	Vargas	Woodall	Bucshon	Graves (GA)	McSally	Tipton	Schultz	Young (IA)
Soto	Veasey	Yarmuth	Budd	Graves (LA)	Meadows	Titus	Waters, Maxine	
Speier	Vela	Yoder	Burgess	Graves (MO)	Meeks	Tonko	Watson Coleman	
Stefanik	Visclosky	Yoho	Bustos	Green, Al	Meng			
Stewart	Wagner	Young (AK)	Butterfield	Griffith	Messer			
Stivers	Walberg	Young (IA)	Byrne	Grijalva	Mitchell			
Suozzi	Walden		Calvert	Guthrie	Moolenaar			
Swalwell (CA)	Walker		Carbajal	Handel	Moore			
			Cárdenas	Harper	Morelle			
			Carson (IN)	Harris	Moulton			
			Carter (GA)	Hartzler	Mullin			
			Carter (TX)	Heck	Murphy (FL)			
			Cartwright	Hensarling	Nadler			
			Castor (FL)	Hern	Napolitano			
			Castro (TX)	Herrera Beutler	Neal			
			Chabot	Hice, Jody B.	Newhouse			
			Chu, Judy	Higgins (LA)	Norcross			
			Cicilline	Higgins (NY)	Norman			
			Clark (MA)	Hill	Nunes			
			Clarke (NY)	Himes	O'Halleran			
			Clay	Holding	O'Rourke			
			Cleaver	Hollingsworth	Olson			
			Cloud	Hoyer	Palazzo			
			Clyburn	Huffman	Pallone			
			Coffman	Huizenga	Palmer			
			Cohen	Hunter	Panetta			
			Cole	Hurd	Pascarell			
			Collins (GA)	Jackson Lee	Paulsen			
			Collins (NY)	Jayapal	Payne			
			Comer	Jeffries	Pearce			
			Comstock	Johnson (GA)	Pelosi			
			Conaway	Johnson (LA)	Perlmutter			
			Connolly	Johnson (OH)	Perry			
			Cook	Johnson, Sam	Peters			
			Cooper	Jones (MI)	Peterson			
			Correa	Jordan	Pingree			
			Costa	Joyce (OH)	Pocan			
			Costello (PA)	Kaptur	Poliquin			
			Courtney	Katko	Posey			
			Cramer	Kelly (IL)	Price (NC)			
			Crawford	Kelly (MS)	Quigley			
			Crist	Kelly (PA)	Raskin			
			Cuellar	Kennedy	Reed			
			Culberson	Khanna	Reichert			
			Cummings	Kihuen	Rice (NY)			
			Curbelo (FL)	Kildee	Richmond			
			DeFazio	Kilmer	Roby			
			DeGette	King (IA)	Roe (TN)			
			Delaney	King (NY)	Rogers (AL)			
			DeLauro	Knight	Rogers (KY)			
			DelBene	Krishnamoorthi	Rohrabacher			
			Demings	Kuster (NH)	Rokita			
			DeSaulnier	Kustoff (TN)	Ros-Lehtinen			
			DesJarlais	Labrador	Rothfus			
			Deutch	LaHood	Rouzer			
			Diaz-Balart	LaMalfa	Roybal-Allard			
			Dingell	Lamb	Royce (CA)			
			Doggett	Lamborn	Ruiz			
			Donovan	Lance	Ruppersberger			
			Doyle, Michael F.	Langevin	Rush			
			Duffy	Larsen (WA)	Rutherford			
			Duncan (SC)	Larson (CT)	Ryan (OH)			
			Duncan (TN)	Latta	Sánchez			
			Dunn	Lawrence	Sarbanes			
			Emmer	Lawson (FL)	Scalise			
			Engel	Lee	Scanlon			
			Españillat	Lesko	Schakowsky			
			Estes (KS)	Levin	Schiff			
			Esty (CT)	Lewis (GA)	Schneider			
			Evans	Lieu, Ted	Schrader			
			Faso	Lipinski	Schweikert			
			Ferguson	LoBiondo	Scott (VA)			
			Fitzpatrick	Loeb sack	Scott, Austin			
			Fleischmann	Lofgren	Scott, David			
			Flores	Long	Sensenbrenner			
			Fortenberry	Lowey	Serrano			
			Foster	Lucas	Sessions			
			Fox	Luetkemeyer	Sewell (AL)			
			Frankel (FL)	Luján, Ben Ray	Sherman			
				Lynch	Shimkus			
				MacArthur	Simpson			
				Maloney,	Sires			
				Carolyn B.	Smith (MO)			
				Maloney, Sean	Smith (NE)			
				Marchant	Smith (NJ)			
				Marino	Smith (WA)			

NAYS—3

Amash Massie Sanford

NOT VOTING—58

Arrington Hultgren Renacci
 Barletta Issa Rooney, Francis
 Black Jenkins (KS) Rooney, Thomas
 Blackburn Johnson, E. B. J.
 Blum Jones (NC) Rosen
 Blumenauer Keating Roskam
 Capuano Kind Ross
 Cheney Kinzinger Russell
 Crowley Lewis (MN) Shea-Porter
 Denham Love Shuster
 Ellison Lowenthal Sinema
 Eshoo Lujan Grisham, Smith (TX)
 Fudge M. Taylor
 Garamendi Noem Upton
 Gowdy Nolan Velázquez
 Green, Gene Pelosi Walters, Mimi
 Gutiérrez Pittenger Walz
 Hanabusa Poe (TX) Webster (FL)
 Hastings Polis Wenstrup
 Hudson Ratcliffe Zeldin

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said amendment of the Senate was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said amendment of the Senate was agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.76 S. 3456—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3456) to redesignate Hobe Sound National Wildlife Refuge as the Nathaniel P. Reed Hobe Sound National Wildlife Refuge, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the affirmative
 Yeas 365
 Nays 5
 Answered present 2

¶168.77 [Roll No. 496]

YEAS—365

Abraham Bacon Beatty
 Adams Balderson Bera
 Aderholt Banks (IN) Bergman
 Aguilar Barr Beyer
 Allen Barragán Bilirakis
 Amodei Barton Bishop (GA)
 Babin Bass Bishop (MI)

Bishop (UT)
 Blunt Rochester
 Bonamici
 Bost
 Boyle, Brendan F.
 Brady (PA)
 Brady (TX)
 Brat
 Brooks (AL)
 Brooks (IN)
 Brown (MD)
 Brownley (CA)
 Buchanan
 Buck
 Bucshon
 Budd
 Burgess
 Bustos
 Butterfield
 Byrne
 Calvert
 Carbajal
 Cárdenas
 Carson (IN)
 Carter (GA)
 Carter (TX)
 Cartwright
 Castor (FL)
 Castro (TX)
 Chabot
 Chu, Judy
 Cicilline
 Clark (MA)
 Clarke (NY)
 Clay
 Cleaver
 Cloud
 Clyburn
 Coffman
 Cohen
 Cole
 Collins (GA)
 Collins (NY)
 Comer
 Comstock
 Conaway
 Connolly
 Cook
 Cooper
 Correa
 Costa
 Costello (PA)
 Courtney
 Cramer
 Crawford
 Crist
 Cuellar
 Culberson
 Cummings
 Curbelo (FL)
 DeFazio
 DeGette
 Delaney
 DeLauro
 DelBene
 Demings
 DeSaulnier
 DesJarlais
 Deutch
 Diaz-Balart
 Dingell
 Doggett
 Donovan
 Doyle, Michael F.
 Duffy
 Duncan (SC)
 Duncan (TN)
 Dunn
 Emmer
 Engel
 Españillat
 Estes (KS)
 Esty (CT)
 Evans
 Faso
 Ferguson
 Fitzpatrick
 Fleischmann
 Flores
 Fortenberry
 Foster
 Fox
 Frankel (FL)

Frelinghuysen
 Gabbard
 Gaetz
 Gallagher
 Gallego
 Gianforte
 Gibbs
 Gohmert
 Gomez
 Gonzalez (TX)
 Goodlatte
 Gosar
 Gottheimer
 Granger
 Graves (GA)
 Graves (LA)
 Graves (MO)
 Green, Al
 Griffith
 Grijalva
 Guthrie
 Handel
 Harper
 Harris
 Hartzler
 Heck
 Hensarling
 Hern
 Herrera Beutler
 Hice, Jody B.
 Higgins (LA)
 Higgins (NY)
 Hill
 Himes
 Holding
 Hollingsworth
 Hoyer
 Huffman
 Huizenga
 Hunter
 Hurd
 Jackson Lee
 Jayapal
 Jeffries
 Johnson (GA)
 Johnson (LA)
 Johnson (OH)
 Johnson, Sam
 Jones (MI)
 Jordan
 Joyce (OH)
 Kaptur
 Katko
 Kelly (IL)
 Kelly (MS)
 Kelly (PA)
 Kennedy
 Khanna
 Kihuen
 Kildee
 Kilmer
 King (IA)
 King (NY)
 Knight
 Krishnamoorthi
 Kuster (NH)
 Kustoff (TN)
 Labrador
 LaHood
 LaMalfa
 Lamb
 Lamborn
 Lance
 Langevin
 Larsen (WA)
 Larson (CT)
 Latta
 Lawrence
 Lawson (FL)
 Lee
 Lesko
 Levin
 Lewis (GA)
 Lieu, Ted
 Lipinski
 LoBiondo
 Loeb sack
 Lofgren
 Long
 Lowey
 Lucas
 Luetkemeyer
 Luján, Ben Ray
 Lynch
 MacArthur
 Maloney,
 Carolyn B.
 Maloney, Sean
 Marchant
 Marino

Marshall
 Mast
 Matsui
 McCarthy
 McCaul
 McClintock
 McCollum
 McEachin
 McGovern
 McHenry
 McKinley
 McMorris
 Rodgers
 McNerney
 McSally
 Meadows
 Meeks
 Meng
 Messer
 Mitchell
 Moolenaar
 Moore
 Morelle
 Moulton
 Mullin
 Murphy (FL)
 Nadler
 Napolitano
 Neal
 Newhouse
 Norcross
 Norman
 Nunes
 O'Halleran
 O'Rourke
 Olson
 Palazzo
 Pallone
 Palmer
 Panetta
 Pascarell
 Paulsen
 Payne
 Pearce
 Pelosi
 Perlmutter
 Perry
 Peters
 Peterson
 Pingree
 Pocan
 Poliquin
 Posey
 Price (NC)
 Quigley
 Raskin
 Reed
 Reichert
 Rice (NY)
 Richmond
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rohrabacher
 Rokita
 Ros-Lehtinen
 Rothfus
 Rouzer
 Roybal-Allard
 Royce (CA)
 Ruiz
 Ruppersberger
 Rush
 Rutherford
 Ryan (OH)
 Sánchez
 Sarbanes
 Scalise
 Scanlon
 Schakowsky
 Schiff
 Schneider
 Schrader
 Schweikert
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell (AL)
 Sherman
 Shimkus
 Simpson
 Sires
 Smith (MO)
 Smith (NE)
 Smith (NJ)
 Smith (WA)

ANSWERED "PRESENT"—2

Rice (SC) Sanford

NOT VOTING—60

Arrington Hultgren Rooney, Francis
 Barletta Issa Rooney, Thomas
 Black Jenkins (KS) J.
 Blackburn Johnson, E. B. Rosen
 Blum Jones (NC) Roskam
 Blumenauer Keating Ross
 Capuano Kind Russell
 Cheney Kinzinger Shea-Porter
 Crowley Lewis (MN) Shuster
 Denham Loudermilk Sinema
 Ellison Love Smith (TX)
 Eshoo Lowenthal Taylor
 Fudge Lujan Grisham, Tsongas
 Garamendi M. Upton
 Garrett Noem Velázquez
 Gowdy Nolan Walters, Mimi
 Green, Gene Pittenger Walz
 Gutiérrez Poe (TX) Webster (FL)
 Hanabusa Polis Wenstrup
 Hastings Ratcliffe Zeldin
 Hudson Renacci

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.78 H.R. 7388—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the further unfinished business to be the motion to suspend the rules and pass the bill (H.R. 7388) to extend the National Flood Insurance Program, and for other purposes.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 148
 negative Nays 226

¶168.79 [Roll No. 497]

YEAS—148

Abraham Brat Collins (GA)
 Aderholt Brooks (IN) Collins (NY)
 Allen Buchanan Comstock
 Amodei Bucshon Cook
 Babin Budd Cramer
 Bacon Burgess Culberson
 Balderson Byrne Curtis
 Banks (IN) Calvert Davidson
 Barr Carter (GA) Davis, Rodney
 Barton Carter (TX) DesJarlais
 Bergman Chabot Duffy
 Bishop (UT) Cloud Duncan (SC)
 Bost Coffman Dunn
 Brady (TX) Cole Emmer

Estes (KS)
Faso
Ferguson
Flores
Fortenberry
Gianforte
Gibbs
Gohmert
Goodlatte
Granger
Graves (GA)
Griffith
Grothman
Guthrie
Handel
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Huizenga
Hunter
Hurd
Johnson (OH)
Johnson, Sam
Jordan
Katko
Kelly (MS)
Kelly (PA)
Knight
Kustoff (TN)
Labrador
LaHood

LaMalfa
Lamborn
Latta
Long
Loudermilk
Luetkemeyer
MacArthur
Marchant
Marino
Massie
Mast
McCarthy
McCauley
McClintock
McHenry
McKinley
McMorris
McMorris
Rodgers
McSally
Meadows
Messer
Moolenaar
Mooney (WV)
Newhouse
Nunes
Olson
Paulsen
Pearce
Perry
Peterson
Poliquin
Posey
Reed
Reichert
Rice (SC)
Robby

Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rothfus
Rouzer
Royce (CA)
Sanford
Scalise
Schweikert
Scott, Austin
Sessions
Shimkus
Smith (MO)
Smith (NE)
Smucker
Stivers
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Valadao
Wagner
Walberg
Walorski
Waters, Maxine
Weber (TX)
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder

NAYS—226

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brooks (AL)
Brown (MD)
Brownley (CA)
Buck
Bustos
Butterfield
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Comer
Conaway
Connolly
Cooper
Correa
Costa
Costello (PA)
Courtney
Crawford
Crist
Cuellar
Cummings
Curbelo (FL)
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Díaz-Balart
Dingell

Doggett
Donovan
Doyle, Michael
F.
Duncan (TN)
Engel
Español
Esty (CT)
Evans
Fitzpatrick
Fleischmann
Foster
Foxy
Frankel (FL)
Frelinghuysen
Gabbard
Gaetz
Gallagher
Gallego
Garrett
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Graves (LA)
Graves (MO)
Green, Al
Grijalva
Harper
Heck
Hern
Higgins (NY)
Himes
Hollingsworth
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Jones (MI)
Joyce (OH)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
King (IA)
King (NY)
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larsen (CT)
Lawrence
Lawson (FL)
Lee

Lesko
Levin
Lewis (GA)
Lieu, Ted
Lipinski
LoBiondo
Loebach
Lofgren
Lowey
Lucas
Lujan, Ben Ray
Lynch
Maloney
Carolyn B.
Maloney, Sean
Marshall
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Mitchell
Moore
Morelle
Moulton
Mullin
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
Norman
O'Halleran
O'Rourke
Palazzo
Pallone
Palmer
Panetta
Pascarelli
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rohrabacher
Ros-Lehtinen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes

Scanlon
Schakowsky
Schiff
Schneider
Schradler
Scott (VA)
Scott, David
Sensenbrenner
Serrano
Sewell (AL)
Sherman
Simpson
Sires
Smith (NJ)
Smith (WA)

Soto
Speier
Stefanik
Stewart
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Vargas
Veasey
Vela

NOT VOTING—58

Arrington
Barletta
Black
Blackburn
Blum
Blumenauer
Capuano
Cheney
Crowley
Denham
Ellison
Eshoo
Fudge
Garamendi
Gowdy
Green, Gene
Gutiérrez
Hanabusa
Hastings
Hudson

Hultgren
Issa
Jenkins (KS)
Johnson, E. B.
Jones (NC)
Keating
Kind
Kinzinger
Lewis (MN)
Love
Lowenthal
Lujan Grisham,
M.
Noem
Nolan
Pittenger
Poe (TX)
Polis
Ratcliffe
Renacci

Rooney, Francis
Rooney, Thomas
J.
Rosen
Roskam
Ross
Russell
Shea-Porter
Shuster
Sinema
Smith (TX)
Taylor
Tsongas
Upton
Velázquez
Walters, Mimi
Walz
Webster (FL)
Wenstrup
Zeldin

So, less than two-thirds of the Members present having voted in favor thereof, the rules were not suspended and said bill was not passed.

