

now Latvia. Sadly, it wasn't long before the treaty was violated.

Hitler and Stalin agreed to divide up their neighbors between them in the infamous Molotov-Ribbentrop Pact.

The Soviets annexed Latvia and the other Baltics in the lead-up to World War II. Then, of course, Hitler broke his end of the bargain and invaded. At the end of the war, Stalin had taken back the Baltics and made clear he was there to stay.

Despite courageous resistance of the Latvian forest brothers for many years while Latvians held out hope of assistance by the United States and the Western allies, Latvia remained occupied by the Soviet Union for the next 50 years after World War II. However, the United States never recognized the legitimacy of the Soviet occupation of Latvia.

Throughout the Cold War, we maintained diplomatic relations via Embassy staff who had been accredited to the United States by Latvia before the Soviet occupation.

I should note that if anyone is interested in learning more about the Latvian or Baltic history, there are books on the subject written by a professor emeritus at Iowa State University. The professor's name is Andrejs Plakans.

After World War II, Latvians who had fled the Soviets or otherwise found themselves outside their country were unable to go home to a country under foreign occupation.

The Displaced Persons Act allowed refugees to come to the United States, provided they had a sponsor, and about 700 of them came to my home State of Iowa. There is a Latvian-American community in Iowa to this very day.

In fact, the first Latvians to come to the Des Moines area were the family of the current pastor of the Iowa Latvian Evangelical Lutheran Church congregation, Leo Pelds.

After his family's initial arrangements for a job at a creamery in Birmingham, AL, fell through, they heard that Iowa would be a good choice as the climate would be what they were used to. So that family moved to Des Moines. Other Latvians soon arrived, and they sponsored further Latvians until there were 300 to 400 just in the Des Moines area.

The Latvian Society of Iowa was formed in 1950, and the Latvia Lutheran congregation was formed in 1952 after the arrival of the Latvian pastor. Like in other Latvian diaspora communities around the world, cultural events were organized to keep the Latvian culture alive, and a Saturday school was established to teach Latvian language, history, geography, and folk dances. Song festivals have played an important role in the preservation of Latvian culture going back to the national awakening, so naturally there was also a choir.

The Latvian Society of Iowa was part of the larger effort of the Latvian, Estonian, and Lithuanian American communities to keep the plight of the Bal-

tics on the radar of our American political leaders.

Then, in 1991, thanks in part to the external pressure from the United States, as well as the courageous efforts of Latvians themselves and others in the Soviet Union demanding their freedom, the "Evil Empire" collapsed. Latvia is now back in the family of free democratic European nations, where it belongs.

Latvia is a member of NATO in excellent standing, both in terms of meeting its financial commitment of 2 percent of GDP and in terms of its soldiers fighting shoulder to shoulder with Americans and other allies in places like Afghanistan and Iraq.

Even while Latvia is looking toward a bright future, its large neighbor to the east is ruled by a man who sees the fall of the Soviet Union, including losing Latvia, as, in his words, the "major geopolitical disaster of the century."

Those are the words of Vladimir Putin. He appears to be stuck in an old-fashioned way of thinking that assigns smaller countries to the Russian sphere of influence. He bullies neighbors that do not toe the Russian line. In fact, he has even occupied the Ukrainian region of Crimea, which the United States does not recognize, just as we didn't recognize the Soviet occupation of the Baltics.

Vladimir Putin resents the fact that Latvia and the other Baltics naturally choose to align with fellow European countries to their west, with which they share a common European history, culture, and outlook.

Given their past and current experience dealing with KGB thugs like Putin, the Latvians can provide invaluable insight as we grapple with how to combat Russian disinformation. In fact, it is appropriate that Riga is home to NATO's StratCom Centre of Excellence, which provides analysis and solutions for NATO on strategic communications and countering disinformation.

So, as I conclude, I look forward to continuing the strong partnership between Latvia and the United States, and I offer my best wishes to all the Latvians as they celebrate 100 years of Latvian statehood.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

#### BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for November 2018. The report compares current-law levels of spending and revenues with the amounts the Senate agreed to in the budget resolution for fiscal year 2018, H. Con. Res. 71, and the Bipartisan Budget Act of 2018, BBA18. This information is necessary for the Senate Budget Committee to determine whether budgetary points of order lie against pending legislation. The Republican staff of the Budget Committee and the Congressional Budget Office, CBO, prepared this report pursuant to section 308(b) of the Congressional Budget Act, CBA.

This is my sixth scorekeeping report this year. My last filing can be found in the CONGRESSIONAL RECORD for July 18, 2018. The information included in this report is current through November 13, 2018.

Budget Committee Republican staff prepared Tables 1-6.

Table 1 gives the amount by which each Senate authorizing committee exceeds or is below its allocation for budget authority and outlays under the most recently adopted budget resolution and the fiscal year 2019 enforceable levels filing. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. For this reporting period, 10 of the 16 authorizing committees are not in compliance with their allocations. The six committees that are fully compliant with their allocations are the committees on Armed Services, Foreign Relations, Rules and Administration, Intelligence, Indian Affairs, and Small Business and Entrepreneurship. The aggregate 10-year reduction in budget authority shown in table 1 is largely the product of savings that are generated at the end of the enforcement window through changes to customs user fees, Miscellaneous Tariff Bill Act of 2018, P.L. 115-239; Orrin G. Hatch Music Modernization Act, P.L. 115-264, or from the sale of oil from the Strategic Petroleum Reserve, America's Water Infrastructure Act of 2018, P.L. 115-270.

