

MAVNI AND COMBATING LEGAL IMMIGRATION

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

Mr. CORREA. Mr. Speaker, today I rise to pose a simple question: What is merit-based immigration? Because it would seem that we have a different interpretation from that of our President.

Panshu Zhao came to this country legally and joined the Army while pursuing a Ph.D. He came to our country to be an American and to contribute to the greatness of our Nation just like other generations before all of us. He is one of the more than 10,000 legal immigrants offered a chance to become a citizen through service and sacrifice.

These legal immigrants enlist in our Armed Forces with vital skills. They have education, they are meritorious, and they are needed. But this administration has now made going after legal immigrants one of its primary goals.

When they threaten to deport doctors in the Army, the administration is going after legal immigrants. When ICE arrests green card holders over minor charges in their distant past, they are going after legal immigrants.

If a soldier pursuing a Ph.D. does not qualify for merit-based immigration, then who does?

HONORING STATE REPRESENTATIVE RON LOLLAR

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

Mr. KUSTOFF of Tennessee. Mr. Speaker, I rise today to honor the life of my good friend, Tennessee State Representative Ron Lollar, who passed away on July 6, 2018, at the age of 69.

Ron valiantly served his country as a United States marine in the Vietnam war, receiving accolades, including the Vietnam Gallantry Cross and the Good Conduct Medal.

Ron also served multiple terms on the Shelby County School Board and was a strong advocate for education and agriculture as a member of the Tennessee House of Representatives.

To his wife, Brenda, and their three children: I hope you take comfort in the memories of Ron and the legacy he leaves behind. May his lifelong service to our local community, to Tennessee, and to the United States never be forgotten.

We will miss you.

SUPREME COURT NOMINEES

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

Mr. RASKIN. Mr. Speaker, I represent the Eighth Congressional District in Maryland, and I want to give you a tale of two of my constituents.

One is Merrick Garland of Bethesda, the chief judge of the D.C. Court of Ap-

peals, who was nominated to the Supreme Court in March of 2016. A celebrated judge who had more judicial experience under his belt than anyone ever nominated to the Supreme Court before, a graduate of Harvard College and Harvard Law School, Judge Garland was often described as the most qualified person ever nominated to the Court.

But Senator McConnell and the GOP in the Senate vowed they would have no hearings, no action, and no vote on his nomination because there was an election coming up in 9 months and the people should be heard. This was unprecedented, but, fair enough, if that is the new standard.

Now, I have another constituent, Brett Kavanaugh of Chevy Chase, who serves on the exact same court as Judge Garland does and who has been nominated to the Supreme Court only 4 months before a national election. He is a graduate of Yale College and Yale Law School. But the Senate now says that they are going to speed through hearings and a vote on Judge Kavanaugh's nomination.

Why? Is he better qualified?

Not even Judge Kavanaugh would say that.

Why is it?

We have one-party control of the House, the Senate, the White House, and the Supreme Court. This is nothing but a power play here in Washington. They are doing it simply because they can do it, and it is wrong.

We should have one standard that governs nominations from both parties.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bills were signed by Speaker pro tempore McHENRY on Friday, July 6, 2018:

H.R. 1496, to designate the facility of the United States Postal Service located at 3585 South Vermont Avenue in Los Angeles, California, as the "Marvin Gaye Post Office";

H.R. 2673, to designate the facility of the United States Postal Service located at 514 Broadway Street in Pekin, Illinois, as the "Lance Corporal Jordan S. Bastean Post Office";

H.R. 3183, to designate the facility of the United States Postal Service located at 13683 James Madison Highway in Palmyra, Virginia, as the "U.S. Navy Seaman Dakota Kyle Rigsby Post Office";

H.R. 4301, to designate the facility of the United States Postal Service located at 201 Tom Hall Street in Fort Mill, South Carolina, as the "J. Elliot Williams Post Office Building";

H.R. 4406, to designate the facility of the United States Postal Service located at 99 Macombs Place in New York, New York, as the "Tuskegee Airmen Post Office Building";

H.R. 4463, to designate the facility of the United States Postal Service lo-

cated at 6 Doyers Street in New York, New York, as the "Mabel Lee Memorial Post Office";

H.R. 4574, to designate the facility of the United States Postal Service located at 108 West Schick Road in Bloomingdale, Illinois, as the "Bloomingdale Veterans Memorial Post Office Building";

H.R. 4646, to designate the facility of the United States Postal Service located at 1900 Corporate Drive in Birmingham, Alabama, as the "Lance Corporal Thomas E. Rivers, Jr. Post Office Building";

H.R. 4685, to designate the facility of the United States Postal Service located at 515 Hope Street in Bristol, Rhode Island, as the "First Sergeant P. Andrew McKenna Jr. Post Office";

H.R. 4722, to designate the facility of the United States Postal Service located at 111 Market Street in Saugerties, New York, as the "Maurice D. Hinchey Post Office Building";

H.R. 4840, to designate the facility of the United States Postal Service located at 567 East Franklin Street in Oviedo, Florida, as the "Sergeant First Class Alwyn Crendall Cashe Post Office Building".

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 10, 2018.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on July 10, 2018, at 12:12 p.m.:

Appointment:
Commission on Social Impact Partnerships.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

RECESS

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

Accordingly (at 2 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1430

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BANKS of Indiana) at 2 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair

will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

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

TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL ACCOUNTABILITY ACT OF 2018

Mr. KATKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5729) to restrict the department in which the Coast Guard is operating from implementing any rule requiring the use of biometric readers for biometric transportation security cards until after submission to Congress of the results of an assessment of the effectiveness of the transportation security card program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5729

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 “Transportation Worker Identification Credential Accountability Act of 2018”.