¶168.80 HOUR OF MEETING

Mr. COLLINS of Georgia, pursuant to clause 4 of rule XVI, moved that when the House adjourns today, it adjourn to meet at noon on Saturday, December 22, 2018.

The question being put, viva voce, Will the House agree to said motion?

The SPEAKER pro tempore, Mr. WOMACK, announced that the ayes had it.

Mr. MASSIE demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the { Ayes 187
affirmative { Noes 184

¶168.81 [Roll No. 498]

AYES—187

Abraham
Aderholt
Allen
Amodei
Babin
Bacon
Balderson
Banks (IN)
Barr
Barton
Bergman
Bilirakis
Bishop (MI)
Bishop (UT)
Bost
Brady (TX)
Brat
Brooks (IN)
Buchanan
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)

Chabot
Cloud
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Curtis
Davidson
Davis, Rodney
DesJarlais
Díaz-Balart
Donovan
Duffy
Duncan (TN)
Dunn
Emmer
Estes (KS)

Faso
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxy
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Grothman
Guthrie
Handel
Harper
Hensarling
Hern
Hice, Jody B.
Higgins (LA)

Hill
Holding
Hollingsworth
Huizenga
Hunter
Hurd
Johnson (LA)
Johnson (OH)
Johnson, Sam
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lesko
LoBiondo
Long
Loudermilk
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Mast
McCarthy
McCauley

McClintock
McHenry
McKinley
McMorris
Rodgers
McSally
Meadows
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Newhouse
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Poliquin
Posey
Reed
Rice (SC)
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Ros-Lehtinen
Rothfus
Rouzer
Royce (CA)
Rutherford
Sanford

Scalise
Schrader
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Smith (MO)
Smith (NJ)
Smucker
Stefanik
Stewart
Stivers
Tenney
Thompson (PA)
Thornberry
Tipton
Trott
Turner
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Weber (TX)
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)

NOES—184

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Biggs
Bishop (GA)
Blunt Rochester
Bonamici
Boyle, Brendan
F.
Brady (PA)
Brooks (AL)
Brown (MD)
Brownley (CA)
Buck
Bustos
Butterfield
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Cooper
Correa
Costa
Courtney
Crist
Cuellar
Cummings
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael
F.
Duncan (SC)
Engel
Español
Esty (CT)

Evans
Foster
Frankel (FL)
Gabbard
Gallego
Gomez
Gonzalez (TX)
Gosar
Gottheimer
Green, Al
Griffith
Grijalva
Harris
Heck
Herrera Beutler
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Jones (MI)
Kaptur
Kelly (IL)
Kennedy
Khanna
Kihuen
Kildee
Kilmer
Krishnamoorthi
Kuster (NH)
Lamb
Langevin
Larsen (WA)
Larsen (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lieu, Ted
Lipinski
Loebach
Lofgren
Lowey
Lujan, Ben Ray
Lynch
Maloney
Carolyn B.
Maloney, Sean
Massie
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore

Morelle
Moulton
Murphy (FL)
Nadler
Napolitano
Neal
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascarelli
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Scanlon
Schakowsky
Schiff
Schneider
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sires
Smith (NE)
Smith (WA)
Soto
Speier
Suozi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Vargas
Veasey
Vela
Visclosky
Westerman
Schultz
Waters, Maxine

Watson Coleman Welch	Wild Wilson (FL)	Yarmuth Yoho
NOT VOTING—61		
Arrington	Hudson	Renacci
Barletta	Hultgren	Rooney, Francis
Black	Issa	Rooney, Thomas
Blackburn	Jenkins (KS)	J.
Blum	Johnson, E. B.	Rosen
Blumenauer	Jones (NC)	Roskam
Capuano	Keating	Ross
Cheney	Kind	Russell
Crowley	Kinzinger	Shea-Porter
Denham	Lewis (MN)	Shuster
Ellison	Love	Sinema
Eshoo	Lowenthal	Smith (TX)
Ferguson	Lujan Grisham,	Taylor
Fudge	M.	Tsongas
Garamendi	Noem	Upton
Gowdy	Nolan	Velázquez
Green, Gene	Pittenger	Walters, Mimi
Gutiérrez	Poe (TX)	Walz
Hanabusa	Polis	Webster (FL)
Hartzler	Ratcliffe	Wenstrup
Hastings	Reichert	Zeldin

So the motion was agreed to.

¶168.82 APPROVAL OF THE JOURNAL— UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 8 of rule XX, announced the unfinished business to be the question on agreeing to the Chair's approval of the Journal of Thursday, December 20, 2018.

The question being put, viva voce,

Will the House agree to the Chair's approval of said Journal?

The SPEAKER pro tempore, Mr. WOMACK, announced that the ayes had it.

So the Journal was approved.

¶168.83 NATIONAL FLOOD INSURANCE PROGRAM

Mr. MACARTHUR moved to suspend the rules and pass the bill of the Senate (S. 3628) to reauthorize the National Flood Insurance Program.

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. MACARTHUR and Ms. Maxine WATERS of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and pass said bill?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced that further proceedings on the question were postponed.

¶168.84 CORRECTING ENROLLMENT OF S. 3628

Mr. MACARTHUR moved to suspend the rules and agree to the following concurrent resolution (H. Con. Res. 148):

Resolved by the House of Representatives (the Senate concurring), That in the enrollment of the bill S. 3628, the Secretary of the Senate shall make the following correction: Strike "November 30, 2018" each place such term appears and insert "December 7, 2018".

The SPEAKER pro tempore, Mr. SIMPSON, recognized Mr. MACARTHUR and Ms. Maxine WATERS of California, each for 20 minutes.

After debate,

The question being put, viva voce,

Will the House suspend the rules and agree to said concurrent resolution?

The SPEAKER pro tempore, Mr. SIMPSON, announced that two-thirds of the Members present had voted in the affirmative.

Mr. MASSIE demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the { Yeas 344
affirmative } Nays 25

¶168.85 [Roll No. 499]

YEAS—344

Abraham	Crawford	Higgins (NY)
Adams	Crist	Hill
Aderholt	Cuellar	Himes
Aguilar	Culberson	Holding
Allen	Cummings	Hollingsworth
Amodei	Curbelo (FL)	Hoyer
Babin	Curtis	Hudson
Bacon	Davis (CA)	Huffman
Balderson	Davis, Danny	Hunter
Banks (IN)	Davis, Rodney	Hurd
Barragán	DeFazio	Issa
Bera	DeGette	Jackson Lee
Bergman	Delaney	Jayapal
Beyer	DeLauro	Jeffries
Bilirakis	DelBene	Johnson (GA)
Bishop (GA)	Demings	Johnson (LA)
Bishop (MI)	DeSaulnier	Johnson (OH)
Bishop (UT)	Deutch	Jones (MI)
Blunt Rochester	Diaz-Balart	Joyce (OH)
Bonamici	Dingell	Kaptur
Bost	Doggett	Katko
Boyle, Brendan	Donovan	Kelly (IL)
F.	Doyle, Michael	Kelly (MS)
Brady (TX)	F.	Kelly (PA)
Brat	Dunn	Kennedy
Brooks (IN)	Emmer	Khanna
Brown (MD)	Engel	Kihuen
Brownley (CA)	Españillat	Kildee
Buchanan	Estes (KS)	Kilmer
Bucshon	Esty (CT)	King (IA)
Budd	Evans	King (NY)
Bustos	Faso	Kinzinger
Butterfield	Ferguson	Knight
Byrne	Fitzpatrick	Krishnamoorthi
Calvert	Fleischmann	Kuster (NH)
Carbajal	Flores	Kustoff (TN)
Cardenas	Portenberry	LaHood
Cárson (IN)	Foster	LaMalfa
Carter (GA)	Frankel (FL)	Lamb
Carter (TX)	Frelinghuysen	Lamborn
Cartwright	Gabbard	Lance
Castor (FL)	Gaetz	Langevin
Castro (TX)	Gallego	Larsen (WA)
Chabot	Garrett	Latta
Cheney	Gianforte	Lawrence
Chu, Judy	Gibbs	Lawson (FL)
Ciilline	Gohmert	Lee
Clark (MA)	Gomez	Lesko
Clarke (NY)	Gonzalez (TX)	Levin
Clay	Goodlatte	Lewis (GA)
Cleaver	Gottheimer	Lieu, Ted
Cloud	Granger	Lipinski
Clyburn	Graves (GA)	LoBiondo
Coffman	Graves (LA)	Loeback
Cohen	Graves (MO)	Lofgren
Cole	Green, Al	Long
Collins (GA)	Griffith	Loudermilk
Collins (NY)	Grijalva	Lowey
Comer	Grothman	Lucas
Comstock	Guthrie	Luetkemeyer
Conaway	Handel	Luján, Ben Ray
Connolly	Harper	Lynch
Cook	Harris	MacArthur
Cooper	Hartzler	Maloney,
Correa	Heck	Carolyn B.
Costa	Hern	Maloney, Sean
Costello (PA)	Herrera Beutler	Marchant
Courtney	Hice, Jody B.	Marino
Cramer	Higgins (LA)	Marshall

Mast	Reed	Stivers
Matsui	Rice (NY)	Suozzi
McCarthy	Rice (SC)	Swalwell (CA)
McCaul	Richmond	Takano
McCollum	Roby	Tenney
McEachin	Roe (TN)	Thompson (CA)
McGovern	Rogers (AL)	Thompson (MS)
McHenry	Rogers (KY)	Thompson (PA)
McKinley	Rohrabacher	Thornberry
McMorris	Rokita	Tipton
Rodgers	Ros-Lehtinen	Titus
McNerney	Rothfus	Tonko
McSally	Rouzer	Torres
Meeks	Roybal-Allard	Trott
Meng	Royce (CA)	Turner
Mitchell	Ruiz	Upton
Moolenaar	Ruppersberger	Valadao
Moore	Rush	Vargas
Morelle	Russell	Veasey
Moulton	Rutherford	Vela
Mullin	Ryan (OH)	Visclosky
Murphy (FL)	Sánchez	Wagner
Nadler	Sanford	Walberg
Napolitano	Sarbanes	Walden
Neal	Scalise	Walker
Newhouse	Scanlon	Walorski
Norcross	Schakowsky	Wasserman
Nunes	Schiff	Schultz
O'Halleran	Schneider	Schrader
O'Rourke	Schrader	Waters, Maxine
Olson	Scott (VA)	Watson Coleman
Palazzo	Scott, Austin	Weber (TX)
Pallone	Scott, David	Welch
Palmer	Serrano	Wenstrup
Panetta	Sessions	Westerman
Pascrell	Sewell (AL)	Wild
Payne	Sherman	Wilson (FL)
Pelosi	Shimkus	Wilson (SC)
Perlmutter	Simpson	Wittman
Peters	Sires	Womack
Peterson	Smith (MO)	Woodall
Pingree	Smith (NE)	Yarmuth
Pocan	Smith (NJ)	Yoder
Poliquin	Smith (WA)	Yoho
Posey	Smucker	Young (AK)
Price (NC)	Soto	Young (IA)
Quigley	Speier	Zeldin
Raskin	Stefanik	

NAYS—25

Amash	Foxx	Norman
Barr	Gallagher	Pearce
Biggs	Gosar	Perry
Brooks (AL)	Hensarling	Schweikert
Burgess	Huizenga	Sensenbrenner
Davidson	Labrador	Stewart
DesJarlais	Massie	Williams
Duffy	McClintock	
Duncan (SC)	Mooney (WV)	

NOT VOTING—63

Arrington	Hanabusa	Poe (TX)
Barletta	Hastings	Polis
Bartón	Hultgren	Ratcliffe
Bass	Jenkins (KS)	Reichert
Beatty	Johnson, E. B.	Renacci
Black	Johnson, Sam	Rooney, Francis
Blackburn	Jones (NC)	Rooney, Thomas
Blum	Jordan	J.
Blumenauer	Keating	Rosen
Brady (PA)	Kind	Roskam
Buck	Larson (CT)	Ross
Capuano	Lewis (MN)	Shea-Porter
Crowley	Love	Shuster
Denham	Lowenthal	Sinema
Duncan (TN)	Lujan Grisham,	Smith (TX)
Ellison	M.	Taylor
Eshoo	Meadows	Tsongas
Fudge	Messer	Velázquez
Garamendi	Noem	Walters, Mimi
Gowdy	Nolan	Walz
Green, Gene	Paulsen	Webster (FL)
Gutiérrez	Pittenger	

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said concurrent resolution was agreed to.

A motion to reconsider the vote whereby the rules were suspended and said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

Ordered. That the Clerk request the concurrence of the Senate in said concurrent resolution.

¶168.86 S. 3628—UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 8 of rule XX, announced the unfinished business to be the motion to suspend the rules and pass the bill of the Senate (S. 3628) to reauthorize the National Flood Insurance Program.

The question being put,

Will the House suspend the rules and pass said bill?

The vote was taken by electronic device.