Tables 2-3 give the amount by which the Senate Committee on Appropriations is below or exceeds the statutory spending limits. This information is used to determine points of order related to the spending caps found in sections 312 and 314 of the CBA. Appropriations for fiscal year 2018, shown in table 2, are consistent with the statutory limits. Table 3 shows that the Appropriations Committee is currently compliant with spending limits for fiscal year 2019. Currently, seven Appropriations subcommittees are operating under a continuing resolution, the Department of Defense and Labor, Health and Human Services, and Education

Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (P.L. 115-245).

The fiscal year 2018 budget resolution contained points of order limiting the use of changes in mandatory programs in appropriations bills, CHIMPs. Tables 4, 5, and 6 track compliance with these points of order. Tables 4 and 6 show compliance with fiscal year 2018 limits for overall CHIMPs, \$17 billion, and the Crime Victims Fund CHIMP, \$11.2 billion, respectively. Table 5, which tracks the CHIMP limit of \$15 billion for fiscal year 2019, shows the Appropriations Committee has enacted \$7.7 billion worth of full-year CHIMPs for fiscal year 2019. The fiscal year 2019 CHIMPs were contained in the Labor, Health and Human Services, Education and Related Agencies division of P.L. 115-245. This information is used for determining points of order under sections 4102, overall limit, and 4103, Crime Victims Fund CHIMP, of H. Con. Res. 71.

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

Because legislation may still be enacted that would have an effect on fiscal year 2018, CBO provided a report for both fiscal year 2018 and 2019. This information is used to enforce aggregate spending and revenue levels in the budget resolution under section 311 of the CBA. CBO's estimates show that current-law levels of spending for fiscal year 2018 exceed the amounts in last year's budget resolution by \$157.4 billion in budget authority and \$106.3 billion in outlays. Revenues are \$3.2 billion above the revenue floor for fiscal year 2018 set by the budget resolution. Social Security outlays are at the levels assumed by the resolution, while Social Security revenues are \$446 million below these levels.

For fiscal year 2019, CBO annualizes the effects of the current continuing resolution, P.L. 115-245, which provides funding through December 7, 2018. For the enforcement of budgetary aggregates, the Budget Committee historically excludes this temporary funding. As such, the current-law levels are \$307.9 billion and \$198.1 billion below enforceable levels for budget authority and outlays, respectively. Revenues are \$309 million below the level assumed in the budget resolution. Further, Social Security revenues are at the levels assumed for fiscal year 2019, while Social Security outlays are \$2 million above assumed levels for the budget year.

CBO's report also provides information needed to enforce the Senate pay-as-you-go, PAYGO, rule. The PAYGO scorecard shows deficit increases in fiscal year 2019 of \$377 million, \$309 million revenue loss, \$68 million outlay increase, over the fiscal year 2018-2023 period of \$1,101 million, \$698 million revenue loss, \$403 million outlay increase, and over the fiscal year 2018-2028 period of \$105 million, \$689 million revenue

loss, \$584 million outlay decrease. Excluded from these figures are the budgetary effects of two direct spending and revenue bills: the VA Mission Act of 2018, P.L. 115-182, and the Support for Patients and Communities Act, P.L. 115-271. The exclusion of these budgetary effects is the result of the statutory inclusion of explicit directions to exclude the effects from the Senate's PAYGO scorecard. The Senate's PAYGO rule is enforced by section 4106 of H. Con. Res. 71.

Also included in this submission is a table tracking the Senate's budget enforcement activity on the floor since the May 7 enforcement filing. Since my last report, one point of order was raised against a CHIMP provision in the Labor-HHS division of H.R. 6157 during its initial Senate consideration. Pursuant to section 314 of S. Con. Res. 70, the fiscal year 2009 budget resolution, I raised a point of order against a \$390 million Pell grant provision. The point of order was waived by a vote of 68-24.

All years in the accompanying tables are fiscal years.

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

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

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

(In millions of dollars)				
	2018	2019	2019–2023	2019–2028
Agriculture, Nutrition, and Forestry				
Budget Authority .....	47	0	0	0
Outlays .....	47	0	0	0
Armed Services				
Budget Authority .....	–33	0	0	0
Outlays .....	–24	0	0	0
Banking, Housing, and Urban Affairs				
Budget Authority .....	0	21	285	382
Outlays .....	0	20	285	382
Commerce, Science, and Transportation				
Budget Authority .....	0	1	38	86
Outlays .....	0	1	35	85
Energy and Natural Resources				
Budget Authority .....	220	0	0	–3
Outlays .....	198	0	0	–3
Environment and Public Works				
Budget Authority .....	0	2	4	–333
Outlays .....	0	2	4	–333
Finance				
Budget Authority .....	21,971	206	991	–919
Outlays .....	5,211	119	988	–919
Foreign Relations				
Budget Authority .....	0	0	–5	–20
Outlays .....	0	0	–5	–20
Homeland Security and Governmental Affairs				
Budget Authority .....	0	0	2	4
Outlays .....	0	43	48	49
Judiciary				
Budget Authority .....	0	0	76	156
Outlays .....	0	0	72	151
Health, Education, Labor, and Pensions				
Budget Authority .....	705	0	–36	–84
Outlays .....	205	0	–36	–84
Rules and Administration				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Intelligence				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Veterans' Affairs				
Budget Authority .....	7,300	4	3	–729
Outlays .....	1,850	4,402	4,400	3,668
Indian Affairs				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0
Small Business				
Budget Authority .....	0	0	0	0
Outlays .....	0	0	0	0

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

(In millions of dollars)				
	2018	2019	2019–2023	2019–2028
Total				
Budget Authority .....	30,210	234	1,358	–1,460
Outlays .....	7,487	4,587	5,791	2,976