SEC. 2. RESTRICTION ON IMPLEMENTATION OF TRANSPORTATION WORKER IDENTIFICATION CREDENTIAL BIOMETRIC READER RULE.

The department in which the Coast Guard is operating may not implement the rule entitled “Transportation Worker Identification Credential (TWIC)-Reader Requirements” (81 Fed. Reg. 57651), and may not propose or issue a notice of proposed rulemaking for any revision to such rule except to extend its effective date, or for any other rule requiring the use of biometric readers for biometric transportation security cards under section 70105(k)(3) of title 46, United States Code, before the end of the 60-day period beginning on the date of the submission under paragraph (5) of section 1(b) of Public Law 114-278 (130 Stat. 1411 to 1412) of the results of the assessment required by that section.

SEC. 3. PROGRESS UPDATES.

Not later than 30 days after the date of the enactment of this Act, and every 90 days thereafter until the submission under paragraph (5) of section 1(b) of Public Law 114-278 (130 Stat. 1411 et seq.) of the results of the assessment required by that section, the Secretary of Homeland Security shall report to the Committee on Homeland Security and the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate regarding the implementation of that section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KATKO) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KATKO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 5729, as amended.

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

There was no objection.

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

Mr. Speaker, to comply with the Maritime Transportation Security Act of 2002 and the Security and Accountability for Every Port Act of 2006, the Coast Guard is establishing rules requiring electronic readers for use at high-risk vessel facilities.

The intent of the rule is to ensure that, prior to being granted unescorted access to a designated secure area, an individual will have his or her Transportation Worker Identification Credential, or TWIC, authenticated.

The Coast Guard issued a proposed rule to this effect in March 2013. The proposed rule limited the scope of the TWIC authentication requirements at facilities to secure areas that handle certain dangerous cargos in bulk through a vessel-to-facility interface. This was consistent with existing Coast Guard policy.

Industry commented on the proposed rule, and the Coast Guard also held four public meetings across the country and worked with the Transportation Security Administration to conduct a pilot program.

The Coast Guard issued its final rule in August of 2016, with an implementation date of August 23, 2018. The service noted that the final rule made a number of changes from the proposed rule, including flexibility with regard to purchase, installation, and use of electronic readers; clarifying that the rule only affects risk group A vessels and facilities; and eliminating the distinction between risk group B and C for both vessels and facilities.

However, industry was surprised by the expanded scope of the final rule where facility areas subject to the TWIC reader requirement went beyond what was included in the proposed rule and regulatory analysis accompanying that rule.

The Coast Guard has acknowledged the discrepancy between the proposed and final rules. To date, the service has not been able to identify any security benefits to the expanded scope of the final rule or definitively state how it will address industry concerns.

The Office of Management and Budget recently completed its review of a proposed rule to delay the implementation date of the TWIC reader requirements. The text of the proposed rule was released on June 22, 2018, 2 months prior to the implementation date.

Unfortunately, the rule proposed only partially addresses industry concerns. It delays implementation of the requirements until August 23, 2021, for two categories of facilities that handle certain dangerous cargo in bulk but do not transfer it. However, for facilities and vessels that handle certain dangerous cargo in bulk and transfer that cargo to or from a vessel or from facilities that receive large passenger ves-

sels, the final rule requirements go into effect on August 23, 2018.

Industry has been involved and willing to address security concerns, but facilities should not have to bear the burden of implementing a final rule proposal that has not yet been fully vetted to understand the impacts of the requirements.

H.R. 5729 requires the Secretary to submit to Congress the comprehensive security assessment of the transportation security card program, as required in section 1(b) of Public Law 114-278, before implementation of its final rule. Doing so will provide Congress and stakeholders further information on any deficiencies in the effectiveness of the program.

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

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

Mr. Speaker, I rise in support of H.R. 5729, the Transportation Worker Identification Credential Accountability Act of 2018.

Since 2002, when Congress passed the Maritime Transportation Security Act, problems have beset the Transportation Worker Identification Credential card, or TWIC card, as it is called, a maritime security credential.

Since its inception, concerns and questions about the reliability of background check information, the efficacy of fraud detection capabilities, and the relatively high cost of the credential have been persistent shortfalls that the Department of Homeland Security has never gotten right.

As explained by the bill's sponsor, the Coast Guard issued a flawed final rule in 2016 for the use of TWIC card biometric readers at high-risk maritime facilities. The Coast Guard issued this rule despite Congress directing the Department of Homeland Security in 2016 to conduct a “top-to-bottom” review of the effectiveness of the entire TWIC program.

If there was ever an example of the left hand not knowing what the right hand was doing, the issuance of this reader rule was it. Considering the history and pattern of mismanagement of TWIC credentials, I agree with the purpose of this legislation. It makes prudent sense to put a hold on any new TWIC rulemaking until such time that the Department of Homeland Security completes its effectiveness review as required by Congress.

Ensuring the security of high-risk maritime facilities remains a vitally important homeland security priority. If the TWIC card is not up to the task, it is best for Congress to understand why and how the deficiencies might best be resolved.

On the other hand, if it is determined that the best course of action is to abandon the TWIC card, we need to evaluate alternative security measures that might fill the gap immediately.

I urge my colleagues to join me and support this noncontroversial legislation.