It was decided in the { Yeas 315
affirmative Nays 48

¶168.87 [Roll No. 500]

YEAS—315

Abraham	Deutch	King (NY)
Adams	Diaz-Balart	Kinzinger
Aderholt	Dingell	Knight
Aguiar	Doggett	Krishnamoorthi
Allen	Donovan	Kuster (NH)
Amodei	Doyle, Michael	Kustoff (TN)
Babin	F.	LaHood
Bacon	Dunn	LaMalfa
Balderson	Emmer	Lamb
Banks (IN)	Engel	Lamborn
Barragan	Españolat	Lance
Bera	Estes (KS)	Langevin
Bergman	Esty (CT)	Larsen (WA)
Beyer	Evans	Lawrence
Bilirakis	Faso	Lawson (FL)
Bishop (GA)	Ferguson	Lee
Bishop (MI)	Fitzpatrick	Levin
Bishop (UT)	Fleischmann	Lewis (GA)
Blunt Rochester	Flores	Lieu, Ted
Bonamici	Portenberry	Lipinski
Bost	Foster	LoBiondo
Boyle, Brendan	Frankel (FL)	Loeb
F.	Frelinghuysen	Lofgren
Brooks (IN)	Gabbard	Long
Brown (MD)	Gaetz	Loudermilk
Brownley (CA)	Galleo	Lowey
Buchanan	Gianforte	Lucas
Bucshon	Gibbs	Lujan, Ben Ray
Burgess	Gomez	Lynch
Bustos	Gonzalez (TX)	MacArthur
Butterfield	Goodlatte	Maloney
Byrne	Gottheimer	Carolyn B.
Calvert	Granger	Maloney, Sean
Cárdenas	Graves (GA)	Marchant
Carson (IN)	Graves (LA)	Marino
Carter (GA)	Graves (MO)	Marshall
Carter (TX)	Green, Al	Mast
Cartwright	Griffith	Matsui
Castor (FL)	Grijalva	McCarthy
Castro (TX)	Grothman	McCaul
Cheney	Guthrie	McCollum
Chu, Judy	Handel	McEachin
Cicilline	Harper	McGovern
Clark (MA)	Harris	McHenry
Clarke (NY)	Hartzler	McKinley
Clay	Heck	McMorris
Cleaver	Hern	Rodgers
Clyburn	Herrera Beutler	McNerney
Coffman	Higgins (LA)	McSally
Cohen	Higgins (NY)	Meeks
Cole	Himes	Meng
Collins (GA)	Holding	Mitchell
Collins (NY)	Hoyer	Moolenaar
Comer	Huffman	Moore
Comstock	Hunter	Morelle
Cook	Hurd	Moulton
Cooper	Issa	Mullin
Costello (PA)	Jackson Lee	Murphy (FL)
Courtney	Jayapal	Nadler
Cramer	Jeffries	Napolitano
Crawford	Johnson (GA)	Neal
Crist	Johnson (LA)	Newhouse
Cuellar	Johnson (OH)	Norcross
Culberson	Jones (MI)	Nunes
Cummings	Joyce (OH)	O'Halleran
Curbelo (FL)	Kaptur	O'Rourke
Curtis	Katko	Olson
Davis (CA)	Kelly (IL)	Palazzo
Davis, Danny	Kelly (MS)	Pallone
Davis, Rodney	Kelly (PA)	Panetta
DeFazio	Kennedy	Pascarell
DeGette	Khanna	Paulsen
Delaney	Kihuen	Payne
DelBene	Kildee	Pelosi
Demings	Kilmer	Perlmutter
DeSaulnier	King (IA)	Perry

Peters
Peterson
Pingree
Pocan
Poliquin
Price (NC)
Quigley
Raskin
Reed
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sanchez
Sanford
Sarbanes
Scalise

Amash
Barr
Biggs
Brat
Brooks (AL)
Budd
Chabot
Cloud
Conaway
Connolly
Davidson
DesJarlais
Duffy
Duncan (SC)
Foxy
Gallagher

Arrington
Barietta
Barton
Bass
Beatty
Black
Blackburn
Blum
Blumenauer
Brady (PA)
Brady (TX)
Buck
Capuano
Carbajal
Correa
Costa
Crowley
DeLauro
Denham
Duncan (TN)
Ellison
Eshoo
Fudge
Garamendi

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶168.88 PROVIDING FOR CONSIDERATION OF S. 2322

Mr. COLLINS of Georgia, by direction of the Committee on Rules, reported (Rept. No. 115-1103) the resolution (H. Res. 1185) providing for consideration of the bill (S. 2322) to amend the Federal Food, Drug, and Cosmetic Act to define the term natural cheese.

Titus
Tonko
Torres
Trott
Turner
Upton
Valadao
Vargas
Veasey
Vela
Visclosky
Walden
Walorski
Wasserman
Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Welch
Wild
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (IA)
Zeldin

NAYS—48

Garrett
Gohmert
Gosar
Hensarling
Hice, Jody B.
Hill
Hollingsworth
Hudson
Huizenga
Jordan
Latta
Lesko
Luetkemeyer
Massie
McClintock
Meadows

NOT VOTING—69

Gowdy
Green, Gene
Gutiérrez
Hanabusa
Hastings
Hultgren
Jenkins (KS)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Keating
Kind
Labrador
Larson (CT)
Lewis (MN)
Love
Lowenthal
Lujan Grisham,
M.
Messer
Noem
Nolan
Pittenger
Poe (TX)

Mooney (WV)
Norman
Palmer
Pearce
Rokita
Rothfus
Schweikert
Sensenbrenner
Smith (MO)
Stewart
Walberg
Walker
Wenstrup
Westerman
Williams
Yoho

When said resolution and report were referred to the House Calendar and ordered printed.

¶168.89 RECESS—6:24 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, pursuant to clause 12(a) of rule I, declared the House in recess at 6 o'clock and 24 minutes p.m., subject to the call of the chair.

¶168.90 AFTER RECESS—6:56 P.M.

The SPEAKER pro tempore, Mr. SIMPSON, called the House to order.

¶168.91 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2606. An Act to amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes.

H.R. 7327. An Act to require the Secretary of Homeland Security to establish a security vulnerability disclosure policy, to establish a bug bounty program for the Department of Homeland Security, to amend title 41, United States Code, to provide for Federal acquisition supply chain security, and for other purposes.

¶168.92 SENATE ENROLLED BILLS SIGNED

The Speaker pro tempore, Mr. MCHENRY, announced his signature to enrolled bills of the Senate of the following titles:

S. 943. An Act to direct the Secretary of the Interior to conduct an accurate comprehensive student count for the purposes of calculating formula allocations for programs under the Johnson-O'Malley Act, and for other purposes.

S. 1520. An Act to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

S. 2076. An Act to amend the Public Health Service Act to authorize the expansion of activities related to Alzheimer's disease, cognitive decline, and brain health under the Alzheimer's Disease and Healthy Aging Program, and for other purposes.

S. 2248. An Act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide certain burial benefits for spouses and children of veterans who are buried in tribal cemeteries, and for other purposes.

S. 2278. An Act to amend the Public Health Service Act to provide grants to improve health care in rural areas.

S. 2736. An Act to develop a long-term strategic vision and a comprehensive, multi-faceted, and principled United States policy for the Indo-Pacific region, and for other purposes.

S. 3530. An Act to reauthorize the Museum and Library Services Act.

¶168.93 LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. POE of Texas, for today.

And then,

¶168.94 ADJOURNMENT

On motion of Mr. YODER, pursuant to the previous order of the House, at 6

o'clock and 57 minutes p.m., the House adjourned until noon on Saturday, December 22, 2018.

**¶168.95 REPORTS OF COMMITTEES ON
PUBLIC BILLS AND RESOLUTIONS**

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 5054. A bill to provide an exemption for emerging growth companies and other smaller companies from the requirements to use Extensive Business Reporting Language (XBRL) for financial statements and other periodic reporting, and for other purposes (Rept. 115-1094). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 5534. A bill to amend the Consumer Financial Protection Act of 2010 to provide procedures for guidance issued by the Bureau of Consumer Financial Protection, and for other purposes; with an amendment (Rept. 115-1095). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6158. A bill to amend the Federal Deposit Insurance Act to exclude affiliates and subsidiaries of insured depository institutions in the definition of deposit broker, and for other purposes (Rept. 115-1096). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6743. A bill to amend the Gramm-Leach-Bliley Act to provide a national standard for financial institution data security and breach notification on behalf of all consumers, and for other purposes; with an amendment (Rept. 115-1097). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. H.R. 4460. A bill to improve the provision of disaster and mitigation assistance to eligible individuals and households and to eligible State, local, Tribal, and territorial governments and certain private nonprofit organizations, and for other purposes; with an amendment (Rept. 115-1098, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SHUSTER: Committee on Transportation and Infrastructure. Summary on the Activities of the Committee on Transportation and Infrastructure for the 115th Congress (Rept. 115-1099). Referred to the Committee of the Whole House on the state of the Union.

Mr. THORNBERRY: Committee on Armed Services. Report on the Activities of the Committee on Armed Services for the One Hundred Fifteenth Congress (Rept. 115-1100). Referred to the Committee of the Whole House on the state of the Union.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 6468. A bill to direct that certain assessments with respect to toxicity of chemicals be carried out by the program offices of the Environmental Protection Agency, and for other purposes (Rept. 115-1101, Pt. 1). Ordered to be printed.

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 5503. A bill to authorize the programs of the National Aeronautics and Space Administration for fiscal years 2018 and 2019, and for other purposes; with an amendment (Rept. 115-1102). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWHOUSE: Committee on Rules. House Resolution 1185. Resolution providing

for consideration of the bill (S. 2322) to amend the Federal Food, Drug, and Cosmetic Act to define the term natural cheese (Rept. 115-1103). Referred to the House Calendar.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 5025. A bill to amend the Western and Central Pacific Fisheries Convention Implementation Act to limit the imposition of penalties against a person fishing on a United States flag fishing vessel in certain areas of the Pacific Ocean based on a report by an observer on such a vessel (Rept. 115-1104). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. H.R. 6355. A bill to amend the Endangered Species Act of 1973 to define petition backlogs and provide expedited means for discharging petitions during such a backlog; with an amendment (Rept. 115-1105). Referred to the Committee of the Whole House on the state of the Union.

**¶168.96 TIME LIMITATION OF REFERRED
BILL**

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 6468. Referral to the Committee on Energy and Commerce extended for a period ending not later than December 28, 2018.

¶168.97 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Financial Services discharged from further consideration. H.R. 4460 referred to the Committee of the Whole House on the state of the Union.

¶168.98 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MACARTHUR:
H.R. 7388. A bill to extend the National Flood Insurance Program, and for other purposes; to the Committee on Financial Services.

By Mr. MARINO:
H.R. 7389. A bill to amend the FAST Act to improve the Federal permitting process, and for other purposes; to the Committee on Natural Resources.

By Ms. JACKSON LEE:
H.R. 7390. A bill to extend the various programs authorized under the Violence Against Women Reauthorization Act of 2013, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Financial Services, Natural Resources, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ARRINGTON:
H.R. 7391. A bill to amend title XVIII of the Social Security Act to provide for coverage of rural emergency medical access services under the Medicare program, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BABIN:
H.R. 7392. A bill to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FASO:
H.R. 7393. A bill to require the Secretary of Health and Human Services to promulgate

regulations with respect to quality control and oversight of out-of-State care under the Medicaid program; to the Committee on Energy and Commerce.

By Mr. LUETKEMEYER (for himself and Mr. BUDD):

H.R. 7394. A bill to prohibit the Federal financial regulators from requiring compliance with the accounting standards update of the Financial Accounting Standards Board related to current expected credit loss ("CECL"), to require the Securities and Exchange Commission to take certain impacts of a proposed accounting principle into consideration before accepting the principle, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEADOWS:
H.R. 7395. A bill to direct the Secretary of Health and Human Services to allow delivery of medical supplies by unmanned aerial systems, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, Ways and Means, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. TORRES (for herself, Mr. VARGAS, and Mr. MCGOVERN):

H.R. 7396. A bill to require the Secretary of Homeland Security to develop a strategy to implement policies and procedures, including the deployment of resources, to ensure the safety of children in CBP and ICE custody, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NORMAN (for himself, Mr. OLSON, Mr. POSEY, Mr. HERN, Mr. CURTIS, Mr. MEADOWS, and Mr. BIGGS):

H.J. Res. 146. A joint resolution proposing an amendment to the Constitution of the United States to prohibit Members of Congress from receiving compensation for any period during which a Government shutdown is in effect; to the Committee on the Judiciary.

By Mr. MACARTHUR:
H. Con. Res. 148. Concurrent resolution directing the Secretary of the Senate to make a correction in the enrollment of the bill S. 3628; to the Committee on Financial Services, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned; considered and agreed to.

By Mr. MITCHELL:
H. Con. Res. 149. Concurrent resolution directing the Clerk of the House of Representatives to make certain corrections in the enrollment of H.R. 4174; to the Committee on Oversight and Government Reform, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned; considered and agreed to.

By Mr. MEADOWS:
H. Res. 1186. A resolution expressing the sense of Congress that Fort San Juan holds a significant place in the early history of North Carolina and of the United States; to

the Committee on Oversight and Government Reform.

By Mrs. TORRES (for herself, Mr. COLE, Mr. GALLEGO, Mr. YOUNG of Alaska, Ms. MCCOLLUM, Mr. PALLONE, Mr. GRIJALVA, and Mr. CÁRDENAS):

H. Res. 1187. A resolution commemorating the 30th anniversary of the Indian Gaming Regulatory Act of 1988; to the Committee on Natural Resources.

¶168.99 MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred, as follows:

271. The SPEAKER presented a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution No. 19, commending the Arctic Waterways Safety Committee; supporting the adoption of prevention measures into international agreements to ensure clear, universal, and enforceable marine safety measures in the Arctic; urging the state's delegation in the United States Congress and the governor to promote the adoption of spill prevention measures into international agreements; to the Committee on Foreign Affairs.

272. Also, a memorial of the Legislature of the State of Alaska, relative to House Joint Resolution No. 29, urging the United States Congress to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000; jointly to the Committees on Agriculture and Natural Resources.

¶168.100 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 233: Mr. MORELLE.
H.R. 667: Mr. AGUILAR.
H.R. 771: Mr. MORELLE.
H.R. 1874: Mr. MORELLE.
H.R. 2119: Mr. MORELLE.
H.R. 2719: Mr. PETERS.
H.R. 3533: Mr. PETERS.
H.R. 4022: Mr. CUMMINGS.
H.R. 4052: Mr. MORELLE.
H.R. 4732: Mr. JOHNSON of Louisiana.
H.R. 5034: Ms. ESHOO.
H.R. 5499: Mr. PASCARELL, Mr. TED LIEU of California, Mr. CLEAVER, and Ms. LOFGREN.
H.R. 5697: Mr. CARBAJAL.
H.R. 6033: Mr. MORELLE.
H.R. 6114: Mr. MORELLE.
H.R. 6184: Mr. MORELLE.
H.R. 6269: Mr. JOHNSON of Louisiana.
H.R. 6510: Mr. ALLEN.
H.R. 6646: Mr. FITZPATRICK.
H.R. 6692: Mr. AGUILAR.
H.R. 6734: Mr. GOHMERT and Mrs. BROOKS of Indiana.
H.R. 6759: Mr. AGUILAR.
H.R. 6795: Mr. MCGOVERN.
H.R. 6987: Mr. KILDEE.
H.R. 7030: Mr. AGUILAR.
H.R. 7124: Ms. BONAMICI and Mr. KRISHNAMOORTHY.
H.R. 7320: Mr. RASKIN.
H.R. 7360: Ms. SCHAKOWSKY.
H.R. 7362: Mr. COLE and Mr. SIMPSON.
H.R. 7368: Ms. ADAMS, Mr. YARMUTH, Mr. CLAY, Ms. DEGETTE, and Mr. KING of New York.
H.R. 7372: Mr. RUPPERSBERGER, Mr. MEEKS, Mr. PANETTA, Mr. KHANNA, and Ms. BONAMICI.
H. Res. 1031: Mrs. BEATTY.

¶168.101 PETITIONS

Under clause 3 of rule XII,

128. The SPEAKER presented a petition of The Common Council of Syracuse, NY, relative to Common Council Resolution No. 36-R 2018, urging Senator Charles Schumer, Senator Kirsten Gillibrand, and Congress-

man John Katko to take the necessary actions to ensure that the Violence Against Women Act is reauthorized with all necessary funding; which was referred to the Committee on the Judiciary.

SATURDAY, DECEMBER 22, 2018 (169)

The House was called to order by the SPEAKER.

¶169.1 APPROVAL OF THE JOURNAL

The SPEAKER announced he had examined and approved the Journal of the proceedings of Friday, December 21, 2018.

Pursuant to clause 1 of rule I, the Journal was approved.