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

(Budget authority, in millions of dollars)		
	2018	
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>
Statutory Discretionary Limits .....	629,000	579,000
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies .....	0	23,259
Commerce, Justice, Science, and Related Agencies .....	5,400	54,200
Defense .....	589,320	132
Energy and Water Development .....	21,800	21,400
Financial Services and General Government .....	31	23,392
Homeland Security .....	2,058	45,665
Interior, Environment, and Related Agencies .....	0	35,252
Labor, Health and Human Services, Education and Related Agencies .....	0	177,100
Legislative Branch .....	0	4,700
Military Construction and Veterans Affairs, and Related Agencies .....	10,091	81,900
State Foreign Operations, and Related Programs .....	0	42,000
Transportation and Housing and Urban Development, and Related Agencies .....	300	70,000
Current Level Total .....	629,000	579,000
Total Enacted Above (+) or Below (–) Statutory Limits .....	0	0

<sup>1</sup> This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

<sup>2</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS<sup>1</sup>

(Budget authority, in millions of dollars)		
	2019	
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>
Statutory Discretionary Limits .....	647,000	597,000
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies .....	0	9
Commerce, Justice, Science, and Related Agencies .....	0	0
Defense .....	606,340	129
Energy and Water Development .....	22,440	22,200
Financial Services and General Government .....	0	0
Homeland Security .....	0	9
Interior, Environment, and Related Agencies .....	0	0
Labor, Health and Human Services, Education and Related Agencies .....	0	178,076
Legislative Branch .....	0	4,836
Military Construction and Veterans Affairs, and Related Agencies .....	10,332	86,804
State Foreign Operations, and Related Programs .....	0	0
Transportation and Housing and Urban Development, and Related Agencies .....	0	4,400
Current Level Total .....	639,112	296,463
Total Enacted Above (+) or Below (–) Statutory Limits .....	–7,888	–300,537

<sup>1</sup> This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

<sup>2</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

(Budget authority, millions of dollars)	
	2018
CHIMPS Limit for Fiscal Year 2018 .....	17,000
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies .....	0

TABLE 4.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)—Continued

(Budget authority, millions of dollars)

2018	
Commerce, Justice, Science, and Related Agencies .....	10,228
Defense .....	0
Energy and Water Development .....	0
Financial Services and General Government .....	0
Homeland Security .....	0
Interior, Environment, and Related Agencies .....	0
Labor, Health and Human Services, Education and Related Agencies .....	6,772
Legislative Branch .....	0
Military Construction and Veterans Affairs, and Related Agencies .....	0
State Foreign Operations, and Related Programs .....	0
Transportation and Housing and Urban Development, and Related Agencies .....	0
Current Level Total .....	17,000
Total CHIMPS Above (+) or Below (–) Budget Resolution .....	0

TABLE 5.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

(Budget authority, millions of dollars)

2019	
CHIMPS Limit for Fiscal Year 2019 .....	15,000
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies .....	0
Commerce, Justice, Science, and Related Agencies .....	0
Defense .....	0
Energy and Water Development .....	0
Financial Services and General Government .....	0
Homeland Security .....	0
Interior, Environment, and Related Agencies .....	0
Labor, Health and Human Services, Education and Related Agencies .....	7,715
Legislative Branch .....	0
Military Construction and Veterans Affairs, and Related Agencies .....	0
State Foreign Operations, and Related Programs .....	0
Transportation and Housing and Urban Development, and Related Agencies .....	0
Current Level Total .....	7,715

TABLE 5.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)—Continued

(Budget authority, millions of dollars)

2019	
Total CHIMPS Above (+) or Below (–) Budget Resolution .....	–7,285

TABLE 6.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAM (CHIMP) TO THE CRIME VICTIMS FUND

(Budget authority, millions of dollars)

2018	
Crime Victims Fund (CVF) CHIMP Limit for Fiscal Year 2018 .....	11,224
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies .....	0
Commerce, Justice, Science, and Related Agencies .....	10,228
Defense .....	0
Energy and Water Development .....	0
Financial Services and General Government .....	0
Homeland Security .....	0
Interior, Environment, and Related Agencies .....	0
Labor, Health and Human Services, Education and Related Agencies .....	0
Legislative Branch .....	0
Military Construction and Veterans Affairs, and Related Agencies .....	0
State Foreign Operations, and Related Programs .....	0
Transportation and Housing and Urban Development, and Related Agencies .....	0
Current Level Total .....	10,228
Total CVF CHIMP Above (+) or Below (–) Budget Resolution .....	–996

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, November 15, 2018.

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

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on

the fiscal year 2018 budget and is current through the end of fiscal year 2018. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of H. Con. Res. 71, the Concurrent Resolution on the Budget for Fiscal Year 2018.

Since our last letter dated July 18, 2018, the Congress has not cleared any legislation for the President's signature that affects budget authority, outlays, or revenues in fiscal year 2018.

Sincerely,

KEITH HALL,  
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2018, AS OF SEPTEMBER 30, 2018

(In billions of dollars)

	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority .....	3,399.8	3,557.2	157.4
Outlays .....	3,221.3	3,327.6	106.3
Revenues .....	2,497.1	2,500.3	3.2
Off-Budget			
Social Security Outlays <sup>a</sup> .....	849.6	849.6	0.0
Social Security Revenues .....	873.3	872.9	–0.4

Source: Congressional Budget Office.

