

(Ms. STABENOW) was added as a cosponsor of S. 1146, a bill to enhance the ability of the Office of the National Ombudsman to assist small businesses in meeting regulatory requirements and develop outreach initiatives to promote awareness of the services the Office of the National Ombudsman provides, and for other purposes.

S. 1182

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1199

At the request of Mrs. McCASKILL, the names of the Senator from Montana (Mr. TESTER) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 1199, a bill to amend the Homeland Security Act of 2002 to reauthorize the Border Enforcement Security Task Force program within the Department of Homeland Security, and for other purposes.

S. 1251

At the request of Mr. WARNER, the name of the Senator from Indiana (Mr. YOUNG) was added as a cosponsor of S. 1251, a bill to require the Secretary of Labor to establish a pilot program for providing portable benefits to eligible workers, and for other purposes.

S. 1286

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1286, a bill to lift the trade embargo on Cuba.

S. 1290

At the request of Mr. LEE, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 1290, a bill to help individuals receiving assistance under means-tested welfare programs obtain self-sufficiency, to provide information on total spending on means-tested welfare programs, to provide an overall spending limit on means-tested welfare programs, and for other purposes.

S. 1331

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1331, a bill to establish the Great Lakes Mass Marking Program, and for other purposes.

S. 1332

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1332, a bill to establish the Great Lakes Aquatic Connectivity and Infrastructure Program, and for other purposes.

S. 1398

At the request of Ms. STABENOW, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 1398, a bill to direct the Secretary of the Army, acting through the Chief of Engineers, to release an in-

terim report related to aquatic nuisance species control, and for other purposes.

S. 1462

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

S. 1480

At the request of Mr. KING, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1480, a bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property.

S. 1575

At the request of Mr. WHITEHOUSE, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1575, a bill to amend the Internal Revenue Code of 1986 to provide a tax credit for taxpayers who remove lead-based hazards.

S. 1585

At the request of Mr. WHITEHOUSE, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1585, a bill to amend the Federal Election Campaign Act of 1971 to provide for additional disclosure requirements for corporations, labor organizations, Super PACs and other entities, and for other purposes.

S. 1598

At the request of Mr. TESTER, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 1598, a bill to amend title 38, United States Code, to make certain improvements in the laws administered by the Secretary of Veterans Affairs, and for other purposes.

At the request of Mr. ISAKSON, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 1598, *supra*.

S. 1600

At the request of Ms. HIRONO, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1600, a bill to amend title II of the Social Security Act and the Internal Revenue Code of 1986 to make improvements in the old-age, survivors, and disability insurance program, and to provide for Social Security benefit protection.

S. 1619

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 1619, a bill to amend the Servicemembers Civil Relief Act to extend the interest rate limitation on debt entered into during military service to debt incurred during military service to consolidate or refinance student loans incurred before military service.

S. 1620

At the request of Mr. COTTON, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1620, a bill to enhance the security of Taiwan and bolster its participation in the international community, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. UDALL (for himself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. DURBIN, Mrs. GILLIBRAND, Mr. MARKEY, Ms. HARRIS, Mr. CARDIN, and Mr. MERKLEY):

S. 1624. A bill to prohibit the use of chlorpyrifos on food, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. UDALL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1624

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Protect Children, Farmers, and Farmworkers from Nerve Agent Pesticides Act of 2017”.

#### SEC. 2. FINDINGS.

Congress finds as follows:

(1) In 1996, Congress unanimously passed the Food Quality Protection Act of 1996 (Public Law 104-170; 110 Stat. 1489) (referred to in this section as “FQPA”), a comprehensive overhaul of Federal pesticide and food safety policy. That Act amended the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.) (referred to in this section as “FIFRA”) and the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the laws that govern how the Environmental Protection Agency (referred to in this section as the “EPA”) registers pesticides and pesticide labels for use in the United States and establishes tolerances or acceptable levels for pesticide residues on food.