¶169.2 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7255. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pacific Aerospace Limited Airplanes [Docket No.: FAA-2018-0371; Product Identifier 2018-CE-005-AD; Amendment 39-19504; AD 2018-23-16] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7256. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2018-0871; Product Identifier 2018-NE-24-AD; Amendment 39-19511; AD 2018-25-01] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7257. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0960; Product Identifier 2018-NM-151-AD; Amendment 39-19512; AD 2018-23-51] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7258. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0761; Product Identifier 2018-NM-088-AD; Amendment 39-19516; AD 2018-25-05] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7259. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0800; Product Identifier 2018-NM-107-AD; Amendment 39-19517; AD 2018-25-06] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7260. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Airworthiness Directives; C Series Aircraft Limited Partnership (CSALP) (Type Certificate Previously Held by Bombardier, Inc.) Airplanes [Docket No.: FAA-2018-0799; Product Identifier 2018-NM-117-AD; Amendment 39-19515; AD 2018-25-04] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7261. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2018-0767; Product Identifier 2018-NM-068-AD; Amendment 39-19514; AD 2018-25-03] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7262. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0796; Product Identifier 2018-NM-104-AD; Amendment 39-19518; AD 2018-25-07] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7263. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Saab AB, Saab Aeronautics (Formerly Known as Saab AB, Saab Aerosystems) Airplanes [Docket No.: FAA-2018-0797; Product Identifier 2018-NM-096-AD; Amendment 39-19521; AD 2018-25-10] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7264. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; CFM International S.A. Turbofan Engines [Docket No.: FAA-2018-1023; Product Identifier 2018-NE-37-AD; Amendment 39-19520; AD 2018-25-09] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7265. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0960; Product Identifier 2018-NM-151-AD; Amendment 39-19512; AD 2018-23-51] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7266. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Zodiac Seats France Cabin Attendant Seats [Docket No.: FAA-2017-0632; Product Identifier 2017-NE-16-AD; Amendment 39-19487; AD 2018-23-01] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7267. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Direc-

tives; Airbus SAS Airplanes [Docket No.: FAA-2018-0584; Product Identifier 2017-NM-173-AD; Amendment 39-19494; AD 2018-23-08] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7268. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0582; Product Identifier 2018-NM-085-AD; Amendment 39-19503; AD 93-14-19R1] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7269. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hoffmann GmbH & Co. KG Propellers [Docket No.: FAA-2018-0975; Product Identifier 2018-NE-06-AD; Amendment 39-19492; AD 2018-20-03 R1] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7270. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2018-0489; Product Identifier 2018-NM-001-AD; Amendment 39-19500; AD 2018-23-13] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7271. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and E Airspace and Revocation of Class E Airspace; Fayetteville, AR [Docket No.: FAA-2018-0699; Airspace Docket No.: 18-ASW-11] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7272. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D and Class E Airspace; Louisville, KY [Docket No.: FAA-2018-0825; Airspace Docket No.: 18-ASO-17] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7273. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Pontiac, MI [Docket No.: FAA-2018-0698; Airspace Docket No.: 18-AGL-20] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7274. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace; Detroit, MI [Docket No.: FAA-2018-0685; Airspace Docket No.: 18-AGL-19] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7275. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Cabool, MO [Docket No.: FAA-2018-0682; Airspace Docket No.: 18-ACE-5] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7276. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Extension of the Prohibition Against Certain Flights in the Damascus Flight Information Region (FIR) (OSTT) [Docket No.: FAA-2017-0768; Amdt. No.: 91-348B] (RIN: 2120-AL38) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7277. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace, and Amendment of Class D Airspace and Class E Airspace; Dothan, AL [Docket No.: FAA-2018-0744; Airspace Docket No.: 18-ASO-14] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7278. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class E Airspace; Sunol, CA [Docket No.: FAA-2017-1147; Airspace Docket No.: 17-AWP-29] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7279. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Class E Airspace; Kemmerer, WY [Docket No.: FAA-2018-0034; Airspace Docket No.: 17-ANM-34] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7280. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31224; Amdt. No.: 3827] received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7281. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31225; Amdt. No.: 3828] received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7282. A letter from the Attorney, Federal Railroad Administration, Department of Transportation, transmitting the Department's final rule — Passenger Equipment Safety Standards; Standards for Alternative Compliance and High-Speed Trainsets [Docket No.: FRA-2013-0060, Notice No.: 3] (RIN: 2130-AC46) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7283. A letter from the Management and Program Analyst, FAA, Department of

Transportation, transmitting the Department's final rule — Amendment of VOR Federal Airways V-318 and V-352; Northeastern United States [Docket No.: FAA-2018-1013; Airspace Docket No.: 18-ANE-7] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

¶169.3 RECESS—12:02 P.M.

The SPEAKER, pursuant to clause 12(a) of rule I, declared the House in recess at 12 o'clock and 2 minutes p.m., subject to the call of the Chair.

¶169.4 AFTER RECESS—5:59 P.M.

The SPEAKER called the House to order.

¶169.5 SENATE ENROLLED BILL SIGNED

The SPEAKER announced that, pursuant to clause 4 of rule I, he signed the following enrolled bill of the Senate on Friday, December 21, 2018:

S. 3628. An Act to reauthorize the National Flood Insurance Program.

¶169.6 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 21, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 21, 2018, at 7:58 p.m.:

That the Senate agreed to H. Con. Res 148.
With best wishes, I am

Sincerely,
KAREN L. HAAS,
Clerk of the House.

¶169.7 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 22, 2018.
Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 22, 2018, at 11:14 a.m.:

That the Senate passed S. 2274.

With best wishes, I am
Sincerely,
ROBERT F. REEVES,
Deputy Clerk of the House.

¶169.8 COMMUNICATION FROM THE CLERK—MESSAGE FROM THE SENATE

The SPEAKER laid before the House a communication, which was read as follows:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, December 22, 2018.

Hon. PAUL D. RYAN,
The Speaker, U.S. Capitol, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 22, 2018, at 5:18 p.m.:

That the Senate passed S. 573.

That the Senate agrees to the House amendment to the bill S. 3661.

That the Senate passed without amendment H.R. 672.

That the Senate passed without amendment H.R. 4689.

That the Senate passed without amendment H.R. 5636.

That the Senate passed without amendment H.R. 6602.

That the Senate passed without amendment H.R. 7279.

That the Senate passed without amendment H.R. 7318.

That the Senate passed without amendment H.R. 7319.

That the Senate agreed to without amendment H. Con. Res. 149.

That the Senate passed with an amendment H.R. 1967.

That the Senate passed with an amendment H.R. 4203.

That the Senate passed with an amendment H.R. 4969.

With best wishes, I am

Sincerely,

ROBERT F. REEVES,
Deputy Clerk of the House.

¶169.9 HOUR OF MEETING

On motion of the SPEAKER, by unanimous consent,

Ordered, That when the House adjourns today, it adjourn to meet at 10:30 a.m. on Monday, December 24, 2018.

¶169.10 ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1660. An Act to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, and activities of the Agency.

H.R. 2200. An Act to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.

H.R. 3460. An Act to designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, as the "John Hervey Wheeler United States Courthouse".

H.R. 6287. An Act to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.

¶169.11 SENATE ENROLLED BILLS SIGNED

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 7. An Act to amend title 51, United States Code, to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

S. 2200. An Act to reauthorize the National Integrated Drought Information System, and for other purposes.

S. 2276. An Act to require agencies to submit reports on outstanding recommendations in the annual budget justification submitted to Congress.

S. 2652. An Act to award a Congressional Gold Medal to Stephen Michael Gleason.

S. 2679. An Act to provide access to and manage the distribution of excess or surplus property to veteran-owned small business.

S. 2765. An Act to amend the Investment Advisers Act of 1940 to exempt investment advisers who solely advise certain rural business investment companies, and for other purposes.

S. 2896. An Act to require disclosure by lobbyists of convictions for bribery, extortion, embezzlement, illegal kickbacks, tax evasion, fraud, conflicts of interest, making false statements, perjury, or money laundering.

S. 2961. An Act to reauthorize subtitle A of the Victims of Child Abuse Act of 1990.

S. 3031. An Act to amend chapter 5 of title 40, United States Code, to improve the management of Federal personal property.

S. 3191. An Act to provide for the expeditious disclosure of records related to civil rights cold cases, and for other purposes.

S. 3367. An Act to amend certain transportation-related reporting requirements to improve congressional oversight, reduce reporting burdens, and promote transparency, and for other purposes.

S. 3444. An Act to designate the community-based outpatient clinic of the Department of Veterans Affairs in Lake Charles, Louisiana, as the "Douglas Fournet Department of Veterans Affairs Clinic".

S. 3777. An Act to require the Secretary of Veterans Affairs to establish a tiger team dedicated to addressing the difficulties encountered by the Department of Veterans Affairs in carrying out section 3313 of title 38, United States Code, after the enactment of sections 107 and 501 of the Harry W. Colmery Veterans Educational Assistance Act of 2017.

¶169.12 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 21, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 7327. An Act to require the Secretary of Homeland Security to establish a security vulnerability disclosure policy, to establish a bug bounty program for the Department of Homeland Security, to amend title 41, United States Code, to provide for Federal acquisition supply chain security, and for other purposes.

H.R. 2606. An Act to amend the Act of August 4, 1947 (commonly known as the Stigler Act), with respect to restrictions applicable to Indians of the Five Civilized Tribes of Oklahoma, and for other purposes.

H.R. 7243. An Act to amend Public Law 115-217 to change the address of the postal facility designated by such Public Law in honor of Sergeant First Class Alwyn Crendall Cashe, and for other purposes.

H.R. 5923. An Act to direct the Secretary of Agriculture to exchange certain public lands in Ouachita National Forest, and for other purposes.

H.R. 5787. An Act to amend the Coastal Barrier Resources Act to give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping of such units, and for other purposes.

H.R. 5057. An Act to encourage, enhance, and integrate Ashanti Alert plans throughout the United States, and for other purposes.

H.R. 5509. An Act to direct the National Science Foundation to provide grants for re-

search about STEM education approaches and the STEM-related workforce, and for other purposes.

H.R. 4819. An Act to promote inclusive economic growth through conservation and biodiversity programs that facilitate transboundary cooperation, improve natural resource management, and build local capacity to protect and preserve threatened wildlife species in the greater Okavango River Basin of southern Africa.

H.R. 4227. An Act to require the Secretary of Homeland Security to examine what actions the Department of Homeland Security is undertaking to combat the threat of vehicular terrorism, and for other purposes.

H.R. 767. An Act to establish the Stop, Observe, Ask, and Respond to Health and Wellness Training pilot program to address human trafficking in the health care system.

H.R. 3383. An Act to designate the flood control project in Sedgwick County, Kansas, commonly known as the Wichita-Valley Center Flood Control Project, as the "M.S. 'Mitch' Mitchell Floodway".

H.R. 1162. An Act to direct the Secretary of Veterans Affairs to carry out a pilot program to provide access to magnetic EEG/EKG-guided resonance therapy to veterans.

H.R. 6348. An Act to adjust the real estate appraisal thresholds under the section 504 program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6893. An Act to amend the Overtime Pay for Protective Services Act of 2016 to extend the Secret Service overtime pay exception through 2020, and for other purposes.

H.R. 6400. An Act to require the Secretary of Homeland Security to conduct a threat and operational analysis of ports of entry, and for other purposes.

H.R. 1850. An Act to designate the facility of the United States Postal Service located at 907 Fourth Avenue in Lake Odessa, Michigan, as the "Donna Sauers Besko Post Office".

H.R. 5475. An Act to designate the facility of the United States Postal Service located at 108 North Macon Street in Bevier, Missouri, as the "SO2 Navy SEAL Adam Olin Smith Post Office".

H.R. 5205. An Act to designate the facility of the United States Postal Service located at 701 6th Street in Hawthorne, Nevada, as the "Sergeant Kenneth Eric Bostic Post Office".

H.R. 6167. An Act to designate the facility of the United States Postal Service located at 5707 South Cass Avenue in Westmont, Illinois, as the "James William Robinson Jr. Memorial Post Office Building".

H.R. 6059. An Act to designate the facility of the United States Postal Service located at 51 Willow Street in Lynn, Massachusetts, as the "Thomas P. Costin, Jr. Post Office Building".

H.R. 6227. An Act to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States.

H.R. 6347. An Act to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6335. An Act to designate the facility of the United States Postal Service located at 322 Main Street in Oakville, Connecticut, as the "Oakville Veterans Memorial Post Office".

H.R. 1733. An Act to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the refining of used lubricating oil.

H.R. 6615. An Act to reauthorize the Traumatic Brain Injury program.

H.R. 1222. An Act to amend the Public Health Service Act to coordinate Federal

congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

H.R. 7230. An Act to designate the facility of the United States Postal Service located at 226 West Main Street in Lake City, South Carolina, as the "Postmaster Frazier B. Baker Post Office".

H.R. 6930. An Act to designate the facility of the United States Postal Service located at 10 Miller Street in Plattsburgh, New York, as the "Ross Bouyea Post Office Building".

H.R. 1210. An Act to designate the facility of the United States Postal Service located at 122 W. Goodwin Street, Pleasanton, Texas, as the "Pleasanton Veterans Post Office".

H.R. 1211. An Act to designate the facility of the United States Postal Service located at 400 N. Main Street, Encinal, Texas, as the "Encinal Veterans Post Office".

H.R. 3184. An Act to designate the facility of the United States Postal Service located at 180 McCormick Road in Charlottesville, Virginia, as the "Captain Humayun Khan Post Office".

H.R. 4326. An Act to designate the facility of the United States Postal Service located at 200 West North Street in Normal, Illinois, as the "Sgt. Josh Rodgers Post Office".

H.R. 5395. An Act to designate the facility of the United States Postal Service located at 116 Main Street in Dansville, New York, as the "Staff Sergeant Alexandria Gleason-Morrow Post Office Building".

H.R. 5412. An Act to designate the facility of the United States Postal Service located at 25 2nd Avenue in Brentwood, New York, as the "Army Specialist Jose L. Ruiz Post Office Building".

H.R. 5791. An Act to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the "Deputy Sheriff Zackari Spurlock Parrish, III, Post Office Building".

H.R. 5792. An Act to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the "Detective Heath McDonald Gumm Post Office".

H.R. 6020. An Act to designate the facility of the United States Postal Service located at 325 South Michigan Avenue in Howell, Michigan, as the "Sergeant Donald Burgett Post Office Building".

H.R. 6216. An Act to designate the facility of the United States Postal Service located at 3025 Woodgate Road in Montrose, Colorado, as the "Sergeant David Kinterknecht Post Office".

H.R. 6217. An Act to designate the facility of the United States Postal Service located at 241 N 4th Street in Grand Junction, Colorado, as the "Deputy Sheriff Derek Geer Post Office Building".

H.R. 6405. An Act to designate the facility of the United States Postal Service located at 2801 Mitchell Road in Ceres, California, as the "Lance Corporal Juana Navarro Arellano Post Office Building".

H.R. 6428. An Act to designate the facility of the United States Postal Service located at 332 Ramapo Valley Road in Oakland, New Jersey, as the "Frank Leone Post Office".

H.R. 6513. An Act to designate the facility of the United States Postal Service located at 1110 West Market Street in Athens, Alabama, as the "Judge James E. Horton, Jr. Post Office Building".

H.R. 6591. An Act to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the "Napoleon 'Nap' Ford Post Office Building".

H.R. 6621. An Act to designate the facility of the United States Postal Service located at 530 East Main Street in Johnson City,

Tennessee, as the "Major Homer L. Pease Post Office".

H.R. 6628. An Act to designate the facility of the United States Postal Service located at 4301 Northeast 4th Street in Renton, Washington, as the "James Marshall 'Jimi' Hendrix Post Office Building".

H.R. 6655. An Act to designate the facility of the United States Postal Service located at 44160 State Highway 299 East Suite 1 in McArthur, California, as the "Janet Lucille Oilar Post Office".

H.R. 6780. An Act to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the "Major Andreas O'Keeffe Post Office Building".

H.R. 6831. An Act to designate the facility of the United States Postal Service located at 35 West Main Street in Frisco, Colorado, as the "Patrick E. Mahany, Jr., Post Office Building".

H.R. 7120. An Act to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

And then,

¶169.13 ADJOURNMENT

The SPEAKER, pursuant to the previous order of the House, at 6 o'clock and 4 minutes p.m., declared the House adjourned until 10:30 a.m. on Monday, December 24, 2018.

¶169.14 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on Science, Space, and Technology. H.R. 6226. A bill to direct the Secretary of Commerce to provide for civil space situational awareness services and information, and for other purposes; with an amendment (Rept. 115-1106, Pt. 1). Ordered to be printed.

¶169.15 TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII, the following action was taken by the Speaker:

H.R. 6226. Referral to the Committee on the Budget extended for a period ending not later than December 28, 2018.