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

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2018, AS OF SEPTEMBER 30, 2018

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enacted <sup>a b</sup>			
Revenues .....	n.a.	n.a.	2,658,139
Permanents and other spending legislation .....	2,105,225	2,003,386	n.a.
Appropriation legislation .....	0	513,307	n.a.
Offsetting receipts .....	–866,685	–866,685	n.a.
Total, Previously Enacted .....	1,238,540	1,650,008	2,658,139
Enacted Legislation			
Authorizing Legislation			
National Defense Authorization Act for Fiscal Year 2018 (P.L. 115–91) .....	–33	–24	0
CHIP and Public Health Funding Extension Act (P.L. 115–96, Division C) .....	705	205	0
An act to amend the Homeland Security Act of 2002 . . . and for other purposes (P.L. 115–96, Division D) .....	2,100	1,050	0
An act to provide for reconciliation pursuant to title II and V of the concurrent resolution on the budget for fiscal year 2018 (P.L. 115–97) .....	–8,600	–8,600	–143,800
An act making further continuing appropriations for the fiscal year ending September 30, 2018, and for other purposes (P.L. 115–120, Divisions C and D) .....	14,509	1,203	–1,263
Bipartisan Budget Act of 2018 (P.L. 115–123, Divisions A and C–G) <sup>b c d</sup> .....	7,504	4,050	–12,424
Consolidated Appropriations Act, 2018, Divisions M–V (P.L. 115–141) <sup>c</sup> .....	225	203	–348
VA MISSION Act of 2018 (P.L. 115–182) .....	5,200	800	0
Total, Authorizing Legislation .....	21,610	–1,113	–157,835
Appropriation Legislation			
Department of Defense Missile Defeat and Defense Enhancements Appropriations Act, 2018 (P.L. 115–96, Division B) .....	4,686	803	0
Further Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (P.L. 115–123, Division B, Subdivision 1) .....	84,436	11,185	0
Further Extension of Continuing Appropriations Act, 2018, (P.L. 115–123, Division B, Subdivision 3) .....	–315	–315	0
Consolidated Appropriations Act, 2018, Divisions A–L (P.L. 115–141) <sup>c f g</sup> .....	2,259,985	1,663,110	0
Total, Appropriation Legislation .....	2,348,792	1,674,783	0
Total, Enacted Legislation .....	2,370,402	1,673,670	–157,835
Entitlements and Mandatories			
Budget resolution estimates of appropriated entitlements and other mandatory programs .....	–51,440	4,205	0
Total Current Level <sup>b h</sup> .....	3,557,239	3,327,620	2,500,304
Total Senate Resolution <sup>i</sup> .....	3,399,841	3,221,349	2,497,139
Current Level Over Senate Resolution .....	157,398	106,271	3,165
Current Level Under Senate Resolution .....	n.a.	n.a.	n.a.

Source: Congressional Budget Office.

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

<sup>a</sup> Includes the budgetary effects of the following acts that affect budget authority, outlays, or revenues and were cleared by the Congress during the 1st session of the 115th Congress, but before the adoption of H. Con. Res. 71, the concurrent resolution on the budget for fiscal year 2018: the VA Choice and Quality Employment Act of 2017 (P.L. 115–46); the Harry W. Colmery Veterans Educational Assistance Act of 2017 (P.L. 115–48); a joint resolution compact relating to the establishment of the Washington Metrorail Safety Commission (P.L. 115–54); the Continuing Appropriations Act, 2018 and Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115–56); the Emergency Aid to American Survivors of Hurricanes Irma and Jose Overseas Act (P.L. 115–57); the Department of Veterans Affairs Expiring Authorities Act of 2017 (P.L. 115–62); the Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115–63); the Hurricanes Harvey, Irma, and Maria Education Relief Act of 2017 (P.L. 115–64); and the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (P.L. 115–72).

<sup>b</sup> Emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Deficit Control Act does not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115–63) .....	263	263	0
Bipartisan Budget Act of 2018 (P.L. 115–123) .....	2,217	1,469	–509