(2) The FQPA directs the EPA to ensure with “reasonable certainty” that “no harm” will result from food, drinking water, and other exposures to a pesticide. If EPA cannot make this safety finding, it must prohibit residues and use of the pesticide on food. The FQPA mandates that EPA must consider children’s special sensitivity and exposure to pesticide chemicals and must make an explicit determination that the pesticide can be used with a “reasonable certainty of no harm” to children. In determining acceptable levels of pesticide residue, EPA must account for the potential health harm from pre-and postnatal exposures. The economic benefits of pesticides cannot be used to override this health-based standard for children from food and other exposures.

(3) Chlorpyrifos is a widely used pesticide first registered by EPA in 1965. Chlorpyrifos is an organophosphate pesticide, a class of pesticides developed as nerve agents in World War II and adapted for use as insecticides after the war. Chlorpyrifos and other organophosphate pesticides affect the nervous system through inhibition of cholinesterase, an enzyme required for proper nerve functioning. Acute poisonings occur when nerve impulses pulsate through the

body, causing symptoms like nausea, vomiting, convulsions, respiratory paralysis, and, in extreme cases, death. Based on dozens of peer-reviewed scientific articles, EPA determined that exposure during pregnancy to even low levels of chlorpyrifos that caused only minimal cholinesterase inhibition (10 percent or less) in the mothers could lead to measurable long-lasting and possibly permanent neurobehavioral and functional deficits in prenatally exposed children.

(4) People, including pregnant women, are exposed to chlorpyrifos through residues on food, contaminated drinking water, and toxic spray drift from nearby pesticide applications. Chlorpyrifos is used on an extensive variety of crops, including fruit and nut trees, vegetables, wheat, alfalfa, and corn. Between 2006 and 2012, chlorpyrifos was applied to more than 50 percent of the Nation's apple and broccoli crops, 45 percent of onion crops, 46 percent of walnut crops, and 41 percent of cauliflower crops.

(5) Chlorpyrifos is acutely toxic and associated with neurodevelopmental harms in children. Prenatal exposure to chlorpyrifos is associated with elevated risks of reduced IQ, loss of working memory, delays in motor development, attention-deficit disorders, and structural changes in the brain.

(6) There is no nationwide chlorpyrifos use reporting. The United States Geological Survey estimates annual pesticide use on agricultural land in the United States, and estimates that chlorpyrifos use on crops in 2014 ranged from 5,000,000 to 7,000,000 pounds of chlorpyrifos.

(7) In its 2016 report, the Federal Insecticide, Fungicide, and Rodenticide Act Scientific Advisory Panel recognized "the growing body of literature with laboratory animals (rats and mice) indicating that gestational and/or early postnatal exposure to chlorpyrifos may cause persistent effects into adulthood along with epidemiology studies which have evaluated prenatal chlorpyrifos exposure in mother-infant pairs and reported associations with neurodevelopment outcomes in infants and children."

(8) Chlorpyrifos has long been of concern to EPA. Residential uses of chlorpyrifos ended in 2000 after EPA found unsafe exposures to children. EPA also discontinued use of chlorpyrifos on tomatoes and restricted its use on apples and grapes in 2000, and obtained no-spray buffers around schools, homes, playfields, day cares, hospitals, and other public places, ranging from 10 to 100 feet. In 2015, EPA proposed to ban all chlorpyrifos food tolerances, based on unsafe drinking water contamination, which would end use of chlorpyrifos on food in the United States. After updating the risk assessment for chlorpyrifos in November 2016 to protect against prenatal exposures associated with brain impacts, EPA found that expected residues from use on food crops exceeded the safety standard, and additionally the majority of estimated drinking water exposures from currently allowed uses of chlorpyrifos also exceeded acceptable levels, reinforcing the need to revoke all food tolerances for the pesticide.

(9) Chlorpyrifos threatens the healthy development of children. Children experience greater exposure to chlorpyrifos and other pesticides because, relative to adults, they eat and drink more proportional to their body weight. A growing body of evidence shows that prenatal exposure to very low levels of chlorpyrifos can lead to lasting and possibly permanent neurological impairments. In November 2016, EPA released a revised human health risk assessment for chlorpyrifos that confirmed that there are no acceptable uses for the pesticide, all food uses exceed acceptable levels, with children

ages 1 to 2 exposed to levels of chlorpyrifos that are 140 times what the EPA considers acceptable.