¶169.16 REPORTED BILL SEQUENTIALLY REFERRED

Under clause 2 of rule XII, bills and reports were delivered to the Clerk for printing, and bills referred as follows:

Mr. HENSARLING: Committee on Financial Services. H.R. 4557. A bill to authorize the Secretary of Housing and Urban Development to provide disaster assistance to States and units of general government under a community development block grant disaster recovery program, and for other purposes; with an amendment (Rept. 115-1107, Pt. 1); referred to the Committee on Transportation and Infrastructure for a period ending not later than December 28, 2018, for consideration of such provisions of the bill and amendment as fall within the jurisdiction of that committee pursuant to clause 1(r) of rule X.

¶169.17 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HOYER:

H.R. 7397. A bill to provide further additional continuing appropriations for fiscal year 2019, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FOSTER:

H.R. 7398. A bill to prohibit the operation of an exercise facility for Members of the House of Representatives or the Members' Dining Room in the United States Capitol during a Government shutdown, and for other purposes; to the Committee on House Administration.

MONDAY, DECEMBER 24, 2018 (170)

¶170.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MOONEY of West Virginia, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
December 24, 2018.

I hereby appoint the Honorable ALEXANDER X. MOONEY to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶170.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, announced that, pursuant to section 2(a) of House Resolution 1180, the Journal of the proceedings of Saturday, December 22, 2018, was approved.

¶170.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7284. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Removal of Department of Environmental Protection Gasoline Volatility Requirements for the Pittsburgh-Beaver Valley Area [EPA-R03-OAR-2018-0277; FRL-9988-14-Region 3] received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7285. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Determination Regarding Good Neighbor Obligations for the 2008 Ozone National Ambient Air Quality Standard [EPA-HQ-OAR-2018-0225; FRL-9987-86-OAR] (RIN: 2060-AT92) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7286. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality State Implementation Plans;

California; Interstate Transport Requirements for Ozone, Fine Particulate Matter, and Sulfur Dioxide [EPA-R09-OAR-2017-0177; FRL-9987-97-Region 9] received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7287. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina Miscellaneous Revisions [EPA-R04-OAR-2018-0419; FRL-9988-11-Region 4] received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7288. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; New Hampshire; Transport Element for the 2010 Sulfur Dioxide National Ambient Air Quality Standard [EPA-R01-OAR-2017-0595; FRL-9987-69-Region 1] received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7289. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; MS; PSD Infrastructure Plan for the 2012 PM_{2.5} NAAQS [EPA-R04-OAR-2014-0424; FRL-9988-12-Region 4] received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7290. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; KY; Updates to Attainment Status Designations [EPA-R04-OAR-2018-0308; FRL-9987-98-Region 4] received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

¶170.4 FEDERAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY BOARD

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, announced that, pursuant to section 103(c) of the Law Enforcement Congressional Badge of Bravery Act of 2008 (34 United States Code 50313), and the order of the House of January 3, 2017, the Speaker and Minority Leader jointly appointed the following individual on the part of the House to the Federal Law Enforcement Congressional Badge of Bravery Board: Mrs. Val Butler Demings, Orlando, Florida.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶170.5 STATE AND LOCAL LAW ENFORCEMENT CONGRESSIONAL BADGE OF BRAVERY BOARD

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, announced that, pursuant to section 203(c) of the Law Enforcement Congressional Badge of Bravery Act of 2008 (34 United States Code 50323), and the order of the House of January 3, 2017, the Speaker and Minority Leader jointly appointed the following individual on the part of the House to the State and Local Law Enforcement Congressional Badge of Bravery Board: Mr. David Moore, Janesville, Wisconsin.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

¶170.6 WOMEN'S SUFFRAGE CENTENNIAL COMMISSION

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, announced that, pursuant to section 431(a)(3) of the Consolidated Appropriations Act, 2017 (Public Law 115-31), and the order of the House of January 3, 2017, the Speaker appointed the following individual on the part of the House to the Women's Suffrage Centennial Commission to fill the existing vacancy thereon: Ms. Penny Young Nance, Fairfax, Virginia.

Ordered, That the Clerk notify the Senate of the foregoing appointment.

And then,

¶170.7 ADJOURNMENT

The SPEAKER pro tempore, Mr. MOONEY of West Virginia, pursuant to section 2(b) of House Resolution 1180, at 10 o'clock and 34 minutes a.m., declared the House adjourned until 4 p.m. on Thursday, December 27, 2018.

THURSDAY, DECEMBER 27, 2018 (171)

¶171.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MESSER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
December 27, 2018.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶171.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to section 2(a) of House Resolution 1180, the Journal of the proceedings of Monday, December 24, 2018, was approved.

¶171.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7291. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Reynold N. Hoover, Army National Guard of the United States, for placement on the Army Retired Reserve List, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

7292. A letter from the Secretary of the Army, Department of Defense, transmitting a report titled, "Transfer of Surplus Firearms to Corporation for the Promotion of Rifle Practice and Firearms Safety", pursuant to Public Law 115-91, Sec. 1091(d); (131-1608); to the Committee on Armed Services.

7293. A letter from the Acting Assistant Secretary of the Army, U.S. Army, Department of Defense, transmitting a notice to

Congress of the anticipated use of Selected Reserve units that will be ordered to active duty, pursuant to 10 U.S.C. 12304(b)(4); Public Law 112-81, Sec. 516(a)(1); (125 Stat. 1396); to the Committee on Armed Services.

7294. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 03-19, pursuant to the reporting requirements of Section 62(a) of the Arms Export Control Act; to the Committee on Armed Services.

7295. A letter from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting the Commission's final rule — Removal of Final GINA Wellness Rule Vacated by Court [EEOC-2018-0005] (RIN: 3046-AB02) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

7296. A letter from the Associate Legal Counsel, Equal Employment Opportunity Commission, transmitting the Commission's final rule — Removal of Final ADA Wellness Rule Vacated by Court [EEOC-2018-0004] (RIN: 3046-AB01) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

7297. A letter from the Acting PRAO Branch Chief, Food and Nutrition Service, Department of Agriculture, transmitting the Department's final rule — Child Nutrition Programs: Flexibilities for Milk, Whole Grains, and Sodium Requirements [FNS-2017-0021] (RIN: 0584-AE53) received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Education and the Workforce.

7298. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0759; Product Identifier 2018-NM-055-AD; Amendment 39-19501; AD 2018-23-14] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7299. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a report of defense articles and services associated with six (6) Presidential Determinations, pursuant to 22 U.S.C. 2318(b)(2); Public Law 87-195, Sec. 506(b)(2) (as amended by Public Law 96-92, Sec. 5(b)); (93 Stat. 702); to the Committee on Foreign Affairs.

7300. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Belarus that was declared in Executive Order 13405 of June 16, 2006, pursuant to 50 U.S.C. 1641(c); Public Law 94-412, Sec. 401(c); (90 Stat. 1257) and 50 U.S.C. 1703(c); Public Law 95-223, Sec. 204(c); (91 Stat. 1627); to the Committee on Foreign Affairs.

7301. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting a report of defense articles and services associated with a Presidential Determination, pursuant to 22 U.S.C. 2318(b)(2); Public Law 87-195, Sec. 506(b)(2) (as amended by Public Law 96-92, Sec. 5(b)); (93 Stat. 702); to the Committee on Foreign Affairs.

7302. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Presidential Determination No. 2019-06, Suspension of Limitations under the Jerusalem Embassy Act, pursuant to Public Law 104-45, Sec. 7(a)(2); (109 Stat. 400); to the Committee on Foreign Affairs.

7303. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-17,

pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

7304. A letter from the Vice President, Congressional and Public Affairs, Millennium Challenge Corporation, transmitting the Corporation's Agency Financial Report for FY 2018, including annual audited financial statements, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Government Reform.

7305. A letter from the Administrator, General Services Administration, transmitting the Administration's Inspector General's Semiannual Report to Congress; April 1, 2018, through September 30, 2018, pursuant to Sec. 5 of the Inspector General Act of 1978; to the Committee on Oversight and Government Reform.

7306. A letter from the Officer for Civil Rights and Civil Liberties, Office for Civil Rights and Civil Liberties, U.S. Department of Homeland Security, transmitting the Department's Office for Civil Rights and Civil Liberties: Semiannual Report to Congress; First and Second Quarters, FY 2018 (October 1, 2017 — March 31, 2018), pursuant to 6 U.S.C. 345(b); Public Law 107-296, Sec. 705; (116 Stat. 2219); to the Committee on Oversight and Government Reform.

7307. A letter from the Officer for Civil Rights and Civil Liberties, Office for Civil Rights and Civil Liberties, U.S. Department of Homeland Security, transmitting the Office's Fiscal Year 2017 Annual Report to Congress, pursuant to 6 U.S.C. 345(b); Public Law 107-296, Sec. 705; (116 Stat. 2219); to the Committee on Oversight and Government Reform.

7308. A letter from the Chair, Federal Election Commission, transmitting eleven (11) legislative recommendations approved unanimously by the Commission on December 13, 2018, pursuant to 52 U.S.C. 30111(a)(9); to the Committee on House Administration.

7309. A letter from the Assistant Attorney General for Administration, and Chief Financial Officer, Department of Justice, transmitting a report of violations of the Antideficiency Act, pursuant to 31 U.S.C. 1351; Public Law 97-258; (96 Stat. 926); to the Committee on the Judiciary.

7310. A letter from the Secretary, Judicial Conference of the United States, transmitting the Conference's report on the continuing need for bankruptcy judgeships, pursuant to 28 U.S.C. 152(b)(3); Public Law 98-353, Sec. 104(a) (as amended by Public Law 102-361, Sec. 4); (106 Stat. 966); to the Committee on the Judiciary.

7311. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Rocket Debris Control and Removal Operations, Atlantic Ocean, Cape Canaveral, FL [Docket Number: USCG-2018-1081] (RIN: 1625-AA00) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7312. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones; Humboldt Bay Bar and Entrance Channel, Eureka, CA, Noyo River Entrance Channel, Ft. Bragg, CA, and Crescent City Harbor Entrance Channel, Crescent City, CA [Docket No.: USCG-2018-1018] (RIN: 1625-AA00) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7313. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland

Security, transmitting the Department's final rule — Safety Zone; Annual Fireworks Displays within the Sector Columbia River Captain of the Port Zone [Docket Number: USCG-2018-0868] (RIN: 1625-AA00) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7314. A letter from the Attorney-Advisor, U.S. Coast Guard Moving Security Zone, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Mississippi Canyon Block 20, South of New Orleans, LA, Gulf of Mexico [Docket Number: USCG-2018-1062] (RIN: 1625-AA08) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7315. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Arthur Kill and Old Place Creek, Elizabeth, NJ and Staten Island, NY [Docket Number: USCG-2018-1002] (RIN: 1625-AA00) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7316. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone: Winter on the Waterfront Fireworks Display, Berkeley, CA [Docket No.: USCG-2018-1017] (RIN: 1625-AA00) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7317. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary rule — Regulated Navigation Area; Upper Mississippi River, Sabula Railroad Bridge, Mile Marker 535, Sabula, IA [Docket Number: USCG-2018-0917] (RIN: 1625-AA11) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7318. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Madison, MN [Docket No.: FAA-2018-0194; Airspace Docket No.: 18-AGL-6] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7319. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Madison, MN [Docket No.: FAA-2018-0194; Airspace Docket No.: 18-AGL-6] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7320. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class D Airspace and Establishment of Class E Airspace; Tyndall AFB, FL [Docket No.: FAA-2018-0741; Airspace Docket No.: 18-ASO-13] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7321. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Depart-

ment's final rule — Amendment of Class E Airspace, Mountain City, TN; and Establishment of Class E Airspace; Elizabethton, TN [Docket No.: FAA-2018-0745; Airspace Docket No.: 18-ASO-15] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7322. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Revocation of Class D and E Airspace; Fort Sill; and Amendment of Class D and E Airspace; Lawton, OK [Docket No.: FAA-2018-0246; Airspace Docket No.: 18-ASW-6] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7323. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Lapeer, MI [Docket No.: FAA-2018-0683; Airspace Docket No.: 18-AGL-17] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7324. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Jacksonville, IL [Docket No.: FAA-2018-0684; Airspace Docket No.: 18-AGL-18] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7325. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Amendment of Class E Airspace; Hillsdale, MI [Docket No.: FAA-2018-0500; Airspace Docket No.: 18-AGL-14] (RIN: 2120-AA66) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7326. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0298; Product Identifier 2017-NM-179-AD; Amendment 39-19488; AD 2018-23-02] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7327. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0764; Product Identifier 2018-NM-074-AD; Amendment 39-19502; AD 2018-23-15] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7328. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Zodiac Aero Evacuation Systems (also known as Air Cruisers Company) [Docket No.: FAA-2016-9392; Product Identifier 2016-NM-003-AD; Amendment 39-19499; AD 2018-23-12] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7329. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus SAS Airplanes [Docket No.: FAA-2018-0639; Product Identifier 2018-NM-058-AD; Amendment 39-19508; AD 2018-24-04] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7330. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31222; Amdt. No.: 3825] received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7331. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 31223; Amdt. No.: 3826] received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7332. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Dassault Aviation Airplanes [Docket No.: FAA-2018-0760; Product Identifier 2018-NM-095-AD; Amendment 39-19506; AD 2018-24-02] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7333. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Helicopters Deutschland GmbH (Previously Eurocopter Deutschland GmbH) Helicopters [Docket No.: FAA-2013-0446; Product Identifier 2010-SW-007-AD; Amendment 39-19498; AD 2013-21-05R1] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7334. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc., Airplanes [Docket No.: FAA-2018-0586; Product Identifier 2017-NM-151-AD; Amendment 39-19445; AD 2018-20-11] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7335. A letter from the Management and Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Fokker Services B.V. Airplanes [Docket No.: FAA-2018-0707; Product Identifier 2018-NM-067-AD; Amendment 39-19509; AD 2018-24-05] (RIN: 2120-AA64) received December 14, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7336. A letter from the Secretary, Federal Maritime Commission, transmitting the Commission's final rule — Interpretive Rule, Shipping Act of 1984 [Docket No.: 18-06] (RIN:

3072-AC71) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7337. A letter from the Federal Register Liaison Officer, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting the Department's final rule — Establishment of the Upper Hudson Viticultural Area [Docket No.: TTB-2018-0005; T.D. TTB-152; Ref. Notice No.: 174] (RIN: 1513-AC38) received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7338. A letter from the Attorney-Advisor, Federal Register Liaison, Bureau of the Fiscal Service, Department of the Treasury, transmitting the Department's final rule — Availability of Records received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7339. A letter from the Attorney-Advisor and Federal Register Liaison, Bureau of the Fiscal Service, Department of the Treasury, transmitting the Department's final rule — Regulations Governing United States Securities received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7340. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Services IRB only rule — Change in Basis for Determining Reserves under Section 807 (Rev. Proc. 2019-10) received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

7341. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting a report entitled, "Status of Risk Adjustment in Medicare Advantage 2018", pursuant to Public Law 114-255, Sec. 17006(f)(2)(A)(ii); (130 Stat. 1338); jointly to the Committees on Energy and Commerce and Ways and Means.

7342. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Patient Protection and Affordable Care Act; Adoption of the Methodology for the HHS-operated Permanent Risk Adjustment Program for the 2018 Benefit Year [CMS-9919-F] (RIN: 0938-AT66) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

¶171.4 RESIGNATION AS MEMBER OF HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore, Mr. MESSER, laid before the House the following communication, which was read as follows:

HOUSE OF REPRESENTATIVES,
Washington, DC, December 21, 2018.
Speaker PAUL RYAN,
The Capitol,
Washington, DC.

DEAR SPEAKER PAUL RYAN, Serving as the Congresswoman from New Mexico's First Congressional District has been one of the greatest honors of my life. However, I will be sworn into office as the Governor of New Mexico on January 1, 2019 at 12:01 a.m.