	Budget Authority	Outlays	Revenues
Total .....	2,480	1,732	—509
<sup>c</sup> The Bipartisan Budget Act of 2018 (P.L. 115–123) contains seven divisions. Division A, Subdivision 2 of Division B, and Divisions C–F contain authorizing legislation, of which the budgetary effects of Subdivision 2 of Division B were designated as being for emergency requirements. Subdivisions 1 and 3 of Division B contain appropriation legislation. Subdivision 1 provided supplemental appropriations for fiscal year 2018 for disaster relief and designated those amounts as being for emergency requirements, and section 158 of Subdivision 3 provided authority for the duration of fiscal year 2018, for the Secretary of Energy to draw down and sell crude oil from the Strategic Petroleum Reserve Division G of P.L. 115–123 provided for the budgetary treatment of Divisions A–F.			
<sup>d</sup> Pursuant to section 232(b) of H.C. Res. 290 (106th Congress), the Concurrent Budget Resolution for Fiscal Year 2001, the budgetary effects related to the Federal Reserve's surplus funds are excluded. As a result, the amounts shown do not include estimated increases in revenues of \$2,450 million in fiscal year 2018, \$2,180 million over the 2018–2022 period, and \$1,750 million over the 2018–2027 period.			
<sup>e</sup> Sections 540–543 of the Department of Homeland Security Appropriations Act, 2017 (Division F of P.L. 115–31), extended several immigration programs through the end of fiscal year 2017. Several continuing resolutions continued those authorities through March 23, 2018, and sections 202–205 of title II of Division M of P.L. 115–141 further extended those programs through 2018. CBO estimates that extending those authorities for the entirety of fiscal year 2018 will increase on-budget direct spending by \$5 million in fiscal year 2018, \$27 million over the 2018–2022 period, and \$53 million over the 2018–2027 period. In addition, CBO estimates that extending those authorities will decrease off-budget direct spending by \$1 million over the 2018–2022 period and by \$7 million over the 2022–2027 period. Further, CBO estimates that continuing those authorities will increase revenues by \$2 million over the 2018–2022 period and by \$7 million over the 2018–2027 period. Consistent with the budgetary treatment of Divisions K–V of P.L. 115–141, the budgetary effects of extending the immigration programs through March 23, 2018, are charged to the Appropriations Committee; the effects of extending the programs for the remainder of fiscal year 2018 are charged to the relevant authorizing committees.			
<sup>f</sup> Pursuant to sections 1001–1004 of the 21st Century Cures Act (P.L. 114–255), certain funding provided to the Department of Health and Human Services (HHS)—in particular the Food and Drug Administration (FDA) and the National Institutes of Health (NIH)—in 2017 through 2026 shall not count for the purposes of complying with provisions of the Deficit Control Act or the Congressional Budget and Impoundment Control Act of 1974. As a result, the amounts shown do not include \$1,056 million in budget authority or \$770 million in associated outlays in fiscal year 2018, specifically, \$60 million in budget authority and \$22 million in outlays for the FDA; and \$996 million in budget authority and \$748 million in outlays for HHS, which includes \$500 million in budget authority for state responses to the opioid abuse crisis and \$496 million for NIH.			
<sup>g</sup> Section 255 of the Departments of Labor, Health, and Human Services, and Education, and Related Agencies Appropriations Act, 2018 (Division H of P.L. 115–141), delayed implementation of the recommendations of the United States Preventive Services Task Force with respect to breast cancer screening, mammography, and prevention. CBO estimates that the delay will increase direct spending (budget authority and outlays) by \$14 million in fiscal year 2019 and by \$6 million in fiscal year 2020. In addition, CBO estimates that section 225 will decrease revenues by \$23 million in fiscal year 2019 (of which \$6 million will be off-budget) and will decrease revenues by \$9 million in fiscal year 2020 (of which \$2 million will be off-budget).			
<sup>h</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.			
<sup>i</sup> Periodically, the Senate Committee on the Budget revises the budgetary levels in H. Con. Res. 71, pursuant to various provisions of the resolution. The total for the Initial Senate Resolution shown below excludes \$47,660 million in budget authority, \$22,467 million in outlays, and \$150,003 million in revenues assumed in H. Con. Res. 71 for discretionary spending not constrained by the budgetary caps established by the Budget Control Act of 2011 (P.L. 112–25) and subsequently amended, including spending that qualifies for adjustments pursuant to section 4205 of H. Con. Res. 71.			

	Budget Authority	Outlays	Revenues
Initial Senate Resolution .....	3,089,061	3,109,221	2,640,939
Revisions:			
Pursuant to section 311 of the Congressional Budget Act of 1974 and section 3003 of H. Con. Res. 71 .....	—8,600	—8,600	—143,800
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974 .....	4,686	803	0
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974 .....	84,436	11,185	0
Pursuant to section 311 and 314(a) of the Congressional Budget Act of 1974 and section 4108 of H. Con. Res. 71 .....	230,553	108,997	0
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974 .....	—295	—257	0
Revised Senate Resolution .....	3,399,841	3,221,349	2,497,139

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, November 15, 2018.

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

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2019 budget and is current through November 13, 2018. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on May 7, 2018, pursuant to section 30103 of the Bipartisan Budget Act of 2018 (Public Law 115–123).

Since our last letter dated July 18, 2018, the Congress has cleared and the President has signed the following legislation that has

significant effects on budget authority, outlays, and revenues in fiscal year 2019:

Miscellaneous Tariff Bill Act of 2018 (Public Law 115–239),

Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019 (Public Law 115–244),

Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (Public Law 115–245),

Department of Veterans Affairs Expiring Authorities Act of 2018 (Public Law 115–251),

FAA Reauthorization Act of 2018 and Supplemental Appropriations for Disaster Relief Act, 2018 (Public Law 115–254),

America's Water Infrastructure Act of 2018 (Public Law 115–270); and

SUPPORT for Patients and Communities Act (Public Law 115–271).

Sincerely,

KEITH HALL,  
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2019, AS OF NOVEMBER 13, 2018

[In billions of dollars]			
	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority .....	3,619.2	3,632.0	12.8
Outlays .....	3,546.4	3,539.3	—7.1
Revenues .....	2,590.5	2,590.2	—0.3
Off-Budget			
Social Security Outlays <sup>a</sup> .....	908.8	908.8	0.0
Social Security Revenues .....	899.2	899.2	0.0

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

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2019, AS OF NOVEMBER 13, 2018  
[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted <sup>a b</sup>			
Revenues .....	n.a.	n.a.	2,590,496
Permanents and other spending legislation .....	2,337,789	2,232,677	n.a.
Appropriation legislation .....	0	573,950	n.a.
Offsetting receipts .....	—890,012	—890,015	n.a.
Total, Previously Enacted .....	1,447,777	1,916,612	2,590,496
Enacted Legislation			
Authorizing Legislation			
Economic Growth, Regulatory Relief, and Consumer Protections Act (P.L. 115–174) <sup>c</sup> .....	18	17	—5
VA MISSION Act of 2018 (P.L. 115–182) .....	0	4,400	0
American Innovation \$1 Coin Act (P.L. 115–197) .....	3	3	0
Miscellaneous Tariff Bill Act of 2018 (P.L. 115–239) .....	0	0	—304
Department of Veterans Affairs Expiring Authorities Act of 2018 (P.L. 115–251) .....	4	2	0
FAA Reauthorization Act of 2018 (P.L. 115–254) <sup>d</sup> .....	1	44	0
America's Water Infrastructure Act of 2018 (P.L. 115–270) .....	2	2	0
SUPPORT for Patients and Communities Act (P.L. 115–271) <sup>b</sup> .....	206	119	0
Subtotal, Authorizing Legislation .....	234	4,587	—309
Appropriation Legislation <sup>a</sup>			
Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, 2019 (P.L. 115–244) .....	191,127	145,276	0
Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (P.L. 115–245) <sup>a b</sup> .....	1,691,001	1,223,855	0
Supplemental Appropriations for Disaster Relief, 2018 (P.L. 115–254, Division I) .....	1,680	25	0
Subtotal, Appropriation Legislation .....	1,883,808	1,369,156	0
Total, Enacted Legislation .....	1,884,042	1,373,743	—309
Continuing Resolution			
Continuing Appropriations Act, 2019 (P.L. 115–245, Division C) <sup>a b</sup> .....	320,763	190,949	0
Entitlements and Mandatories			
Total Current Level <sup>b</sup> .....	—20,585	57,981	0
Total Senate Resolution <sup>c</sup> .....	3,631,997	3,539,285	2,590,187
	3,619,159	3,546,419	2,590,496