(10) Chlorpyrifos threatens agricultural workers. Farm workers are exposed to chlorpyrifos from mixing, handling, and applying the pesticide, as well as from entering fields where chlorpyrifos was recently sprayed. Chlorpyrifos is one of the pesticides most often linked to acute pesticide poisonings, and in many States, it is regularly identified among the 5 pesticides linked to the highest number of pesticide poisoning incidents. This is significant given widespread under-reporting of pesticide poisonings due to such factors as inadequate reporting systems, fear of retaliation from employers, and reluctance to seek medical treatment. According to the EPA, all workers who mix and apply chlorpyrifos are exposed to unsafe levels of the pesticide even with maximum personal protective equipment and engineering controls. Field workers are currently allowed to re-enter fields within 1 to 5 days after chlorpyrifos is sprayed based on current restricted entry intervals on the registered chlorpyrifos labels but unsafe exposures continue on average 18 days after applications.

(11) Chlorpyrifos threatens families in agricultural communities. Rural families are exposed to unsafe levels of chlorpyrifos on their food and in their drinking water. They are also exposed to toxic levels of chlorpyrifos when it drifts from the fields to homes, schools, and other places people gather. EPA's 2016 revised human health risk assessment found that chlorpyrifos drift reaches unsafe levels at 300 feet away from the edge of the treated field, and the chemical chlorpyrifos is found at unsafe levels in the air at schools, homes, and communities in agricultural areas. The small buffers put in place in 2012 leave children unprotected from this toxic pesticide drift.

(12) Chlorpyrifos threatens drinking water. EPA's 2014 and 2016 risk assessments have found that chlorpyrifos levels in drinking water are unsafe. People living and working in agricultural communities are likely to be exposed to higher levels of chlorpyrifos and other organophosphate pesticides in their drinking water.

(13) In 2015, leading scientific and medical experts, along with children's health advocates, came together, under "Project TENDR: Targeting Environmental Neuro-Developmental Risks" (referred to in this section as "TENDR"), to issue a call to action to reduce widespread exposures to chemicals that interfere with fetal and children's brain development. Based on the available and peer-reviewed scientific evidence, the TENDR authors identified prime examples of neurodevelopmentally toxic chemicals "that can contribute to learning, behavioral, or intellectual impairment, as well as specific neurodevelopmental disorders such as ADHD or autism spectrum disorder," and listed organophosphate pesticides, among them. In the United States, based on reporting from parents, 1 in 6 children have a developmental disability or other developmental delay. The TENDR Consensus Statement concludes that "to help reduce the unacceptably high prevalence of neurodevelopmental disorders in our children, we must eliminate or significantly reduce exposures to chemicals that contribute to these conditions."

### SEC. 3. PROHIBITIONS RELATING TO CHLORPYRIFOS.

Section 402 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 342) is amended by adding at the end the following:

"(j) Notwithstanding any other provision of law, if it bears or contains chlorpyrifos, including any residue of chlorpyrifos, or any other added substance that is present on or

in the food primarily as a result of the metabolism or other degradation of chlorpyrifos."

### SEC. 4. REVIEW OF ORGANOPHOSPHATE PESTICIDES.

(a) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Administrator of the Environmental Protection Agency (referred to in this section as the "Administrator") shall offer to enter into a contract with the National Research Council to conduct a cumulative and aggregate risk assessment that addresses all populations, and the most vulnerable subpopulations, including infants, children, and fetuses, of exposure to organophosphate pesticides.

(b) CONTENTS OF REVIEW.—The review under subsection (a) shall—

(1) assess the neurodevelopmental effects and other low-dose effects of exposure to organophosphate pesticides, including in the most vulnerable subpopulations, including—

(A) during the prenatal, childhood, adolescent, and early life stages; and

(B) agricultural workers;

(2) assess the cumulative and aggregate risks from exposure described in paragraph (1), which shall aggregate all routes of exposure, including diet, pesticide drift, volatilization, occupational, and take-home exposures; and

(3) be completed and submitted to the Administrator not later than October 1, 2019.