Therefore, I am resigning my Congressional seat effective December 31, 2018 at 11:59 p.m.

Sincerely,

MICHELLE LUJAN GRISHAM,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, December 21, 2018.

Governor SUSANA MARTINEZ,
Office of the Governor,
Santa Fe, NM.

DEAR GOVERNOR MARTINEZ, Serving as the Congresswoman from New Mexico's First Congressional District has been one of the greatest honors of my life. However, I will be sworn into office as the Governor of New Mexico on January 1, 2019 at 12:01 a.m.

Therefore, I am resigning my Congressional seat effective December 31, 2018 at 11:59 p.m.

Sincerely,

MICHELLE LUJAN GRISHAM,
Member of Congress.

And then,

¶171.5 ADJOURNMENT

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 2(b) of House Resolution 1180, at 4 o'clock and 2 minutes p.m., declared the House adjourned until 10 a.m. on Monday, December 31, 2018.

¶171.6 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CONAWAY: Committee on Agriculture. Report on Activities During the 115th Congress (Rept. 115-1108). Referred to the Committee of the Whole House on the state of the Union.

¶171.7 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII,

Ms. SCANLON introduced a bill (H.R. 7399) to amend the Federal Election Campaign Act of 1971 to prohibit certain donations to Inaugural Committees, to establish limitations on donations to Inaugural Committees, to require certain reporting by Inaugural Committees, and for other purposes; which was referred to the Committee on House Administration, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶171.8 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 7390: Mr. HOYER and Mr. CLYBURN.
H. Con. Res. 144: Mr. COLLINS of New York.

MONDAY, DECEMBER 31, 2018 (172)

¶172.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. MESSER, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,
December 31, 2018.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶172.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to section 2(a) of House Resolution 1180, the Journal of the proceedings of Thursday, December 27, 2018, was approved.

¶172.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7343. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting the Department's final rule — Branding Requirements for Bovines Imported Into the United States From Mexico [Docket No.: APHIS-2016-0050] (RIN: 0579-AE38) received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Agriculture.

7344. A letter from the Chief Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility Florida: Fort Myers, City of, Lee County, et al. [Docket ID: FEMA-2018-0002; Internal Agency Docket No.: FEMA-8557] received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7345. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Capital Requirements (RIN: 2590-AA70) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7346. A letter from the Associate General Counsel for Legislation and Regulations, Office of Housing-Federal Housing Commissioner, Department of Housing and Urban Development, transmitting the Department's final rule — Streamlining Warranty Requirements for Federal Housing Administration (FHA) Single-Family Mortgage Insurance; Removal of the Ten-Year Protection Plan Requirements [Docket no.: FR-6029-F-01] (RIN: 2502-AJ40) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

7347. A letter from the Assistant Secretary for Legislation, Department of Health and Human Services, transmitting the Department's report entitled "Report to Congress on the Social and Economic Conditions of Native Americans: Fiscal Year 2015", pursuant to 42 U.S.C. 2992-1; Public Law 88-452, Sec. 811A (as added by Public Law 102-375, Sec. 822(12)); (106 Stat. 1299); to the Committee on Education and the Workforce.

7348. A letter from the Assistant Secretary for Legislation, Food and Drug Administration, Department of Health and Human Services, transmitting the Administration's report to Congress entitled, "Tenth Annual Report on Delays in Approvals of Applications Related to Citizen Petitions and Petitions for Stay of Agency Action for Fiscal Year 2017", pursuant to 21 U.S.C. 355(q)(3); (June 25, 1938, ch. 675, §505(q)(3) (as amended by Public Law 110-85, Sec. 914(a)); (121 Stat. 956); to the Committee on Energy and Commerce.

7349. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 18-063, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7350. A letter from the Assistant Secretary, Bureau of Legislative Affairs, Department of

State, transmitting Transmittal No. DDTC 18-064, pursuant to 22 U.S.C. 2776(c)(2)(A); Public Law 90-629, Sec. 36(c) (as added by Public Law 104-164, Sec. 141(c)); (110 Stat. 1431); to the Committee on Foreign Affairs.

7351. A letter from the Acting Chief Privacy and Civil Liberties Officer, Office of Privacy and Civil Liberties, Department of Justice, transmitting the Department's final rule — Privacy Act of 1974; Implementation [CPCLD Order No.: 006-2018] received December 18, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7352. A letter from the Chief, Border Security Regulations Branch, U.S. Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Civil Monetary Penalty Adjustments for Inflation [CBP Dec. 18-16] (RIN: 1651-AB32) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on the Judiciary.

¶172.4 ENROLLED BILLS AND SENATE ENROLLED BILLS SIGNED

The SPEAKER pro tempore, Mr. MESSER, announced that, pursuant to clause 4 of rule I, the Speaker pro tempore, Mr. MESSER, signed the following enrolled bills and enrolled bills of the Senate on Thursday, December 27, 2018:

H.R. 672. An Act to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

H.R. 4689. An Act to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska.

H.R. 5636. An Act to designate additions to the Flatside Wilderness on the Ouachita National Forest, and for other purposes.

H.R. 6602. An Act to reauthorize the New Jersey Coastal Heritage Trail Route, and for other purposes.

H.R. 7279. An Act to amend the Federal Water Pollution Control Act to provide for an integrated planning process, to promote green infrastructure, and for other purposes.

H.R. 7318. An Act to amend the Federal Assets Sale and Transfer Act of 2016 to ensure the Public Buildings Reform Board has adequate time to carry out the responsibilities of the Board, and for other purposes.

H.R. 7319. An Act to amend the Federal Assets Sale and Transfer Act of 2016 to provide flexibility with respect to the leaseback of certain Federal real property, and for other purposes.

S. 512. An Act to modernize the regulation of nuclear energy.

S. 1023. An Act to reauthorize the Tropical Forest Conservation Act of 1998 through fiscal year 2021, and for other purposes.

S. 1158. An Act to help prevent acts of genocide and other atrocity crimes, which threaten national and international security, by enhancing United States Government capacities to prevent, mitigate, and respond to such crises.

S. 1580. An Act to enhance the transparency, improve the coordination, and intensify the impact of assistance to support access to primary and secondary education for displaced children and persons, including women and girls, and for other purposes.

S. 1862. An Act to amend the Trafficking Victims Protection Act of 2000 to modify the criteria for determining whether countries are meeting the minimum standards for the elimination of human trafficking, and for other purposes.

S. 3247. An Act to improve programs and activities relating to women's entrepreneurship and economic empowerment that are carried out by the United States Agency for International Development, and for other purposes.

S. 3456. An Act to redesignate Hobe Sound National Wildlife Refuge as the Nathaniel P. Reed Hobe Sound National Wildlife Refuge, and for other purposes.

S. 3661. An Act to provide for a program of the Department of Defense to commemorate the 75th anniversary of World War II.

¶172.5 ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker pro tempore, Mr. MESSER, on Friday, December 28, 2018:

H.R. 4174. An Act to amend titles 5 and 44, United States Code, to require Federal evaluation activities, improve Federal data management, and for other purposes.

¶172.6 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 27, 2018, she presented to the President of the United States, for his approval, the following bills:

H.R. 6287. An Act to provide competitive grants for the operation, security, and maintenance of certain memorials to victims of the terrorist attacks of September 11, 2001.

H.R. 3460. An Act to designate the United States courthouse located at 323 East Chapel Hill Street in Durham, North Carolina, as the "John Hervey Wheeler United States Courthouse".

H.R. 2200. An Act to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes.

H.R. 1660. An Act to direct the Administrator of the United States Agency for International Development to submit to Congress a report on the development and use of global health innovations in the programs, projects, and activities of the Agency.

¶172.7 BILLS AND JOINT RESOLUTION APPROVED

The President notified the Clerk of the House that on the following dates he had approved and signed bills and a joint resolution of the following titles:

October 9, 2018:

H.R. 46. An Act to authorize the Secretary of the Interior to conduct a special resource study of Fort Ontario in the State of New York.

H.R. 2259. An Act to amend the Peace Corps Act to expand services and benefits for volunteers, and for other purposes.

H.R. 4854. An Act to amend the DNA Analysis Backlog Elimination Act of 2000 to provide additional resources to State and local prosecutors, and for other purposes.

H.R. 4958. An Act to increase, effective as of December 1, 2018, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes.

October 11, 2018:

H.R. 1551. An Act to modernize copyright law, and for other purposes.

October 16, 2018:

H.R. 4921. An Act to require the Surface Transportation Board to implement certain recommendations of the Inspector General of the Department of Transportation.

October 24, 2018:

H.R. 6. An Act to provide for opioid use disorder prevention, recovery, and treatment, and for other purposes.

October 31, 2018:

H.R. 6758. An Act to direct the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, in consultation with the Administrator of the Small Business Administration, to study and provide recommendations to promote the participation of women, minorities, and veterans in entrepreneurship activities and the patent system, to extend by 8 years the Patent and Trademark Office's authority to set the amounts for the fees it charges, and for other purposes.

H.R. 6896. An Act to provide for the continued performance of the functions of the United States Parole Commission, and for other purposes.

November 3, 2018:

H.R. 1037. An Act to authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes.

H.R. 3834. An Act to provide that members of public safety agencies who died of 9/11-related health conditions are eligible for the Presidential 9/11 Heroes Medal of Valor, and for other purposes.

H.R. 6870. An Act to rename the Stop Trading on Congressional Knowledge Act of 2012 in honor of Representative Louise McIntosh Slaughter.

November 16, 2018:

H.R. 3359. An Act to amend the Homeland Security Act of 2002 to authorize the Cybersecurity and Infrastructure Security Agency of the Department of Homeland Security, and for other purposes.

November 20, 2018:

H.R. 2615. An Act to authorize the exchange of certain land located in Gulf Islands National Seashore, Jackson County, Mississippi, between the National Park Service and the Veterans of Foreign Wars, and for other purposes.

December 1, 2018:

H.R. 7187. An Act to extend the National Flood Insurance Program until December 7, 2018.

December 6, 2018:

H.R. 606. An Act to designate the facility of the United States Postal Service located at 1025 Nevin Avenue in Richmond, California, as the "Harold D. McCraw, Sr., Post Office Building".

H.R. 1209. An Act to designate the facility of the United States Postal Service located at 901 N. Francisco Avenue, Mission, Texas, as the "Mission Veterans Post Office Building".

H.R. 2979. An Act to designate the facility of the United States Postal Service located at 390 West 5th Street in San Bernardino, California, as the "Jack H. Brown Post Office Building".

H.R. 3230. An Act to designate the facility of the United States Postal Service located at 915 Center Avenue in Payette, Idaho, as the "Harmon Killebrew Post Office Building".

H.R. 4890. An Act to designate the facility of the United States Postal Service located at 9801 Apollo Drive in Upper Marlboro, Maryland, as the "Wayne K. Curry Post Office Building".

H.R. 4913. An Act to designate the facility of the United States Postal Service located

at 816 East Salisbury Parkway in Salisbury, Maryland, as the "Sgt. Maj. Wardell B. Turner Post Office Building".

H.R. 4946. An Act to designate the facility of the United States Postal Service located at 1075 North Tustin Street in Orange, California, as the "Specialist Trevor A. Win'E Post Office".

H.R. 4960. An Act to designate the facility of the United States Postal Service located at 511 East Walnut Street in Columbia, Missouri, as the "Spc. Sterling William Wyatt Post Office Building".

H.R. 5349. An Act to designate the facility of the United States Postal Service located at 1325 Autumn Avenue in Memphis, Tennessee, as the "Judge Russell B. Sugarmon Post Office Building".

H.R. 5504. An Act to designate the facility of the United States Postal Service located at 4801 West Van Giesen Street in West Richland, Washington, as the "Sergeant Dietrich Schmieman Post Office Building".

H.R. 5737. An Act to designate the facility of the United States Postal Service located at 108 West D Street in Alpha, Illinois, as the "Captain Joshua E. Steele Post Office".

H.R. 5784. An Act to designate the facility of the United States Postal Service located at 2650 North Doctor Martin Luther King Jr. Drive in Milwaukee, Wisconsin, shall be known and designated as the "Vel R. Phillips Post Office Building".

H.R. 5868. An Act to designate the facility of the United States Postal Service located at 530 Claremont Avenue in Ashland, Ohio, as the "Bill Harris Post Office".

H.R. 5935. An Act to designate the facility of the United States Postal Service located at 1355 North Meridian Road in Harritown, Illinois, as the "Logan S. Palmer Post Office".

H.R. 6116. An Act to designate the facility of the United States Postal Service located at 362 North Ross Street in Beaverton, Michigan, as the "Colonel Alfred Asch Post Office".

December 7, 2018:

H.J. Res. 143. A joint resolution making further continuing appropriations for fiscal year 2019, and for other purposes.

December 11, 2018:

H.R. 390. An Act to provide relief for victims of genocide, crimes against humanity, and war crimes who are members of religious and ethnic minority groups in Iraq and Syria, for accountability for perpetrators of these crimes, and for other purposes.

H.R. 1074. An Act to repeal the Act entitled "An Act to confer jurisdiction on the State of Iowa over offenses committed by or against Indians on the Sac and Fox Indian Reservation".

H.R. 2422. An Act to amend the Public Health Service Act to improve essential oral health care for low-income and other underserved individuals by breaking down barriers to care, and for other purposes.

H.R. 4254. An Act to amend the National Science Foundation Authorization Act of 2002 to strengthen the aerospace workforce pipeline by the promotion of Robert Noyce Teacher Scholarship Program and National Aeronautics and Space Administration internship and fellowship opportunities to women, and for other purposes.

H.R. 5317. An Act to repeal section 2141 of the Revised Statutes to remove the prohibition on certain alcohol manufacturing on Indian lands.

H.R. 6651. An Act to extend certain authorities relating to United States efforts to combat HIV/AIDS, tuberculosis, and malaria globally, and for other purposes.

December 13, 2018:

H.R. 754. An Act to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

H.R. 1207. An Act to designate the facility of the United States Postal Service located at 306 River Street in Tilden, Texas, as the "Tilden Veterans Post Office".

December 14, 2018:

H.R. 3946. An Act to name the Department of Veterans Affairs community-based outpatient clinic in Statesboro, Georgia, the Ray Hendrix Department of Veterans Affairs Clinic.

H.R. 4407. An Act to designate the facility of the United States Postal Service located at 3s101 Rockwell Street in Warrenville, Illinois, as the "Corporal Jeffrey Allen Williams Post Office Building".

H.R. 5238. An Act to designate the facility of the United States Postal Service located at 1234 Saint Johns Place in Brooklyn, New York, as the "Major Robert Odell Owens Post Office".

December 17, 2018:

H.R. 315. An Act to amend the Public Health Service Act to distribute maternity care health professionals to health professional shortage areas identified as in need of maternity care health services.

H.R. 1417. An Act to amend the National Law Enforcement Museum Act to allow the Museum to acquire, receive, possess, collect, ship, transport, import, and display firearms, and for other purposes.

H.R. 1861. An Act to award a Congressional Gold Medal in honor of Lawrence Eugene "Larry" Doby in recognition of his achievements and contributions to American major league athletics, civil rights, and the Armed Forces during World War II.

H.R. 3398. An Act to amend the Real ID Act of 2005 to permit Freely Associated States to meet identification requirements under such Act, and for other purposes.

H.R. 6330. An Act to amend the Small Business Act to modify the method for prescribing size standards for business concerns.

December 19, 2018:

H.R. 1872. An Act to promote access for United States diplomats and other officials, journalists, and other citizens to Tibetan areas of the People's Republic of China, and for other purposes.

H.R. 2454. An Act to direct the Secretary of Homeland Security to establish a data framework to provide access for appropriate personnel to law enforcement and other information of the Department, and for other purposes.

H.R. 3996. An Act to amend title 28, United States Code, to permit other courts to transfer certain cases to United States Tax Court.