TABLE 2—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2019, AS OF NOVEMBER 13, 2018—Continued

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Current Level Over Senate Resolution .....	12,838	n.a.	n.a.
Current Level Under Senate Resolution .....	n.a.	7,134	309
Memorandum			
Revenues, 2019–2028			
Senate Current Level <sup>c</sup> .....	n.a.	n.a.	33,272,465
Senate Resolution <sup>c</sup> .....	n.a.	n.a.	33,273,213
Current Level Over Senate Resolution .....	n.a.	n.a.	n.a.
Current Level Under Senate Resolution .....	n.a.	n.a.	748

Source: Congressional Budget Office.

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

<sup>a</sup> Sections 1001–1004 of the 21st Century Cures Act (P.L. 114–255) require that certain funding provided for 2017 through 2026 to the Department of Health and Human Services—in particular the Food and Drug Administration and the National Institutes of Health—be excluded from estimates for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Deficit Control Act) or the Congressional Budget and Impoundment Control Act of 1974 (Congressional Budget Act). Therefore, the amounts shown in this report do not include \$771 million in budget authority, and \$767 million in estimated outlays.

<sup>b</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include those items.

<sup>c</sup> Pursuant to section 232(b) of H.C. Res. 290 (106th Congress), the Concurrent Budget Resolution for Fiscal Year 2001, the budgetary effects related to the Federal Reserve's surplus funds are excluded. As a result, the amounts shown do not include estimated increases in revenues of \$655 million in fiscal year 2019, \$570 million over the 2019–2023 period, and \$454 million over the 2019–2028 period.

<sup>d</sup> Division I of P.L. 115–254 provided \$1.68 billion in supplemental appropriations for fiscal year 2019, and designated those amounts as being for emergency requirements pursuant to section 251 of the Deficit Control Act. In general, the budgetary effects of authorizing legislation are recorded as direct spending or revenue. However, consistent with the language in Division I, and at the direction of the Senate Committee on the Budget, those budgetary effects are classified as discretionary spending.

<sup>e</sup> Section 30103 of the Bipartisan Budget Act of 2018 required—in the absence of a concurrent resolution on the budget for fiscal year 2019—that the Chair of the Senate Committee on the Budget publish the aggregate spending and revenue levels for fiscal year 2019; those aggregate levels were first published in the Congressional Record on May 7, 2018. The Bipartisan Budget Act of 2018 also allows the Chair of the Senate Committee on the Budget to revise the budgetary aggregates:

	Budget Authority	Outlays	Revenues
Original Aggregates Printed on May 7, 2018: .....	3,547,094	3,508,052	2,590,496
Revisions:			
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974 .....	921	0	0
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974 .....	69,464	38,556	0
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974 .....	0	–214	0
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974 .....	1,680	25	0
Revised Senate Resolution .....	3,619,159	3,546,419	2,590,496

TABLE 3—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF NOVEMBER 13, 2018

(In millions of dollars)