#### (c) REGULATORY ACTION.—

(1) APPLICABILITY.—This subsection shall apply if the Administrator becomes aware of any exposure to any organophosphate pesticide, including exposures described in paragraphs (1) and (2) of subsection (b), that does not meet, as applicable—

(A) the standard under section 408(b)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a(b)(2)); or

(B) any standard under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

(2) ACTION.—Not later than 90 days after the date on which the Administrator becomes aware of any exposure under paragraph (1), the Administrator shall take any appropriate regulatory action, regardless of whether the review under subsection (a) is completed, including—

(A) revocation or modification of a tolerance under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a); or

(B) modification, cancellation, or suspension of a registration under the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136 et seq.).

(d) EFFECT.—Nothing in this section authorizes or requires the Administrator to delay in carrying out or completing, with respect to an organophosphate pesticide, any registration review under section 3(g) of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a(g)), any tolerance review under section 408 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346a), or any registration or modification, cancellation, or suspension of a registration under section 3 or 6 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 136a, 136d), if—

(1) the organophosphate pesticide does not meet applicable requirements established under those provisions of law; or

(2) the review, registration, modification, cancellation, or suspension is required—

(A) by statute;

(B) by judicial order; or

(C) to respond to a petition.

By Mr. REED (for himself, Mr. ROUNDS, Mr. BROWN, Ms. COLLINS, Mr. CARPER, Mr. COONS,

Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. CORTEZ MASTO, and Ms. HIRONO:

S. 1629. A bill to reauthorize the Department of Defense Experimental Program to Stimulate Competitive Research, and for other purposes; to the Committee on Armed Services.

Mr. REED. Mr. President, today I am introducing the DEPSCoR Reauthorization Act of 2017 along with Senators ROUNDS, BROWN, COLLINS, CARPER, COONS, WHITEHOUSE, SHAHEEN, CORTEZ MASTO, and HIRONO.

The purpose of this bill is to ensure that we have universities in all 50 States capable of working with the Department of Defense on advanced research topics. A truly National network of university researchers who understand the needs of the Department of Defense puts us in the best possible position to respond to the ever-changing threats our armed forces face. This network will also meet the workforce needs of our defense laboratories by training graduate students in defense-relevant research. This bill reauthorizes the DEPSCoR program, which is modeled on the NSF's successful EPSCoR program for States that receive relatively low amounts of Federal science funding. The bill will focus the DEPSCoR program on defense research, while allowing the scientists and engineers of our defense laboratories to work directly with university researchers from DEPSCoR-eligible States.

Seven years ago, Congress asked the National Academy of Sciences to study the EPSCoR programs. The study concluded that it was in the National interest to engage scientific talent in all 50 States, and that EPSCoR programs were a valuable part of a National strategy to maintain global scientific leadership. The report emphasized that successfully engaging all 50 States required the involvement of technology-driven agencies, including the Department of Defense, to complement the basic science focus of the NSF.

Until 2009, the Department of Defense managed an EPSCoR-like program, known as DEPSCoR. An independent evaluation of DEPSCoR, conducted by the Institute for Defense Analyses, showed that DEPSCoR research contributed to the DoD mission, producing high-quality research and new technologies that were operationally deployed in areas such as missile guidance and communications.

DEPSCoR also successfully developed defense research capabilities in States historically underserved by Federal research and development (R&D) funding. Since DEPSCoR stopped receiving Congressional support, defense research in DEPSCoR-eligible States has plummeted, with the decreases far larger than the relatively modest amounts going to DEPSCoR awards. This shows that DEPSCoR was doing what Congress intended the program to do: develop competitive defense researchers in all 50 States.

The impact of cancelling DEPSCoR went far beyond research grants. Developing university research capabilities in all 50 States is critical to meeting DoD workforce needs. The Defense Laboratory Enterprise is more national in scope than NASA or the Department of Energy's National Laboratory system, with facilities in 24 States, including DEPSCoR-eligible States. The 2016 review of DoD laboratories by the Defense Science Board reported that these laboratories depend on locally trained scientists and engineers. Without relevant training provided through DoD-supported research projects at nearby universities, these facilities may struggle to find highly qualified scientists and engineers.