H.R. 4111. An Act to amend the Small Business Investment Act of 1958 to improve the number of small business investment companies in underlicensed States, and for other purposes.

December 20, 2018:

H.R. 2. An Act to provide for the reform and continuation of agricultural and other programs of the Department of Agriculture through fiscal year 2023, and for other purposes.

H.R. 1918. An Act to oppose loans at international financial institutions for the Government of Nicaragua unless the Government of Nicaragua is taking effective steps to hold free, fair, and transparent elections, and for other purposes.

H.R. 5759. An Act to improve executive agency digital services, and for other purposes.

December 21, 2018:

H.R. 1162. An Act to direct the Secretary of Veterans Affairs to carry out a pilot program to provide access to magnetic EEG/EKG-guided resonance therapy to veterans.

H.R. 1210. An Act to designate the facility of the United States Postal Service located at 122 W. Goodwin Street, Pleasanton, Texas, as the "Pleasanton Veterans Post Office".

H.R. 1211. An Act to designate the facility of the United States Postal Service located

at 400 N. Main Street, Encinal, Texas, as the "Encinal Veterans Post Office".

H.R. 1222. An Act to amend the Public Health Service Act to coordinate Federal congenital heart disease research efforts and to improve public education and awareness of congenital heart disease, and for other purposes.

H.R. 1235. An Act to require the Secretary of the Treasury to mint coins in recognition of the 60th Anniversary of the Naismith Memorial Basketball Hall of Fame.

H.R. 1318. An Act to support States in their work to save and sustain the health of mothers during pregnancy, childbirth, and in the postpartum period, to eliminate disparities in maternal health outcomes for pregnancy-related and pregnancy-associated deaths, to identify solutions to improve health care quality and health outcomes for mothers, and for other purposes.

H.R. 1733. An Act to direct the Secretary of Energy to review and update a report on the energy and environmental benefits of the re-refining of used lubricating oil.

H.R. 1850. An Act to designate the facility of the United States Postal Service located at 907 Fourth Avenue in Lake Odessa, Michigan, as the "Donna Sauers Besko Post Office".

H.R. 3184. An Act to designate the facility of the United States Postal Service located at 180 McCormick Road in Charlottesville, Virginia, as the "Captain Humayun Khan Post Office".

H.R. 3342. An Act to impose sanctions with respect to foreign persons that are responsible for using civilians as human shields, and for other purposes.

H.R. 3383. An Act to designate the flood control project in Sedgwick County, Kansas, commonly known as the Wichita-Valley Center Flood Control Project, as the "M.S. 'Mitch' Mitchell Floodway".

H.R. 4032. An Act to confirm undocumented Federal rights-of-way or easements on the Gila River Indian Reservation, clarify the northern boundary of the Gila River Indian Community's Reservation, to take certain land located in Maricopa County and Pinal County, Arizona, into trust for the benefit of the Gila River Indian Community, and for other purposes.

H.R. 4326. An Act to designate the facility of the United States Postal Service located at 200 West North Street in Normal, Illinois, as the "Sgt. Josh Rodgers Post Office".

H.R. 4431. An Act to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service or certain volunteer service, and for other purposes.

H.R. 4819. An Act to promote inclusive economic growth through conservation and biodiversity programs that facilitate transboundary cooperation, improve natural resource management, and build local capacity to protect and preserve threatened wildlife species in the greater Okavango River Basin of southern Africa.

H.R. 5205. An Act to designate the facility of the United States Postal Service located at 701 6th Street in Hawthorne, Nevada, as the "Sergeant Kenneth Eric Bostic Post Office".

H.R. 5395. An Act to designate the facility of the United States Postal Service located at 116 Main Street in Dansville, New York, as the "Staff Sergeant Alexandria Gleason-Morrow Post Office Building".

H.R. 5412. An Act to designate the facility of the United States Postal Service located at 25 2nd Avenue in Brentwood, New York, as the "Army Specialist Jose L. Ruiz Post Office Building".

H.R. 5475. An Act to designate the facility of the United States Postal Service located at 108 North Macon Street in Bevier, Mis-

souri, as the "SO2 Navy SEAL Adam Olin Smith Post Office".

H.R. 5787. An Act to amend the Coastal Barrier Resources Act to give effect to more accurate maps of units of the John H. Chafee Coastal Barrier Resources System that were produced by digital mapping of such units, and for other purposes.

H.R. 5791. An Act to designate the facility of the United States Postal Service located at 9609 South University Boulevard in Highlands Ranch, Colorado, as the "Deputy Sheriff Zackari Spurlock Parrish, III, Post Office Building".

H.R. 5792. An Act to designate the facility of the United States Postal Service located at 90 North 4th Avenue in Brighton, Colorado, as the "Detective Heath McDonald Gumm Post Office".

H.R. 5923. An Act to direct the Secretary of Agriculture to exchange certain public lands in Ouachita National Forest, and for other purposes.

H.R. 6020. An Act to designate the facility of the United States Postal Service located at 325 South Michigan Avenue in Howell, Michigan, as the "Sergeant Donald Burgett Post Office Building".

H.R. 6059. An Act to designate the facility of the United States Postal Service located at 51 Willow Street in Lynn, Massachusetts, as the "Thomas P. Costin, Jr. Post Office Building".

H.R. 6160. An Act to amend title 5, United States Code, to clarify the sources of the authority to issue regulations regarding certifications and other criteria applicable to legislative branch employees under Wounded Warriors Federal Leave Act.

H.R. 6167. An Act to designate the facility of the United States Postal Service located at 5707 South Cass Avenue in Westmont, Illinois, as the "James William Robinson Jr. Memorial Post Office Building".

H.R. 6216. An Act to designate the facility of the United States Postal Service located at 3025 Woodgate Road in Montrose, Colorado, as the "Sergeant David Kinterknecht Post Office".

H.R. 6217. An Act to designate the facility of the United States Postal Service located at 241 N 4th Street in Grand Junction, Colorado, as the "Deputy Sheriff Derek Geer Post Office Building".

H.R. 6227. An Act to provide for a coordinated Federal program to accelerate quantum research and development for the economic and national security of the United States.

H.R. 6335. An Act to designate the facility of the United States Postal Service located at 322 Main Street in Oakville, Connecticut, as the "Oakville Veterans Memorial Post Office".

H.R. 6347. An Act to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6348. An Act to adjust the real estate appraisal thresholds under the section 504 program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes.

H.R. 6400. An Act to require the Secretary of Homeland Security to conduct a threat and operational analysis of ports of entry, and for other purposes.

H.R. 6405. An Act to designate the facility of the United States Postal Service located at 2801 Mitchell Road in Ceres, California, as the "Lance Corporal Juana Navarro Arellano Post Office Building".

H.R. 6428. An Act to designate the facility of the United States Postal Service located at 332 Ramapo Valley Road in Oakland, New Jersey, as the "Frank Leone Post Office".

H.R. 6513. An Act to designate the facility of the United States Postal Service located

at 1110 West Market Street in Athens, Alabama, as the "Judge James E. Horton, Jr. Post Office Building".

H.R. 6591. An Act to designate the facility of the United States Postal Service located at 501 South Kirkman Road in Orlando, Florida, as the "Napoleon 'Nap' Ford Post Office Building".

H.R. 6615. An Act to reauthorize the Traumatic Brain Injury program.

H.R. 6621. An Act to designate the facility of the United States Postal Service located at 530 East Main Street in Johnson City, Tennessee, as the "Major Homer L. Pease Post Office".

H.R. 6628. An Act to designate the facility of the United States Postal Service located at 4301 Northeast 4th Street in Renton, Washington, as the "James Marshall 'Jimi' Hendrix Post Office Building".

H.R. 6655. An Act to designate the facility of the United States Postal Service located at 44160 State Highway 299 East Suite 1 in McArthur, California, as the "Janet Lucille Oilar Post Office".

H.R. 6780. An Act to designate the facility of the United States Postal Service located at 7521 Paula Drive in Tampa, Florida, as the "Major Andreas O'Keeffe Post Office Building".

H.R. 6831. An Act to designate the facility of the United States Postal Service located at 35 West Main Street in Frisco, Colorado, as the "Patrick E. Mahany, Jr., Post Office Building".

H.R. 6893. An Act to amend the Overtime Pay for Protective Services Act of 2016 to extend the Secret Service overtime pay exception through 2020, and for other purposes.

H.R. 6930. An Act to designate the facility of the United States Postal Service located at 10 Miller Street in Plattsburgh, New York, as the "Ross Bouyea Post Office Building".

H.R. 6964. An Act to reauthorize and improve the Juvenile Justice and Delinquency Prevention Act of 1974, and for other purposes.

H.R. 7120. An Act to amend the Federal Election Campaign Act of 1971 to extend through 2023 the authority of the Federal Election Commission to impose civil money penalties on the basis of a schedule of penalties established and published by the Commission.

H.R. 7213. An Act to amend the Homeland Security Act of 2002 to establish the Countering Weapons of Mass Destruction Office, and for other purposes.

H.R. 7230. An Act to designate the facility of the United States Postal Service located at 226 West Main Street in Lake City, South Carolina, as the "Postmaster Frazier B. Baker Post Office".

H.R. 7243. An Act to amend Public Law 115-217 to change the address of the postal facility designated by such Public Law in honor of Sergeant First Class Alwyn Crendall Cashe, and for other purposes.

H.R. 7327. An Act to require the Secretary of Homeland Security to establish a security vulnerability disclosure policy, to establish a bug bounty program for the Department of Homeland Security, to amend title 41, United States Code, to provide for Federal acquisition supply chain security, and for other purposes.

172.8 SENATE BILLS APPROVED

The President notified the Clerk of the House that on the following dates he had approved and signed bills of the Senate of the following titles:

October 9, 2018:

S. 791. An Act to amend the Small Business Act to expand intellectual property education and training for small businesses, and for other purposes.

S. 1668. An Act to rename a waterway in the State of New York as the "Joseph Sanford Jr. Channel".

S. 2559. An Act to amend title 17, United States Code, to implement the Marrakesh Treaty, and for other purposes.

October 10, 2018:

S. 2553. An Act to amend title XVIII of the Social Security Act to prohibit Medicare part D plans from restricting pharmacies from informing individuals regarding the prices for certain drugs and biologicals.

S. 2554. An Act to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees.

October 11, 2018:

S. 2269. An Act to reauthorize the Global Food Security Act of 2016 for 5 additional years.

S. 3354. An Act to amend the Missing Children's Assistance Act, and for other purposes.

S. 3508. An Act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

S. 3509. An Act to reauthorize the Congressional Award Act.

October 23, 2018:

S. 3021. An Act to provide for improvements to the rivers and harbors of the United States, to provide for the conservation and development of water and related resources, to provide for water pollution control activities and for other purposes.

October 25, 2018:

S. 1595. An Act to amend the Hizballah International Financing Prevention Act of 2015 to impose additional sanctions with respect to Hizballah, and for other purposes.

November 29, 2019:

S. 3554. An Act to extend the effective date for the sunset for collateral requirements for Small Business Administration disaster loans.

December 4, 2018:

S. 140. An Act to authorize appropriations for the Coast Guard, and for other purposes.

December 7, 2018:

S. 2152. An Act to amend title 18, United States Code, to provide for assistance for victims of child pornography, and for other purposes.

December 11, 2018:

S. 440. An Act to establish a procedure for the conveyance of certain Federal property around the Dickinson Reservoir in the State of North Dakota.

S. 2074. An Act to establish a procedure for the conveyance of certain Federal property around the Jamestown Reservoir in the State of North Dakota, and for other purposes.

S. 3389. An Act to redesignate a facility of the National Aeronautics and Space Administration.

December 13, 2018:

S. 2377. An Act to designate the Federal building and United States courthouse located at 200 West 2nd Street in Dayton, Ohio, as the "Walter H. Rice Federal Building and United States Courthouse".

S. 3414. An Act to designate the facility of the United States Postal Service located at 20 Ferry Road in Saundertown, Rhode Island, as the "Captain Matthew J. August Post Office".

S. 3442. An Act to designate the facility of the United States Postal Service located at 105 Duff Street in Macon, Missouri, as the "Arla W. Harrell Post Office".

December 14, 2018:

S. 3209. An Act to designate the facility of the United States Postal Service located at 413 Washington Avenue in Belleville, New Jersey, as the "Private Henry Svehla Post Office Building".

S. 3237. An Act to designate the facility of the United States Postal Service located at

120 12th Street Lobby in Columbus, Georgia, as the "Richard W. Williams, Jr., Chapter of the Triple Nickles (555th P.I.A.) Post Office".

December 18, 2018:

S. 245. An Act to amend the Indian Tribal Energy Development and Self Determination Act of 2005, and for other purposes.

S. 825. An Act to provide for the conveyance of certain property to the Southeast Alaska Regional Health Consortium located in Sitka, Alaska, and for other purposes.

S. 2465. An Act to amend the Public Health Service Act to reauthorize a sickle cell disease prevention and treatment demonstration program and to provide for sickle cell disease research, surveillance, prevention, and treatment.

S. 3029. An Act to revise and extend the Prematurity Research Expansion and Education for Mothers who deliver Infants Early Act (PREEMIE Act).

S. 3119. An Act to allow for the taking of sea lions on the Columbia River and its tributaries to protect endangered and threatened species of salmon and other nonlisted fish species.

December 20, 2018:

S. 1050. An Act to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 2101. An Act to award a Congressional Gold Medal, collectively, to the crew of the USS Indianapolis, in recognition of their perseverance, bravery, and service to the United States.

December 21, 2018:

S. 756. An Act to reauthorize and amend the Marine Debris Act to promote international action to reduce marine debris, and for other purposes.

S. 1311. An Act to provide assistance in abolishing human trafficking in the United States.

S. 1312. An Act to prioritize the fight against human trafficking in the United States.

S. 2511. An Act to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, and for other purposes.

S. 3170. An Act to amend title 18, United States Code, to make certain changes to the reporting requirement of certain service providers regarding child sexual exploitation visual depictions, and for other purposes.

S. 3628. An Act to reauthorize the National Flood Insurance Program.

S. 3749. An Act to amend the Congressional Accountability Act of 1995 to reform the procedures provided under such Act for the initiation, review, and resolution of claims alleging that employing offices of the legislative branch have violated the rights and protections provided to their employees under such Act, including protections against sexual harassment, and for other purposes.

And then,

¶172.9 ADJOURNMENT

The SPEAKER pro tempore, Mr. MESSER, pursuant to section 2(b) of House Resolution 1180, at 10 o'clock and 3 minutes a.m., declared the House adjourned until noon on Wednesday, January 2, 2019.

¶172.10 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

for printing and reference to the proper calendar, as follows:

[The following action occurred on December 28, 2018]

Mr. HARPER: Committee on House Administration. The Report on the Activities of the Committee on House Administration During the 115th Congress (Rept. 115-1109). Referred to the Committee of the Whole House on the state of the Union.

[Submitted on December 31, 2018]

Mr. NUNES: Permanent Select Committee on Intelligence. Report on Russian Active Measures for the One Hundred and Fifteenth Congress (Rept. 115-1110). Referred to the Committee of the Whole House on the state of the Union.

Mr. NUNES: Permanent Select Committee on Intelligence. Report on the Activity of the House Permanent Select Committee on Intelligence for the One Hundred and Fifteenth Congress (Rept. 115-1111). Referred to the Committee of the Whole House on the state of the Union.

Mr. GOODLATTE: Committee on the Judiciary. Activity Report of the Committee on the Judiciary of the United States House of Representatives for the Period January 3, 2017 through December 18, 2018 (Rept. 115-1112). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROYCE of California: Committee on Foreign Affairs. Legislative Review and Oversight Activities of the Committee on Foreign Affairs (Rept. 115-1113). Referred to the Committee of the Whole House on the state of the Union.