	2018	2019	2018–2023	2018–2028
Beginning Balance <sup>a</sup> .....	0	0	0	0
Enacted Legislation <sup>b</sup> <sup>c</sup> :				
A Joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by Bureau of Consumer Financial Protection relating to “Incident Auto Lending and Compliance with the Equal Credit Opportunity Act” (S.J. Res. 57, P.L. 115–172) .....	*	*	*	*
Economic Growth, Regulatory Relief, and Consumer Protections Act (S. 2155, P.L. 115–174) <sup>d</sup> .....	*	22	329	490
Trickett Wendler, Frank Mongiello, Jordan McInn, and Matthew Bellina Right to Try Act of 2017 (S. 204, P.L. 115–176) .....	*	*	*	*
An Act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to furnish assistance for adaptations of residences of veterans in rehabilitation programs under chapter 31 of such title, and for other purposes (H.R. 3562, P.L. 115–177) .....	*	*	*	*
VA MISSION Act of 2018 (S. 2372, P.L. 115–182) <sup>e</sup> .....	*	*	*	*
Whistleblower Protection Coordination Act (S. 1869, P.L. 115–192) .....	*	*	*	*
All Circuit Review Act (H.R. 2229, P.L. 115–195) .....	*	*	*	*
American Innovation \$1 Coin Act (H.R. 770, P.L. 115–197) .....	0	3	3	0
Small Business 7(a) Lending Oversight Reform Act of 2018 (H.R. 4743, P.L. 115–189) .....	*	*	*	*
Northern Mariana Islands U.S. Workforce Act of 2018 (H.R. 5956, P.L. 115–218) .....	0	0	0	–3
KWIK Act (S. 2245, P.L. 115–226) .....	*	*	*	*
To make technical amendments to certain marine fish conservation statutes, and for other purposes (H.R. 4528, P.L. 115–228) .....	*	*	*	*
John S. McCain National Defense Authorization Act for Fiscal Year 2019 (H.R. 5515, P.L. 115–232) .....	*	*	*	*
Miscellaneous Tariff Bill Act of 2018 (H.R. 4318, P.L. 115–239) .....	0	304	690	–118
Tribal Social Security Fairness Act of 2018 (H.R. 6124, P.L. 115–243) .....	0	*	–1	–3
Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2019 (H.R. 6157, Division B, P.L. 115–245, Division B) .....	0	0	18	18
Nuclear Energy Innovation Capabilities Act of 2017 (S. 97, P.L. 115–248) .....	*	*	*	*
Department of Veterans Affairs Expiring Authorities Act of 2018 (S. 3479, P.L. 115–251) .....	*	2	*	–3
Elkhorn Ranch and White River National Forest Conveyance Act of 2017 (H.R. 698, P.L. 115–252) .....	*	*	*	*
FAA Reauthorization Act of 2018 (H.R. 302, P.L. 115–254) <sup>f</sup> .....	*	44	42	26
Patients Right to Know Drug Act of 2018 (S. 2554, P.L. 115–263) .....	*	*	–11	–52
Orrin G. Hatch Music Modernization Act (H.R. 1551, P.L. 115–264) .....	0	0	13	–24
Congressional Award Program Reauthorization Act of 2018 (S. 3509, P.L. 115–268) .....	*	*	2	4
America's Water Infrastructure Act of 2018 (S. 3021, P.L. 115–270) .....	0	2	16	–230
SUPPORT for Patients and Communities Act (H.R. 6, P.L. 115–271) <sup>g</sup> .....	*	*	*	*
Hizballah International Financing Prevention Amendments Act of 2017 (S. 1595, P.L. 115–272) .....	*	*	*	*
To authorize the National Emergency Medical Services Memorial Foundation to establish a commemorative work in the District of Columbia and its environs, and for other purposes (H.R. 1037, P.L. 115–275) .....	0	*	*	*
Impact on Deficit .....	*	377	1,101	105
Total Change in Outlays .....	*	68	403	–584
Total Change in Revenues .....	*	–309	–698	–689

Source: Congressional Budget Office.

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

<sup>a</sup> On May 7, 2018, the Chairman of the Senate Committee on the Budget reset the Senate's Pay-As-You-Go Scorecard to zero for all fiscal years.

<sup>b</sup> The amounts shown represent the estimated effect of the public laws on the deficit.

<sup>c</sup> Excludes off-budget amounts.

<sup>d</sup> Pursuant to section 232(b) of H.C. Res. 290 (106th Congress), the Concurrent Budget Resolution for Fiscal Year 2001, the budgetary effects related to the Federal Reserve's surplus funds are excluded. As a result, the amounts shown do not include estimated increases in revenues of \$655 million in fiscal year 2019, \$570 million over the 2019–2023 period, and \$454 million over the 2019–2028 period.

<sup>e</sup> The budgetary effects of this Act are excluded from the Senate's PAYGO scorecard, pursuant to section 512 of the Act.

<sup>f</sup> Division I of P.L. 115–254 contains the Supplemental Appropriations for Disaster Relief Act, 2018, which provided \$1.680 billion in supplemental appropriations for fiscal year 2019, and designated as an emergency requirement pursuant to section 251 of the Deficit Control Act. At the direction of the Committees on the Budget, and consistent with the language in section 1701, those amounts are shown as discretionary spending.

<sup>g</sup> The budgetary effects of this Act are excluded from the Senate's PAYGO scorecard, pursuant to section 8231 of the Act.

## ENFORCEMENT REPORT OF POINTS OF ORDER RAISED SINCE THE FY 2019 ENFORCEMENT FILING

Vote	Date	Measure	Violation	Motion to Waive	Result
127 .....	June 18, 2018 .....	H.R. 5515—John S. McCain National Defense Authorization Act for Fiscal Year 2019 .....	4106(a)—Senate-Pay-As-You-Go Violation <sup>1</sup> .....	Sen. McConnell (R-KY) <sup>2</sup> .....	81–14, waived
192 .....	August 23, 2018 .....	S. Amdt. #3695 to H.R. 6157, the Defense, Labor, HHS, and Education Appropriations Act <sup>3</sup> .....	314(a) CHIMP with Net-Costs .....	Sen. Leahy (D-VT) .....	68–24, waived

<sup>1</sup> Senator Sanders raised a section 4106(a) of H. Con. Res. 71 (115th Congress) point of order against the bill because the bill would increase the on-budget deficit.

<sup>2</sup> By unanimous consent the Senate proceeded to a roll call vote to waive the point of order.

<sup>3</sup> This surgical point of order would have struck lines 7–8 of page 270 in Division B (Title III) of the substitute amendment, which was related to the Pell Grant program. This provision was a Change in Mandatory Program (CHIMP) estimated to increase spending by \$390 million over 10 years.

S.J. RES. 65

Mr. VAN HOLLEN. Mr. President, as the late Senator John McCain once wrote, "We are a country with a conscience. We have long believed moral concerns must be an essential part of our foreign policy, not a departure from it." He believed, as I do, that human rights and the rule of law are the cornerstones of a just and free society.

More than any President before him, however, President Trump has shirked our Nation's values. This is especially true in his engagement abroad; across the globe, President Trump has embraced autocrats and derided our democratic allies.

The Kingdom of Bahrain is no exception to this disturbing trend. Just 2 months into his tenure, President Trump lifted all human rights conditions on a multibillion dollar sale of American fighter jets to Bahrain, imposed by President Obama. President Trump has attached no human rights conditions to any successive arms sale to Bahrain, including the arms identified in S.J. Res. 65.