Because of these concerns, I have been working with my colleague on the Armed Services Committee, Senator ROUNDS of South Dakota, to revive this program. This reauthorization uses the lessons learned from the previous iteration of DEPSCoR to improve the program, making it more responsive to Department of Defense needs.

I invite our colleagues to join us in supporting this legislation.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 231—DESIGNATING JULY 30, 2017, AS “NATIONAL WHISTLEBLOWER APPRECIATION DAY”

Mr. GRASSLEY (for himself, Mr. JOHNSON, Ms. BALDWIN, Mr. CARPER, Mr. WYDEN, Mr. MARKEY, Mr. BOOZMAN, Mrs. McCASKILL, Mr. TILLIS, Mrs. ERNST, Mrs. FISCHER, Mr. PETERS, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 231

Whereas, in 1777, before the passage of the Bill of Rights, 10 sailors and marines blew the whistle on fraud and misconduct that was harmful to the United States;

Whereas the Founding Fathers unanimously supported the whistleblowers in words and deeds, including by releasing government records and providing monetary assistance for the reasonable legal expenses necessary to prevent retaliation against the whistleblowers;

Whereas, on July 30, 1778, in demonstration of their full support for whistleblowers, the members of the Continental Congress unanimously enacted the first whistleblower legislation in the United States that read: “Resolved, That it is the duty of all persons in the service of the United States, as well as all other the inhabitants thereof, to give the earliest information to Congress or other proper authority of any misconduct, frauds or misdemeanors committed by any officers or persons in the service of these states, which may come to their knowledge” (legislation of July 30, 1778, reprinted in *Journals of the Continental Congress, 1774–1789*, ed. Washington C. Ford et al. (Washington, D.C., 1904–37), 11:732);

Whereas whistleblowers risk their careers, jobs, and reputations by reporting waste, fraud, and abuse to the proper authorities;

Whereas, in providing the proper authorities with lawful disclosures, whistleblowers

save the taxpayers of the United States billions of dollars each year and serve the public interest by ensuring that the United States remains an ethical and safe place; and

Whereas it is the public policy of the United States to encourage, in accordance with Federal law (including the Constitution of the United States, rules, and regulations) and consistent with the protection of classified information (including sources and methods of detection of classified information), honest and good faith reporting of misconduct, fraud, misdemeanors, and other crimes to the appropriate authority at the earliest time possible: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates July 30, 2017, as “National Whistleblower Appreciation Day”; and

(2) ensures that the Federal Government implements the intent of the Founding Fathers, as reflected in the legislation enacted on July 30, 1778, by encouraging each executive agency to recognize National Whistleblower Appreciation Day by—

(A) informing employees, contractors working on behalf of United States taxpayers, and members of the public about the legal right of a United States citizen to “blow the whistle” to the appropriate authority by honest and good faith reporting of misconduct, fraud, misdemeanors, or other crimes; and

(B) acknowledging the contributions of whistleblowers to combating waste, fraud, abuse, and violations of laws and regulations of the United States.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 262. Mrs. SHAHEEN (for herself and Mr. SASSE) submitted an amendment intended to be proposed by her to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

SA 263. Mrs. SHAHEEN submitted an amendment intended to be proposed by her to the bill S. 1519, *supra*; which was ordered to lie on the table.

SA 264. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, to provide for reconciliation pursuant to title II of the concurrent resolution on the budget for fiscal year 2017; which was ordered to lie on the table.

SA 265. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 266. Mr. McCAIN submitted an amendment intended to be proposed by him to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 267. Mr. McCONNELL proposed an amendment to the bill H.R. 1628, *supra*.

SA 268. Mr. WHITEHOUSE submitted an amendment intended to be proposed by him to the bill H.R. 1628, *supra*; which was ordered to lie on the table.

SA 269. Mr. REED (for himself, Mr. ROUNDS, Mr. BROWN, Ms. COLLINS, Mr. CARPER, Mr. COONS, Mr. WHITEHOUSE, Mrs. SHAHEEN, Ms. CORTEZ MASTO, and Ms. HIRONO) submitted an amendment intended to be proposed by him to the bill H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.