¶172.11 COMMITTEE DISCHARGED

[The following actions occurred on December 28, 2018]

Pursuant to clause 2 of rule XIII, the Committee on Science, Space, and Technology discharged from further consideration. H.R. 237 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Education and the Workforce discharged from further consideration. H.R. 1511 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Science, Space, and Technology discharged from further consideration. H.R. 1675 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Foreign Affairs discharged from further consideration. H.R. 2085 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Agriculture discharged from further consideration. H.R. 2425 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committees on Education and the Workforce and Transportation and Infrastructure discharged from further consideration. H.R. 2987 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Financial Services discharged from further consideration. H.R. 3288 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committees on Transportation and Infrastructure and Energy and Commerce discharged from further consideration. H.R. 3400 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committees on Ways and Means and Education and the Workforce discharged from further

consideration. H.R. 3857 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Oversight and Government Reform discharged from further consideration. H.R. 4177 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committees on Rules and Appropriations discharged from further consideration. H.R. 4243 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Rules discharged from further consideration. H.R. 4302 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committees on Foreign Affairs and Education and the Workforce discharged from further consideration. H.R. 4506 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Transportation and Infrastructure discharged from further consideration. H.R. 4557 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Education and the Workforce discharged from further consideration. H.R. 5859 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committees on Energy and Commerce, Ways and Means, and Oversight and Government Reform discharged from further consideration. H.R. 5874 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on the Budget discharged from further consideration. H.R. 6226 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Energy and Commerce discharged from further consideration. H.R. 6468 referred to the Committee of the Whole House on the state of the Union.

Pursuant to clause 2 of rule XIII, the Committee on Education and the Workforce discharged from further consideration. H.R. 6510 referred to the Committee of the Whole House on the state of the Union.

¶172.12 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 1291: Ms. SCANLON.

H. Res. 1034: Mr. CULBERSON.

WEDNESDAY, JANUARY 2, 2019 (173)

¶173.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. UPTON, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

January 2, 2019.

I hereby appoint the Honorable FRED UPTON to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶173.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. UPTON, announced that, pursuant to section 2(a) of House Resolution 1180,

the Journal of the proceedings of Monday, December 31, 2018, was approved.

¶173.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7353. A letter from the Acting Principal Deputy, Defense Pricing and Contracting, Defense Acquisition Regulations Systems, Department of Defense, transmitting the Department's interim rule — Defense Federal Acquisition Regulation Supplement: Foreign Commercial Satellite Services and Certain Items on the Commerce Control List (DFARS Case 2018-D020) [Docket: DARS-2018-0060] (RIN: 0750-AJ82) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7354. A letter from the Acting Principal Deputy, Defense Pricing and Contracting, Defense Acquisition Regulations Systems, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Modification of the Limitations on Single-Source Task or Delivery Order Contracts (DFARS Case 2018-D060) [Docket: DARS-2018-0058] (RIN: 0750-AK21) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7355. A letter from the Acting Principal Deputy, Defense Pricing and Contracting, Defense Acquisition Regulations Systems, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Restrictions on Acquisitions from Foreign Sources (DFARS Case 2017-D011) [Docket: DARS-2018-0004] (RIN: 0750-AJ22) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7356. A letter from the Acting Principal Deputy, Defense Pricing and Contracting, Defense Acquisition Regulations Systems, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Electronic Submission and Processing of Payment Requests and Receiving Reports (DFARS Case 2016-D032) [Docket: DARS-2018-0037] (RIN: 0750-AJ44) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7357. A letter from the Acting Principal Deputy, Defense Pricing and Contracting, Defense Acquisition Regulations Systems, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement: Submission of Summary Subcontract Reports (DFARS Case 2017-D005) [Docket: DARS-2018-0018] (RIN: 0750-AJ42) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7358. A letter from the Alternate OSD FRLO, Office of the Secretary, Department of Defense, transmitting the Department's interim final rule — TRICARE Pharmacy Benefits Program Reforms [DOD-2018-HA-0062] (RIN: 0720-AB75) received December 21, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Armed Services.

7359. A letter from the Director, Bureau Consumer Financial Protection, transmitting the Bureau's annual report to Congress on college credit card agreements, pursuant to 15 U.S.C. 1637(r)(3); Public Law 90-321, Sec. 127 (as amended by Public Law 111-24, Sec. 305(a)); (123 Stat. 1750); to the Committee on Financial Services.

7360. A letter from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting the Department's Major final rule — Medicare Program; Medicare Shared Savings Program; Accountable Care Organizations-Pathways to Success and Extreme and Uncontrollable Circumstances Policies for Performance Year 2017 [CMS-1701-F2 and CMS-1702-F] (RIN: 0938-AT45 and 0938-AT51) received December 27, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); jointly to the Committees on Energy and Commerce and Ways and Means.

7361. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — North Dakota: Final Approval of State Underground Storage Tank Program Revisions [EPA-R08-UST-2018-0728; FRL-9986-98-Region 8] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7362. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Tolfenpyrad; Pesticide Tolerances [EPA-HQ-OPP-2017-0587; FRL-9987-34] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7363. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — North Dakota: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R08-RCRA-2018-0554; FRL-9986-24-Region 8] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7364. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Mefenoxam; Pesticide Tolerances [EPA-HQ-OPP-2017-0562; FRL-9985-52] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7365. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Louisiana: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2018-0395; FRL-9987-30-Region 6] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7366. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Illinois; NAAQS and VOC Updates [EPA-R05-OAR-2018-0302; EPA-R05-OAR-2018-0303; EPA-R05-OAR-2018-0589; FRL-9988-04-Region 5] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7367. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Chlorate; Pesticide Exemptions From Tolerance [EPA-HQ-OPP-2017-0063; FRL-9986-85] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7368. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; WA; Up-

dates to Materials Incorporated by Reference [EPA-R10-OAR-2018-0796; FRL-9987-76-Region 10] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7369. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; North Carolina: NOx Rule Revisions [EPA-R04-OAR-2018-0432; FRL-9988-25-Region 4] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7370. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Illinois: Nonattainment New Source Review Requirements for the 2008 8-Hour Ozone Standard [EPA-R05-OAR-2018-0383; FRL-9988-37-Region 5] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7371. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Illinois; Indiana; Revised Designation of Illinois and Indiana 2012 PM2.5 Unclassifiable Areas [EPA-R05-OAR-2018-0368; EPA-R05-OAR-2018-0556; FRL-9988-38-Region 5] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7372. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; ID, West Silver Valley PM 2.5 Clean Data Determination [EPA-R10-OAR-2017-0170; FRL-9988-17-Region 10] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7373. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's correcting amendment — Air Plan Approval; AK: Fine Particulate Matter Infrastructure Requirements [EPA-R10-OAR-2017-0597; FRL-9988-51-Region 10] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7374. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; California; Feather River Air Quality Management District [EPA-R09-OAR-2018-0559; FRL-9987-78-Region 9] received December 19, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

7375. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — General Schedule Locality Pay Areas (RIN: 3206-AN64) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7376. A letter from the Acting Director, Office of Personnel Management, transmitting the Office's final rule — Veterans' Preference (RIN: 3206-AN47) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Oversight and Government Reform.

7377. A letter from the Assistant General Counsel, Federal Election Commission, transmitting the Commission's final rule — Reporting Multistate Independent Expenditures and Electioneering Communications

[NOTICE: 2018-17] received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on House Administration.

7378. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Ohio River, Mile 28.0 to 29.2, Vanport, Pennsylvania [Docket No.: USCG-2018-0653] (RIN: 1625-AA00) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7379. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; Delaware River, Dredging Operation Equipment Recovery, Marcus Hook Range, Chester, PA [Docket No.: USCG-2018-0913] (RIN: 1625-AA00) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7380. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zone; NASA Activities, Gulf of Mexico, Galveston, TX [Docket No.: USCG-2018-0962] (RIN: 1625-AA00) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7381. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's temporary final rule — Safety Zones; Pipeline Construction, Tennessee River Miles 465 to 466, Chattanooga, TN [Docket No.: USCG-2018-1030] (RIN: 1625-AA00) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

7382. A letter from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Delaware River, Pennsauken Township, NJ [Docket No.: USCG-2016-0257] (RIN: 1625-AA09) received December 20, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.

¶173.4 WHOLE NUMBER OF THE HOUSE OF REPRESENTATIVES ADJUSTED

The SPEAKER pro tempore, Mr. UPTON, announced, under clause 5(d) of rule XX, that, in light of the resignation of the gentlewoman from New Mexico [Ms. Michelle LUJAN GRISHAM], the whole number of the House is adjusted to 432.

And then,

¶173.5 ADJOURNMENT

The SPEAKER pro tempore, Mr. UPTON, pursuant to section 2(b) of House Resolution 1180, at 12 o'clock and 2 minutes p.m., declared the House adjourned until 11 a.m. on Thursday, January 3, 2019.

¶173.6 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOWDY: Committee on Oversight and Government Reform. Activities of the House

Committee on Oversight and Government Reform, 115th Congress (Rept. 115-1114). Referred to the Committee of the Whole House on the state of the Union.

Mr. BRADY of Texas: Committee on Ways and Means. Report on the Legislative and Oversight Activities of the Committee on Ways and Means During the 115th Congress (Rept. 115-1115). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 6741. A bill to amend the Federal Reserve Act to increase monetary policy transparency and accountability and to make reforms to the Federal Reserve System, and for other purposes; with an amendment (Rept. 115-1116, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4278. A bill to ensure that the operations of the Board of Governors of the Federal Reserve System remain independent from the credit policy of the United States, and for other purposes; with an amendment (Rept. 115-1117). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 2128. A bill to amend the Securities Exchange Act of 1934 to permit private persons to compel the Securities and Exchange Commission to seek legal or equitable remedies in a civil action, instead of an administrative proceeding, and for other purposes (Rept. 115-1118). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. H.R. 4247. A bill to repeal title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Rept. 115-1119). Referred to the Committee of the Whole House on the state of the Union.

Mr. ROE of Tennessee: Committee on Veterans' Affairs. Report of the Activities of the Committee on Veterans' Affairs of the House of Representatives During the One Hundred Fifteenth Congress (Rept. 115-1120). Referred to the Committee of the Whole House on the state of the Union.

Mr. FRELINGHUYSEN: Committee on Appropriations. Committee on Appropriations House of Representatives Annual Report of Committee Activities 115th Congress (Rept. 115-1121). Referred to the Committee of the Whole House on the state of the Union.

Mr. HENSARLING: Committee on Financial Services. Report on the Activity of the Committee on Financial Services of the United States House of Representatives for the One Hundred Fifteenth Congress (Rept. 115-1122). Referred to the Committee of the Whole House on the state of the Union.

Ms. FOXX: Committee on Education and the Workforce. Report on the Activities of the Committee on Education and the Workforce for the 115th Congress (Rept. 115-1123). Referred to the Committee of the Whole House on the state of the Union.

Mr. WOMACK: Committee on the Budget. Activities and Summary Report of the Committee on the Budget House of Representatives One Hundred Fifteenth Congress (Rept. 115-1124). Referred to the Committee of the Whole House on the state of the Union.

Mrs. BROOKS of Indiana: Committee on Ethics. Summary of Activities One Hundred Fifteenth Congress (Rept. 115-1125). Referred to the Committee of the Whole House on the state of the Union.

Mr. WALDEN: Committee on Energy and Commerce. Activity Report of the Committee on Energy and Commerce of the House of Representatives for the One Hundred Fifteenth Congress (Rept. 115-1126). Referred to the Committee of the Whole House on the state of the Union.

Mr. McCAUL: Committee on Homeland Security, Legislative and Oversight Activities of the Committee on Homeland Security 115th Congress (Rept. 115-1127). Referred to the Committee of the Whole House on the state of the Union.

Mr. BISHOP of Utah: Committee on Natural Resources. Report on the Activities of the Committee on Natural Resources U.S. House of Representatives for the 115th Congress (Rept. 115-1128). Referred to the Committee of the Whole House on the state of the Union.

¶173.7 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committee on Rules discharged from further consideration. H.R. 6741 referred to the Committee of the Whole House on the state of the Union.

¶173.8 PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Ms. WILD:

H.R. 7400. A bill making continuing appropriations for the Coast Guard; to the Committee on Appropriations.

By Mr. ELLISON:

H.R. 7401. A bill to modify provisions of law relating to refugee resettlement, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

¶173.9 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 5472: Mr. BILIRAKIS.

H.R. 7295: Mrs. TORRES.

H.R. 7368: Ms. BONAMICI.

THURSDAY, JANUARY 3, 2019 (174)

¶174.1 APPOINTMENT OF SPEAKER PRO TEMPORE

The House was called to order by the SPEAKER pro tempore, Mr. WOMACK, who laid before the House the following communication:

THE SPEAKER'S ROOMS,
U.S. HOUSE OF REPRESENTATIVES,
WASHINGTON, DC,

January 3, 2019.

I hereby appoint the Honorable STEVE WOMACK to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker.

¶174.2 APPROVAL OF THE JOURNAL

The SPEAKER pro tempore, Mr. WOMACK, announced that, pursuant to section 2(a) of House Resolution 1180, the Journal of the proceedings of Wednesday, January 2, 2019, was approved.

¶174.3 COMMUNICATIONS

Executive and other communications, pursuant to clause 8 of rule XII, were referred as follows:

7383. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's IRB only rule — 2019 Standard Mileage [Notice 2019-2] received December 21, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Ways and Means.

¶174.4 RECESS—11:02 A.M.

The SPEAKER pro tempore, Mr. WOMACK, pursuant to clause 12(a) of rule I, declared the House in recess at 11 o'clock and 2 minutes a.m., subject to the call of the Chair.

¶174.5 AFTER RECESS—11:55 A.M.

The SPEAKER pro tempore, Mr. WOMACK, called the House to order.

¶174.6 BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on January 2, 2019, she presented to the President of the United States, for his approval, the following bills:

H.R. 7318. An Act to amend the Federal Assets Sale and Transfer Act of 2016 to ensure that the Public Buildings Reform Board has adequate time to carry out the responsibilities of the Board, and for other purposes.

H.R. 7319. An Act to amend the Federal Assets Sale and Transfer Act of 2016 to provide flexibility with respect to the leaseback of certain Federal real property, and for other purposes.

H.R. 7279. An Act to amend the Federal Water Pollution Control Act to provide for an integrated planning process, to promote green infrastructure, and for other purposes.

H.R. 6602. An Act to reauthorize the New Jersey Coastal Heritage Trail Route, and for other purposes.

H.R. 5636. An Act to designate additions to the Flatside Wilderness on the Ouachita National Forest, and for other purposes.

H.R. 4689. An Act to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska.

H.R. 4174. An Act to amend titles 5 and 44, United States Code, to require Federal eval-

uation activities, improve Federal data management, and for other purposes.

H.R. 672. An Act to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

And then,

¶174.7 ADJOURNMENT SINE DIE

On motion of the SPEAKER pro tempore, Mr. WOMACK, pursuant to the Twentieth Amendment to the Constitution of the United States, declared the 115th Congress adjourned sine die at 11 o'clock and 56 minutes a.m.

¶174.8 REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on Science, Space, and Technology. S. 141. An act to improve understanding and forecasting of space weather events, and for other purposes; with amendments (Rept. 115-1129, Pt. 1). Referred to the Committee of the Whole House on the state of the Union.

Mr. SESSIONS: Committee on Rules. Survey of Activities of the House Committee on Rules for the 115th Congress (Rept. 115-1130). Referred to the Committee of the Whole House on the state of the Union.

¶174.9 COMMITTEE DISCHARGED

Pursuant to clause 2 of rule XIII, the Committees on Armed Services, Transportation and Infrastructure, Foreign Affairs, and Intelligence (Permanent Select) discharged from further consideration. S. 141 referred to the Committee of the Whole House on the state of the Union.

¶174.10 ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 2449: Mr. CARTWRIGHT.

H.R. 6887: Mr. VISCLOSKEY.