The message President Trump has sent is clear: Bahrain has a green light to act with total impunity against its citizens. The Trump administration's decision coincided with an intensified government campaign against civil society and peaceful political opposition. In its 2017 Human Rights Report, the State Department cited Bahrain's unlawful killings by security forces, arbitrary arrest and detention of civilians, restrictions on freedom of expression, arbitrary citizenship revocation, and limits on Shia political participation, among a litany of other abuses by the state.

I recognize that, in every relationship, the United States must carefully weigh our national security interests. Bahrain is an important strategic partner and hosts our Navy's Fifth Fleet. The arms identified in S.J. Res. 65 are intended for Bahrain's territorial defense, which I support. However, I reject the notion, supported by this President, that our values and our interests are at odds. Our values, our willingness to consider the human costs of our actions, are what make the United States and what keep the United States exceptional. President Trump should not have abandoned human rights conditions in our arms sales to Bahrain, which is why I voted against the motion to table S.J. Res. 65.

#### COAST GUARD REAUTHORIZATION BILL

Mrs. FEINSTEIN. Mr. President, today I wish to raise concerns about the Vessel Incidental Discharge Act, known as VIDA, which is included in the Frank LoBiondo Coast Guard Act of 2018.

I voted in favor of the Frank LoBiondo Coast Guard Act of 2018, along

with 93 of my colleagues, because I strongly support the Coast Guard and its mission. The women and men of the Coast Guard provide invaluable services to our Nation, which include homeland security, maritime safety, drug interdiction, search and rescue, and marine environmental protection.

However, the Vessel Incidental Discharge Act title in the Coast Guard authorization bill is a rider that I have long opposed. VIDA imposes a uniform national standard and preempts California law in a way that weakens California's ballast water management program, which protects coastal waters from pollution and invasive species.

California has one of the most stringent ballast water discharge and management standards in the Nation. It is home to three of the country's largest and busiest ports with extremely high-volume traffic.

California's ports are often the first stop for vessels from Asia before they travel up the West Coast. Therefore, California is often the first line of defense against the spread of invasive species and other types of pollution. That is why it has led the Nation in one of the most advanced, stringent ballast water and invasive species management programs—and with much success.

Invasive species wreak havoc on ecosystems and infrastructure, with wide ranging effects from damaging levee systems to crippling commercial fisheries. Due to climate change, warming waters and shifting currents will increase the spread of invasive species, and strong safeguards are needed now more than ever.

This is why I strongly oppose VIDA's preemption of California's ballast water program.

For all these reasons, I supported the Frank LoBiondo Coast Guard Act of 2018, but do not support the VIDA provision contained therein. Thank you.

#### VOTE EXPLANATION

Mr. HEINRICH. Mr. President, on October 11, 2018, I was unavoidably absent during rollcall votes Nos. 231, 232, 233, 234, 235, 236, 237, 238, and 239. Had I been present, I would have voted yea on vote No. 238 and nay on rollcall votes Nos. 231, 232, 233, 234, 235, 236, 237, and 239.

#### ASBESTOS BANKRUPTCY TRUST OVERSIGHT

Mr. GRASSLEY. Mr. President, today I wish to highlight the excellent work being done by the Justice Department under this administration in ensuring an accountable asbestos bankruptcy trust system.

In 1994, in response to widespread asbestos litigation in our Nation's courts, Congress created a system of asbestos bankruptcy trusts. The purpose of these trusts is twofold. First, they provide an effective means for victims of asbestos exposure to obtain compensation from the companies they

worked for years earlier or whose products caused their injuries. This helps provide some measure of justice for those whose lives have been dramatically impacted by asbestos exposure.

At the same time, the companies, who otherwise face crippling liability, obtain a degree of certainty as they emerge from bankruptcy and reenter the stream of commerce.

Most importantly, these trusts are designed to ensure that all victims, current and future, have access to compensation for their injuries.

If the available funds are depleted unfairly through fraudulent claims, abuse, or mismanagement, it is the future victims, or those whose injuries have yet to manifest, who will feel the impact.

Unfortunately, the asbestos bankruptcy trust system has largely lacked any meaningful, independent oversight to ensure that trusts are not deceived into—or willingly engage in—paying erroneous claims to unscrupulous lawyers. For years, I have called out this problem and the need for more sunshine to deter potential abuse.

That is why I applaud the Justice Department's recent actions to stand up for victims of asbestos exposure by ensuring an accountable trust system.

In a recent letter to 20 State attorneys general who had called for action, the Department forcefully criticized the "problematic lack of transparency in the operation and oversight of asbestos trusts" and acknowledged "alarming evidence" of "fraud and mismanagement inside trusts."

On September 13, 2018, the Justice Department filed a statement of interest in a case concerning a proposed asbestos bankruptcy trust in North Carolina. The Department objected to the trust's formation, arguing that the plans failed to include sufficient safeguards to prevent fraud and abuse of the trust funds.

The Department further stated that the United States will object to any plan that "lacks critical provisions to ensure transparency and accountability and to prevent fraudulent claims and mismanagement of the trust funds[.]" This includes ensuring that trusts comply with any obligations under the Medicare Secondary Payer Statute, avoid conflicts of interest, and prevent excessive administrative costs and attorney's fees.

Shortly thereafter, on September 26, 2018, the Justice Department's U.S. Trustee Program, for the first time ever, objected to the appointment of a proposed future claimants' representative in a separate asbestos bankruptcy case based on the candidate's apparent conflicts of interest and close ties to lawyers representing current claimants.

According to Principal Deputy Associate Attorney General Jesse Panuccio, "[t]o best protect all victims, those appointed in asbestos cases should be held to the same conflicts prohibitions and standards of independence that are